



**CICERO/JACKSON  
TOWNSHIP  
PLAN COMMISSION**

**Board of Zoning Appeals  
Meeting Minutes  
June 19<sup>th</sup>, 2025  
7:00 p.m.**

**Roll Call of Members**

**Present:**

- ☐ Scott Bockoski - Chairman
- ☐ Mike Berry
- ☐ Mark Thomas
- ☐ Steve Zell
- ☐ Aaron Culp - Legal Counsel
- ☐ Frank Zawadzki - Cicero Jackson Township Planning Director
- ☐ Terri Strong - Recorder

**Absent:**

Harrison Massonne

1. **Declaration of Quorum-** Chairman Bockoski declared a quorum with 4/5 members present. However, all items on the docket tonight will need to carry 3 votes to the positive or 3 votes to the negative to pass. Petitioners tonight have the option to hold off if they wish, or they can continue tonight as planned.
2. **Approval of Minutes:** Mr. Zell noted that the title still listed as agenda and should be "minutes".

**Mr. Zell made motion to approve Minutes as presented with one correction, the title is BZA Minutes. Mr. Berry second. All present in favor.**

3. **Old Business:** No old business.

Chairman Bockoski explained that the BZA is a quasi-judicial branch of the local government. The Board will be discussing items on the docket and issues or stipulations relating to the docket. Any issues or comments should be made toward the Board and its members as apposed to the petitioner or other audience members. All speakers must sign in at the sign in sheet at the door. Each attendant must state name and address when at the podium. Each speaker is limited to three minutes at the podium for each docket. Each item on the docket has portion set aside for public hearing, if a person wishing to speak is in agreement with someone that has already spoke, it is not necessary to repeat it in entirety. Speaker can agree and move on in interest of time. Remind everyone that all motions are made in the positive but does not mean that is the way we will vote.

4. **New Business:**

**Docket No.** BZA-0525-15-R1

**Petitioner:** Bender Homes/ Canfield

**Property Address:** 36 Point Lane, Arcadia, IN 46030

A Development Standards Variance request application has been submitted concerning Article 3.4 "R1" District Standards of the Cicero/Jackson Township Zoning Ordinance in order to: Increase the height of an accessory structure from twenty (20) feet to twenty-seven (27) feet. Whereas Article 3.4 states that the maximum height shall be twenty (20) feet in the "R1" district.

Chairman Bockoski explained that there are two more dockets with same petitioner and same address, they will be discussed together but voted on separately.

**331 EAST JACKSON ST. P.O. Box 650 CICERO, IN 46034  
PHONE: 317-984-5845 FAX: 317-984-5938 WWW.CICEROIN.ORG**





## **CICERO/JACKSON TOWNSHIP PLAN COMMISSION**

**Docket No.** BZA-0525-16-R1

**Petitioner:** Bender Homes/ Canfield

**Property Address:** 36 Point Lane, Arcadia, IN 46030

A Development Standards Variance request application has been submitted concerning Article 3.4 "R1" District Standards of the Cicero/Jackson Township Zoning Ordinance to: allow a twelve (12) foot side yard setback for an accessory structure. Whereas Article 3.4 states that side yard setbacks shall be forty (40) feet.

**Docket No.** BZA-0525-17-R1

**Petitioner:** Bender Homes/ Canfield

**Property Address:** 36 Point Lane, Arcadia, IN 46030

A Development Standards Variance application has been submitted concerning Article 7.5 AS-02 of the Cicero/Jackson Township Zoning Ordinance to: allow an accessory structure to exceed 65% of the Finished Floor Area of the Primary Structure. Whereas Article 7.5 AS-02 states that an accessory structure may not exceed 65% of the Finished Floor Area of the Primary Structure.

Deb Canfield 36 Point Lane, Arcadia and Kristen Bender 2030 West Morse Drive, Cicero. Ms. Bender is the owner of the property and building the accessory structure. Ms. Bender explained that it is a pole barn structure, the height is so can have basketball court inside. It is a recreational space, and the height is necessary to have the court inside. The variance on the setback is where it needs to be placed due to the placement of septic system. The size is due to being a recreational space.

Mr. Berry clarified that it is for recreational use and personal. No organized intermural events. Ms. Bender stated personal, just for fun. No plans to turn it into. Chairman Bockoski stated a follow up is, will the structure be used for business. Ms. Bender stated no, it is just for fun. Chairman Bockoski asked about lighting on the outside. Ms. Bender stated minimal lighting, over the entry and exit door, no flood lights, not on all the time, possibly motion activated. No pole lights. Chairman Bockoski questioned what kind of utilities will be inside. Ms. Bender stated electric for lighting inside, and a half bath. Chairman Bockoski questioned full living quarters with kitchen, etc. Ms. Bender stated no. Chairman Bockoski asked timeframe for starting project if approved tonight. Ms. Bender stated late summer/fall. Chairman Bockoski stated we have a stipulation, which is two years to be up and going. Ms. Bender stated that would be fine. Mr. Zell stated fairly straight forward. Chairman Bockoski asked Mr. Zawadzki if there were photos where well and septic are placed. Ms. Bender pointed out area on photo. Mr. Thomas clarified well off the easement for the train.

Chairman Bockoski summarized project. Comment was made that there are several large buildings in the neighborhood.

**Mr. Zell made motion to open public hearing for all three Bender/Canfield dockets. Mr. Thomas second. All present in favor.**

Peter Freeman 4 Point Lane, Stated has some notes and some questions. In 2015 there was a variance request for similar size pole barn on this piece of property. Township rules allows 3060 sq foot building, this is 4800, so this is a very large building and there are no similarly large buildings in our neighborhood. Requested height of 27 foot makes this industrial height in a neighborhood. Roof is self-inflicted because the building is so large the trusses are impacted. Each of these variances are self-inflicted situation. Stating for self-storage, but large building with only one overhead door, questioning purpose, disturbed by bathroom. Concern for neighborhood struggling with businesses distracting from character of the area, we have a marina, a dock business, a bed & breakfast, and beauty shop. Affect the safety and character of the properties and property values. Don't need another business, a second home on the property and you can play basketball with 20-ft ceilings. How many more industrial sized buildings will be added to the neighborhood? Will be the second largest building around the lake. Size means it will be visible to other homes around the lake, Bayshore Drive, Bayshore Court, Bayview Dr, Iron Bridge Road and most do not know about this building going up. Concern for safety with the setback and the train tracks. They could build a nice-sized building within the rules.





## **CICERO/JACKSON TOWNSHIP PLAN COMMISSION**

Paul Gipson and wife Erlene 5 Point Lane. Place to live and enjoy the reservoir, one entrance to neighborhood, now times change, and we have someone renting out 18 boat slips and many other businesses. Fail to see the need to change the neighborhood for a 40x80 foot structure tall, when they have another structure approx. 2400 sq feet and another one of 5000 sq feet. Why does a retired couple need such a structure when they live on the lake? Was the railroad aware of this variance? They would have been here. Consider rejecting this request.

**Mr. Zell made motion to close the meeting to the public. Mr. Thomas second. All present in favor.**

Chairman Bockoski stated the meeting for these three dockets is now closed to the public and asked that the petitioner step back to the podium.

Chairman Bockoski asked the petitioner to utilize the map and walk the Board around the property, the drive, and what other properties would be in view. Ms. Bender explained there is wooded area and other than one home, not sure if they would be able to see building or not because of the trees. Discussion ensued on drives and Mr. Zawadzki pulled up further mapping. Mr. Zell asked if any of the trees are in the area you are proposing the structure or will be removed. Ms. Bender stated no. Chairman Bockoski asked for clarification. Ms. Bender stated none of the trees along the lake or along the track would be removed, there is one dead one but not in that section. Mr. Zell clarified that the entire space is to be used for recreational entertainment purposes. Ms. Bender stated she has two boys, and they love basketball, living in Indiana makes it harder. Reason for length is to have two half courts. Mr. Berry questioned if he heard that her employees would be using. Ms. Bender stated no not at all, company would be building but not using. Zero plans for a business, there is no drive, can not put a drive due to septic, no plans for a business. Mr. Berry questioned on any given weekend, who is going to be playing basketball. Ms. Bender answered her boys and 3-4 friends. Mr. Berry clarified, you stated two half courts. Ms. Bender explained the set up. Mr. Berry questioned on holidays would there be big parties. Ms. Bender stated maybe a few for the fourth but not a lot. Mr. Berry asked ages of kids. Ms. Bender stated 8 and 11. Mr. Berry questioned so when in high school they would still be using. Ms. Bender stated yes, when parents no longer want property, she anticipates purchasing it. Mr. Thomas asked how big east area is. Mr. Zawadzki stated 5.6 acres. Mr. Berry asked for monitor to be focused on pole barn area. Then asked if going to create drainage problems with a building that size. Ms. Bender stated she doesn't foresee that as an issue; there is a slope. Mr. Berry expressed concerns going from ground to large building with eaves troughs.(gutters). Ms. Bender stated would have gutters. Mr. Thomas asked how tall trees were. Ms. Bender stated very tall. Chairman Bockoski asked Board to discuss stipulations, no business, no living quarters, anything else. Mr. Berry questioned the variance for the property or for the owners. Discussion ensued. Mr. Culp stated should be recorded as tied to the land. Prevents new owners of turning to a business or living quarters, stipulations are still intact. Mr. Berry asked in the event this is not approved tonight what impact there will be. Ms. Bender stated she would be ok. Chairman Bockoski asked if would build another building that would conform. Ms. Bender explained that there would still be the setback issue no matter what, due to the septic, and garage. If so small we couldn't use it in the specific way we want, we probably wouldn't do. Mr. Berry asked what one half court would do? Ms. Bender explained challenges. Chairman Bockoski stated usually designed for use by smaller children. Mr. Zell stated we also discussed minimal lighting.

**Mr. Thomas made motion to approve BZA-0525-15-R1 with following conditions: recorded as no business operated on property, no living quarters in the building and minimal lighting, construction to be started summer/fall of 2025, variance recorded with property. Mr. Zell second.**

**Mr. Berry-no, Mr. Bockoski-approve, Mr. Thomas-approve, Mr. Zell-approve. Motion passed 3-1.**

**Mr. Thomas made motion to approve BZA-0525-16-R1 with the same conditions as BZA-0525-16-R1. Mr. Berry second.**

**Mr. Thomas-approve, Mr. Zell-approve, Mr. Bockoski-approve, Mr. Berry-no. Motion passed 3-1.**

**Mr. Thomas made motion to approve BZA-0525-17-R1 with the same conditions as BZA-0525-15-R1 and BZA-0525-16-R1. Mr. Zell second.**

**Mr. Thomas-approve, Mr. Berry-no, Mr. Zell-approve, Mr. Bockoski-approve. Motion passed 3-1.**





**CICERO/JACKSON  
TOWNSHIP  
PLAN COMMISSION**

**Docket No. BZA-0625-21-AG**

**Petitioner: Jason Bezy**

**Property Address: 22400 Cammack Road, Noblesville, IN 46062**

A Development Standards Variance application has been submitted regarding the property located at 22400 Cammack Road, Cicero IN, 46034 concerning Article 7.5 of the Cicero/Jackson Township Zoning Ordinance to: Allow an accessory structure in front of the primary structure. Whereas Article 7.5 AS-02 Accessory Structure Standards of the Cicero/Jackson Township Zoning Ordinance states that an accessory structure shall be to the side or rear of the primary structure only.

Jason Bezy 22400 Cammack Road, looking to put barn up on the rear portion of the property. Live on corner lot, therefore having two front yards. Structure is behind home if on Cammack but is not if on 225<sup>th</sup>. Actual size is 48x72 which has a front wraparound porch, wainscoting, and two-toned siding. Plan is to use structure for storage, bikes, car, no business, no living quarters. Chairman Bockoski asked about lighting. Mr. Bezy stated small over the front porch door and perhaps one between the larger doors. Lighting would be minimal, with dusk to dawn with switch. Chairman Bockoski questioned electricity but what about plumbing. Mr. Bezy stated for lighting, heat perhaps air conditioning. Chairman Bockoski repeated that he would be on the corner lot. Not on side as driveway. Chairman Bockoski questioned animals. Mr. Bezy stated no, the other structure on the property was there but we have no animals.

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

Mr. Zawadzki read letter from Kathy Griffith 378 E 225<sup>th</sup>, with no opposition to variance.

No other public present.

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

Chairman Bockoski stated he would recommend same stipulations as previous dockets.

**Mr. Berry made motion to approve BZA-0625-021-AG with the following stipulations: minimal lighting, no living quarters, no businesses, recorded with the property. Mr. Thomas second.**

**Mr. Berry approve, Mr. Thomas approve, Mr. Bockoski approve, Mr. Zell approve. Motion carried 4-0.**

5. **Plan Director's Report:** Mr. Zawadzki recapped report as follows: Permit Review for month of May \$4629, YTD of \$17906. This compares to 2024 as \$5086 for month and \$19738 for YTD. A difference of -\$457 and -\$1832. Permits issued were 22 for month, 13 in town limits, 9 in township, and zero new homes. Estimated cost of projects \$1209335.
6. **Chairperson's Report:** Chairman Bockoski addressed Mr. Zawadzki the list of permits is lengthy and want to recognize what you do for the community. Chairman Bockoski indicated the large blueprint is appreciated yet not needed.
7. **Legal Counsel's Report:** No report.
8. **Board Member Comments:** No comments.
9. **Next Planned Board of Zoning Appeals Meeting:**  
July 17<sup>th</sup>, 2025

**10. Adjournment:**

**Mr. Zell made motion to adjourn. Mr. Thomas second. All present in favor.**



**CICERO/JACKSON  
TOWNSHIP  
PLAN COMMISSION**

**Chairperson:**

**Secretary:**

**Date:**

Location:

Cicero Town Hall  
70 N Byron Street  
Cicero, IN 46034