



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

**Board of Zoning Appeals Minutes
March 21st, 2024
7:00 p.m.**

Roll Call of Members

Present:

- Scott Bockoski - Chairman
- Mike Berry
- Dennis Schrupf
- Harrison Massonne
- Steve Zell
- Aaron Culp - Legal Counsel
- Frank Zawadzki - Cicero Jackson Township Planning Director
- Terri Strong - Recorder

1. Declaration of Quorum- Chairman Bockoski declared a quorum with all members present.
2. Approval of Minutes
Mr. Zell made motion to approve as submitted for BZA meeting on December 21st, 2023. Mr. Schrupf seconded. All present in favor.
3. New Business: Election of Board Officers for 2024.
**Mr. Zell nominated Mr. Bockoski to serve as Chairman. Mr. Berry seconded motion. All present in favor.
Mr. Zell nominated Mr. Berry to serve as Vice-Chairman. Mr. Schrupf seconded motion. All present in favor.
Mr. Zell nominated Mr. Schrupf to serve as Secretary. Mr. Massonne seconded motion. All present in favor.**

Chairman Bockoski congratulated everyone and thank them for serving.

Chairman Bockoski continued meeting by explaining that the BZA is a quasi-judicial branch of the local government. The Board will be discussing items listed on the docket and issue or stipulations relating to those items on the docket. Reminding everyone that would come to the podium to address the Board with questions or comments, not the petitioners or others in the audience. Attendees must sign in if planning to speak tonight. Each person must state name and address when approaching the podium to address the Board each time. Each docket typically has a time for comment, if someone has made point, it is not necessary to repeat in entirety, but to express agreement in respect of time. All motions are made in the affirmative but does not mean that is the way we vote.

4. Petitioner: Whitley Lorenzi
Property Address: 202 Alvor Court, Cicero, IN 46034
Docket#: BZA-0324-01-R3

A Development Standards Variance Application has been submitted regarding the property located at 202 Alvor Court, Cicero IN 46034, shall not be taller then three (3) feet in the front yard; Whereas Article 7.21 FN-01 of the Cicero/Jackson Township Ordinance states that a fence shall not be taller than three (3) feet in the front yard in the "R3" district.

Whitley Lorenzi, 202 Alvor Court, want to extend into the front yard by six feet, with a four-foot aluminum black fence. Pictures shown. This is a corner lot. Chairman Bockoski questioned if trying to match the neighbor's fence. Ms. Lorenzi stated yes it would match up with neighbors. Chairman Bockoski stated we do deal with corner lots often. Questions from the Board. Mr. Zell questioned if Tamarack's HOA had approved. Ms. Lorenzi verified that she has that approval already.



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**Mr. Zell made motion to open this docket to the public. Mr. Massonne second. All present in favor.
Mr. Massonne made motion to close public hearing. Mr. Schrupf second. All present in favor.**

Chairman Bockoski asked if further Board comments. Mr. Massonne stated it is laid out well and looks great.

**Mr. Massonne made motion to approve Docket #BZA-0324-01-R3 as presented. Mr. Zell second.
Mr. Bockoski-approve, Mr. Berry-approve, Mr. Schrupf-approve, Mr. Massonne-approve, Mr. Zell-approve. 5-0**

Petitioner: Jan Jacobs

Property Address: 150 Washington Ave, Cicero, IN 46034

Docket#: BZA-0324-02-R5

A Development Standards Variance application has been submitted regarding the property located at 150 Washington Ave, Cicero Indiana 46034 concerning Article 3.12 of the Cicero/Jackson Township Zoning Ordinance to: Build a 24'X16' garage with a two (2) foot side yard setback, Whereas Article 3.12 states that the minimum side yard setback is five (5) feet.

Jan Jacobs 150 Washington Ave, decided to remodel versus new home in Cicero. Pictures shared of existing garage, with large portions cut out to accommodate a bathroom and closet for the master bedroom. Leaving area 13 x 19 too small for parking a car. Looking for close proximity to property, accessibility. Secondly would like to turn the 13 x 19 area into a family room featuring a large window to the backyard. The garage being turned would add to curb appeal of the property. Project would include a new roof, new landscaping, painting exterior and redesign of porch, new driveway and remodel of existing garage. Effort will enhance the neighborhood.

Chairman Bockoski questioned if there is an alleyway between property at 125. Ms. Jacobs stated the fence line is six inches from property line and the neighbors are shown on pictures. Large tree discussed. Mr. Schrupf questioned the alley being abandoned. Mr. Zawadzki stated it is a current alley but not used, street dept bushhogs it twice a year but the actual structure would not impede the alley if it was to be used. This would come within two feet of the alley. Ms. Jacobs indicated the packet included a completed drawing/illustration. Showed where the roof would be correctly reconstructed on the north side of the house. Chairman Bockoski asked if you are not approved this evening, without the two-foot piece would you be able to build. Ms. Jacobs stated this is a two-car garage, but it is scaled down to be able to have storage area. Chairman Bockoski verified that the old garage would become a part of the home. Ms. Jacobs shared ideas based on budget. Mr. Massonne stated it appears the current drive is combined with the alley. Ms. Jacobs states not sure who did, pave the apron of the new drive, and redo the rest with landscape touches. Mr. Zell questioned with approval when the project start would. Ms. Jacobs stated next week. Chairman Bockoski questioned if exterior lighting was part of the plan. Ms. Jacobs stated lighting on the garage, and on the side, and hope in the landscaping. Currently the streetlights do not come to my property, we have no lights.

Mr. Massonne made motion to open public hearing. Mr. Zell second. All present in favor.

125 Washington Ave. No objections to the project.

Mr. Zell made motion to close the public hearing. Mr. Schrupf second. All present in favor.

Chairman Bockoski asked if any questions from Board. Mr. Schrupf stated based on drawings presented, it appears to be an enhancement to the neighborhood. Mr. Zawadzki stated in the staff report that everyone should have seen that the update to garage provides direct access to the street as opposed to just the alleyway.

Mr. Zell made motion to approve BZA-0324-02-R5 as presented. Mr. Massonne second.

Mr. Zell-approve, Mr. Massonne-approve, Mr. Schrupf-approve, Mr. Berry-approve, Mr. Bockoski-approve. 5-0



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Petitioner: Connie Langolf

Property Address: 170 E Jackson Street, Cicero, IN 46034

Docket#: BZA-0324-03-NC

A Development Standards Variance application has been submitted regarding the property located at 170 E Jackson Street, Cicero Indiana 46034 concerning Article 4.2 of the Cicero/Jackson Township Zoning Ordinance to: To reduce the side yard setback and the rear yard setback to two (2) feet, Whereas Article 4.2 states that the minimum rear yard & minimum side yard setback is 12 feet plus buffer yard.

Connie Langolf, 170 E. Jackson Street, want to build it back as it was. Building was there 50-60 years. Mr. Zell verified this is due to fire loss. Mr. Langolf stated yes, basically would go right back on the pad that is there. Chairman Bockoski questioned if the fire had not destroyed the building would he have been able to build back without going through this process. Mr. Zawadzki answered yes he would, ordinance if the structure is destroyed by 75% or more then the structure must conform to standards of the district. It was legal non-conforming prior to fire. Mr. Langolf stated the concrete has one little crack. Mr. Berry questioned he understood the footprint planned is the same but are you changing the height of the building? Mr. Langolf answered he was going to change the roofline. Gable roof is the plan, the same height. Ron Beaver, Beaver Contracting 1048 Lions Street Noblesville doing the work and answered the roof question.

Mr. Massonne made motion to open public hearing. Mr. Schrupf second. All present in favor.

Mr. Massonne made motion to close public hearing. Mr. Berry second. All present in favor.

Chairman Bockoski commented that in career of scouting, have backed up and driven trailers thru that alley with the structure there and haven't hit anything, there is no issue, especially with the way I drive a trailer.

Mr. Schrupf made a motion to approve BZA #0324-03-NC as presented putting back what was there. Mr. Zell second.

Mr. Schrupf-approve, Mr. Massonne-approve, Mr. Zell-approve, Mr. Bockoski-approve, Mr. Berry-approve. 5-0

- 5. Plan Director's Report:** Mr. Zawadzki referred to the packets for report. Summary for February 2024: Permit revenue \$4174 for month, \$6575 YTD. Compared to 2023: \$5941 for month, YTD \$9959. Decrease of \$1767 for month and decrease of \$3384 for YTD. Issued 16 permits, 11 in town limits, 5 in township, zero new homes. Permits issued for estimated cost of construction of \$755075.
MS4 training is being completed, part of IDEM and stormwater requirements.
Plan Commission cancelled for March and will meet in April.

- 6. Chairman's Report:** Chairman Bockoski thanked the Board members for the vote of continuing the role of Chairman, adding he truly enjoys serving the community.

- 7. Legal Counsel's Report:** Mr. Culp shared that agreements have been signed to drill for test wells for water on the east side of town. Area where Arbor Homes was proposed years ago, the owner of the property has agreed to sell parcel for two test wells and perhaps more. If water is found, discuss of plant on that site as well. Costs of plant versus pumping to existing plant will be evaluated.
Also, two weeks ago approved the contract for the Wastewater treatment plant. Application has been submitted. Could be under construction as early as July not later than September.
Legal Non-conforming status as it relates to state law has had some changes in last couple of years and confirmation of current law will need to be verified. One question for the Comp Plan is if a garage is treated the same as a home, if the ordinance treated the same the homeowner would not have had to come in tonight.
Mr. Zell questioned if any water situation on the westside of town, work behind the old flower shop on 236th. Mr. Zawadzki answered that is the site that Citizens is taking the silt from the dredging project to.



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Mr. Culp stated you may get more questions concerning the utility district to the west, we have had people that do not want to see the town where the plans indicate. Under Indiana law, we do not have zoning authority over utility. Mr. Zell questioned Tollgate Road is supposed to be resurfaced, any idea when. Mr. Culp stated part of Community Crossing grant and this year, but do not know timeline. Mr. Massonne shared it is due to seasonal availability from the plants. Mr. Culp stated expected in April. Mr. Zawadzki two feet wider is part of the project. Mr. Culp stated the Council purchased part of the church property to be able to connect the trail in that area. Also, as part of the agreement, the church will annex into the town for water and sewer. Win/win for both.

Mr. Zell asked about Comprehensive Plan. Mr. Culp stated steering committee has been determined. Mr. Zawadzki stated have met, toured with engineers Mr. Zell asked if there is a targeted date for completion. Mr. Zawadzki stated 10 months from now. Mr. Culp shared it is a process, with public input. Chairman Bockoski added there will be many opportunities for folks to provide input.

Mr. Schruppf stated a question that has been posed, north on 19, the two-story house with a pool in front, there was a pine tree cut down and made into a sign. The question was is that a commercial sign and are they required to have a permit? Mr. Zawadzki stated he had heard about it today and will look into it.

8. Board Member Comments: Mr. Zawadzki stated before adjourning, introduced Jalana that helps to keep things together behind the scenes. Mr. Zell shared his personal struggle, health wise and wanted to make sure the Board is aware. Not stepping away but would want to make sure there is an alternate available if needed. Support was shared.
9. Next Planned Board of Zoning Appeals Meeting:
April 18th, 2024
10. Adjournment: Mr. Schruppf made motion to adjourn. Mr. Massonne second. All present in favor.

Chairman: _____

Secretary: _____

Date: _____

Location:

Cicero Town Hall
70 N Byron Street
Cicero, IN 46034