



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

Board of Zoning Appeals Agenda

July 17th, 2025

7:00 p.m.

Roll Call of Members

Present:

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

1. Declaration of Quorum

2. Approval of Minutes

June 19th, 2025

3. Old Business:

4. New Business:

Docket #: BZA-0625-18-R3

Petitioner: Duane & LEEANNE Etchison

Property Address: 815 Morse Landing Drive, Cicero, IN 46034

A Development Standards Variance application has been submitted regarding the property located at 815 Morse Landing Drive, Cicero IN to: Allow a fence to be six (6) feet tall in the front yard: Whereas Article 7.21 Fence and Wall Standards (FN) of the Cicero/Jackson Township Zoning Ordinance states that a fence shall not be greater than three (3) feet in height in the front yard.

Docket #: BZA-0625-19-R3

Petitioner: Duane & LEEANNE Etchison

Property Address: 815 Morse Landing Drive, Cicero, IN 46034

A Development Standards Variance application has been submitted regarding the property located at 815 Morse Landing Drive, Cicero IN to: allow an accessory structure in front of the primary structure: Whereas Article 7.5 of the Cicero/Jackson Township Zoning Ordinance states that an accessory structure shall be located to the rear or side of the primary structure.

Docket #: BZA-0625-20-R3

Petitioner: Duane & LEEANNE Etchison

Property Address: 815 Morse Landing Drive, Cicero, IN 46034

A Development Standards Variance application has been submitted regarding the property located at 815 Morse Landing Drive, Cicero IN, 46034 concerning Article 7.21 Fence and Wall Standards (FN) of the Cicero/Jackson Township Zoning Ordinance to: Allow a fence in the front yard to have less than 50% open surface area. Whereas Article 7.21 states that a fence in the front yard shall have no less than 50% open surface area.

Docket #: BZA-0725-22-AG

Petitioner: Patrick & Patricia Lindley

Property Address: 22200 Cammack Road, Noblesville, IN 46062

A Development Standards Variance request application has been submitted concerning Article 3.2 "AG" District Standards of the Cicero/Jackson Township Zoning Ordinance to: allow a fifteen (15) foot side yard setback for a secondary structure. Whereas Article 3.2 of the Cicero/Jackson Township Zoning Ordinance states that minimum side yard setbacks shall be thirty-five (35) feet for a secondary structure.



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

Docket #: BZA-0725-23-DC

Petitioner: Gymies Fitness Center

Property Address: 47 W Jackson Street, Cicero, IN 46034

A Development Standards Variance application has been submitted regarding the property located at 47 West Jackson Street, Cicero IN, 46034 concerning Article 10.8 Downtown Commercial (DC) Sign Standards of the Cicero/Jackson Township Zoning Ordinance to: Allow a permanent electronic/animated sign. Whereas Article 10.8 of the Cicero/Jackson Township Zoning Ordinance lists an electronic/animated sign as a prohibited sign.

Docket #: BZA-0725-24-NC

Petitioner: The Furniture Garage

Property Address: 49 E Jackson Street, Cicero, IN 46034

A Development Standards Variance application has been submitted regarding the property located at 49 E Jackson Street, Cicero to: Allow a projecting sign to exceed eighteen (18) inches from the wall it is attached to. Whereas Article 10.5 of the Cicero/Jackson Township Zoning Ordinance Neighborhood Commercial (NC) Sign Standards states no part of a projecting sign may protrude more than eighteen (18) inches from the wall it is attached

Docket #: BZA-0725-25-NC

Petitioner: The Furniture Garage

Property Address: 49 E Jackson Street, Cicero, IN 46034

A Development Standards Variance application has been submitted regarding the property located at 49 E Jackson Street, Cicero to: Allow a projecting sign to exceed ten (10) square feet in area. Whereas Article 10.5 of the Cicero/Jackson Township Zoning Ordinance Neighborhood Commercial (NC) Sign Standards states that the maximum area for a multi-tenant structure shall be ten (10) square feet per tenant.

5. Plan Director's Report: See packet.

6. Chairperson's Report:

7. Legal Counsel's Report:

8. Board Member Comments:

9. Next Planned Board of Zoning Appeals Meeting:
August 21st, 2025

10. Adjournment:

Location:

Cicero Town Hall
70 N Byron Street
Cicero, IN 46034

Terms:

Scott Bockoski – Council President Appointment – Term 01/01/2024 – 12/31/2027

Mike Berry – Council President Appointment – Term 01/01/2024 – 12/31/2027

Harrison Massone – Council President Appointment – Term 01/01/2023 – 12/31/2026

Mark Thomas – Plan Commission Appointment – Term 01/01/2024 – 12/31/2027

Steve Zell – Council Appointment – Term 01/01/2023 – 12/31/2026



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

Board of Zoning Appeals Meeting Minutes June 19th, 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-0525-15-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 225th. 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 225th, 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 17th, 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

DRAFT



CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION

CICERO / JACKSON TOWNSHIP
(BOARD OF ZONING AND APPEALS)

CICERO / JACKSON TOWNSHIP
PLANNING AND DEVELOPMENT

MAY 01 REC'D

RECEIVED

VARIANCE APPLICATION

OFFICE USE ONLY

Variance Category		Docket #: BZA-0625-18-R3
<input checked="" type="checkbox"/> Development Standards	<input type="checkbox"/> Special Exception	Date of Application: 05/01/2025
<input type="checkbox"/> Land Use	<input type="checkbox"/> Other	Date of Expiration:
Variance Check List		Variance Fee: \$320.00
<input type="checkbox"/> Adjoiner List	<input type="checkbox"/> Legal Notice Copy	Date of Hearing: 06/19/2025
<input type="checkbox"/> Certified Mail Receipts	<input type="checkbox"/> Property Sign	Date of Decision:
<input type="checkbox"/> Additional Applications for Variances	<input type="checkbox"/> Approved	<input type="checkbox"/> Not Approved

APPLICANT MUST COMPLETE THE FOLLOWING

Property Owner: Duane & Leeanne Etchison	
Property Address: 815 Morse Landing Drive	
City: Cicero	State: IN ZIP Code: 46034
Telephone: 317-727-2718	E-mail: leeanneetchison@comcast.net
Fax: n/a	
Project Address: 815 Morse Landing Drive	
City: Cicero	State: IN ZIP Code: 46034
Parcel: 05-06-01-03-06-015	Subdivision: Morse Landing
General Contractor: Barton Pool Company	Telephone: 317-727-2718
Address: 6849 Hawthorn Park Drive	Fax: Kris Deutsch (Contractor)
City: Wadsworth	Cell Phone: 317-414-8045
State: IN ZIP Code: 46220	Email: kdc@bartonpool.com
Variance Request: Privacy Fence & In-ground pool	

Commitments/ Conditions Offered: Privacy Fence will be installed. Automatic pool cover will be installed. There will be a concrete apron. Will perform any necessary Landscaping.

Code Section Appealed:



CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION

CICERO / JACKSON TOWNSHIP (BOARD OF ZONING AND APPEALS)

Petitioners List of Findings

We would like to place an in-ground pool automatic cover & privacy fence in our side yard. We have two young boys & plan on staying in this house for many years to come. We would love a pool to entertain our family & neighbors & especially kids in the neighborhood.



CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION

CICERO / JACKSON TOWNSHIP
(BOARD OF ZONING AND APPEALS)

VARIANCE APPLICATION

CICERO / JACKSON TOWNSHIP
PLANNING AND DEVELOPMENT

MAY 01 REC'D

RECEIVED

OFFICE USE ONLY

Variance Category

- ☒ Development Standards ☐ Special Exception
☐ Land Use ☐ Other

Docket #: BZA-0625-19-R3

Date of Application: 05/01/2025

Date of Expiration:

Variance Fee: \$25.00

Variance Check List

- ☐ Adjoiner List ☐ Legal Notice Copy
☐ Certified Mail Receipts ☐ Property Sign
☐ Additional Applications for Variances

Date of Hearing: 06/19/2025

Date of Decision:

☐ Approved

☐ Not Approved

APPLICANT MUST COMPLETE THE FOLLOWING

Property Owner: Diane & Leanne Etchison

Property Address: 815 Morse Landing Drive

City: Cicero

State: IN

ZIP Code: 46034

Telephone: 317-727-2718

E-mail: leanneetchison@comcast.net

Project Address: Same

Fax:

State: IN

ZIP Code:

City:

Subdivision: Morse Landing

Parcel:

Telephone: 317-727-2718

General Contractor: Barton Pool Company

Fax: Kris - Contractor

Address: 6849 Hawthorn Park Drive

Cell Phone: 317-414-8045

City: Indpls

State:

ZIP Code: 46220

Email: krd@bartonpool.com

Variance Request: In-ground Pool

Commitments/ Conditions Offered: will place automatic cover

Code Section Appealed:



CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION

CICERO / JACKSON TOWNSHIP (BOARD OF ZONING AND APPEALS)

Petitioners List of Findings

We would like to place an in-ground pool with auto-
matic cover & privacy fence in our side yard. We have
two young boys & plan on staying in this house for years
to come. We would love a pool to entertain the
neighbor kids & a fence to be safe.



CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION

CICERO / JACKSON TOWNSHIP
(BOARD OF ZONING AND APPEALS)

VARIANCE APPLICATION

CICERO / JACKSON TOWNSHIP
PLANNING AND DEVELOPMENT

MAY 01 REC'D

RECEIVED

CICERO / JACKSON TOWNSHIP

OFFICE USE ONLY

Variance Category

- ☒ Development Standards ☐ Special Exception
☐ Land Use ☐ Other

Docket #: BZA-0625-20-R3

Date of Application: 05/01/2025

Date of Expiration:

Variance Fee: \$25.00

Variance Check List

- ☐ Adjoiner List ☐ Legal Notice Copy
☐ Certified Mail Receipts ☐ Property Sign
☐ Additional Applications for Variances

Date of Hearing: 06/19/2025

Date of Decision:

☐ Approved ☐ Not Approved

APPLICANT MUST COMPLETE THE FOLLOWING

Property Owner: Diane & Leanne Etchison

Property Address: 815 Morse Landing Drive

City: Cicero

State: IN

ZIP Code: 46034

Telephone: 317-727-2718

E-mail: leanneetchison@comcast.net

Project Address: Same

Fax:

State: IN

ZIP Code:

City:

Subdivision: Morse Landing

Parcel:

Telephone: 317-727-2718

General Contractor: Barton Pool Company

Fax: Kris - Contractor

Address: 6849 Hawthorn Park Drive

Cell Phone: 317-414-8045

City: Indpls

State:

ZIP Code: 46220

Email: kd@bartonpool.com

Variance Request: In-ground Pool

Commitments/ Conditions Offered: will place automatic cover

Code Section Appealed:

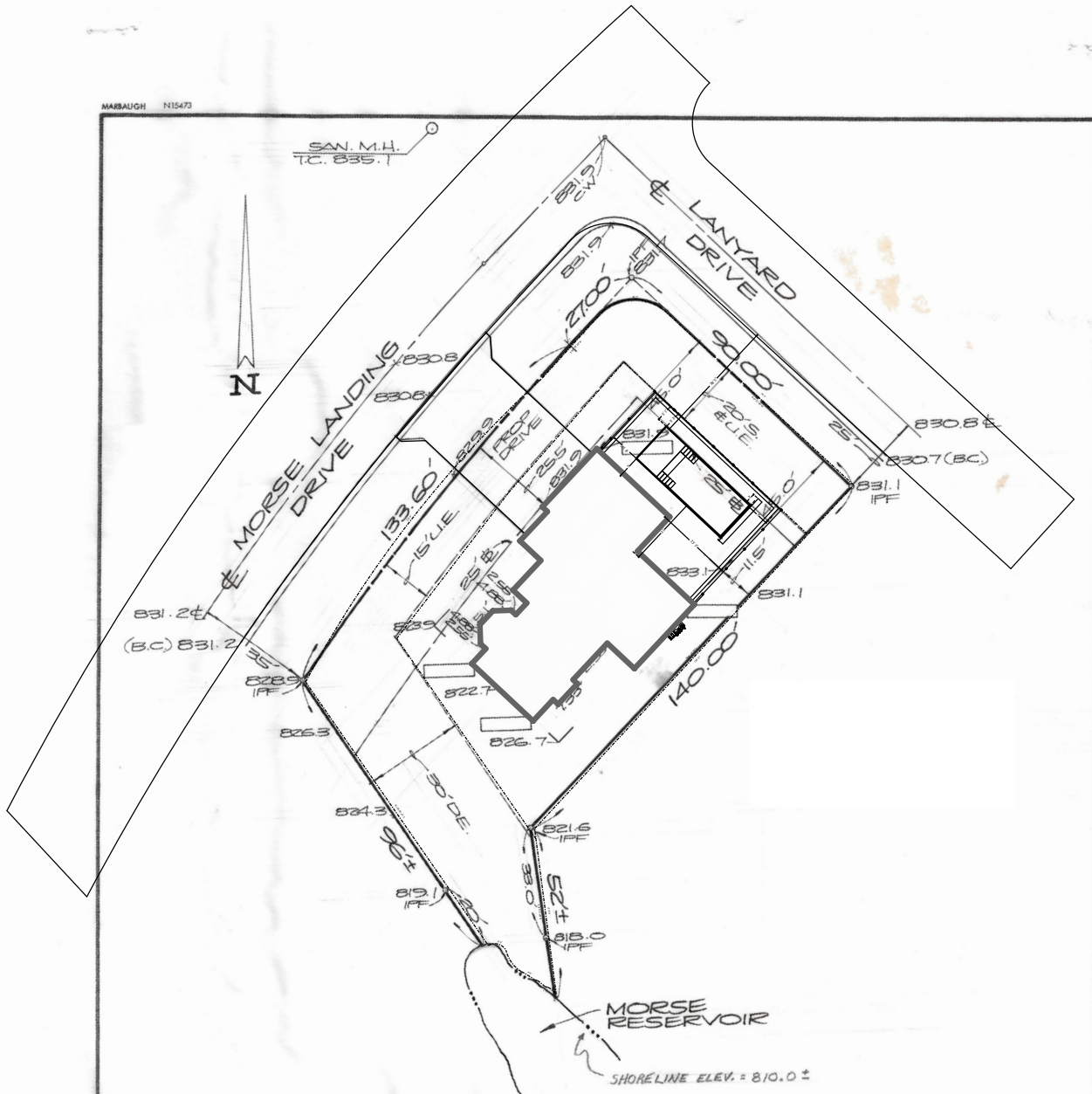


CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION

CICERO / JACKSON TOWNSHIP (BOARD OF ZONING AND APPEALS)

Petitioners List of Findings

We would like to place an in-ground pool with auto-
matic cover & privacy fence in our side yard. We have
two young boys & plan on staying in this house for years
to come. We would love a pool to entertain the
neighbor kids & a fence to be safe.



CONSTRUCTION LAYOUT SURVEY

Lot #121 in MORSE LANDING, SECTION THREE a subdivision in Hamilton County, Indiana, as per plat thereof, recorded in Plat Book 13, pages 49-53 in the Office of the Recorder of Hamilton County, Indiana.

1, the undersigned, hereby certify that the monuments were located on the above described real estate and that the survey has been performed under my supervision and that field work was completed on June 15, 1989.
Certified June 19, 1989

Allan H. Weihe
Allan H. Weihe, Reg. L.S.-Indiana #10398

Allan H. Weihe, Reg. L.S.-Indiana #10398

Scale 1/50th of 1" = 1'



PREPARED FOR
EVERT SNOW, BLDR.

LOT 121 MORSE LANDING

JOB NO.
89-676

DRAWN BY
ASL

CHECKED BY

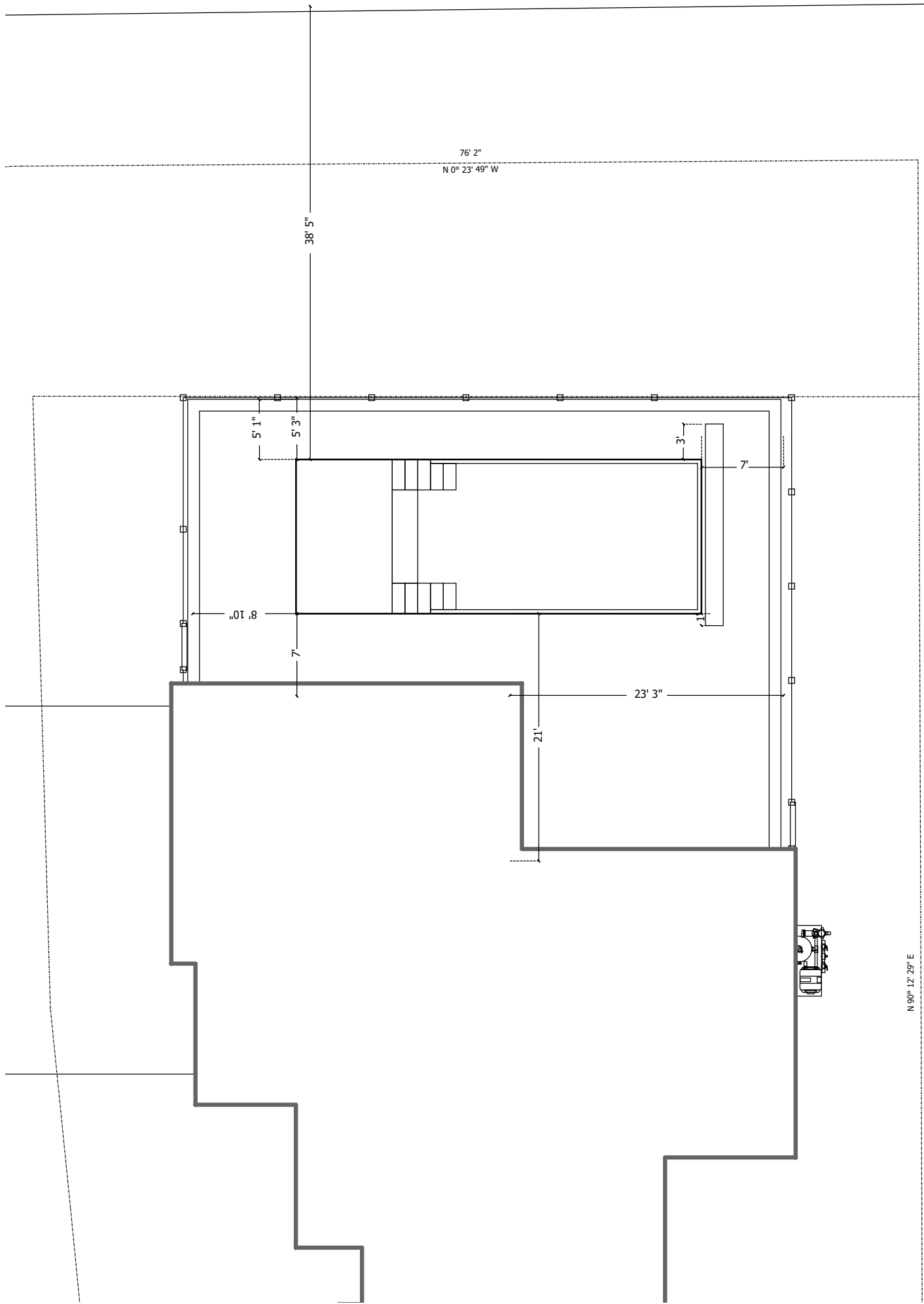
DATE 6/6/89

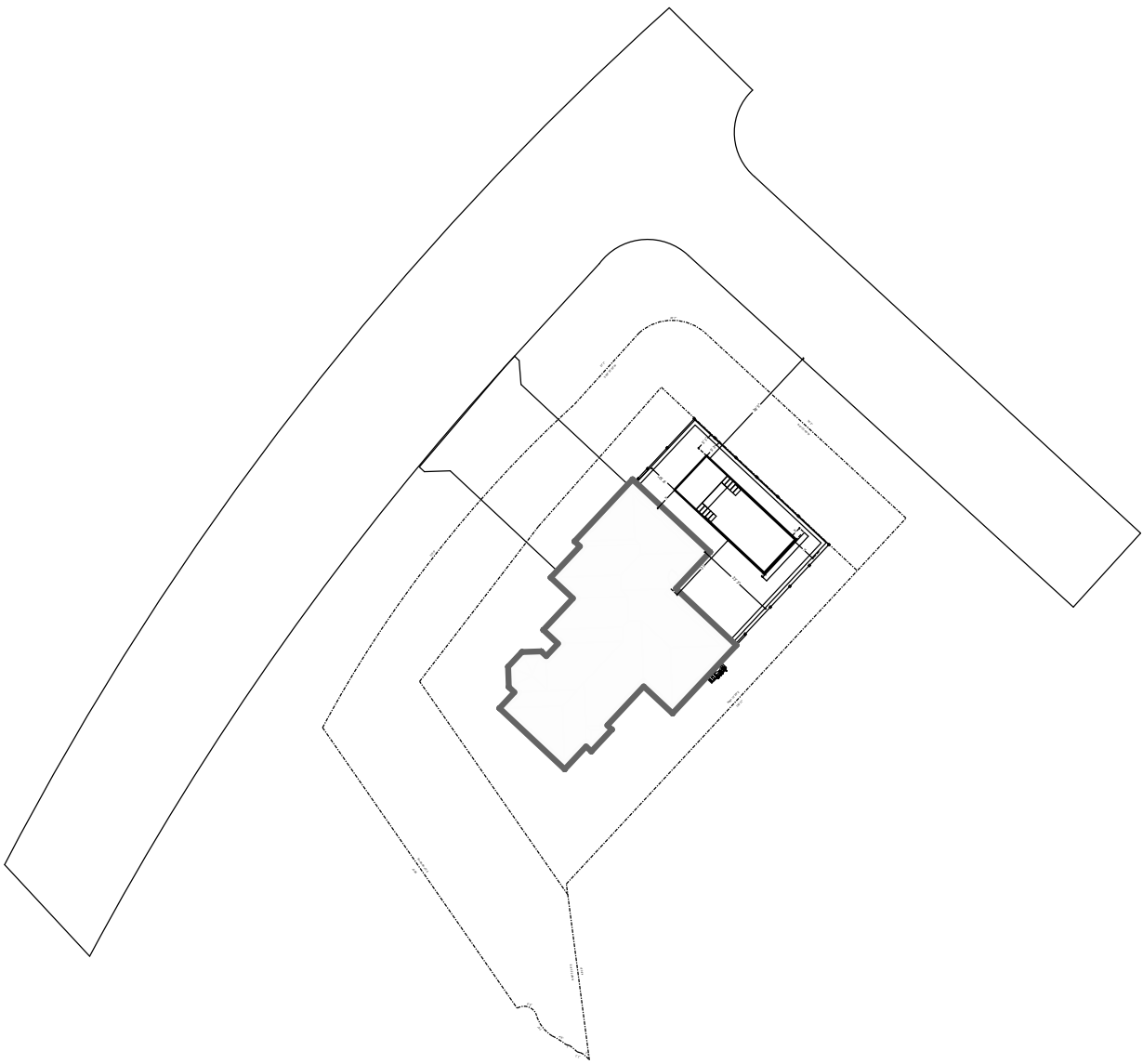


WEIHE ENGINEERS INC.
10505 N. COLLEGE AVENUE
INDIANAPOLIS, INDIANA 46280
317 - 846 - 6611

ALLAN H. WEIHE, P.E., L.S.
PRESIDENT

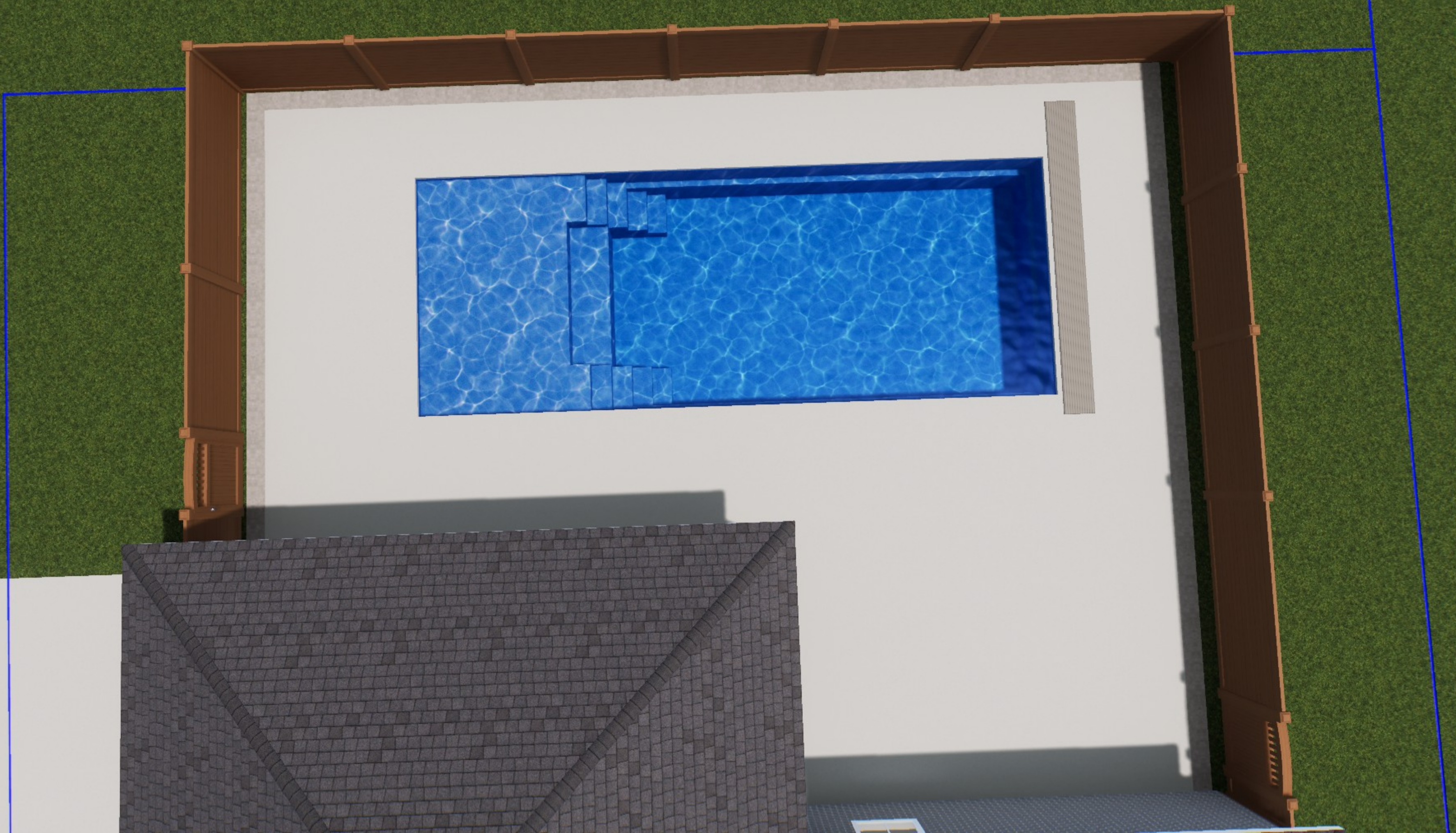
CIVIL ENGINEERS LAND SURVEYORS LAND PLANNERS

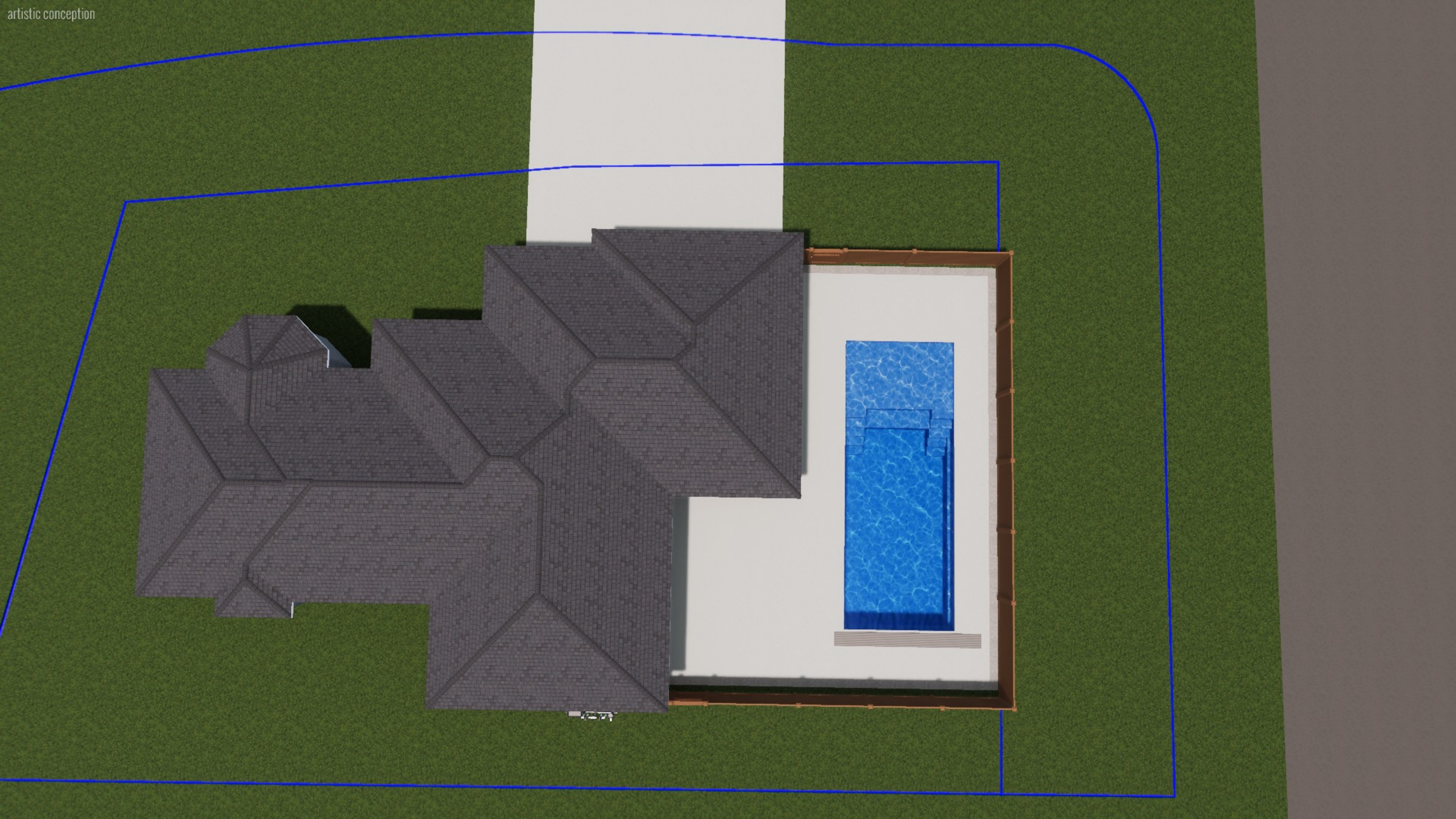




Scale 1/50th of 1" = 1'









Docket: BZA-0625-18,19,20-R3

Petitioner: Duane & Leeanne Etchison

Cicero/Jackson Township Plan Director Staff Report

Docket No. BZA-0625-18,19,20-R3

Staff: Frank Zawadzki

Applicant: Duane & Leeanne Etchison

Property Size: .40 acres

Current Zoning: R3

Location: 815 Morse Landing Drive, Cicero, IN 46034

Background Summary: They applied for and were denied an easement encroachment by the Town Council. They then modified the design to stay out of the easement but still requiring the 3 Variances applied for.

Preliminary Staff Recommendations: Staff would not oppose approval.

Zoning Ordinance Considerations: These Variances were necessitated by the fact that they own a corner lot. The south side of the property is a drainage ditch and unsuitable for this project.

District Intent: : The “R3”, Medium Lot, Medium Home District category is intended to provide a land use category for medium lots and medium sized single family detached homes.



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

Current Property Information:

Morse landing subdivision.

Land Use: One Family Dwelling Platted

Site Features: .40 acres

Vehicle Access: Yes

Planning Considerations:

The following general site considerations, planning concepts, and other facts should be considered in the Plan Commission decision making process:

Although this doesn't meet zoning standards due to the corner lot, the proposal seems to be well out of the sight line for traffic, and the fence is consistent with what has been approved in the past in this area. There is a sanitary sewer lateral that may need to be dealt with at homeowner's expense. This is a private lateral and not Town property.

Findings of Facts/Decision Criteria: I think a practical difficulty can be made here because of the corner lot and the ditch on the other side of the home situation. There is not another suitable location for the project.



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Findings of Fact/Decision Criteria:

The Board of Zoning Appeals may approve or deny variances from the development standards of the Cicero/Jackson Township Zoning Ordinance. The Board may impose written commitments and/or reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

- 1 The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

Findings of Facts:

This criterion has / has not been met.

- 2 The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

Findings of Facts:

This criterion has / has not been met.

- 3 The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. Practical Difficulty: A difficulty with regard to one's ability to improve land stemming from regulations of this Ordinance. A practical difficulty is not a "hardship," rather it is situation where owner could comply with the regulations within this Ordinance but would like a variance from the Development Standards to improve his site in a practical manner. For instance, a person may request a variance from a side yard setback due to a large tree which is blocking the only location that would meet the Development Standards for a new garage location.

Findings of Facts:

This criterion has / has not been met.



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Board of Zoning Appeals Options:

In reviewing a request for development standards variance the Board may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Board, or (4) deny the petition (with or without prejudice). Failure to achieve a quorum on a motion results in an automatic continuance to the next regularly scheduled meeting.

Decision: _____

Any Conditions Attached: _____

Signature: _____

Date: _____

Print: _____



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Findings of Fact/Decision Criteria:

The Board of Zoning Appeals may approve or deny variances from the development standards of the Cicero/Jackson Township Zoning Ordinance. The Board may impose written commitments and/or reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

- 1 The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

Findings of Facts:

This criterion has / has not been met.

- 2 The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

Findings of Facts:

This criterion has / has not been met.

- 3 The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. *Practical Difficulty:* A difficulty with regard to one's ability to improve land stemming from regulations of this Ordinance. A practical difficulty is not a "hardship," rather it is situation where owner could comply with the regulations within this Ordinance but would like a variance from the Development Standards to improve his site in a practical manner. For instance, a person may request a variance from a side yard setback due to a large tree which is blocking the only location that would meet the Development Standards for a new garage location.

Findings of Facts:

This criterion has / has not been met.

CICERO/JACKSON TOWNSHIP PLAN COMMISSION

Board of Zoning Appeals Options:

In reviewing a request for development standards variance the Board may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Board, or (4) deny the petition (with or without prejudice). Failure to achieve a quorum on a motion results in an automatic continuance to the next regularly scheduled meeting.

Decision: _____

Any Conditions Attached: _____

Signature: _____

Date: _____

Print: _____



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Findings of Fact/Decision Criteria:

The Board of Zoning Appeals may approve or deny variances from the development standards of the Cicero/Jackson Township Zoning Ordinance. The Board may impose written commitments and/or reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

- 1 The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

Findings of Facts:

This criterion has / has not been met.

- 2 The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

Findings of Facts:

This criterion has / has not been met.

- 3 The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. *Practical Difficulty:* A difficulty with regard to one's ability to improve land stemming from regulations of this Ordinance. A practical difficulty is not a "hardship," rather it is situation where owner could comply with the regulations within this Ordinance but would like a variance from the Development Standards to improve his site in a practical manner. For instance, a person may request a variance from a side yard setback due to a large tree which is blocking the only location that would meet the Development Standards for a new garage location.

Findings of Facts:

This criterion has / has not been met.



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Board of Zoning Appeals Options:

In reviewing a request for development standards variance the Board may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Board, or (4) deny the petition (with or without prejudice). Failure to achieve a quorum on a motion results in an automatic continuance to the next regularly scheduled meeting.

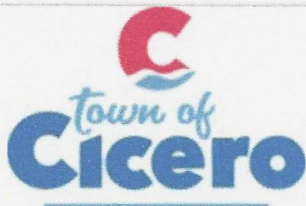
Decision: _____

Any Conditions Attached: _____

Signature: _____

Date: _____

Print: _____



CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION

CICERO / JACKSON TOWNSHIP (BOARD OF ZONING AND APPEALS)

VARIANCE APPLICATION

OFFICE USE ONLY

Variance Category		Docket #: BZA-0725-22-AG
<input checked="" type="checkbox"/> Development Standards	<input type="checkbox"/> Special Exception	Date of Application: 06/03/2025
<input type="checkbox"/> Land Use	<input type="checkbox"/> Other	Date of Expiration:
Variance Check List		Variance Fee: \$320.00
<input type="checkbox"/> Adjoiner List	<input type="checkbox"/> Legal Notice Copy	Date of Hearing: 07/17/2025
<input type="checkbox"/> Certified Mail Receipts	<input type="checkbox"/> Property Sign	Date of Decision:
<input type="checkbox"/> Additional Applications for Variances	<input type="checkbox"/> Approved	<input type="checkbox"/> Not Approved

APPLICANT MUST COMPLETE THE FOLLOWING

Property Owner: Patrick B. and Patricia A. Lindley		
Property Address: 22200 Cammack Road		
City: Noblesville	State: IN	ZIP Code: 46062
Telephone: 317-590-4385	E-mail: patrick.lindley @	
	cushwake.com	
Project Address: 22200 Cammack Road	State: IN	ZIP Code: 46062
City: Noblesville	Subdivision:	
Parcel: 03-06-09-00-005.002	Telephone:	
General Contractor: Morton Buildings	Fax:	
Address:	Cell Phone:	
City:	State:	ZIP Code:
Email:		
Variance Request: More building setback line from 35' to 15' along a short section of our north property line		
Commitments/ Conditions Offered:		
Code Section Appealed:		



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

CICERO / JACKSON TOWNSHIP (BOARD OF ZONING AND APPEALS)

Petitioners List of Findings

Petitioner is requesting a variance from the 35' setback requirement to a 15' setback for a short portion of the Petitioner's north property line which is approximately 1340' long in order to build an 18' wide by 34' long Morton Bldg Equipment Shed which will include an 8' porch overhang.

Petitioner has a support letter from the adjoining property owner, Jason Bevy, to the north after Mr. Bevy came to the Petitioner's property to discuss the project on site – see attached letter.

This short portion of the 1340' property line is well lined with established 30'-40' pine trees which Petitioner has Davey Tree on an annual program to ensure healthy life/growth. The depth of these 30'-40' pine trees between the Petitioners property line on the adjoining neighbors home is approximately 100' - see attached aerial.

Petitioner is requesting relief on the 35' setback to the 15' DUE in order to create adequate area to construct the 18' wide by 34' long Morton Bldg Equipment Shed and account for the sitework to balance the subject site for the building pad.

Petitioner's intent is to keep the building pad as close as possible to the existing gravel parking area shown in the attached drawings but balancing the site for the building pad will dictate the exact location hence the request for the variance from a 35' setback to a 15' setback.

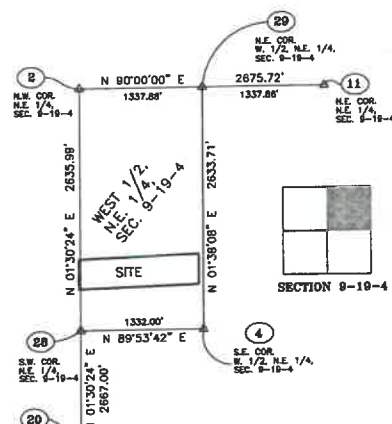
Thank you for your consideration!

Patrick B. Lindley & Patricia A. Lindley
22200 Cammack Road, Noblesville, IN 46062

LOT 4 CAMMACK CORNER
PART OF THE N.E. 1/4, SECTION 9-19-4
JACKSON TOWNSHIP, HAMILTON COUNTY, INDIANA

LOT No. 4 CAMMMACK CORNER, AS PER PLAT OF SAID
ADDITION, RECORDED AS INSTRUMENT No. 2012038142
IN PLAT CABINET 4, SLIDE 785, IN THE OFFICE OF THE
RECORDER OF HAMILTON COUNTY, INDIANA.

(NOT TO SCALE)



— x — = EXISTING FENCE LINE
 C = CENTERLINE
 P.O.B. = POINT OF BEGINNING
 ———— OE ———— OVERHEAD
 [Symbol] ELECTRIC METER
 [Symbol] WELL
 [Symbol] CLEANOUT
 [Symbol] UTILITY POLE
 [Symbol] SQUARE STORM INLET

ZONE	EXPLANATION
"A"	AREAS OF 100-YEAR FLOOD; BASE FLOOD ELEVATIONS AND HAZARD FACTORS NOT DETERMINED
"X"	AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN.

THE SUBJECT PROPERTY IS PARTIALLY LOCATED IN A SPECIAL FLOOD HAZARD AREA AS ESTABLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY NATIONAL FLOOD INSURANCE PROGRAM AS PER SCALED INTERPRETATION OF FLOOD RATE MAP #18057C0127G. AREA IN ZONE "A" AND ZONE "X" MAP DATED 11-19-2014.

IN ACCORDANCE WITH TITLE 36S, ARTICLE 1, CHAPTER 12 OF THE INDIANA ADMINISTRATIVE CODE (RULES FOR LAND SURVEYS IN INDIANA), THE FOLLOWING OBSERVATIONS AND OPINIONS ARE SUBMITTED REGARDING THE VARIOUS UNCERTAINTIES IN THE LOCATIONS OF THE LINES AND CORNERS OF THE PLATS, IN LINES OF OCCUPATION, AND AS INTRODUCED BY RANDOM ERRORS IN MEASUREMENT ("RELATIVE POSITIONAL ACCURACY") THERE MAY BE UNWRITTEN RISKS ASSOCIATED WITH THESE UNCERTAINTIES. THE CLIENT SHOULD BE AWARE THERE IS AN AMOUNT OF DISCREPANCY ALONG ANY LINE EQUAL IN MAGNITUDE TO THE DISCREPANCY IN THE LOCATION OF THE LINES OF POSSESSION FROM THE SURVEYED LINES.

THERE MAY BE DIFFERENCES OF DEED DIMENSIONS VERSUS MEASURED DIMENSIONS ALONG THE BOUNDARY LINES SHOWN HEREON AND THERE MAY BE DIFFERENCES IN PROPERTY MARKERS HEREIN, BUT NOT NECESSARILY AT SOME BOUNDARY CORNERS, IN CASES WHERE THE UNIDENTIFIED DIMENSIONS ARE LESS THAN THE RELATIVE POSITIONAL ACCURACY AND LESS THAN THE UNCERTAINTY IDENTIFIED FOR THE REFERENCE MONUMENTATION (DISCUSSED BELOW). THE DIFFERENCES MAY BE CONSIDERED WORTHY OF NOTICE ONLY FOR PURPOSES OF MATHEMATICAL CLOSURE, SUCH DIFFERENCES THAT ARE GREATER THAN THE RELATIVE POSITIONAL ACCURACY AND FOR PURPOSES OF MATHEMATICAL CLOSURE, SUCH DIFFERENCES SHOULD BE CONSIDERED WORTHY OF NOTICE AND ARE THEREFORE DISCUSSED FURTHER BELOW.

THIS SURVEY AND REPORT ARE BASED IN PART UPON OPINIONS FORMED IN ACCORDANCE WITH AN INDIANA LAND SURVEYOR'S RESPONSIBILITY TO CONDUCT A SURVEY IN ACCORDANCE WITH "LAW OR A PRECEDENT" (BES IAC 1-2-12(15)), RULES OF THE INDIANA BOARD OF LAND SURVEYING, AND THE INDIANA SURVEYING ACT (BES IAC 1-2-12(16)). THE INDIANA BOARD OF LAND SURVEYING IS A STATE BOARD OF REGISTRATION FOR LAND SURVEYORS. SINCE INDIANA HAS NO STATUTES ADDRESSING HOW TO RESOLVE A CONFLICT OF INTEREST, A SOLUTION BASED ON PRINCIPLES DERIVED FROM THE INDIANA SURVEYING ACT AND THE RULES OF THE INDIANA BOARD OF LAND SURVEYING, A SOLUTION BASED ON THE ETHICS OF THE SURVEYING PROFESSION, AND THE ETHICS OF THE SURVEYING PROFESSION FOR A LAND SURVEYOR, IS A SOLUTION BASED ON PRINCIPLES DERIVED FROM THE INDIANA SURVEYING ACT AND THE RULES OF THE INDIANA BOARD OF LAND SURVEYING. THERE IS NO EVIDENCE OF OCCUPATION ALONG THE PERMITS LINES OF THE SUBJECT TRACT. ALL SURVEY MONUMENTS SET OR FOUND THIS SURVEY ARE FLUSH WITH EXISTING GRADE UNLESS OTHERWISE NOTED.

THE RELATIVE POSITIONAL ACCURACY (DUE TO RANDOM ERRORS IN MEASUREMENT) OF THE CORNERS OF THE SUBJECT TRACT ESTABLISHED THIS SURVEY DOES NOT EXCEED THAT ALLOWABLE FOR A RURAL CLASS SURVEY (0.28 FEET PLUS 200 PPM) AS DEFINED IN IAC. 045.

THIS IS AN ALTA SURVEY LOT No. 10
IN PLAT CABINET 4, SLIDE 785.

BASIS OF BEARING: (PLAT BEARING)

4 S.E. CORNER
N. 1/2, N.E. 1/4,
SECTION 9-10-4
RAILROAD SPIKE FOUND AT REFERENCE
FOR STONE 1 1/2' BELOW ROAD SURFACE

28 S.W. CORNER
N.E. 1/4
SECTION 9-10-4
5' FT IRON ROD W/ YELLOW CAP
STAMPED "MILLER SURVEY FOUND 15.0'± EAST
OF IRON ROD W/ MITCHELL CAP
(SEE SURVEYOR'S REPORT REGARDING THE
ESTABLISHMENT OF THIS POINT)

28 N.E. CORNER
N. 1/2, N.E. 1/4
SECTION 9-10-4
ESTABLISHED MATHEMATICALLY 0.55'±
NORTH & 0.5'± EAST OF RAILROAD SPIKE FOUND

11 N.E. CORNER
N.E. 1/4
SECTION 9-10-4
STONE W/ "X" FOUND 0.3'±
BELOW ROAD SURFACE

2 N.W. CORNER
N.E. 1/4
SECTION 9-10-4
STONE W/ "S" FOUND 0.7'± BELOW
SURFACE 2.2'± WEST OF N-S FENCE LINE

20 S.W. CORNER
S.E. 1/4
SECTION 9-10-4
IRON ROD FOUND 0.2'± BELOW ROAD SURFACE
AS PER HAMILTON COUNTY SURVEYOR REFERENCE

THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER WAS ESTABLISHED BY MILLER SURVEYING INC. IN DECEMBER 2001.

[illegible]

THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER HAS BEEN REMOVED BY AGRICULTURAL ACTIVITIES. THE STONE FOUND AT THE SOUTHEAST CORNER OF THE WEST HALF OF THE NORTHEAST QUARTER WAS ACCEPTED AS THE CORNER RATHER THAN A SPLIT OF THE HALF MILE DUE TO THE ABSENCE OF MONUMENTATION AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER.

ON ANY OPINION, THERE IS 0.7 FEET OF UNCERTAINTY IN THE LOCATION OF THESE IMPROVEMENTS.

1. POSSESSION TO THE EAST IS THE IMPROVEMENTS OF CAMMAK ROAD. POSSESSION TO THE NORTH IS TO THE IMPROVEMENTS OF 225TH STREET. NO EVIDENCE OF POSSESSION WAS FOUND TO THE SOUTH. THE WEST LINE IS A ORIGINAL LINE.

2. THE ACCURACY OF ANY FLOOD HAZARD DATA SHOWN ON THIS REPORT IS SUBJECT TO MAP SCALE UNCERTAINTY AND TO ANY OTHER UNCERTAINTY IN LOCATION OR ELEVATION ON THE REFERENCED FLOOD INSURANCE RATE MAP. THE WITHIN DESCRIBED TRACT OF LAND LIES WITHIN FLOOD HAZARD ZONE "A" AND "X" AS SAID TRACT PLOTS BY SCALE ON COMMUNITY PANEL NUMBER #B0500127G. AREA IN ZONE "A" AND ZONE "X" MAP DATED 11-10-2014 FOR HAMILTON COUNTY, INDIANA.

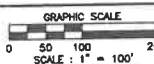
3. OWNER/SOURCE INFORMATION INDICATED HEREON IS AS IDENTIFIED IN COUNTY RECORDS.

—

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS: 1, 2, 3, 4, 6, 7(a), 8, 9, 10, 11(a), AND 13 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON (12-14-23).

DATE OF PLAT OR MAP: 1-8-2024

SIGNED: _____
K. NATHAN ALTHOUSE, PLS
REGISTRATION NO. LS20400007

[illegible]

MILLER SURVEYING INC.
948 CONNER STREET
NOBLESVILLE INDIANA 46060
PH. # (317) 773-2644 FAX 773-2694

LOCATION: PART OF THE N.E. 1/4 SECTION 9-19-4 JACKSON TWP., HAMILTON CO., INDIANA	DRAWN BY: MAJ	CHK'D BY: KNA
	SCALE: 1" = 100'	FIELD BOOK:
FIELD WORK COMPLETED: 12-4-2024	DATE: 1-5-2024	PAGE: 00
CLIENT: RATTRICK LINDLEY	JOB NUMBER	SURVEY 4
DESCRIPTION: ALTA/MEDICAL LAND TITLE SURVEY	B41346	12 NEW

225TH STREET

CAMMACK ROAD

LOT 1
10.00 ACRES ±
0.62 ACRES ± R/W
9.38 ACRES ± NET
RANDALL J AND
DEANNE E CANDLER
INST. #9721191

LOT 2
10.88 ACRES ±
0.42 ACRES ± R/W
10.46 ACRES ± NET
RANDALL J AND
DEANNE E CANDLER
INST. No. 2002-11353

LOT 3
16.55 ACRES
2.13 ACRES ± R/W
14.42 ACRES ± NET
SCOTT AND LAURA BURTON
INSTRUMENT No. 2011-55208

LOT 4
10.00 ACRES ±
0.38 ACRES ± R/W
9.62 ACRES ± NET
Patrick B & Patricia A Lindley
INSTRUMENT No. 2019-58273

Proposed location
18' wide x 34' long
Morton Bldg Equip Shed

EXISTING HOUSE
12'x20' DECK

HINKLE CREEK

FLOOD ZONE X
FLOOD ZONE A

KEVIN W AND CHRISTINA A KIRTLLEY
INSTRUMENT No. 2004-47178
15.00 ACRES ±

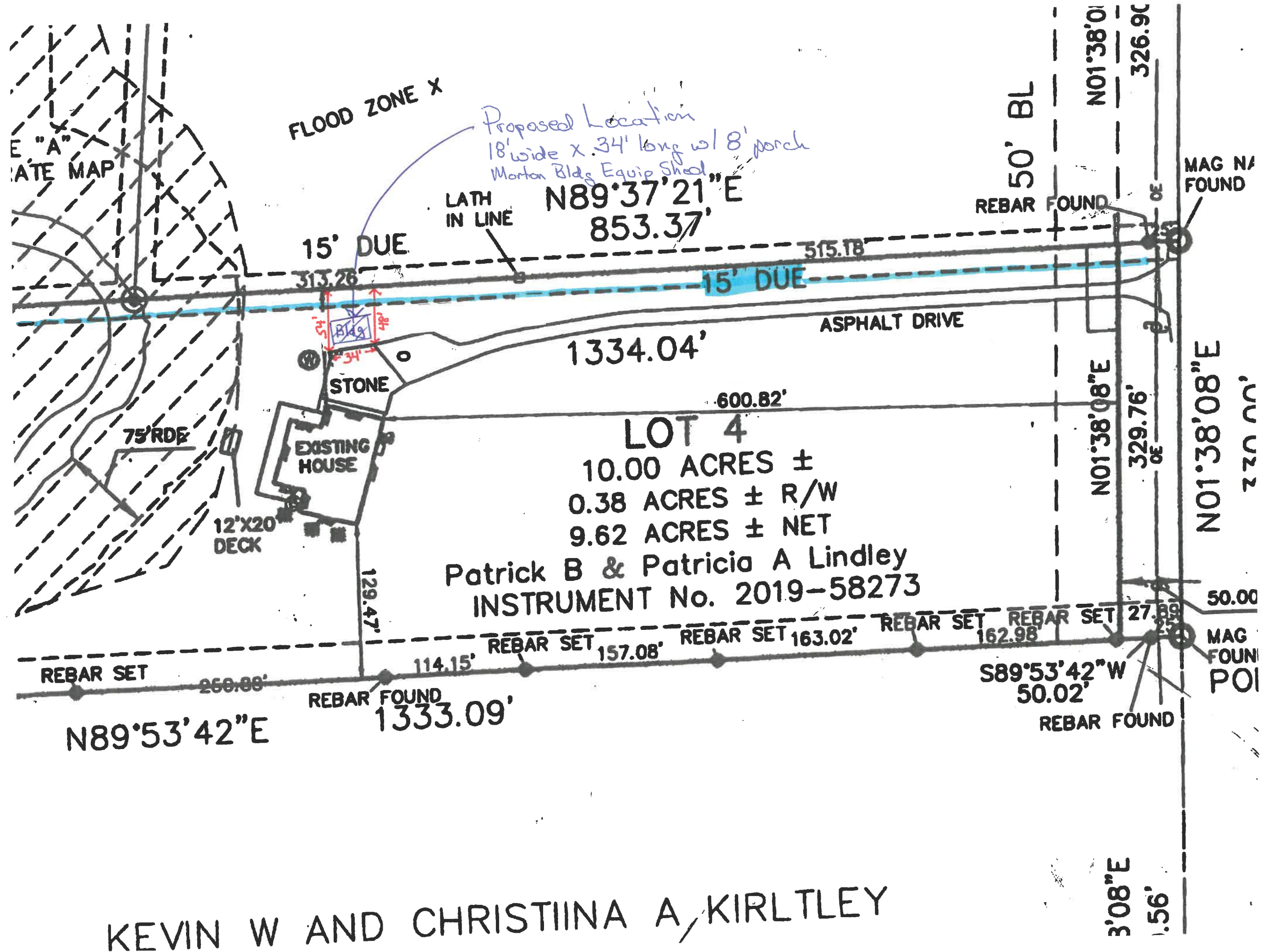
S.W. CORNER
N.E. 1/4
SEC. 9-19-4

S.E. CORNER
WEST HALF
N.E. 1/4
SEC. 9-19-4

THE WITHIN PLAT AND
BEFORE OF A CURRENT
SUBJECT TO ANY STATE
EXAMINATION OF SCHED
TITLE POLICY.

THIS SURVEY PLAT HAS
PARTICULAR PROJECT A
PERSON(S) OR ENTITY
TO OR TO BE USED BY
POSSESSION, OWNERSH
CONSTANTLY AND THE
TO THE DATE INDICATED

THE LOCATION OF THE
SUBJECT TO THE EVIDE
THIS SURVEY, ADDITIO
SURVEYING, INC. MAY
LINES AND CORNERS.



KEVIN W AND CHRISTIINA A KIRLTLEY

**22200 CAMMACK ROAD
NOBLESVILLE, IN 46062**



PATRICK B. LINDLEY

22200 CAMMACK ROAD
NOBLESVILLE, IN 46062



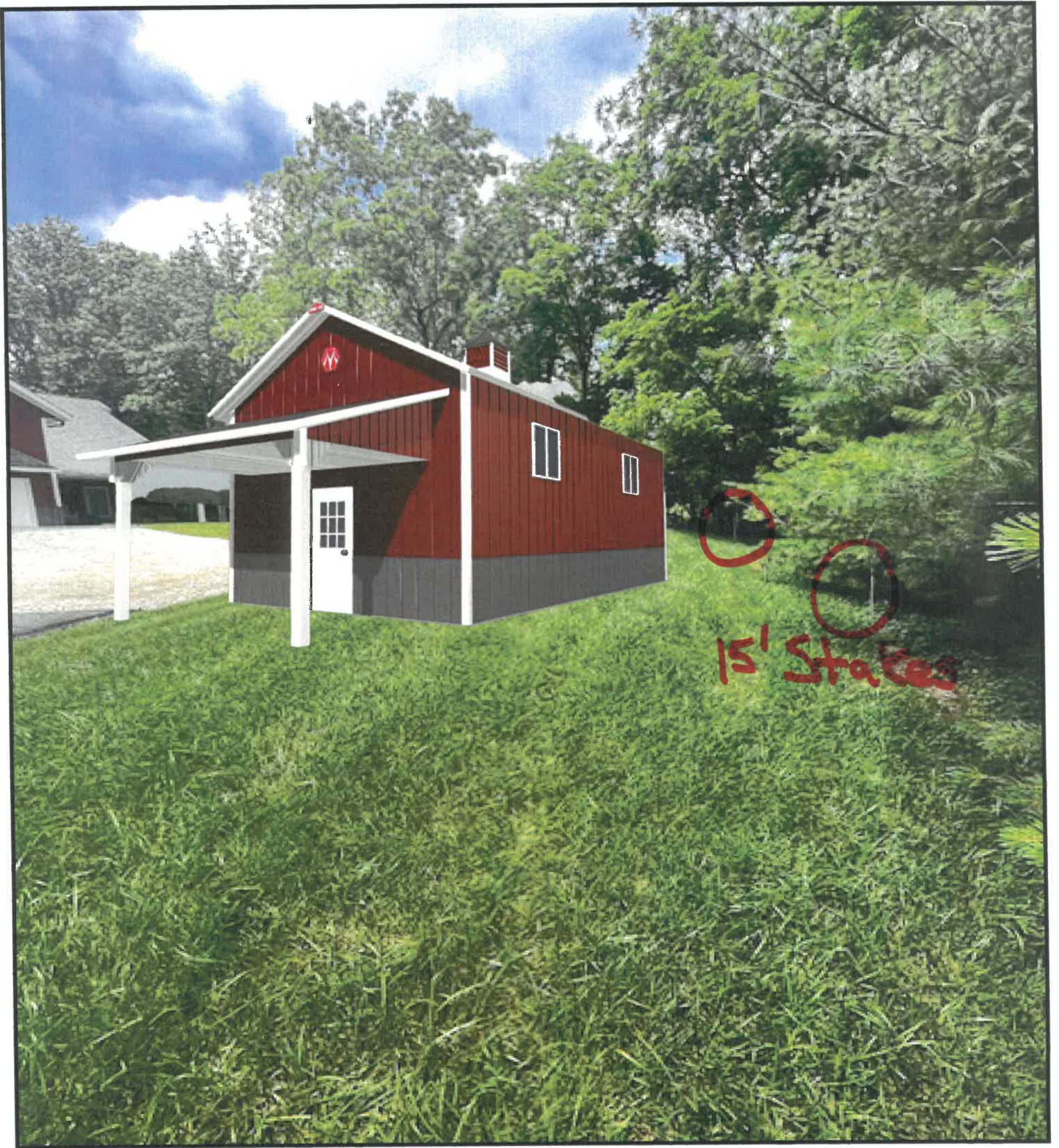
PATRICK B. LINDLEY

**22200 CAMMACK ROAD
NOBLESVILLE, IN 46062**



PATRICK B. LINDLEY

22200 CAMMACK ROAD
NOBLESVILLE, IN 46062



PATRICK B. LINDLEY

Docket: BZA-0725-22-AG

Petitioner: Patrick & Patricia Lindley

Cicero/Jackson Township Plan Director Staff Report

Docket No. BZA-0725-22-AG

Staff: Frank Zawadzki

Applicant: Patrick & Patricia Lindley

Property Size: 9.62 Acres

Current Zoning: AG

Location: 22200 Cammack Road, Noblesville, IN 46062

Background Summary: applied for a building permit that could not be approved due to setback requirements. Recommended the Variance process to proceed.

Preliminary Staff Recommendations: Staff would not oppose approval.

Zoning Ordinance Considerations: 35' setback required in the AG.

District Intent: : The "AG" District, Agriculture, is intended to provide a land use category for agricultural activities.

Current Property Information:

Currently used as single family home residential.

Land Use: Cash grain/general farm

Site Features: 9.62 acres, Hinkle creek in the rear, large flood plain in the back half of the property, heavily/partially wooded.

Vehicle Access: yes

Planning Considerations:

The following general site considerations, planning concepts, and other facts should be considered in the Plan Commission decision making process:

The building site is not in the flood plain. The petitioner requests the location due to the location of the drive and a clearing is available that is suitable for the barn. It's possible to locate in the rear or the south side, but a drive would need to be constructed, and some trees removed increasing cost.

Findings of Facts/Decision Criteria: A practical difficulty argument can be made here due to the heavily wooded aspect of the property where the barn is proposed. If they put it in front where it's clearer, they will need another Variance. The location proposed really is the best spot and will still have 15' setbacks.



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Findings of Fact/Decision Criteria:

The Board of Zoning Appeals may approve or deny variances from the development standards of the Cicero/Jackson Township Zoning Ordinance. The Board may impose written commitments and/or reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

- 1 The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

Findings of Facts:

This criterion has / has not been met.

- 2 The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

Findings of Facts:

This criterion has / has not been met.

- 3 The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. Practical Difficulty: A difficulty with regard to one's ability to improve land stemming from regulations of this Ordinance. A practical difficulty is not a "hardship," rather it is situation where owner could comply with the regulations within this Ordinance but would like a variance from the Development Standards to improve his site in a practical manner. For instance, a person may request a variance from a side yard setback due to a large tree which is blocking the only location that would meet the Development Standards for a new garage location.

Findings of Facts:

This criterion has / has not been met.



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Board of Zoning Appeals Options:

In reviewing a request for development standards variance the Board may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Board, or (4) deny the petition (with or without prejudice). Failure to achieve a quorum on a motion results in an automatic continuance to the next regularly scheduled meeting.

Decision: _____

Any Conditions Attached: _____

Signature: _____

Date: _____

Print: _____



CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION

CICERO / JACKSON TOWNSHIP (BOARD OF ZONING AND APPEALS)

VARIANCE APPLICATION

OFFICE USE ONLY			
Variance Category		Docket #: BZA-0725-23-DC	
<input type="checkbox"/> Development Standards	<input type="checkbox"/> Special Exception	Date of Application: 06/17/2025	
<input type="checkbox"/> Land Use	<input type="checkbox"/> Other	Date of Expiration:	
Variance Check List		Variance Fee: \$320.00	
<input type="checkbox"/> Adjoiner List	<input type="checkbox"/> Legal Notice Copy	Date of Hearing: 07/17/2025	
<input type="checkbox"/> Certified Mail Receipts	<input type="checkbox"/> Property Sign	Date of Decision:	
<input type="checkbox"/> Additional Applications for Variances		<input type="checkbox"/> Approved	<input type="checkbox"/> Not Approved
APPLICANT MUST COMPLETE THE FOLLOWING			
Property Owner:			
Property Address:			
City:		State:	ZIP Code:
Telephone:		E-mail:	
		Fax:	
Project Address:		State: IN	ZIP Code:
City:		Subdivision:	
Parcel:		Telephone:	
General Contractor:		Fax:	
Address:		Cell Phone:	
City:	State:	ZIP Code:	Email:
Variance Request:			
Commitments/ Conditions Offered:			
Code Section Appealed:			

GYMIES FITNESS CENTER 984-3399
UNDER \$10
BI-WEEKLY!
NO SIGN UP FEE!

Current sign size: 8'w x 4'h

Proposed sign size: 7'1"w x 36"h - smaller

Sign height: 8'4.5" New sign height: 9'4.5"





GYMIES FITNESS CENTER 984-3399
UNDER \$10
BI-WEEKLY!
NO SIGN UP FEE!





Docket: BZA-0725-23-DC

Petitioner: Gymies Fitness Center

Cicero/Jackson Township Plan Director Staff Report

Docket No. BZA-0725-23-DC

Staff: Frank Zawadzki

Applicant: Gymies Fitness Center

Property Size: 0.00 acres

Current Zoning: DC

Location: 47 W Jackson Street, Cicero, IN 46034

Background Summary: Petitioner applied for a sign permit which cannot be approved due to Ordinance prohibiting electronic signs. We discussed the standards and Bryon Widows agreed to petition the BZA.

Preliminary Staff Recommendations: Staff would not oppose approval if a condition regarding the time of switching messages was limited to 1 per minute, hoping to reduce distraction for traffic safety purposes.

Zoning Ordinance Considerations: electronic/animated signs are prohibited.

District Intent: : The “DC” (Downtown Commercial) District is intended to provide a land use category for normal commercial uses in small town downtowns.

Current Property Information:

Building has seen long term use as a 24 hour gym.

Land Use: Other retail structures

Site Features: 0.00

Vehicle Access: yes

Planning Considerations:

The following general site considerations, planning concepts, and other facts should be considered in the Plan Commission decision making process:

Should this be approved by the BZA, it will need to go thru the Aesthetic review process before the Plan Commission.

Findings of Facts/Decision Criteria: I don't expect any of the adjoiners to be concerned about property values being affected. I don't think it conflicts with the Comp Plan in any way. I have questions regarding safety which I hope to address with the condition proposed. I would defer to the BZA about the practical difficulty aspect. I have questions about the practical difficulty being self imposed.



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Findings of Fact/Decision Criteria:

The Board of Zoning Appeals may approve or deny variances from the development standards of the Cicero/Jackson Township Zoning Ordinance. The Board may impose written commitments and/or reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

- 1 The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

Findings of Facts:

This criterion has / has not been met.

- 2 The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

Findings of Facts:

This criterion has / has not been met.

- 3 The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. *Practical Difficulty:* A difficulty with regard to one's ability to improve land stemming from regulations of this Ordinance. A practical difficulty is not a "hardship," rather it is situation where owner could comply with the regulations within this Ordinance but would like a variance from the Development Standards to improve his site in a practical manner. For instance, a person may request a variance from a side yard setback due to a large tree which is blocking the only location that would meet the Development Standards for a new garage location.

Findings of Facts:

This criterion has / has not been met.



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Board of Zoning Appeals Options:

In reviewing a request for development standards variance the Board may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Board, or (4) deny the petition (with or without prejudice). Failure to achieve a quorum on a motion results in an automatic continuance to the next regularly scheduled meeting.

Decision: _____

Any Conditions Attached: _____

Signature: _____

Date: _____

Print: _____



CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION

CICERO / JACKSON TOWNSHIP (BOARD OF ZONING AND APPEALS)

VARIANCE APPLICATION

OFFICE USE ONLY			
Variance Category		Docket #: BZA-0725-24-NC	
<input type="checkbox"/> Development Standards	<input type="checkbox"/> Special Exception	Date of Application: 06/18/2025	
<input type="checkbox"/> Land Use	<input type="checkbox"/> Other	Date of Expiration:	
Variance Check List		Variance Fee: \$320.00	
<input type="checkbox"/> Adjoiner List	<input type="checkbox"/> Legal Notice Copy	Date of Hearing: 07/17/2025	
<input type="checkbox"/> Certified Mail Receipts	<input type="checkbox"/> Property Sign	Date of Decision:	
<input type="checkbox"/> Additional Applications for Variances		<input type="checkbox"/> Approved	<input type="checkbox"/> Not Approved
APPLICANT MUST COMPLETE THE FOLLOWING			
Property Owner:			
Property Address:			
City:		State:	ZIP Code:
Telephone:		E-mail:	
		Fax:	
Project Address:		State: IN	ZIP Code:
City:		Subdivision:	
Parcel:		Telephone:	
General Contractor:		Fax:	
Address:		Cell Phone:	
City:	State:	ZIP Code:	Email:
Variance Request:			
Commitments/ Conditions Offered:			
Code Section Appealed:			



CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION

CICERO / JACKSON TOWNSHIP (BOARD OF ZONING AND APPEALS)

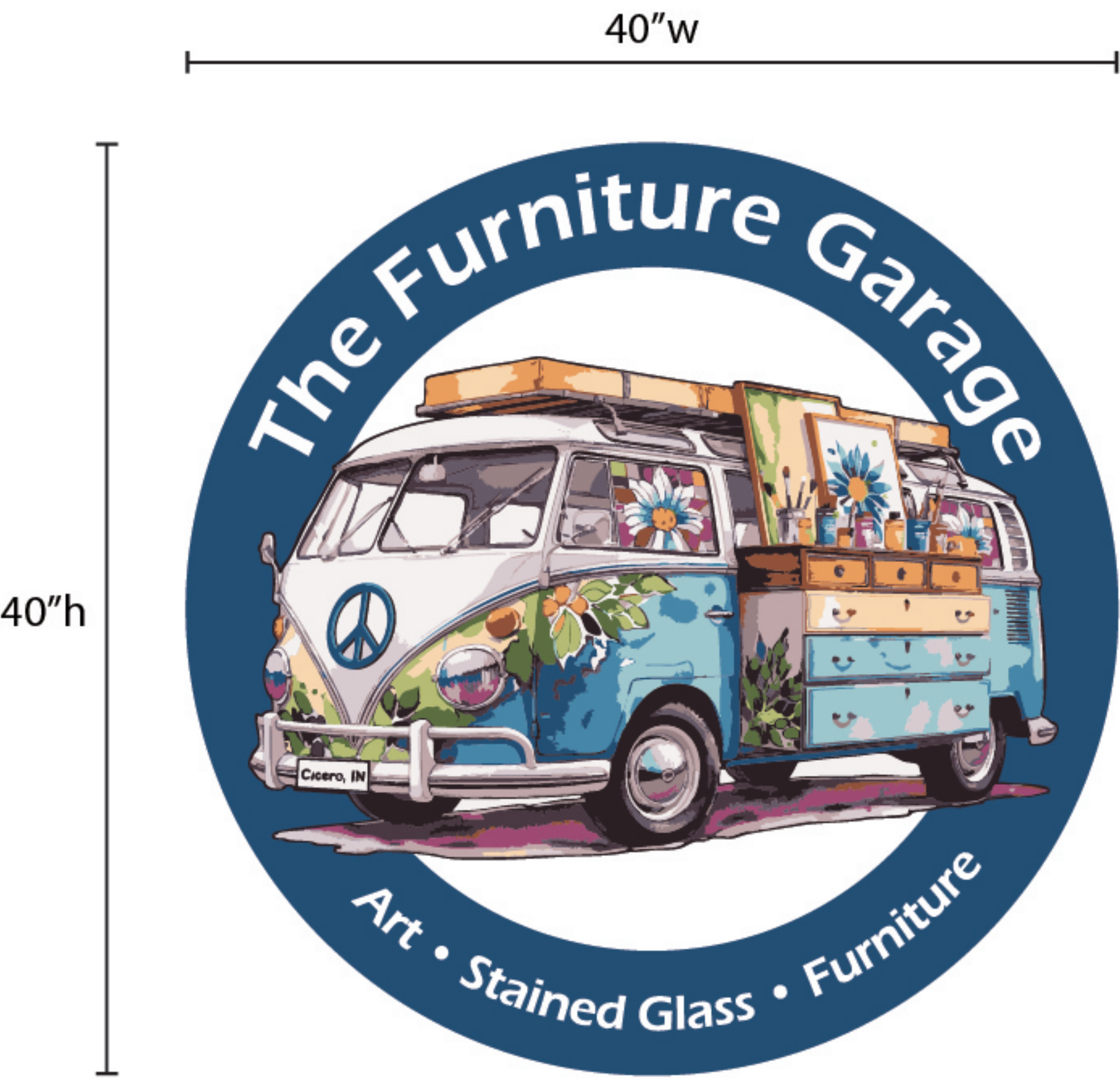
VARIANCE APPLICATION

OFFICE USE ONLY			
Variance Category		Docket #: BZA-0725-25-NC	
<input type="checkbox"/> Development Standards	<input type="checkbox"/> Special Exception	Date of Application: 06/19/2025	
<input type="checkbox"/> Land Use	<input type="checkbox"/> Other	Date of Expiration:	
Variance Check List		Variance Fee: \$25.00	
<input type="checkbox"/> Adjoiner List	<input type="checkbox"/> Legal Notice Copy	Date of Hearing: 07/17/2025	
<input type="checkbox"/> Certified Mail Receipts	<input type="checkbox"/> Property Sign	Date of Decision:	
<input type="checkbox"/> Additional Applications for Variances		<input type="checkbox"/> Approved	<input type="checkbox"/> Not Approved
APPLICANT MUST COMPLETE THE FOLLOWING			
Property Owner:			
Property Address:			
City:		State:	ZIP Code:
Telephone:		E-mail:	
		Fax:	
Project Address:		State: IN	ZIP Code:
City:		Subdivision:	
Parcel:		Telephone:	
General Contractor:		Fax:	
Address:		Cell Phone:	
City:	State:	ZIP Code:	Email:
Variance Request:			
Commitments/ Conditions Offered:			
Code Section Appealed:			

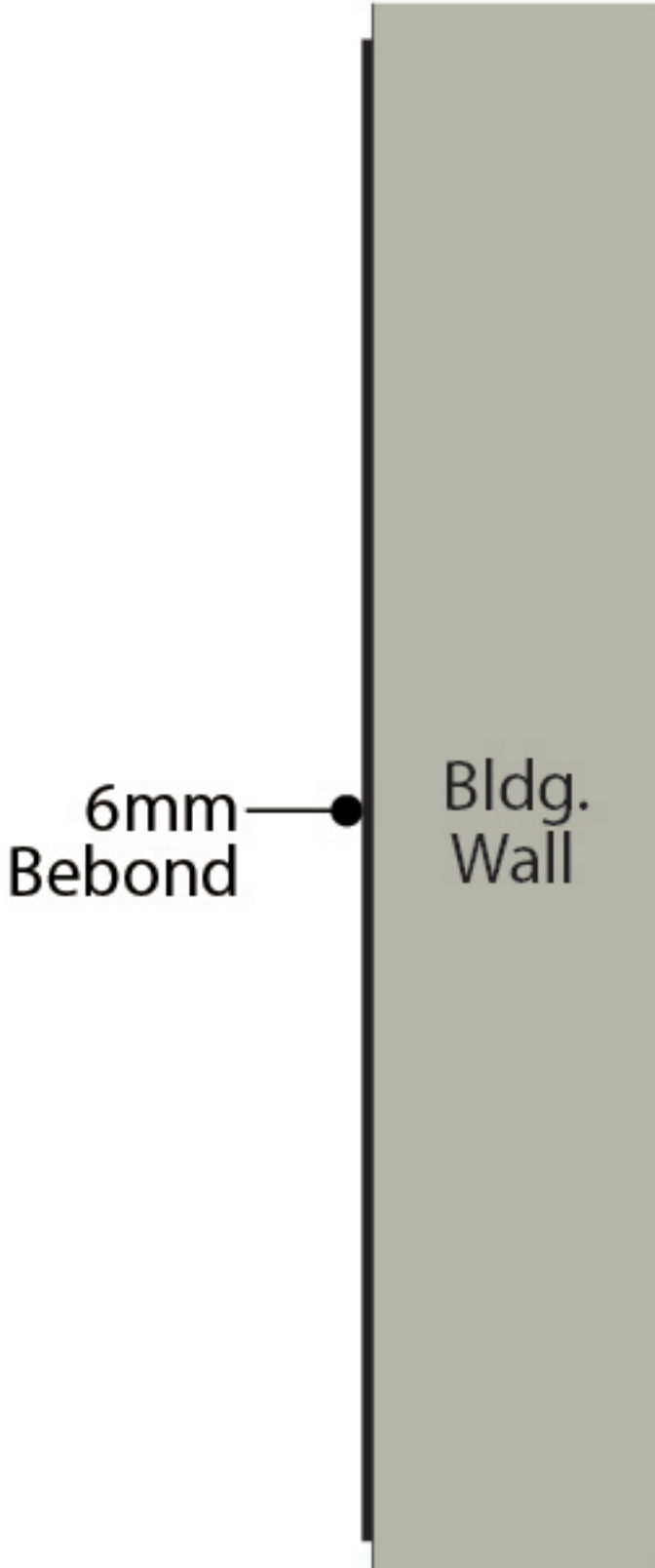
6MM BEBOND ROUTED SIGN

Qty.1: 40"w x 40"h / single-sided /11.11SF

FRONT VIEW



END VIEW



RENDERING



SIGN DETAILS:

Single-sided 6mm Bebond panel routed to shape w/UV digitally printed opaque vinyl and matte laminate applied / Existing sign post to be removed by HSG & new sign to be flush mounted, vertically and horizontally centered on building wall.

SIGN SCOPE: Permit, Manufacture & Install

COLOR SPECS:

CMYK



317-984-5500
4484 S. State Road 19, Tipton IN 46072
hsgsigns.com

DATE	06/18/2025	CLIENT	THE FURNITURE GARAGE	LOCATION	CICERO, IN	ADD. NOTES
JOB #	250309-01	PROJECT MANAGER	ANDREW W.	DESIGNER	PHIL K.	

DESIGN APPROVAL

CLIENT SIGNATURE X_____

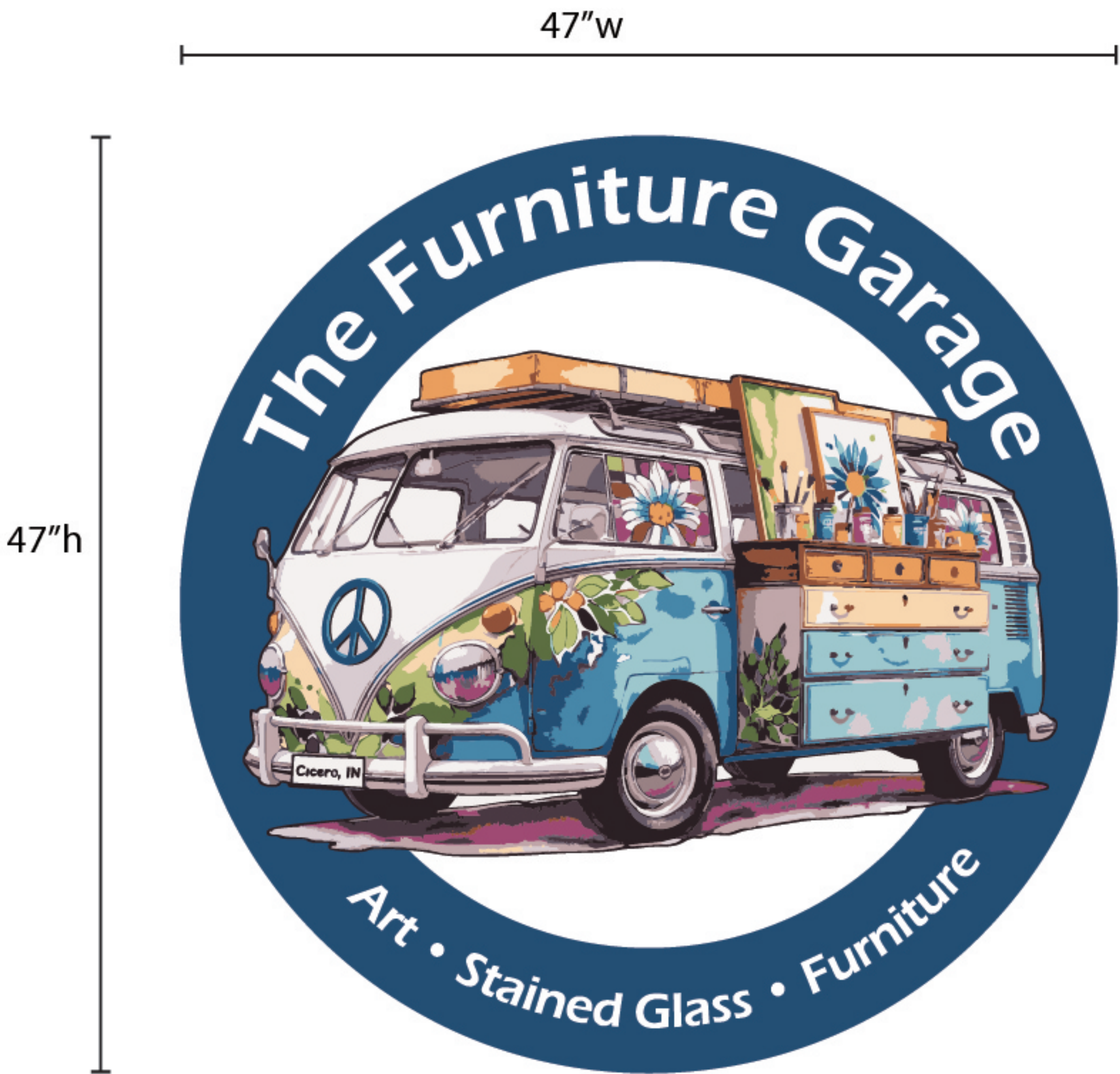
DATE _____

Before signing this Artwork Approval Form, please be sure to review your proof carefully and confirm that every detail on your proof is correct including wording, dates, spelling, punctuation, capitalization, color choices, layout and graphics. We do our best to alert you to color choices we think will make wording difficult to read. Ultimately, it is the responsibility of the customer to choose their colors. Since all computer monitors and devices display color differently, we cannot guarantee print colors will match colors viewed on screen. For these reasons, we do not accept returns based on color nor do we accept returns for approved proof errors. If Pantone colors are specified, they will be matched according to Pantone specifications and be matched as close as possible. **All artwork is property of Hoosier Sign Guy and is protected by copyright laws. External distribution is prohibited.**

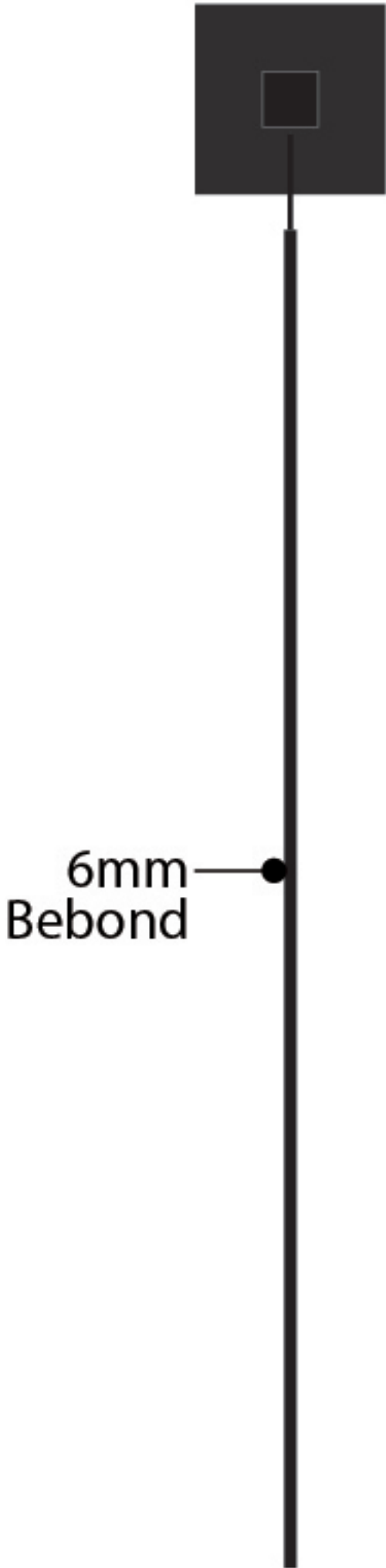
6MM BEBOND ROUTED SIGN

Qty.1: 47" w x 47" h / double-sided / 15.34SF

FRONT VIEW



END VIEW



RENDERING



SIGN DETAILS:

Double-sided 6mm Bebond panel routed to shape w/UV digitally printed opaque vinyl and matte laminate applied /
New sign to be mounted to existing sign post w/typical hardware.

SIGN SCOPE: Permit, Manufacture & Install

COLOR SPECS:

CMYK



317-984-5500
4484 S. State Road 19, Tipton IN 46072
hsgsigns.com

DATE	06/18/2025	CLIENT	THE FURNITURE GARAGE	LOCATION	CICERO, IN	ADD. NOTES
JOB #	250309-01	PROJECT MANAGER	ANDREW W.	DESIGNER	PHIL K.	

DESIGN APPROVAL

CLIENT SIGNATURE X_____

DATE _____

Before signing this Artwork Approval Form, please be sure to review your proof carefully and confirm that every detail on your proof is correct including wording, dates, spelling, punctuation, capitalization, color choices, layout and graphics. We do our best to alert you to color choices we think will make wording difficult to read. Ultimately, it is the responsibility of the customer to choose their colors. Since all computer monitors and devices display color differently, we cannot guarantee print colors will match colors viewed on screen. For these reasons, we do not accept returns based on color nor do we accept returns for approved proof errors. If Pantone colors are specified, they will be matched according to Pantone specifications and be matched as close as possible. **All artwork is property of Hoosier Sign Guy and is protected by copyright laws. External distribution is prohibited.**

Docket: BZA-0725-24,25-NC

Petitioner: The Furniture Garage

Cicero/Jackson Township Plan Director Staff Report

Docket No. BZA-0725-24,25-NC

Staff: Frank Zawadzki

Applicant: The Furniture Garage

Property Size: 0.00 acres

Current Zoning: NC

Location: 49 E Jackson Street, Cicero, IN 46034

Background Summary: There was a Use Variance granted in 2023 for the same use. According to Ordinance, this use may continue until the property is sold. This Variance is sought for the size and type of signage.

Preliminary Staff Recommendations: Staff would not oppose approval.

Zoning Ordinance Considerations: If approved, must go through the Aesthetic review by the Plan Commission.

District Intent: : The NC" (Neighborhood Commercial) District is intended to provide a land use category for small scale commercial uses that provide products and services to neighborhoods.

Current Property Information:

Former Firehouse and site of numerous other businesses. Jackson St frontage with alley access to the west.

Land Use: Commercial Other structure

Site Features: 0.00

Vehicle Access: yes

Planning Considerations:

The following general site considerations, planning concepts, and other facts should be considered in the Plan Commission decision making process:

Variance granted 6/20/23 for furniture restoration with retail sales. Same owners remain, same use continues.

Definitions state that a projecting sign is defined by being mounted to the wall. There is an existing mount that they intend to use which is mounted to the wall. I worked with the petitioner to try and find a way to make their sign work within standards, was unable to do so. I am currently working on modifying standards to make this a little more friendly.

Findings of Facts/Decision Criteria: I see no conflict with any of the criteria.



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Findings of Fact/Decision Criteria:

The Board of Zoning Appeals may approve or deny variances from the development standards of the Cicero/Jackson Township Zoning Ordinance. The Board may impose written commitments and/or reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

- 1 The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

Findings of Facts:

This criterion has / has not been met.

- 2 The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

Findings of Facts:

This criterion has / has not been met.

- 3 The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. *Practical Difficulty:* A difficulty with regard to one's ability to improve land stemming from regulations of this Ordinance. A practical difficulty is not a "hardship," rather it is situation where owner could comply with the regulations within this Ordinance but would like a variance from the Development Standards to improve his site in a practical manner. For instance, a person may request a variance from a side yard setback due to a large tree which is blocking the only location that would meet the Development Standards for a new garage location.

Findings of Facts:

This criterion has / has not been met.



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Board of Zoning Appeals Options:

In reviewing a request for development standards variance the Board may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Board, or (4) deny the petition (with or without prejudice). Failure to achieve a quorum on a motion results in an automatic continuance to the next regularly scheduled meeting.

Decision: _____

Any Conditions Attached: _____

Signature: _____

Date: _____

Print: _____



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Findings of Fact/Decision Criteria:

The Board of Zoning Appeals may approve or deny variances from the development standards of the Cicero/Jackson Township Zoning Ordinance. The Board may impose written commitments and/or reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

- 1 The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

Findings of Facts:

This criterion has / has not been met.

- 2 The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

Findings of Facts:

This criterion has / has not been met.

- 3 The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. *Practical Difficulty:* A difficulty with regard to one's ability to improve land stemming from regulations of this Ordinance. A practical difficulty is not a "hardship," rather it is situation where owner could comply with the regulations within this Ordinance but would like a variance from the Development Standards to improve his site in a practical manner. For instance, a person may request a variance from a side yard setback due to a large tree which is blocking the only location that would meet the Development Standards for a new garage location.

Findings of Facts:

This criterion has / has not been met.



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Board of Zoning Appeals Options:

In reviewing a request for development standards variance the Board may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Board, or (4) deny the petition (with or without prejudice). Failure to achieve a quorum on a motion results in an automatic continuance to the next regularly scheduled meeting.

Decision: _____

Any Conditions Attached: _____

Signature: _____

Date: _____

Print: _____



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

Director's Report

June 2025

Permit Revenue: June 2025 = \$5,470 YTD: \$23,376

June 2024 = \$10,496 YTD: \$25,057

Difference: Month = -\$5,026 YTD: \$-1,681

- We have issued a total of 19 building permits for June 2025.
- 13 have been inside the corporate limits (of which 0 have been new homes).
- We have issued 6 in Jackson Township (of which, 1 was for a new home).
- Estimated Cost of projects permitted \$1,105,955.

The Planning Commission next scheduled meeting is July 9th at Town Hall.
The BZA will meet July 17th at the Town Hall.

Please feel free to email, call or stop by the office anytime.

At your service!

Frank Zawadzki

Approval of Findings of Facts

Docket # **BZA-0525-15-R1** - Height
Bender Homes - 36 Point Lane

Town of Cicero

CICERO/JACKSON TOWNSHIP PLAN COMMISSION

Findings of Fact/Decision Criteria:

The Board of Zoning Appeals may approve or deny variances from the development standards of the Cicero/Jackson Township Zoning Ordinance. The Board may impose written commitments and/or reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

- 1 The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

Findings of Facts:

This project should not pose any problems.

This criterion has has not been met.

- 2 The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

Findings of Facts:

The height of this building is not consistent with other properties.

This criterion has has not been met.

- 3 The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. *Practical Difficulty: A difficulty with regard to one's ability to improve land stemming from regulations of this Ordinance. A practical difficulty is not a "hardship," rather it is situation where owner could comply with the regulations within this Ordinance but would like a variance from the Development Standards to improve his site in a practical manner. For instance, a person may request a variance from a side yard setback due to a large tree which is blocking the only location that would meet the Development Standards for a new garage location.*

Findings of Facts:

A scaled down "half court" basketball layout would reduce overall building height.

This criterion has has not been met.



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Board of Zoning Appeals Options:

In reviewing a request for development standards variance the Board may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Board, or (4) deny the petition (with or without prejudice). Failure to achieve a quorum on a motion results in an automatic continuance to the next regularly scheduled meeting.

Decision:

Deny

Any Conditions Attached:

No business, no living quarters, minimal
lighting, conditions must be recorded

Signature:

Michael Bay

Date:

6-19-25



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Findings of Fact/Decision Criteria:

The Board of Zoning Appeals may approve or deny variances from the development standards of the Cicero/Jackson Township Zoning Ordinance. The Board may impose written commitments and/or reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

- 1 The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

Findings of Facts:

NO NEGATIVE IMPACT ON PROPERTY OR COMMUNITY

This criterion has / has not been met.

- 2 The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

Findings of Facts:

NO NEGATIVE IMPACT. NOT UNUSUAL IN THE AREA TO HAVE BUILDING HEIGHTS ABOVE ORDINANCE STATUT. LOW IMPACT TO NEIGHBORS WITH ALL THE TREES (TALL) THE ADDITIONAL HEIGHT OF BUILDING WILL BE VIRTUALLY INVISIBLE TO NEIGHBORS, NO IMPACT TO ADJACENT RAILROAD TRACKS

This criterion has / has not been met.

- 3 The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. Practical Difficulty: A difficulty with regard to one's ability to improve land stemming from regulations of this Ordinance. A practical difficulty is not a "hardship," rather it is situation where owner could comply with the regulations within this Ordinance but would like a variance from the Development Standards to improve his site in a practical manner. For instance, a person may request a variance from a side yard setback due to a large tree which is blocking the only location that would meet the Development Standards for a new garage location.

Findings of Facts:

WITHOUT APPROVAL, PETITIONER WOULD BE UNABLE TO FULL FILL DESIRE FOR BASKET BALL COURT

This criterion has / has not been met.



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Board of Zoning Appeals Options:

In reviewing a request for development standards variance the Board may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Board, or (4) deny the petition (with or without prejudice). Failure to achieve a quorum on a motion results in an automatic continuance to the next regularly scheduled meeting.

Decision: APPROVED 3 to 1

Any Conditions Attached: NO BUSINESS, NO LIVING QUARTERS, PROPERTY WILL BE RECORDED WITH THESE CONDITIONS. ALSO MINIMAL LIGHTING

Signature: [Signature]
BZA BOARD MEMBER

Date: 6/19/2025

Docket # **BZA-0525-15,16,17-R1**
Bender Homes - 36 Point Lane



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Findings of Fact/Decision Criteria:

The Board of Zoning Appeals may approve or deny variances from the development standards of the Cicero/Jackson Township Zoning Ordinance. The Board may impose written commitments and/or reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

- 1 The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

Findings of Facts:

No evidence of safety concerns

This criterion ~~has~~ has not been met.

- 2 The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

Findings of Facts:

Adjacent properties cannot view the barn. Due to trees and landscape the building will not be seen from the lake

This criterion ~~has~~ has not been met.

- 3 The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. *Practical Difficulty:* A difficulty with regard to one's ability to improve land stemming from regulations of this Ordinance. A practical difficulty is not a "hardship," rather it is situation where owner could comply with the regulations within this Ordinance but would like a variance from the Development Standards to improve his site in a practical manner. For instance, a person may request a variance from a side yard setback due to a large tree which is blocking the only location that would meet the Development Standards for a new garage location.

Findings of Facts:

Septic and well locations prohibit building elsewhere. Ceiling height is necessary for desired Basketball court inside

This criterion ~~has~~ has not been met.



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Board of Zoning Appeals Options:

In reviewing a request for development standards variance the Board may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Board, or (4) deny the petition (with or without prejudice). Failure to achieve a quorum on a motion results in an automatic continuance to the next regularly scheduled meeting.

Decision: Approve

Any Conditions Attached: No Business, No Living Quarters,
No extra lighting Goes with property not
petitioner

Signature: Ad Bh

Date: _____

Docket # BZA-0525-15-R1 - Height
Bender Homes - 36 Point Lane



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Findings of Fact/Decision Criteria:

The Board of Zoning Appeals may approve or deny variances from the development standards of the Cicero/Jackson Township Zoning Ordinance. The Board may impose written commitments and/or reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

- 1 The approval will not be injurious to the public health, safety, mor nd general welfare of the community.

Findings of Facts:

not injurious.

This criterion has / has not been met.

- 2 The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

Findings of Facts:

No effect on values.

This criterion has / has not been met.

- 3 The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. Practical Difficulty: A difficulty with regard to one's ability to improve land stemming from regulations of this Ordinance. A practical difficulty is not a "hardship," rather it is situation where owner could comply with the regulations within this Ordinance but would like a variance from the Development Standards to improve his site in a practical manner. For instance, a person may request a variance from a side yard setback due to a large tree which is blocking the only location that would meet the Development Standards for a new garage location.

Findings of Facts:

*Setback location and use of
have no effect.*

This criterion has / has not been met.



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Board of Zoning Appeals Options:

In reviewing a request for development standards variance the Board may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Board, or (4) deny the petition (with or without prejudice). Failure to achieve a quorum on a motion results in an automatic continuance to the next regularly scheduled meeting.

Decision:

Approved

Any Conditions Attached:

- no business
- minimal lighting
- ~~no ~~residential~~ living quarters~~
- And Resorted w/Property.

Signature:

Date:

6/26/25

Docket # **BZA-0525-16-R1** - Exceeds 65% of home square footage
Bender Homes - 36 Point Lane



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Findings of Fact/Decision Criteria:

The Board of Zoning Appeals may approve or deny variances from the development standards of the Cicero/Jackson Township Zoning Ordinance. The Board may impose written commitments and/or reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

- 1 The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

Findings of Facts:

This project should not pose any problems

This criterion ~~has~~ has not been met.

- 2 The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

Findings of Facts:

This project size is not consistent with the area.

This criterion has ~~has not been met~~

- 3 The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. *Practical Difficulty:* A difficulty with regard to one's ability to improve land stemming from regulations of this Ordinance. A practical difficulty is not a "hardship," rather it is situation where owner could comply with the regulations within this Ordinance but would like a variance from the Development Standards to improve his site in a practical manner. For instance, a person may request a variance from a side yard setback due to a large tree which is blocking the only location that would meet the Development Standards for a new garage location.

Findings of Facts:

A scaled down "half court" layout would reduce the overall building size

This criterion has ~~has not been met~~



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Board of Zoning Appeals Options:

In reviewing a request for development standards variance the Board may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Board, or (4) deny the petition with or without prejudice. Failure to achieve a quorum on a motion results in an automatic continuance to the next regularly scheduled meeting.

Decision: Deny

Any Conditions Attached: No business, no living quarters, minimal lighting, conditions must be recorded

Signature: Michael Bey

Date: 6-19-25

Docket # **BZA-0525-16-R1** - Exceeds 65% of home square footage
Bender Homes - 36 Point Lane



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Findings of Fact/Decision Criteria:

The Board of Zoning Appeals may approve or deny variances from the development standards of the Cicero/Jackson Township Zoning Ordinance. The Board may impose written commitments and/or reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

- 1 The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

Findings of Facts:

NO NEGATIVE IMPACT ON PROPERTY OR COMMUNITY.

This criterion has / has not been met.

- 2 The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

Findings of Facts:

NO NEGATIVE IMPACT. THE R1 district for large homes and large lots, accommodates this building well.

This criterion has / has not been met.

- 3 The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. *Practical Difficulty:* A difficulty with regard to one's ability to improve land stemming from regulations of this Ordinance. A practical difficulty is not a "hardship," rather it is situation where owner could comply with the regulations within this Ordinance but would like a variance from the Development Standards to improve his site in a practical manner. For instance, a person may request a variance from a side yard setback due to a large tree which is blocking the only location that would meet the Development Standards for a new garage location.

Findings of Facts:

BUILDING HAD TO BE THIS LARGE TO ACCOMMODATE BASKET BALL COURT SIZE REQUESTED.

This criterion has / has not been met.



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Board of Zoning Appeals Options:

In reviewing a request for development standards variance the Board may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Board, or (4) deny the petition (with or without prejudice). Failure to achieve a quorum on a motion results in an automatic continuance to the next regularly scheduled meeting.

Decision: Approved 3-0-1

Any Conditions Attached: Same as BZA-0525-15-R1

Signature: [Signature]

Date: 6/19/2025

Docket # **BZA-0525-16-R1** - Exceeds 65% of home square footage
Bender Homes - 36 Point Lane



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Findings of Fact/Decision Criteria:

The Board of Zoning Appeals may approve or deny variances from the development standards of the Cicero/Jackson Township Zoning Ordinance. The Board may impose written commitments and/or reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

- 1 The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

Findings of Facts:

Concerns No evidence provided of any safety

This criterion has / has not been met.

- 2 The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

Findings of Facts:

cannot view the structure other properties including the lake

This criterion has / has not been met.

- 3 The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. Practical Difficulty: A difficulty with regard to one's ability to improve land stemming from regulations of this Ordinance. A practical difficulty is not a "hardship," rather it is situation where owner could comply with the regulations within this Ordinance but would like a variance from the Development Standards to improve his site in a practical manner. For instance, a person may request a variance from a side yard setback due to a large tree which is blocking the only location that would meet the Development Standards for a new garage location.

Findings of Facts:

requires tall ceiling house for basketball court made

This criterion has / has not been met.



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Board of Zoning Appeals Options:

In reviewing a request for development standards variance the Board may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Board, or (4) deny the petition (with or without prejudice). Failure to achieve a quorum on a motion results in an automatic continuance to the next regularly scheduled meeting.

Decision: _____

Approve

Any Conditions Attached: _____

No business operation. No
living quarters. No excess lighting. If ruling goes with
the property not the land owner to be on record

Signature: _____

SLB

Date: _____

6/19/25

Docket # **BZA-0525-16-R1** - Exceeds 65% of home square footage
Bender Homes - 36 Point Lane



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Findings of Fact/Decision Criteria:

The Board of Zoning Appeals may approve or deny variances from the development standards of the Cicero/Jackson Township Zoning Ordinance. The Board may impose written commitments and/or reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

- 1 The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

Findings of Facts:

Not injurious

This criterion has / has not been met.

- 2 The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

Findings of Facts:

No effect on value

This criterion has / has not been met.

- 3 The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. Practical Difficulty: A difficulty with regard to one's ability to improve land stemming from regulations of this Ordinance. A practical difficulty is not a "hardship," rather it is situation where owner could comply with the regulations within this Ordinance but would like a variance from the Development Standards to improve his site in a practical manner. For instance, a person may request a variance from a side yard setback due to a large tree which is blocking the only location that would meet the Development Standards for a new garage location.

Findings of Facts:

*Septic system wall and better location
for side of yard*

This criterion has / has not been met.



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Board of Zoning Appeals Options:

In reviewing a request for development standards variance the Board may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Board, or (4) deny the petition (with or without prejudice). Failure to achieve a quorum on a motion results in an automatic continuance to the next regularly scheduled meeting.

Decision:

Approved

Any Conditions Attached:

- No business
- Minimal lighting
- No signage
- And recorded with property

Signature:

[Signature]

Date:

6/26/15



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Findings of Fact/Decision Criteria:

The Board of Zoning Appeals may approve or deny variances from the development standards of the Cicero/Jackson Township Zoning Ordinance. The Board may impose written commitments and/or reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

- 1 The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

Findings of Facts:

This project is not expected to cause any problems.

This criterion ~~has~~ has not been met.

- 2 The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

Findings of Facts:

This building is not consistent with the surrounding area.

This criterion ~~has~~ has not been met.

- 3 The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. *Practical Difficulty:* A difficulty with regard to one's ability to improve land stemming from regulations of this Ordinance. A practical difficulty is not a "hardship," rather it is situation where owner could comply with the regulations within this Ordinance but would like a variance from the Development Standards to improve his site in a practical manner. For instance, a person may request a variance from a side yard setback due to a large tree which is blocking the only location that would meet the Development Standards for a new garage location.

Findings of Facts:

The location is the most practical to reduce visibility of the building

This criterion ~~has~~ has not been met.



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Board of Zoning Appeals Options:

In reviewing a request for development standards variance the Board may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Board, or (4) deny the petition (with or without prejudice). Failure to achieve a quorum on a motion results in an automatic continuance to the next regularly scheduled meeting.

Decision: Deny

Any Conditions Attached: No business, no living quarters, minimal lighting, conditions must be recorded.

Signature: Michael Berg

Date: 6-19-25



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Findings of Fact/Decision Criteria:

The Board of Zoning Appeals may approve or deny variances from the development standards of the Cicero/Jackson Township Zoning Ordinance. The Board may impose written commitments and/or reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

- 1 The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

Findings of Facts:

concerns health No evidence submitted

This criterion has / has not been met.

- 2 The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

Findings of Facts:

Other properties including the lake
cannot see proposed structure

This criterion has / has not been met.

- 3 The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. *Practical Difficulty: A difficulty with regard to one's ability to improve land stemming from regulations of this Ordinance. A practical difficulty is not a "hardship," rather it is situation where owner could comply with the regulations within this Ordinance but would like a variance from the Development Standards to improve his site in a practical manner. For instance, a person may request a variance from a side yard setback due to a large tree which is blocking the only location that would meet the Development Standards for a new garage location.*

Findings of Facts:

Location Change. Septic and well position prevent
needed/desired Proposed size due to basketball court

This criterion has / has not been met.



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Board of Zoning Appeals Options:

In reviewing a request for development standards variance the Board may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Board, or (4) deny the petition (with or without prejudice). Failure to achieve a quorum on a motion results in an automatic continuance to the next regularly scheduled meeting.

Decision: _____

Approve

Any Conditions Attached: _____

No business operation. No living quarters. No excess lighting. Ruling goes with the property not owner to be recorded

Signature: _____

[Signature]

Date: _____

6/19/25

16
Docket # **BZA-0525(17)R1 - Setbacks**
Bender Homes - 36 Point Lane

SETBACKS



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Findings of Fact/Decision Criteria:

The Board of Zoning Appeals may approve or deny variances from the development standards of the Cicero/Jackson Township Zoning Ordinance. The Board may impose written commitments and/or reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

- 1 The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

Findings of Facts:

NO NEGATIVE IMPACT.

This criterion has / has not been met.

- 2 The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

Findings of Facts:

NO NEGATIVE IMPACT. NO NEGATIVE IMPACT TO
RAILROAD RIGHT OF WAY. MUST AVOID SEPTIC AREA.

This criterion has / has not been met.

- 3 The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. *Practical Difficulty:* A difficulty with regard to one's ability to improve land stemming from regulations of this Ordinance. A practical difficulty is not a "hardship," rather it is situation where owner could comply with the regulations within this Ordinance but would like a variance from the Development Standards to improve his site in a practical manner. For instance, a person may request a variance from a side yard setback due to a large tree which is blocking the only location that would meet the Development Standards for a new garage location.

Findings of Facts:

LOCATION OF PROPOSED BUILDING IS SOMEWHAT CRITICAL,
THEREFORE, VARIANCE FOR SIDEYARD SETBACK WAS
REQUIRED

This criterion has / has not been met.



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Board of Zoning Appeals Options:

In reviewing a request for development standards variance the Board may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Board, or (4) deny the petition (with or without prejudice). Failure to achieve a quorum on a motion results in an automatic continuance to the next regularly scheduled meeting.

Decision: APPROVED 3 to 1

Any Conditions Attached: Same as BZA-0525-15-R1

Signature: _____

BZA BOARD MEMBER

Date: _____

6/19/2025



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Findings of Fact/Decision Criteria:

The Board of Zoning Appeals may approve or deny variances from the development standards of the Cicero/Jackson Township Zoning Ordinance. The Board may impose written commitments and/or reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

- 1 The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

Findings of Facts:

*Cannot be
not injurious.*

This criterion has / has not been met.

- 2 The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

Findings of Facts:

No effect on values

This criterion has / has not been met.

- 3 The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. Practical Difficulty: A difficulty with regard to one's ability to improve land stemming from regulations of this Ordinance. A practical difficulty is not a "hardship," rather it is situation where owner could comply with the regulations within this Ordinance but would like a variance from the Development Standards to improve his site in a practical manner. For instance, a person may request a variance from a side yard setback due to a large tree which is blocking the only location that would meet the Development Standards for a new garage location.

Findings of Facts:

*Setback in way and better location
for use of barn*

This criterion has / has not been met.



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Board of Zoning Appeals Options:

In reviewing a request for development standards variance the Board may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Board, or (4) deny the petition (with or without prejudice). Failure to achieve a quorum on a motion results in an automatic continuance to the next regularly scheduled meeting.

Decision:

Approved

Any Conditions Attached:

- No housing
- Minimal lighting
- No parking spaces
- And recorded w/ property

Signature:

[Signature]

Date:

6/26/20

Docket # **BZA-0525-21-AG**
Jason Bezy - 22400 Cammack Rd.

Town of Cicero

CICERO/JACKSON TOWNSHIP PLAN COMMISSION

Findings of Fact/Decision Criteria:

The Board of Zoning Appeals may approve or deny variances from the development standards of the Cicero/Jackson Township Zoning Ordinance. The Board may impose written commitments and/or reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

- 1 The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

Findings of Facts:

NO NEGATIVE IMPACT.

This criterion has / has not been met.

- 2 The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

Findings of Facts:

NO NEGATIVE ~~TRA~~ IMPACT. WIDE OPEN FARMING AREA.

This criterion has / has not been met.

- 3 The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. *Practical Difficulty:* A difficulty with regard to one's ability to improve land stemming from regulations of this Ordinance. A practical difficulty is not a "hardship," rather it is situation where owner could comply with the regulations within this Ordinance but would like a variance from the Development Standards to improve his site in a practical manner. For instance, a person may request a variance from a side yard setback due to a large tree which is blocking the only location that would meet the Development Standards for a new garage location.

Findings of Facts:

THERE PERHAPS COULD BE AN ARGUMENT FOR WHERE PETITIONER LOCATED THE BARN GIVEN RA-1G DISTRICT AND AND LIMIT ON NUMBER OF ACCESSORY STRUCTURES PERMITTED.

This criterion has / has not been met.

HOWEVER, THERE ARE NO ISSUES WITH PROPOSED LOCATION.



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Board of Zoning Appeals Options:

In reviewing a request for development standards variance the Board may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Board, or (4) deny the petition (with or without prejudice). Failure to achieve a quorum on a motion results in an automatic continuance to the next regularly scheduled meeting.

Decision: APPROVED 4-0

Any Conditions Attached: NO BUSINESS, NO LIVING QUARTERS
MINIMAL LIGHTING OUTSIDE, RECORD CONDITIONS
WITH PROPERTY, NOT OWNER NAME

Signature: [Handwritten Signature]

Date: 6-19-2025

Docket # **BZA-0525-21-AG**
Jason Bezy - 22400 Cammack Rd.

Town of Cicero

CICERO/JACKSON TOWNSHIP PLAN COMMISSION

Findings of Fact/Decision Criteria:

The Board of Zoning Appeals may approve or deny variances from the development standards of the Cicero/Jackson Township Zoning Ordinance. The Board may impose written commitments and/or reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

- 1 The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

Findings of Facts:

No evidence of being injurious or unsafe was provided

This criterion has / has not been met.

- 2 The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

Findings of Facts:

Neighbors are in agreement

This criterion has / has not been met.

- 3 The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. Practical Difficulty: A difficulty with regard to one's ability to improve land stemming from regulations of this Ordinance. A practical difficulty is not a "hardship," rather it is situation where owner could comply with the regulations within this Ordinance but would like a variance from the Development Standards to improve his site in a practical manner. For instance, a person may request a variance from a side yard setback due to a large tree which is blocking the only location that would meet the Development Standards for a new garage location.

Findings of Facts:

Corner lots have 2 front yards
This structure will be behind the front door plane of the home

This criterion has / has not been met.



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Board of Zoning Appeals Options:

In reviewing a request for development standards variance the Board may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Board, or (4) deny the petition (with or without prejudice). Failure to achieve a quorum on a motion results in an automatic continuance to the next regularly scheduled meeting.

Decision: _____

Approve

Any Conditions Attached: _____

No business operations. No Living Quarters. No excess lights. Bulbing goes with property. Not property sources to be on record

Signature: _____

[Signature]

Date: _____

6/19/25

Docket # **BZA-0525-21-AG**
Jason Bezy - 22400 Cammack Rd.



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Findings of Fact/Decision Criteria:

The Board of Zoning Appeals may approve or deny variances from the development standards of the Cicero/Jackson Township Zoning Ordinance. The Board may impose written commitments and/or reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

- 1 The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

Findings of Facts:

This project will not pose any problems

This criterion ~~has~~ has not been met.

- 2 The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

Findings of Facts:

Adjacent properties will not be impacted.

This criterion ~~has~~ has not been met.

- 3 The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. *Practical Difficulty: A difficulty with regard to one's ability to improve land stemming from regulations of this Ordinance. A practical difficulty is not a "hardship," rather it is situation where owner could comply with the regulations within this Ordinance but would like a variance from the Development Standards to improve his site in a practical manner. For instance, a person may request a variance from a side yard setback due to a large tree which is blocking the only location that would meet the Development Standards for a new garage location.*

Findings of Facts:

Since this is a corner lot, the proposed location is the most practical choice.

This criterion ~~has~~ has not been met.



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Board of Zoning Appeals Options:

In reviewing a request for development standards variance the Board may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Board, or (4) deny the petition (with or without prejudice). Failure to achieve a quorum on a motion results in an automatic continuance to the next regularly scheduled meeting.

Decision: Approved

Any Conditions Attached: No business, no living quarters, minimal lighting,
conditions goes with the property & must be recorded

Signature: Michael Ben

Date: 6-19-25

Docket # **BZA-0525-21-AG**
Jason Bezy - 22400 Cammack Rd.



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Findings of Fact/Decision Criteria:

The Board of Zoning Appeals may approve or deny variances from the development standards of the Cicero/Jackson Township Zoning Ordinance. The Board may impose written commitments and/or reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

- 1 The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

Findings of Facts:

Not injurious

This criterion has has not been met.

- 2 The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

Findings of Facts:

*No effect on neighbors
or property values*

This criterion has has not been met.

- 3 The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. *Practical Difficulty:* A difficulty with regard to one's ability to improve land stemming from regulations of this Ordinance. A practical difficulty is not a "hardship," rather it is situation where owner could comply with the regulations within this Ordinance but would like a variance from the Development Standards to improve his site in a practical manner. For instance, a person may request a variance from a side yard setback due to a large tree which is blocking the only location that would meet the Development Standards for a new garage location.

Findings of Facts:

*Difficulty of facing roads on
two sides*

This criterion has has not been met.



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

Board of Zoning Appeals Options:

In reviewing a request for development standards variance the Board may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Board, or (4) deny the petition (with or without prejudice). Failure to achieve a quorum on a motion results in an automatic continuance to the next regularly scheduled meeting.

Decision: _____

Approved

Any Conditions Attached: _____

None

Signature: _____

[Handwritten Signature]

Date: _____

10/26/25