



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

Board of Zoning Appeals Agenda

August 21st, 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

July 17th, 2025

3. Old Business:

Docket #: BZA-0725-24-NC

Petitioner: The Furniture Garage

Property Address: 49 W 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 W 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.

4. New Business:

Docket #: BZA-0825-21-MP

Petitioner: Robert Tetrick

Property Address: 129 Rosewood Drive, Cicero, IN 46034

A Development Standards Variance application has been submitted regarding the property located at 129 Rosewood Drive, Cicero, IN 46034 to allow an accessory structure in the front yard in the "MP" district. Whereas Article 7.5 Accessory Structure Standards (AS-02) of the Cicero/Jackson Township Zoning Ordinance states that an accessory structure shall only be located to the side or rear of the primary structure.



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

Docket #: BZA-0825-26-C3

Petitioner: Bullseye Fence Design LLC

Property Address: 22179 N US 31, Cicero, IN 46034

A Development Standards Variance application has been submitted regarding the property located at 22179 US 31 N, Cicero, IN 46034, to allow a fence with less than 50% surface open area and is not a picket or rail fence. Whereas Article 7.21 FN-02 paragraph 6 of the Cicero/Jackson Township Zoning Ordinance states that fences or walls located in the front yard shall have no less than 50% open surface area (Picket fence/rail fence) in the "C3" district.

Docket #: BZA-0825-31-R3

Petitioner: Elisabeth Smith

Property Address: 601 Tamarack Larch Blvd, Cicero, IN 46034

A Development Standards Variance application has been submitted regarding the property located at 601 Tamarack Larch Blvd, Cicero, IN 46034, concerning Article 7.21 FN-01, Fence and Wall Standards of the Cicero/Jackson Township Zoning Ordinance to allow a fence to be four (4) feet in height in the front yard. Whereas Article 7.21 FN-01, Fence and Wall Standards states that a fence shall not be greater than three (3) feet in height in the front yard.

Docket #: BZA-0825-35-DC

Petitioner: Gymies Fitness Center

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

An application for appeal has been submitted for the property located at 47 W Jackson Street, Cicero, IN 46034, contesting the decision made by the Plan Director to not allow a static message electronic sign in the DC district. The petitioner maintains that the sign does not meet the definition of a prohibited electronic sign as defined in chapter 16 Electronic/Animated signs: and meets sign standards set forth in Chapter 10.8 of the Cicero/Jackson Township Zoning Ordinance.

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:**
September 18th, 2025

10. **Adjournment:**

Location:
Cicero Town Hall
70 N Byron Street
Cicero, IN 46034



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

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 01/01/2022 – 12/31/2025

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

Steve Zell – Council Appointment – Term 01/01/2022 – 12/31/2025

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CICERO/JACKSON TOWNSHIP PLAN COMMISSION

Board of Zoning Appeals Minutes

July 17th, 2025

7:00 p.m.

Roll Call of Members

Present:

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

1. **Declaration of Quorum-** Chairman Bockoski declared a quorum with all members present.

2. **Approval of Minutes**

Mr. Zell made motion to approve Minutes from June 19th, 2025, as presented. Mr. Berry second. All present in favor.

Chairman Bockoski reminded everyone present 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 opposed to the petitioner or other members of the audience. All speakers must sign in if planning on speaking at the sign in sheet at the door. Each attendant must state name and address upon visit to 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 agrees 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 affirmative but does not mean that is the way we will vote.

3. **Old Business:** No 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.



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

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.

Duane and LEEANNE Etchison 815 Morse Landing Drive, Cicero. Mr. Etchison stated they are excited to build a pool on their side lot. Chairman Bockoski stated he drove the property today and it is on a corner lot which institutes all of this. Thank you for doing the due diligence. Please explain the fence. Mr. Etchison stated six foot high. Chairman Bockoski verified that would go all around the area. Mr. Etchison stated correct. Mr. Thomas asked if there are plans for any shrubbery around it. Mr. Etchison stated yes, would match the rest of the house. No room for it anyplace else. Mr. Zell thank the petitioner for the plans that spell out the project very well.

Mr. Zell made motion to open the public hearing for these dockets. Mr. Massonne seconded the motion. All present in favor.

Chairman Bockoski asked if anyone wanted to speak on these dockets. Seeing no one, asked Mr. Zawadzki if he had any letters to be read tonight.

Mr. Zawadzki shared email from:

Christian Fiems co-owner at 820 Morse Landing Drive. Do not oppose pool project that is across the street.

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

Chairman Bockoski recapped for the Board, first is height for safety and privacy, second is due to corner lot, third is 50% open face which goes typically for the front yard, which this has two. Mr. Zell stated they do not have a lot of space for this project, not a lot of choices anywhere else on the property. Mr. Massonne stated the rest of the property is nice looking, do not feel it necessary to add as stipulation, they would probably do on their own.

Mr. Massonne made motion to approve BZA-0625-18-R3 as presented. Mr. Zell seconded the motion.

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

Mr. Massonne made motion to approve BZA-0625-19-R3 as presented. Mr. Zell seconded the motion.

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

Mr. Massonne made motion to approve BZA-0625-20-R3 as presented. Mr. Zell seconded the motion.

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

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

Patrick Lindley 22200 Cammack Road, Noblesville. The plan when built five years ago was to build a hobby/equipment shed. Trying to utilize the current pathway over the existing infrastructure. Building is 20 x 30. Mr. Zell questioned if running a business out of the building. Mr. Lindley stated no. Mr. Zell questioned water and electricity to building. Mr. Lindley answered no water but yes electricity. No living quarters. Chairman Bockoski questioned lighting. Mr. Lindley stated similar to current building, overhead door lights, small porch light with sensor. Chairman Bockoski verified no business. Mr. Lindley stated no.

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

Mr. Zawadzki stated did not have one to read. Mr. Thomas stated one in the packet. Chairman Bockoski read the letter from Jason Beezy, no issue with project, buffer of trees prevents seeing the structure.

Mr. Massonne made motion to close public hearing. Mr. Zell seconded. All present in favor.

Chairman Bockoski commented to Board, his question was why not on the other side of house, answered as utilizing existing drive. In front of house requires another variance as stated in the packet. Mr. Zell stated he felt aesthetically pleasing where it is proposed. Chairman Bockoski stated he felt stipulations should be no business or living quarters with this one.

Mr. Massonne made motion to approve BZA-0725-22-AG with the following conditions: There will be no business ran out of the facility and no living quarters. Mr. Thomas seconded.

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

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.

Bryan Widows 2513 W. 200 South, Tipton. Current sign is old marquee sign have had for 20 years and with building improvements doesn't match. To change letters, have to use ladder, annoyance and could be safety hazard with the sidewalks. It is the same sign the Town of Cicero has at Red Bridge. Chairman Bockoski questioned the size. Mr. Widows stated little smaller than current sign, 7 ft by 36in. raising up a foot for clearance. Chairman Bockoski questioned if as bright as the park signs. Mr. Widows stated it is adjustable. Mr. Berry questioned if would be on 24/7. Mr. Widows stated yes, the gym is open 24/7. Mr. Berry questioned the signs at the park are older style with dots, newer is like a tv screen, is there anything more modern. Mr. Widows stated for his purpose this will work and be more modern than what is there. Mr. Berry asked how often the existing sign is changed. Mr. Widows answered not often, it is a pain. Mr. Berry asked how often this new sign change would occur, every five minutes, 10 minutes. Mr. Widows stated it would have rotating messages. Chairman Bockoski stated he thought he read a one minute minimum to reduce safety concerns. Mr. Thomas stated that was staff recommendation. Mr. Zell asked Mr. Zawadzki regarding the new Comprehensive Plan, is there any language regarding electronic signs in the downtown area that would guide us. Mr. Zawadzki stated not that he can recall but prohibited through zoning ordinances. Mr. Zell questioned the purpose of the sign. Mr. Widows stated promotional tips and motivation. Mr. Zell questioned if social media would be more effective. Mr. Widows stated he uses social media, but this is a captive audience while at light for 2-3 minutes. Mr. Zell expressed concern for distraction in a congested area, how often the sign changes, messages, and foot traffic. Concern for safety. Mr. Widows asked if more of a distraction than the parks area. Mr. Culp stated he didn't see anything that spoke to this. Mr. Zell questioned how bright would it be, during day would want it to be bright but during night would want it to be dimmer. Could this be adjusted? Mr. Widows answered stated he knows there is a brightness adjustment, but do not know if it can be a timed adjustment. Mr. Berry expressed concern based on Community Park's sign. Mr. Widows stated if too bright is not going to help, if can be adjusted on time would do so. Mr. Massonne stated he also notices the sign at the bridge at night. Also asked if there will be ads on the sign. Mr. Widows stated only for us. Mr. Massonne shared information that he found with options for dimming. Mr. Massonne added that he felt adding an LED sign to downtown would be adding the wrong standard, like the older sign, do not think the brightness would change my mind. Comparing to other downtown areas, it is not



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

what we are looking for. Mr. Thomas stated we have turned down other signs in the past, do we have any other lit signs? Mr. Zawadzki stated we have lit signs but not changing signs. Mr. Zell questioned if approved, would still have to go to Plan Commission for Aesthetic Review.

Mr. Zell made motion to open public hearing on this petition. Mr. Berry seconded. All present in favor.

LeeAnne Etchison here for different reason but wanted to add, do not think the future of Cicero is not an electronic sign in downtown. Do not think it is a distraction, would like to see an updated sign.

Mr. Zell made motion to close the public hearing. Mr. Thomas seconded. All present in favor.

Mr. Massonne asked if parks signs could be turned down. Mr. Zawadzki stated he would look into it. Mr. Massonne stated concern for safety as approaching the railroad and area. Trying to determine the practical difficulty of this sign why can't meet standards in the ordinance today. Mr. Berry stated the current sign reminds me of 1950-60's, if you want quaint atmosphere in town that is fine, but we are growing. Concern for next sign request and could put stipulations on it to not be an issue. Mr. Zell stated his issue is that it is a distraction and that area is burdened with people and car traffic. This would be something else that someone traveling on Jackson would take eyes off road. Mr. Massonne stated he does not understand the difficulty here. Chairman Bockoski stated no electronic signs and not allowed per ordinance. Mr. Thomas stated that as we grow we will get additional foot traffic and see it as a distraction at the railroad track. Can see a lit sign as a distraction. Chairman Bockoski stated do not want to take away from the business side, which is why you have a sign. Compared to the high school sign and blinding factor as well as Community Park. Would ask the petitioner to have the lumens dimmed during the day and shut off from dusk to dawn, as a possible condition. Understand could diminish the purpose of the sign. Mr. Zell stated remind Board members of the reason the ordinance is the way it is. Recalling the challenges and concerns when the ordinance was constructed and good reasons behind. Chairman Bockoski reminded that we have had plan director to approve brightness of signs and feels it should be a condition if needed for safety. Mr. Berry questioned if the sign is currently lit. Answer was no. Asked if thought about putting a light on it and leaving the sign alone. Mr. Widows answered no had not considered. Mr. Berry stated he doesn't look at the sign and cannot answer if it was lit would I notice. Question to members, right next to business is dentist with neon sign, how is neon in the window different than this one. Compared to downtown Noblesville with many neon signs in windows. Mr. Zell answered that difference is location of the sign, while a great location if a lit sign is more of a distraction where it is at versus in a window. Mr. Berry asked if the sign was inside the building facing Jackson Street would it be ok. Mr. Thomas stated would be a different viewpoint. Mr. Massonne compared to other types of signs, backlit, box signs versus animation type of signs. Mr. Zell stated regarding placement, that would be a new discussion. Mr. Berry stated why isn't it lit now and to change to 24/7, big difference. Mr. Thomas questioned if the ones at the park are turned down currently. Chairman Bockoski answered that's why should be a condition. Mr. Berry asked if this was approved and it turns out the parks are turned down all the way, and still extremely bright, what happens to this sign, would it have to be removed. Mr. Massonne stated he would recommend tabling letting him do research and contact Mr. Hunter for answers and options. Mr. Culp stated we could table it for further information, is there an answer that would make you change your mind. If not, you are making him wait a month for no reason. Mr. Massonne stated since he doesn't know the minimum setting on the parks sign that is holding him up. Mr. Culp stated since we don't have this type of sign, we don't have standards set, normally we would have a standard that would have to be met for brightness. Mr. Zell stated the ordinance is old and should be reviewed for newer technology. Chairman Bockoski came back to conditions: discussed were no other ads for other businesses, ability to adjust the brightness of the sign for safety concerns. Discussion ensued. Mr. Zawadzki questioned Mr. Culp, after texting with Mr. Hunter (parks superintendent) is it appropriate to share information. Mr. Culp yes. Mr. Zawadzki asked if sign was adjustable and if turned down now. Mr. Hunter stated he didn't know and hasn't had any complaints. Would like to upgrade his.

Mr. Massonne made motion to approve BZA-0725-23-DC with following conditions: in agreement with petitioner there will be no other ads for other businesses, the brightness of sign will be adjusted to dim and adjusted brighter at dawn. Mr. Zell seconded the motion.

Mr. Berry-approve, Mr. Bockoski-no, Mr. Zell-no, Mr. Thomas-no, Mr. Massonne-no. 1-4. Denied.

Chairman Bockoski stated not approved and questioned Mr. Zawadzki how long petitioner would have to wait to come back. Mr. Zawadzki stated if wanting to do the same or similar sign, would have to wait one year.



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

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.

Chairman Bockoski read the dockets and verified with Mr. Zawadzki that these needed to be tabled. Mr. Zawadzki stated yes until next month.

Mr. Massonne made a motion to table BZA-0725-24-NC and BZA-0725-25-NC. Mr. Zell second. All present in favor.

Chairman Bockoski stated those dockets will be tabled until next meeting August 21st at 7:00 p.m.

5. Plan Director's Report: Mr. Zawadzki summarized report as follows: June 2025 permit revenue was \$5470 with YTD of \$23376. Compares to June 2024 at \$10496 and YTD 2024 of \$25057, resulting in decrease of \$5026 for month and decrease of \$1681 for year. Issued 19 permits for month 13/0 (new homes) in town limits and 6/1 in Township. Estimated cost of projects is \$1,105,055.

6. Chairperson's Report: Chairman Bockoski made request for Mr. Zawadzki going forward, the petitioner during the process of filing, fills out the form that we fill out. Typically, they don't put in effort to state their case before the meeting. When they get here they do but would like them to be better informed. Is this possible? Mr. Culp stated could add a page, revised Findings of Fact Page. Mr. Zell shared that it was a good idea and educating the petitioner. Mr. Zawadzki stated they do counsel them on the process using the Findings of Fact but can add from their perspective. Chairman Bockoski questioned Mr. Culp, when we are stating the motion to approve, are we being thorough enough in stating the motion. Do we need to reread the entire docket, or restating the docket number? Mr. Culp stated that typically the docket number is sufficient.

7. Legal Counsel's Report: Mr. Culp shared that the Town has entered into an agreement to acquire three well sites east of town. There is a final phase test that has to be done after the Town assumes ownership. But process is underway. Mr. Culp commented on the last petition, don't ever it is wrong if we want to send the petitioner to seek more information, don't like to do it if it is not going to change the outcome.

8. Board Member Comments: Mr. Massonne questioned Red Bridge Bistro, certain we discussed shrubbery to be sitting behind the red Conex box, but it is seeded and planted like they are done. Mr. Zawadzki the inside is done, but waiting on an approval, and do not have furniture placed so do not have a COO. Mr. Zawadzki stated he would follow up with them. Mr. Massonne stated regarding the furniture place, when last time someone brought up parking in front of the building, however the pictures suggest they are using. Mr. Zawadzki stated they do have ADA access, but will review. They want to do the same set up as before but with more furniture. Mr. Zell questioned Mr. Culp on the Estridge project, what is the status. Mr. Culp answered



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

originally going before the Town Council, since Mr. Lutz resigned and new member Jacob Everett was just determined Monday, they decided to move to second meeting in August to allow Mr. Everett to get up to speed.

That meeting will be the third Tuesday of August. Each council member will receive a complete package of all the notes/letters etc. Three of the five members have attended both original meetings.

9. Next Planned Board of Zoning Appeals Meeting:

August 21st, 2025

10. Adjournment:

Mr. Zell made a motion to adjourn the meeting. Mr. Berry seconded. All present in favor.

Chairman: _____

Secretary: _____

Date: _____

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

CICERO / JACKSON TOWNSHIP (BOARD OF ZONING AND APPEALS)

VARIANCE APPLICATION

OFFICE USE ONLY

| | | |
|--|--|--|
| Variance Category | | Docket #: BZA-0725-24-NC |
| <input checked="" 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: Scott Lindenberg | | |
| Property Address: 49 E Jackson St | | |
| City: Cicero | State: IN | ZIP Code: 46034 |
| Telephone: | E-mail: | |
| | Fax: | |
| Project Address: 49 E Jackson St | State: IN | ZIP Code: 46034 |
| City: Cicero | Subdivision: | |
| Parcel: | Telephone: | |
| General Contractor: Hoosier Sign Guy | Fax: | |
| Address: | Cell Phone: | |
| City: Tipton | State: IN | ZIP Code: 46072 |
| Email: | | |
| Variance Request: Exterior Signage | | |
| | | |
| 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 checked="" 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: Scott Lindenberg | | |
| Property Address: 49 E Jackson St | | |
| City: Cicero | State: IN | ZIP Code: 46034 |
| Telephone: | E-mail: | |
| | Fax: | |
| Project Address: 49 E Jackson St | State: IN | ZIP Code: 46034 |
| City: Cicero | Subdivision: | |
| Parcel: | Telephone: | |
| General Contractor: Hoosier Sign Guy | Fax: | |
| Address: | Cell Phone: | |
| City: Tipton | State: IN | ZIP Code: 46072 |
| | Email: | |
| Variance Request: Exterior Signage | | |
| | | |
| Commitments/ Conditions Offered: | | |
| | | |
| | | |
| Code Section Appealed: | | |
| | | |
| | | |



**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:

There will be no issues with the public health, safety, morals and general welfare of the 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:

The use and value of the area adjacent will not be affected in a substantially adverse manner.

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:

Our request of a larger, projected sign is for visability due to the location of the store and visibility with surrounding businesses.

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: _____

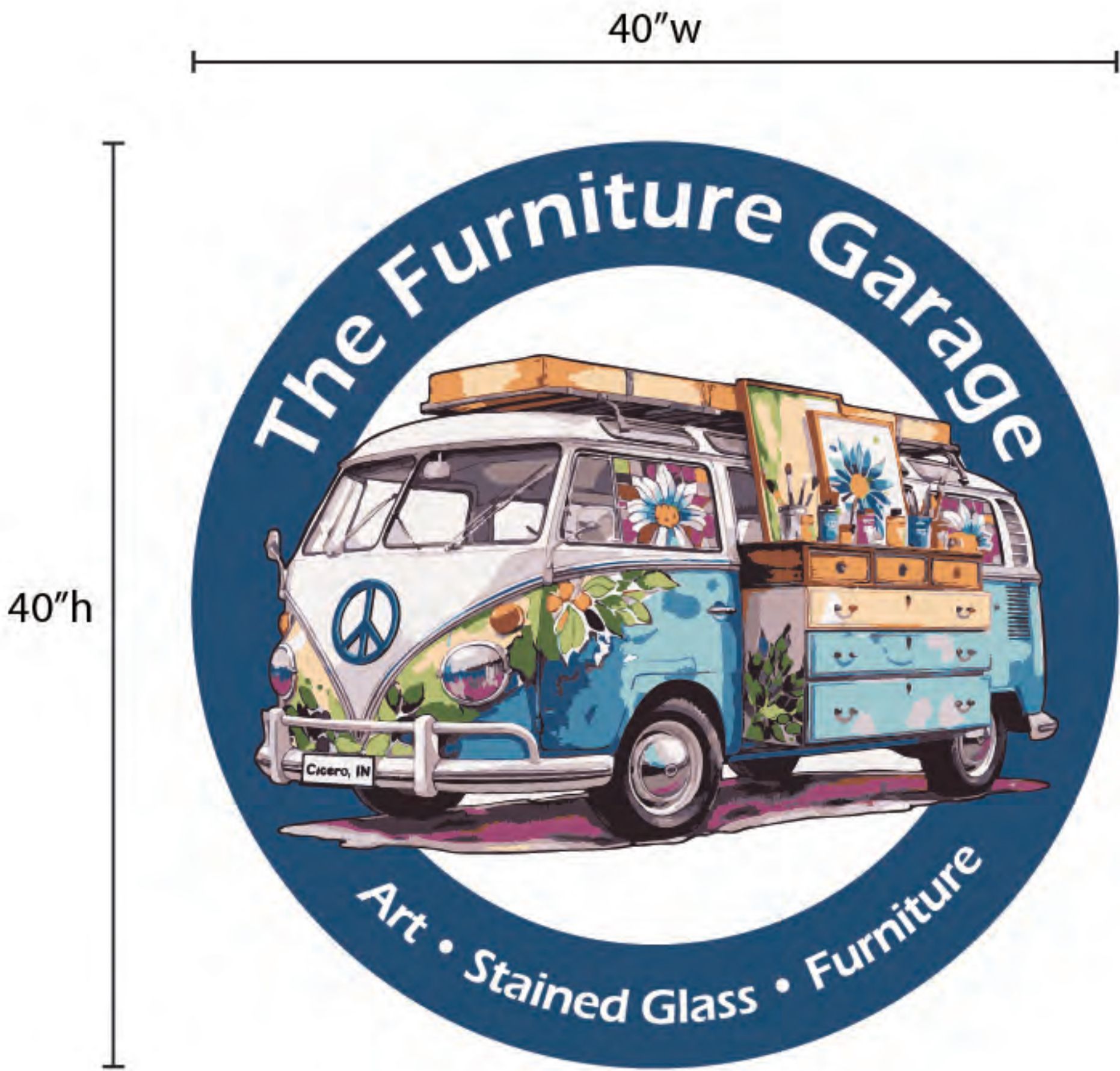
Date: _____

Print: _____

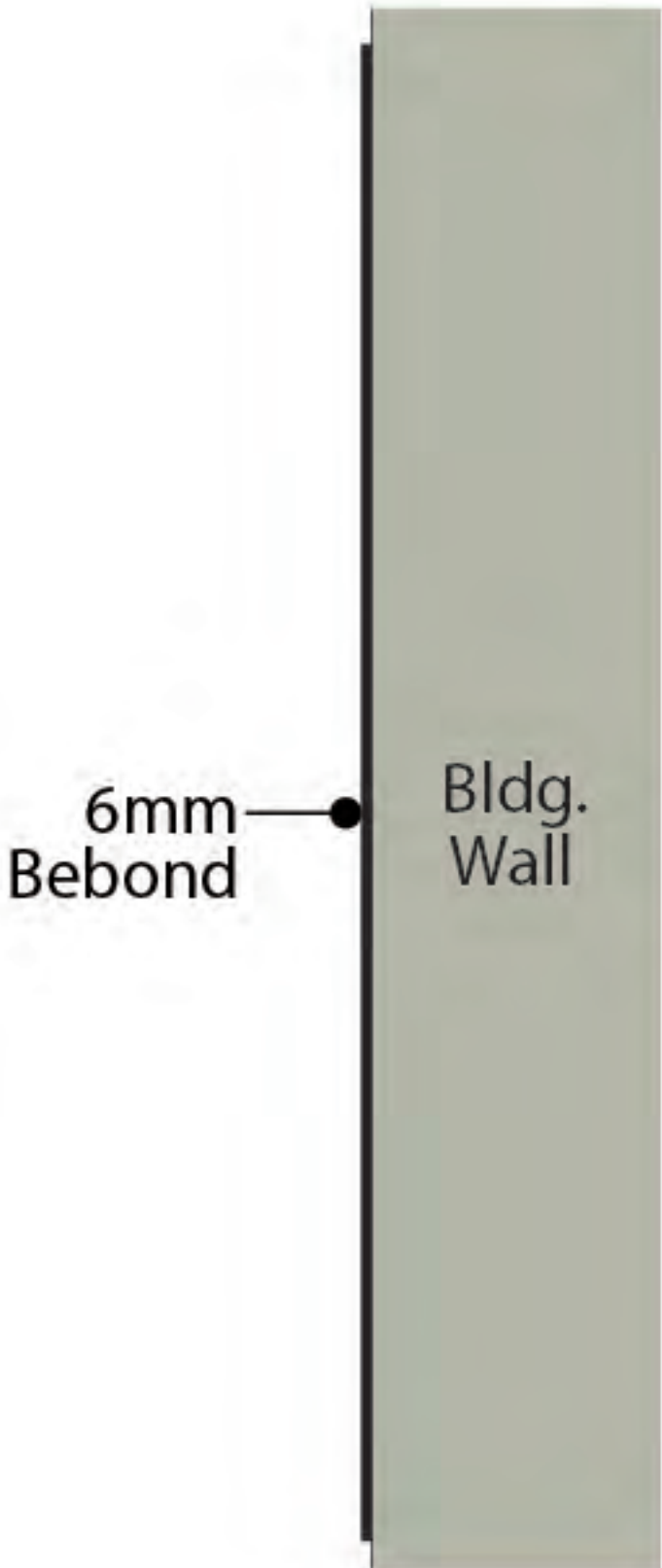
6MM BEBOND ROUTED SIGN

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_____

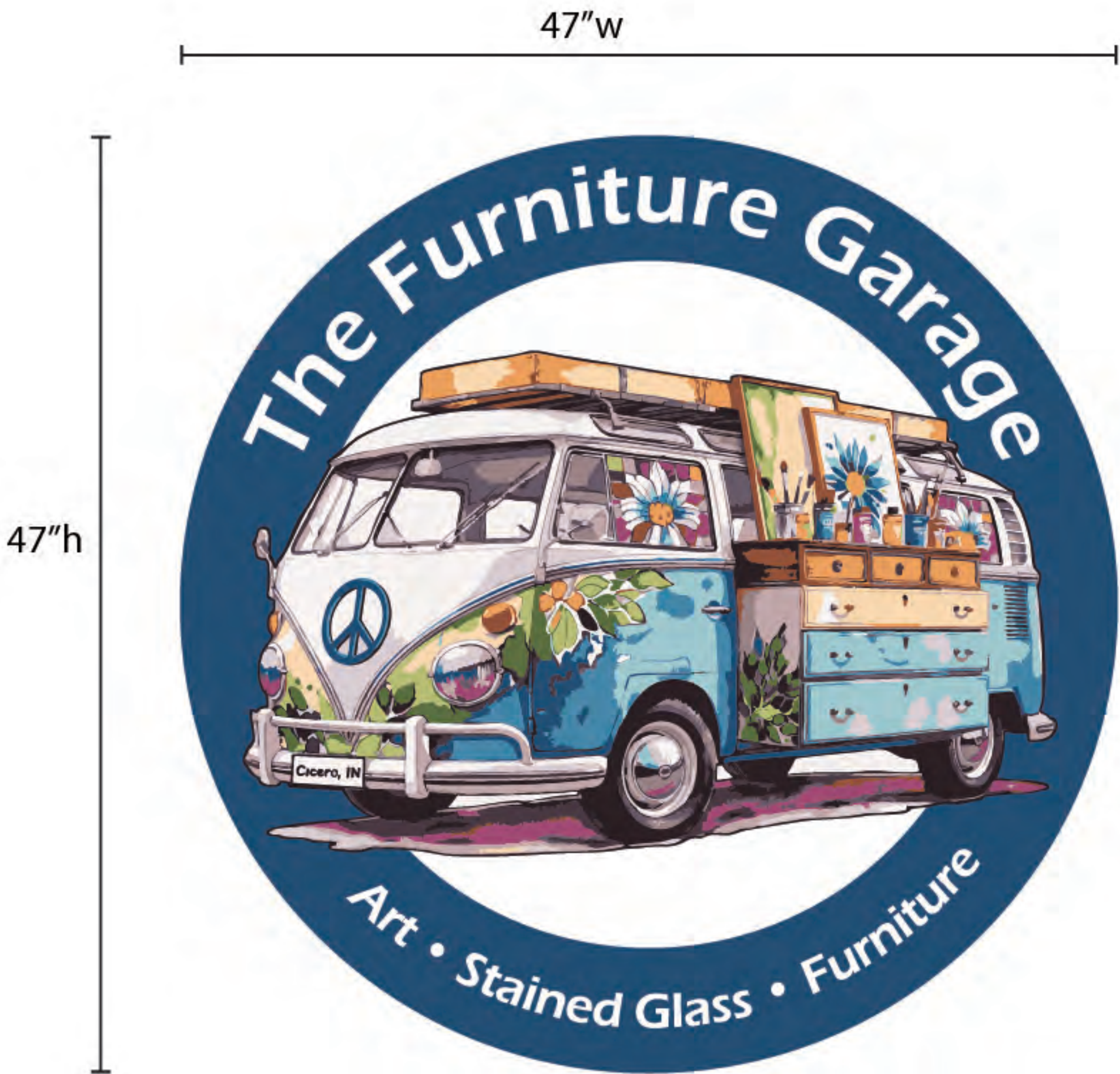
DATE _____

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.**

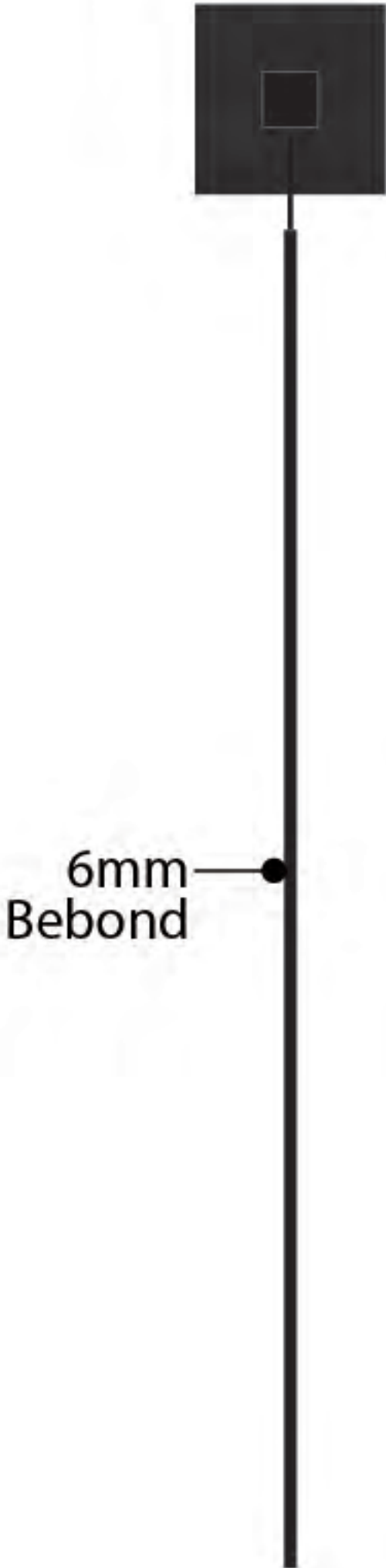
6MM BEBOND ROUTED SIGN

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.

Docket # BZA-0725-24-NC
The Furniture Garage



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: _____

Docket # **BZA-0725-25-NC**
The Furniture Garage



**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:

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- 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)

CICERO / JACKSON TOWNSHIP
PLANNING AND DEVELOPMENT

JUN 26 REC'D

RECEIVED

VARIANCE APPLICATION

OFFICE USE ONLY

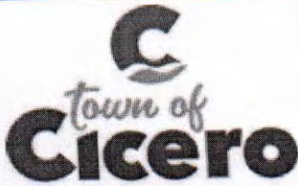
| | | |
|--|--|---|
| Variance Category | | Docket #: BZA-0825-21-MP |
| <input checked="" type="checkbox"/> Development Standards | <input type="checkbox"/> Special Exception | Date of Application: 6/26/25 |
| <input type="checkbox"/> Land Use | <input type="checkbox"/> Other | Date of Expiration: |
| Variance Check List | | Variance Fee: \$320.00 |
| <input type="checkbox"/> Adjoiner List | <input type="checkbox"/> Legal Notice Copy | Date of Hearing: 8/21/25 |
| <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: ROBERT TETRICK | | |
| Property Address: 129 ROSEWOOD DRIVE | | |
| City: CICERO | State: IN | ZIP Code: 46034 |
| Telephone: [REDACTED] | E-mail: [REDACTED] | |
| Fax: | | |
| Project Address: SAME | | |
| City: | State: IN | ZIP Code: |
| Parcel: | Subdivision: | |
| General Contractor: TBD | Telephone: | |
| Address: | Fax: | |
| City: | State: | Cell Phone: |
| 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)

Petitioners List of Findings

✓
Accessory structure in front of primary
structure

Docket #



**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, it is the addition of a garage on the Timberline side, one of the two fronts of the property.

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, Being a corner lot, the adjacent property across Timberline is an open, vacant 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 proposed garage is within the setbacks of both Timberline and Rosewood.

The variance is required due to it being a corner lot with two fronts.

This is the only area remaining where a garage of any size can be constructed.

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: _____

Joe Gaspary and Frank Zawadzki,

June 23, 2025

Hidden Bay HOA & Cicero Planning Boards

Attached is a proposed sketch for a 15' x 12' x 20' tapered garage I would like to construct at 129 Rosewood Drive, Lot # 129. I have modified the garage and location to meet all of the requirements I am aware of at this time. I don't believe a variance will be required. I am checking with 811 for utilities and reviewing contractors {Post By Post [?], used by Jim Blickendorf} hoping to build this summer. The garage access would be to Rosewood Drive adjacent to the existing parking area. I plan on making the exterior closely match the recently refurbished home in color and roof. There are also proposed views of the garage attached.

Thank you for your consideration,

New owner: Robert Tetrick

[REDACTED]

[REDACTED]

HIDDEN BAY HOA GROUNDS CONTROL

APPROVED

REJECTED

Signature: _____

Date: _____



STREET

(DITCH)

PROPERTY LINE

UTILITIES?
811 CALLED 6/16

HIDDEN BAY
Section 2

HIDDEN BAY HOA GROUNDS CONTROL

APPROVED

REJECTED

Signature:

Date:

LARGE
MAPLE
TREE

8' SET BACK

40' DUE 40' BL

22.07

10

SIDEVIEW

GARAGE

மேலும்

10

35.57

Bed Room

40' BL

129 ROSEWOOD DRIVE
EXISTING
HOUSE

12.70

Water

WATER

32.75

16.57

Ротен

5

14.04

CONCRETE

WALK DAY

PARKING

APPROX
20' -

TO 41

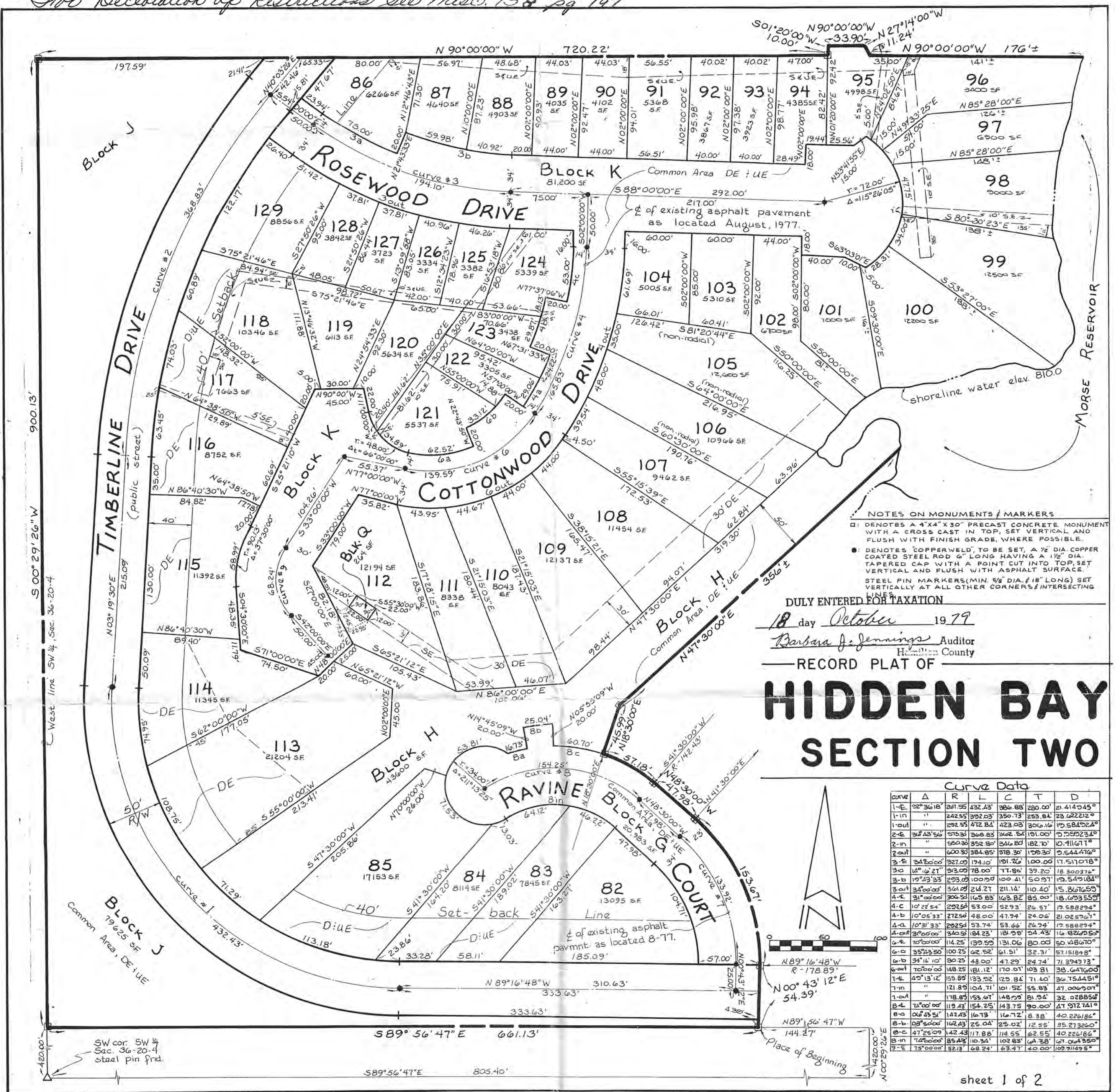
fence

PROPERTY LINE

RWD 6/22/25

RWJ 6/22/25

For Declaration of Restrictions See Misc. 158 pg 197



FOR CORRECTION WARRANTY Deed See 7200464 REC. 1-8-92

I, the undersigned, hereby certify that the within plat is true and correct and represents a survey of part of the Southwest Quarter of Section 36, Township 20 North, Range 4 East in Hamilton County, Indiana, more particularly described as follows:

Commencing at a steel pin found marking the Southwest corner of said Southwest Quarter Section; thence South 89 degrees 56 minutes 47 seconds East along the South line thereof 805.04 feet; thence North 00 degrees 29 minutes 26 seconds East parallel with the West line of said Southwest Quarter Section 420.00 feet; thence North 89 degrees 56 minutes 47 seconds West 144.27 feet to the Place of Beginning; thence North 00 degrees 43 minutes 12 seconds East 54.39 feet to a curve having a radius of 178.80 feet, the radius point of which bears North 89 degrees 16 minutes 48 seconds West; thence Northwesterly along said curve 153.67 feet to a point which bears North 41 degrees 30 minutes 00 seconds East from said radius point; thence North 48 degrees 30 minutes 00 seconds West 47.98 feet to a curve having a radius of 142.43 feet, the radius point of which bears South 41 degrees 30 minutes 00 seconds West; thence Northwesterly along said curve 57.18 feet to a point which bears North 18 degrees 30 minutes 00 seconds West from said radius point; thence North 18 degrees 30 minutes 00 seconds East 45.09 feet; thence North 47 degrees 30 minutes 00 seconds East 356 feet, more or less, to the shoreline of Morse Reservoir as established when said Reservoir is full (with the water level thereof at an elevation of 810.0 feet above mean sea level); thence Northerly along the meandering shoreline to a point which lies North 90 degrees 00 minutes 00 seconds East from a point which lies North 00 degrees 29 minutes 26 seconds East 1320.13 feet from the Southwest corner of said Southwest Quarter Section; thence from said shoreline bear North 90 degrees 00 minutes 00 seconds West 176 feet, more or less; thence North 27 degrees 14 minutes 00 seconds West 11.24 feet; thence North 90 degrees 00 minutes 00 seconds West 33.90 feet; thence South 01 degree 20 minutes 00 seconds West 10.00 feet; thence North 90 degrees 00 minutes 00 seconds West 720.22 feet to a point on the West line of said Southwest Quarter Section; thence South 01 degree 20 minutes 00 seconds East 1320.13 feet from the Southwest corner of said Southwest Quarter Section; thence South 00 degrees 29 minutes 26 seconds West along said West line 900.13 feet to a point which is 420.00 feet North of the Southwest corner of said Southwest Quarter Section; thence South 89 degrees 56 minutes 47 seconds East 661.13 feet to the Place of Beginning, containing 14.1 acres, more or less.

This subdivision consists of 48 lots, numbered 82 thru 129 inclusive, Blocks "G", "H", "J", "K" and "Q". Block "G" contains 20,983 + square feet, Block "H" contains 43,600 + square feet; Block "J" contains 79,625 + square feet; Block "K" contains 81,200 + square feet, Block "Q" contains 264 + square feet. The size of lots and blocks and width of streets are shown in figures denoting feet and decimal parts thereof.

This survey was made under my direct supervision during the month of June, 1979.

Witness my signature this 16th day of October, 1979.

James E. Dankert
REGISTERED
No. 4028
STATE OF
INDIANA
LAND SURVEYOR

The undersigned, The Shorewood Corporation, being the owner of record of all the included tract does here, lay off, plat and subdivide the same into lots, streets, blocks, and common property in accordance with the within plat.

This subdivision shall be known and designated as Hidden Bay-Section Two an addition to Cicero, Hamilton County, Indiana.

- A. **Street Dedication:** All public streets, other than blocks, shown and not heretofore dedicated are hereby dedicated to the public for its use.
- B. **Easements:** There may be strips of ground as shown on the within plat marked "Drainage Easements" (D.E.), "Sewer Easements" (S.E.) and "Utility Easements" (U.E.) either separately or in any combination of the three, which are reserved for the use of the Hidden Bay Property Owners Association, Inc. and/or public utility companies and governmental agencies, as follows: "Drainage Easements" (D.E.) are created to provide paths and courses for area and local storm drainage, either overland or in adequate underground conduit, to serve the needs of this and adjoining ground and/or the public drainage system. No structure, including fences shall be built upon said easement, which will obstruct flow from the area being served. "Sewer Easements" (S.E.) are created for the use of the Hidden Bay Property Owners Association, Inc. and/or the local governmental agency bearing jurisdiction over the storm and sanitary waste disposal system of said city and/or county for the use of installation and maintenance of sewers that are part of said system. "Utility Easements" (U.E.) are created for the use of the Hidden Bay Property Owners Association, Inc. and/or all public utility companies not including transportation companies for the installation and maintenance of ducts, poles, lines and wires; and also all rights and uses specified for sewer easements above designated. The owners of all lots in this addition shall take title subject to the rights of the Hidden Bay Property Owners Association, Inc. and/or the public utilities, governmental agencies, and the rights of the other lot owners in this addition to said easement herein granted for ingress and egress in, along and through the strips of ground for the purposes herein stated.
- C. **Enforcement:** The right to enforce the within provisions, restrictions and covenants by injunction together with the right to cause removal by due process of law of structures erected or maintained in violation thereof is hereby dedicated and reserved to the Hidden Bay Property Owners Association, Inc. and/or the owners of the several lots in this subdivision, their heirs or assigns and the Town of Cicero, their successors or assigns, who shall be entitled to such relief without being required to show damage of any kind to any such owner or owners, by or through any such violation or attempted violation, said provision shall be in full force and effect until July 1, 2001, at which time said covenants shall be automatically extended for successive periods of ten years (10) unless by a majority of the then owners of the lots it is agreed to change the covenants in whole or in part. Invalidation of any one of the covenants by judgement or court order shall in no wise effect any of the other provisions which shall remain in full force and effect.
- D. **Restrictions and Common Properties:** The areas designated "Blocks" in the various sections of the Hidden Bay Addition, presently platted or to be platted at a later date shall be devoted to the common use and enjoyment of the owners of lots in this Addition and other Additions of Hidden Bay and various sections thereof presently platted or to be platted at a later date. Ownership, management and control of a "Block" shall be exercised exclusively by Hidden Bay Property Owners Association, Inc. an Indiana not-for-profit corporation in accordance with its Articles, By-laws, and a certain "Declaration of Restrictions - For Hidden Bay Development Project" recorded as Instrument # 8 in the Office of the Recorder of Hamilton County, Indiana and all addenda thereto. The owners of each lot in this Addition shall, as a condition precedent to ownership, covenant and agree to pay annual charges to Hidden Bay Property Owners Association, Inc. in accordance with the Articles of Incorporation and by-laws thereof and the "Declaration of Restrictions - Hidden Bay Development Project". In addition to the easements shown on the plat hereof, there are additional easements reserved in the "Declaration of Restrictions for Hidden Bay Development Project" recorded as Instrument # 8.
- E. **Covenants Run with Land:** The foregoing covenants, limitations and restrictions are to run with the land and are binding on all parties and persons claiming under them.

STATE OF INDIANA)
COUNTY OF HAMILTON)SS

Personally appeared before me, the undersigned, a Notary Public, in and for said County and State, The Shorewood Corporation, by Hayes T. O'Brien, Senior Vice President and Philip W. Klinger, Secretary and acknowledge execution of the above and foregoing certificate as its and their voluntary act and deed for the uses and purposes therein expressed.



Notary Public Donald L. Dunk
Commission Expires Nov. 5, 1981

Under authority provided by Chapter 174-Acts of 1947, enacted by the General Assembly of the State of Indiana, and all acts amendatory thereto, and an Ordinance adopted by the Board of Trustees of the Town of Cicero, Indiana, this plat was given approval by the Town of Cicero as follows:

Adopted by the Cicero Plan Commission at a meeting held June 14, 1979

CICERO PLAN COMMISSION

John D. Clements
President

Secretary

Dated this 14th day of October, 1979.

THE SHOREWOOD CORPORATION
100 Clarendon Drive
Noblesville, Indiana 46060

Hayes T. O'Brien
Senior Vice President

Philip W. Klinger
Secretary

197

RECEIVED FOR RECORD
AT 12 O'CLOCK P.M.

OCT 18 1979

BOOK 7 PAGE 184-185
Mary J. Clark
RECORDER HAMILTON COUNTY, INDIANA

Docket: BZA-0825-21-MP

Petitioner: Robert Tetrick

Cicero/Jackson Township Plan Director Staff Report

Docket No. BZA-0825-21-MP

Staff: Frank Zawadzki

Applicant: Robert Tetrick

Property Size: .20 acres

Current Zoning: MP

Location: 129 Rosewood Drive, Cicero, IN 46034

Background Summary: Petitioner applied for a building permit which could not be approved due to the accessory structure being in front of the primary.

Preliminary Staff Recommendations: Staff would not oppose approval.

Zoning Ordinance Considerations: Corner lot, which necessitates the need for a Variance here.

District Intent: : The “MP”, Manufactured Home Park, District is intended to provide a land use category for manufactured homes parks in the community as attractive and decent affordable housing.

Current Property Information:

Land Use: Mobile/Mfg. Home Platted

Site Features: .20 acres



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

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 proposal is the better spot for this project. There is an easement on the south side of the parcel and won't be able to meet setbacks.

Findings of Facts/Decision Criteria: I think a practical difficulty could be made here because of the inability to place the structure in a spot that meets standards. This location would be the friendliest and would meet more standards than another location.

Docket # BZA-0825-21-MP
Robert Tetrick



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: _____

JUL 21 REC'D

CICERO/JACKSON
TOWNSHIP
PLAN COMMISSIONCICERO / JACKSON TOWNSHIP
(BOARD OF ZONING AND APPEALS)

RECEIVED

VARIANCE APPLICATION

| OFFICE USE ONLY | | | |
|--|---|-----------------------------------|---------------------------------------|
| Variance Category | | Docket #: BZA-0825-26-C3 | |
| <input checked="" type="checkbox"/> Development Standards | <input checked="" type="checkbox"/> Special Exception | Date of Application: 07/21/2025 | |
| <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: 08/21/2025 | |
| <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: Bullseye Fence Design, Inc. | | | |
| Property Address: 22179 US 31 N | | | |
| City: Cicero | | State: IN | ZIP Code: 46034 |
| Telephone: [REDACTED] | | E-mail: [REDACTED] | |
| Fax: [REDACTED] | | | |
| Project Address: 22179 US 31 N | | State: IN | ZIP Code: 46034 |
| City: Cicero | | Subdivision: [REDACTED] | |
| Parcel: 03-06-07-00-00-022.001 | | Telephone: [REDACTED] | |
| General Contractor: [REDACTED] | | Fax: [REDACTED] | |
| Address: [REDACTED] | | Cell Phone: [REDACTED] | |
| City: [REDACTED] State: [REDACTED] ZIP Code: [REDACTED] | | Email: [REDACTED] | |
| Variance Request: Install 8' tall Privacy Fence along US 31 + north + south property lines for 170'. | | | |
| Commitments/ Conditions Offered: | | | |
| | | | |
| | | | |
| Code Section Appealed: | | | |
| | | | |
| | | | |



CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION

CICERO / JACKSON TOWNSHIP (BOARD OF ZONING AND APPEALS)

Petitioners List of Findings

Install a Western Red Cedar 8' tall Privacy
Fence to enclose material storage yard.

Docket # **B7A-0825-26-C3**



**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:

Correct.

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:

Correct.

This criterion has / has not been met.

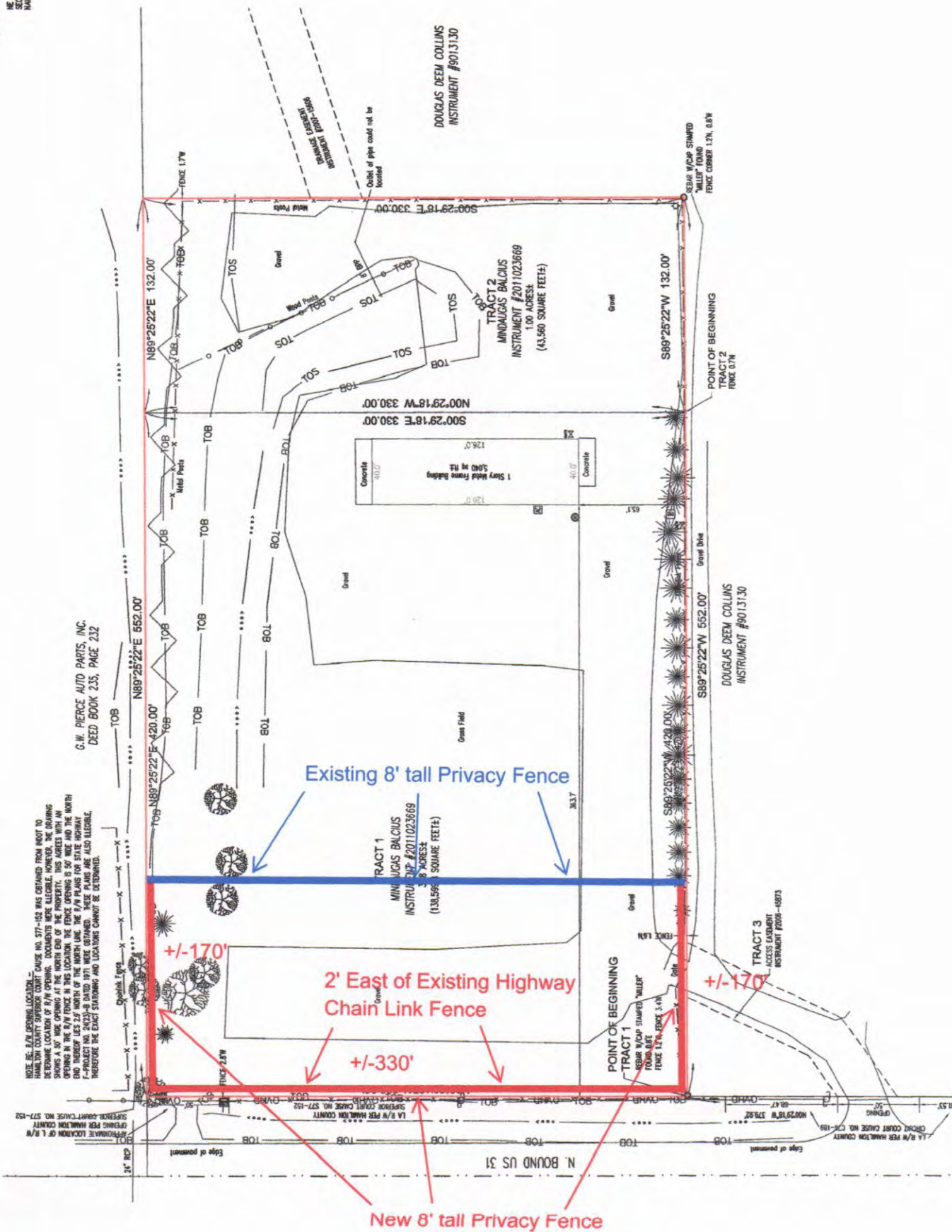
- 3 The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. *Practical Difficulty:* A difficulty with regard to one's ability to improve land stemming from regulations of this Ordinance. A practical difficulty is not a "hardship," 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:

No - we cannot meet the screening standards & meet the visibility requirements.

This criterion has / has not been met.

ONE CORNER, NW
SECTION 7-719A
NAIL FOUND PET





WOOD PRIVACY
FENCE
PHOTO

WOOD
PRIVACY
FENCE
PHOTO



Docket: BZA-0825-26-C3

Petitioner: Bullseye Fence Design Inc.

Cicero/Jackson Township Plan Director Staff Report

Docket No. BZA-0825-26-C3

Staff: Frank Zawadzki

Applicant: Bullseye Fence Design Inc.

Property Size: 4.13 acres

Current Zoning: C3

Location: 22179 US Highway 31 N, Cicero, IN 46034

Background Summary: As part of the effort to “clean up” this corridor, I reached out and asked for either removal of storage items outside or install screening.

Preliminary Staff Recommendations: Staff recommends approval

Zoning Ordinance Considerations: Current zoning requires screening for outdoor storage. Current zoning also requires a 50% visibility standard for fences in front which cannot be met because screening should hide what’s inside. 50% has been determined by the Plan Commission to not constitute “effective screening”

District Intent: : The “C3”, Business Park/Light Industrial, District is intended to provide a land use category for most low to moderate impact business park and light industrial facilities.

Current Property Information:

Land Use: Commercial Other Structure, fence contractor

Site Features: 4.13 acres, US31 access, soon to have Englewood access from the rear once 31 access is closed.

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:

We are in a catch 22 situation here, one standard contradicts another. I have this on a list of possible changes to address during the Zoning Ordinance updates scheduled for this year. This will also need to have an aesthetic review if approved.

Findings of Facts/Decision Criteria: a pretty obvious practical difficulty in my opinion. The 50% visibility standard cannot be met if the other is implemented, which it needs to be. , which I think is a safety based standard, will be irrelevant once access from US31 is closed.

Docket # BZA-0825-26-C3
Bullseye Fence Design



**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-0825-31-R3 |
| <input type="checkbox"/> Development Standards | <input type="checkbox"/> Special Exception | Date of Application: 07/21/2025 |
| <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: 08/21/2025 |
| <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: Elisabeth Smith | | |
| Property Address: | | |
| City: Cicero | State: IN | ZIP Code: 46034 |
| Telephone: | E-mail: | |
| | Fax: | |
| Project Address: 601 Tamarack Larch Blvd | State: IN | ZIP Code: 46034 |
| City: Cicero | Subdivision: Tamarack | |
| Parcel: 05-06-02-00-06-010.000 | Telephone: | |
| General Contractor: Good Shepherd Fence | Fax: | |
| Address: | Cell Phone: | |
| City: Indianapolis | State: IN | ZIP Code: 46201 |
| Email: | | |
| Variance Request: Corner lot fence height exception (Side yard = Front yard). | | |
| Property owner requests approval to deviate from front yard fence height maximum of 36" to 48" fence height. This fence is to enclose the backyard for pet and child safety. Owner has received HOA approval. | | |
| Commitments/ Conditions Offered: | | |
| | | |
| | | |
| | | |
| Code Section Appealed: | | |
| | | |
| | | |

[illegible]

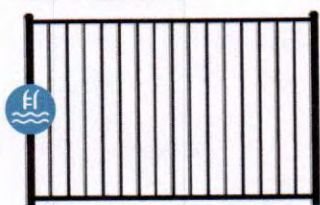
T/F=843.4

Perfect for around a pool, the classic Flat Top offers clean and simple lines in 2, 3, or 4 rail designs. Double Picket and Ring models are available to add definition to your outdoor living space.



CLASSIC FLAT TOP

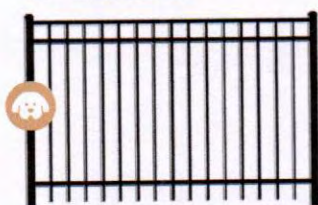
2-RAIL



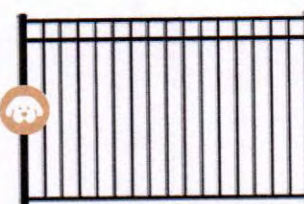
Flush Bottom Pool

| Models | Heights |
|-----------|----------|
| 0220 Pool | 48" |
| 1220 Pool | 48", 54" |
| 2220 Pool | 54" |

3-RAIL



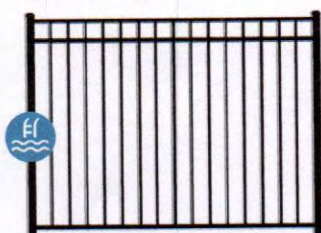
| Models | Heights |
|--------|-------------------------|
| 0230 | 36", 42", 48", 60" |
| 1230 | 36", 42", 48", 60", 72" |
| 2230 | 48", 60", 72" |



Flush Bottom

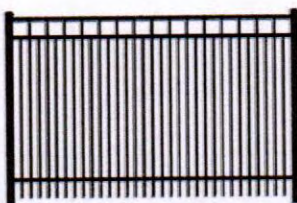
| Models | Heights |
|---------|----------|
| 0230 FB | 48", 60" |
| 1230 FB | 48", 60" |

3-RAIL



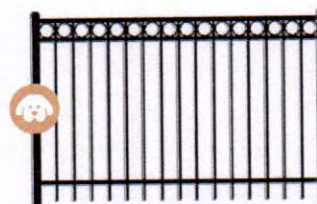
Flush Bottom Pool

| Models | Heights |
|-----------|---------|
| 0230 Pool | 55" |
| 1230 Pool | 55" |
| 2230 Pool | 54" |



Double Pickets to Mid-Rail

| Models | Heights |
|---------------------------|---------|
| 0230 Dbl Pkts to Mid-Rail | 48" |
| 1230 Dbl Pkts to Mid-Rail | 48" |



With Rings

| Models | Heights |
|--------|-------------------------|
| 0230R | 36", 42", 48", 60" |
| 1230R | 36", 42", 48", 60", 72" |
| 2230R | 48", 60", 72" |

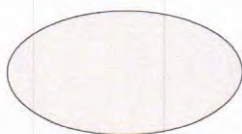
ALUMINUM COLORS

CourtYard® Aluminum Fencing is offered in 12 standard AAMA 2604 colors, from satin colors to textured colors, to complement your project. Custom colors and AAMA 2605 colors are available by special order.

Colors shown are a close approximation of the true color. Please request actual samples for accurate powder coating colors.



Textured Colors



White Fine Texture



Grey Fine Texture



Bronze Fine Texture

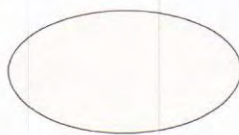


Brown Fine Texture



Black Fine Texture

Non Textured Colors



Gloss White



Gloss Beige



Sandy Shore



Ninety Bronze



Speckled Walnut



Chocolate



Satin Black

Optional Color



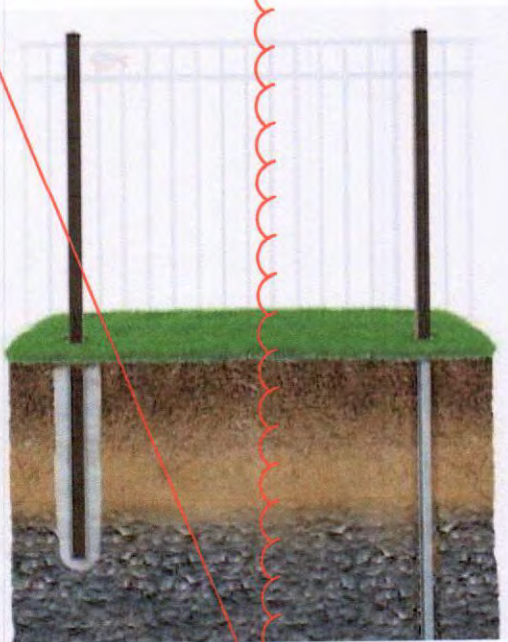
Gold Accent
Fine Texture
(Upcharge may apply)

Select CourtYard® accessories are available in an optional Gold Accent color. See pages 18 and 20 for more information on the items available.

PROJECT LAYOUT



Example: 4'Tall Flat Top 3-Rail Aluminum Fence



No-Dig Aluminum

We revolutionized the way aluminum fences are installed in Central Indianapolis and Surrounding Counties with our cutting-edge no-dig method and aluminum post stiffeners. Our process starts off by expertly driving aluminum stiffener fence posts into the ground using a gas-powered post driver, reaching a depth of at least 36". This innovative installation technique enables us to securely position your fence posts deep underground without disrupting your yard or dealing with the hassle of handling heavy concrete bags.

With the team at Good Shepherd Fence Company, you can expect nothing less than the cleanest, most efficient, and quickest installation of your aluminum fence. Rely on us to deliver a fence that is not only erected faster and stronger but also prioritizes the value and satisfaction of our customers.

PRODUCT DETAILS



| | Hundred Series | 1000 Series | 2000 Series |
|---|--|---|---|
| Heights | 36", 42", 48", 55", 60", 72" | 36", 42", 48", 54", 55", 60", 72" | 48", 54", 60", 72", 84", 96" |
| Section Width | 6' Centers Per Foot/Inch Sections available from 24" to 72" | 6' Centers Per Foot/Inch Sections available from 24" to 72" | 8' Centers Per Foot/Inch Sections available from 24" to 96" |
| Rails | 1-1/8" W (.065") x 1" H (.085") | 1-1/8" W (.065") x 1" H (.085") | 1-1/2" W (.070") x 1-1/2" H (.100") |
| Spear/Finial Pickets | 5/8" x 5/8" (.045") | 3/4" x 3/4" (.053") | 1" x 1" (.062") |
| Non-Spear/Finial Pickets | 5/8" x 5/8" (.045") | 3/4" x 3/4" (.045") | 1" x 1" (.062") |
| Picket Spacing | 3.792" Between Pickets | 3.65" Between Pickets | 3.75" Between Pickets |
| Section Racking* | Standard Sections Rack 20" in 6' Double Punch Sections Rack 40" in 6' | Standard Sections Rack 20" in 6' Double Punch Sections Rack 35" in 6' | Standard Sections Rack 17" in 8' Double Punch Sections Rack 26" in 8' |
| Posts See the Posts & Mounts page for additional information. | 2" x 2" (.060") 36"-60" Heights Only 2" x 2" (.090") 2" x 2" (.125") 4" x 4" (.125") 6" x 6" (.185") | 2-1/2" x 2-1/2" (.065") 2-1/2" x 2-1/2" (.090") 2-1/2" x 2-1/2" (.125") 4" x 4" (.125") 6" x 6" (.185") | 2-1/2" x 2-1/2" (.090") 48"-72" Heights Only 2-1/2" x 2-1/2" (.125") 4" x 4" (.125") 6" x 6" (.185") |
| Post Caps | Flat Caps: 2", 4", 6" Ball Caps: 2", 4" | Flat Caps: 2-1/2", 4", 6" Ball Caps: 2-1/2", 4" | Flat Caps: 2-1/2", 4", 6" Ball Caps: 2-1/2", 4" |
| Standard Single Gate Opening Sizes | 36", 42", 48", 60", 72" | 36", 42", 48", 60", 72" | 36", 42", 48", 60", 72" |



* Some DSI options (rings, puppy pickets, etc.) affect Section Racking.

Scan the QR Code for a detailed Racking Help Sheet.

Docket: BZA-0825-31-R3

Petitioner: Elisabeth Smith

Cicero/Jackson Township Plan Director Staff Report

Docket No. BZA-0825-31-R3

Staff: Frank Zawadzki

Applicant: Elisabeth Smith

Property Size: 0.31 acres

Current Zoning: R3

Location: 601 Tamarack Larch Blvd, Cicero, IN 46034

Background Summary: Petitioner applied for a fence permit which could not be approved due to the 4' in front Ordinance.

Preliminary Staff Recommendations: Staff recommends approval.

Zoning Ordinance Considerations: This is typical to what has been approved in the past. Fence stays out of the DUE.

District Intent: : The "R3", Medium Lot, Medium Homes, District is intended to provide a land use category for medium lots and medium size single family detached homes.

Current Property Information:

Land Use: One Family Dwelling Platted



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

Site Features: 0.31 acres

Vehicle Access: Yes

Corner lot in the Tamarack subdivision

Planning Considerations:

The following general site considerations, planning concepts, and other facts should be considered in the Plan Commission decision making process: HOA has approved, Tamarack has their additional standards about the height and type of fence allowed. This proposal meets both.

Findings of Facts/Decision Criteria:

Docket # **BZA-0825-31-R3**
Elisabeth Smith



**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
APPLICATION FOR AN APPEAL**

 X CICERO CORPORATE LIMITS
 JACKSON TOWNSHIP

DOCKET NO.: BZA-0825-35-DC

REVIEWED BY: _____

DATE: 8/8/25

HEARING DATE: 8/21/25

DECISION DATE: _____

AFFECTED PROPERTY ADDRESS: 47 W Jackson St, Cicero, IN 46034

PERSON SEEKING APPEAL: Bryon Lee Widows

ADDRESS: _____ PO Box 347, Cicero Cell/Day:
PHONE:

APPLICANT: Gymies Fitness Center

ADDRESS: 47 W Jackson St, PO Box 347 Cell/Day: _____
PHONE: _____

ATTORNEY: N/A

ADDRESS: _____ PHONE: _____

DECISION BEING APPEALED: Denied sign permit for static LED sign by Plan Director

Bryon Lee Widows
Signature of Applicant

8-7-2025
Date

PETITIONER'S FINDINGS

State reasons why you feel your request should be approved by the Board.

I respectfully request that Gymies Fitness Center be granted a sign permit, as the proposed sign fully complies with the Town of Cicero Zoning Ordinance—specifically Section 10.8(B)(2) and (3), which clearly allow electronic changeable copy signs when certain conditions are met.

The ordinance prohibits signs featuring animation, movement, flashing, color changing, or video displays (defined as moving images). Our proposed sign avoids all of these prohibited features. In fact, while the ordinance does not require electronic signs to be dimmed, we will proactively program the sign to automatically reduce brightness during evening and nighttime hours to ensure it remains appropriate, non-disruptive, and safe for the community.

One of the key reasons we are requesting this update is the operational inefficiency and safety concern associated with our current manual sign. With a very small staff of family, updating messages is both time-consuming and overly burdensome process. When we manage to find time to update it, we're on a ladder, overreaching to place letters, a clear safety risk and a potential distraction to passing drivers. In contrast, the proposed electronic sign will allow us to update messages quickly and safely from my computer at the front desk, improving both efficiency and public safety.

While the quick reference table on page 153 offers a helpful summary, the governing language appears in more detail on pages 154–157. Section 10.8(B)(2) and (3) on page 154 outlines the standards for permanent electronic signs, and our proposed sign meets every requirement listed in sub-items (a) through (e-ii), including those related to display type, transitions, and light levels.

Importantly, our sign will not include any animated or flashing elements—unlike the digital signs currently operating at both public parks in town. While the Cicero Police Department has verbally confirmed that these signs have not been associated with any traffic incidents, we're taking an even more conservative approach by using static-only messages with automatic brightness adjustments based on ambient light. These settings follow best practices established by the International Dark-Sky Association (IDA) and the Illuminating Engineering Society (IES), even though these standards are not required under the current ordinance.

We also note that the electronic gas price signs at the two gas stations on the south side of town function in much the same way as our proposed sign. Please reference Picture A,

Picture B, and Picture C. This further reinforces our interpretation of what the ordinance permits in both intent and practice.

It's worth mentioning that the Town of Cicero Zoning Ordinance itself includes images of electronic signage on page 135 and changeable copy signage on page 148. For convenience, I've provided copies of those pages with this petition.

In addition, I've included a letter from our sign vendor, who is the same vendor the Town of Cicero used for its own electronic signs, confirming that our proposed sign meets the requirements outlined in the ordinance. Their technical clarity and familiarity with the town's standards further validate that this sign is in full compliance.

We sincerely appreciate your time and thoughtful consideration, and we look forward to contributing to a safe, attractive, and professionally maintained streetscape in the Town of Cicero.



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

To: Board of Zoning Appeals

Regarding: Widows' appeal of Plan Director's rejection of electronic sign proposal

Bryon Widows has appealed my decision to not allow a permit for his version of a new electronic sign, maintaining that the sign is different in that it only displays a static message, therefore should be allowed. I maintain that the sign is clearly an electronic sign and per Ordinance, cannot be approved. I also maintain that a Variance for an electronic sign was already denied, therefore automatically eliminated for a period 1 year from the date of the decision, per BZA rules of order. This appeal then, is for a different sign proposal than the Variance request that was submitted at last month's BZA hearing BZA-0725-23-DC. This Variance was denied by the BZA with a 4-1 vote on 7/17/25.

Mr. Widows has a right to appeal my decision based on Article 12 of the CJT Zoning Ordinance under paragraph 12.4 Powers and Duties.

Section 10.8 of DC sign standards on page 153 of the CJT Zoning Ordinance lists Electronic/animated sign as a prohibited sign. Chapter 16 defines an electronic or animated sign as: Any sign that uses movement or change of artificial and natural lighting or noise to depict action or create a special effect or scene. This includes any directly or indirectly illuminated sign that exhibits changing natural or artificial light or color effects by any means whatsoever. Flashing includes repetitive or non-repetitive lighting, and the use of cathode ray tubes, plasma, liquid crystal display (lcd), and the like to project video images.

In section 10.8 Paragraph 3. Permanent Electronic/Sign Standards on page 154, it clouds the issue a bit by implying that an electronic sign is permitted if it meets these standards. I interpret that since an electronic sign is prohibited and can only be approved by the BZA through process of Variance, that this paragraph only applies when said Variance has occurred and has been approved.

The electronic signs Mr. Widows lists as examples of signs that have been approved in the past at Speedway and at Shell, referred to as Picture B, and picture C, were approved in 2012 and 2016. In the case of the Speedway sign, it also went through the aesthetic review process by the Plan Commission. Zoning Ordinance was updated in 2015. The Shell sign was approved by a previous Plan Director in 2016 as a ground sign and does not appear to have gone through the aesthetic review process. If this came through today, I would ask for a Variance to allow and the aesthetic review process as well. A recent example of this type of thing requiring a Variance is the McClure sign at US 31 and 236th street.

Thank you,

Frank Zawadzki

Planning Director, Cicero/Jackson Township

[REDACTED]

[REDACTED]

10.8 Downtown Commercial (DC) Sign Standards

A. Overall District Sign Regulations

| District Sign Regulations for Permanent and Temporary Signs | | | | |
|---|--|---|---|---|
| Cumulative Total of Permanent Signs Permitted on Site | Cumulative Total of Temporary Signs Permitted on Site | Maximum Cumulative Area for Permanent Signs (square feet) | Permitted Signs | Prohibited Permanent Signs |
| 1 per 200 feet of road frontage (unless otherwise stated by sign type) | 1 per tenant (unless otherwise stated by sign type) | <p><u>SINGLE-TENANT STRUCTURE</u>: 60 square feet</p> <p><u>MULTI-TENANT STRUCTURE</u>: 40 square feet per tenant</p> | <p><u>PERMANENT SIGNS:</u></p> <p>Awning</p> <p>Changeable Copy</p> <p>Hanging</p> <p>Monument Sign</p> <p>Painted Sign</p> <p>Projecting</p> <p>Unified Development</p> <p>Wall Sign</p> <p>Window</p> <p>Directional Sign</p> <p><u>TEMPORARY SIGNS:</u></p> <p>Banner</p> <p>Marker Sign</p> | <p>Banner</p> <p>Bench Sign</p> <p>Billboard</p> <p>Inflatable</p> <p>Marker Sign</p> <p>Off-premise</p> <p>Pole</p> <p>Portable Projecting</p> <p>Roof</p> <p>Vehicle</p> <p>Electronic/Animated</p> |

1. Illumination. All illuminated signs shall comply with the following standards:

- No sign shall have blinking, flashing, or fluttering lights, nor shall any device be utilized which has a changing light intensity, brightness of color, or give such illusion.
- All illuminating elements shall be kept in satisfactory working condition and repaired or replaced if damaged or inoperable within fourteen (14) days or as soon as possible if circumstances (e.g. weather or product availability) do not allow.

- c. The direct or reflected light from a primary light source shall not create a traffic hazard to operators of motor vehicles on public and/or private roadways and parking lots.
- d. The light from any illuminated sign shall be so shaded, shielded, or directed such that the light intensity or brightness does not interfere with safety or visibility and does not project onto any adjacent property. No exposed light source is permitted.
- e. Neon light elements may be used for internal illumination and/or when permitted otherwise in this Zoning Ordinance.

B. Permanent Signs. The following signs are permitted as permanent signs and are subject to the development standards described for each type of sign respectively. All other types of signs are prohibited.

1. Permanent Awning Sign Standards

- a. Prerequisites: None.
- b. Maximum Quantity: One.
- c. Maximum Area:
 - i. Single-tenant structure: 20 square feet
 - ii. Multi-tenant structure: 10 square feet per tenant
- d. Maximum Height:
 - i. Maximum height of sign area is 2 feet.
 - ii. No part of the awning shall be less than 9 feet above ground level
 - iii. Top of awning sign area may not be located more than 15 feet above ground level
- e. Other Limitations: Sign shall not be illuminated by back-lighting.

2. Permanent Changeable Copy Sign Standards

- a. Prerequisites: Must be an integral part of a permanent wall sign.
- b. Maximum Quantity: Per maximum quantity requirements for permanent wall signs.
- c. Maximum Area: Up to 100% of a permanent wall sign.
- d. Maximum Height: Per maximum height for permanent wall signs.
- e. Other Limitations:
 - i. Only static messages are allowed which are placed text or electronic messages.
 - ii. No scrolling, flashing, or cyclical changing of electronic messages is permitted.

3. Permanent Electronic/ Sign Standards

- a. Prerequisites: Must be an integral part of a permanent wall sign.
- b. Maximum Quantity: Per maximum quantity requirements for permanent wall signs.
- c. Maximum Area: Up to 100% of a permanent wall sign.
- d. Maximum Height: Per maximum height for permanent wall sign.
- e. Other Limitations:
 - i. Only static messages are allowed which are placed text or electronic messages.
 - ii. No scrolling, flashing, or cyclical changing of electronic messages is permitted.

4. Permanent Hanging Sign Standards

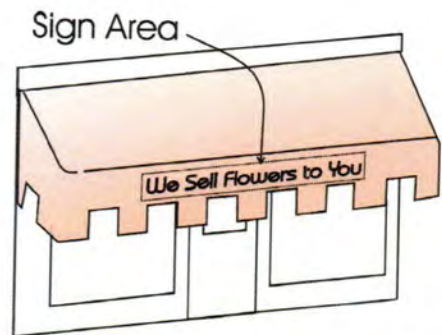
- a. Prerequisites: None.
- b. Maximum Quantity: 1 per tenant
- c. Maximum Area:
 - i. Single-tenant structure: 10 square feet
 - ii. Multi-tenant structure: 10 square feet per tenant

- c. The direct or reflected light from a primary light source shall not create a traffic hazard to operators of motor vehicles on public and/or private roadways and parking lots.
- d. The light from any illuminated sign shall be so shaded, shielded, or directed such that the light intensity or brightness does not interfere with safety or visibility and does not project onto any adjacent property. No exposed light source is permitted.
- e. Neon light elements may be used for internal illumination and/or when permitted otherwise in this Zoning Ordinance.

B. Permanent Signs. The following signs are permitted as permanent signs and are subject to the development standards described for each type of sign respectively. All other types of signs are prohibited.

1. Permanent Awning Sign Standards

- a. Prerequisites: None.
- b. Maximum Quantity: none.
- c. Maximum Area:
 - i. Single-tenant structure: 20 square feet
 - ii. Multi-tenant structure: 10 square feet per tenant
- d. Maximum Height:
 - a. Maximum height of sign area is 2 feet.
 - b. No part of the awning shall be less than 9 feet above ground level
 - c. Top of awning sign area may not be located more than 15 feet above ground level
- e. Other Limitations: Sign shall not be illuminated by back-lighting.



Awning Signage

2. Permanent Changeable Copy Sign Standards

- a. Prerequisites: Must be an integral part of a permanent monument sign.
- b. Maximum Quantity: Per maximum quantity requirements for permanent monument signs and permanent wall signs respectively.
- c. Maximum Area:
 - i. Monument sign: May not exceed 80% of the area of the permanent monument sign
 - ii. Wall sign: Up to 100% of a permanent wall sign.
- d. Maximum Height: Per maximum height for permanent monument signs and permanent wall signs respectively.
- e. Setback: Per setback requirements for permanent monument signs
- f. Landscaping: Per landscaping requirements for permanent monument signs.

Other Limitations:

- i. Only static messages are allowed which are placed text or electronic messages.
- ii. No scrolling, flashing, or cyclical changing of electronic messages is permitted.

3. Permanent Electronic/Animated Sign Standards

- a. Prerequisites: Must be an integral part of a permanent monument sign.



Electronic Signage

- c. The direct or reflected light from a primary light source shall not create a traffic hazard to operators of motor vehicles on public and/or private roadways and parking lots.
- d. The light from any illuminated sign shall be so shaded, shielded, or directed such that the light intensity or brightness does not interfere with safety or visibility and does not project onto any adjacent property. No exposed light source is permitted.
- e. Neon light elements may be used for internal illumination and/or when permitted otherwise in this Zoning Ordinance.

B. Permanent Signs. The following signs are permitted as permanent signs and are subject to the development standards described for each type of sign respectively. All other types of signs are prohibited.

1. Permanent Awning Sign Standards

- a. Prerequisites: One per tenant.
- b. Maximum Quantity: None.
- c. Maximum Area:
 - i. Single-tenant structure: 30 square feet
 - ii. Multi-tenant structure: 20 square feet per tenant
- d. Maximum Height:
 - i. Maximum height of sign area is 3 feet.
 - ii. No part of the awning shall be less than 9 feet above ground level
 - iii. Top of awning sign may not be located more than 15 feet above ground level
- e. Other Limitations: Sign shall not be illuminated by back-lighting.

2. Permanent Changeable Copy Sign Standards

- a. Prerequisites: Must be an integral part of a permanent monument sign.
- b. Maximum Quantity: Per maximum quantity requirements for permanent monument signs and permanent wall signs respectively.
- c. Maximum Area:
 - i. Monument sign: May not exceed 80% of the area of the permanent monument sign
 - ii. Wall sign: Up to 100% of a permanent wall sign.
- d. Maximum Height: Per maximum height for permanent monument signs and permanent wall signs respectively.
- e. Setback: Per setback requirements for permanent monument signs
- f. Landscaping: Per landscaping requirements for permanent monument signs.
- g. Other Limitations:
 - i. Only static messages are allowed which are placed text or electronic messages.
 - ii. No scrolling, flashing, or cyclical changing of electronic messages is permitted.

3. Permanent Electronic/Animated Sign Standards

- a. Prerequisites: Must be an integral part of a permanent monument sign.
- b. Maximum Quantity: Per maximum quantity requirements for permanent monument signs and permanent wall signs respectively.
- c. Maximum Area:



Temporary Signage



Changeable Copy Signage

GYMIES FITNESS CENTER 984-3399

UNDER

\$10

BI-WEEKLY!

NO SIGN UP FEE!

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





Picture A



Picture B



Picture C





[REDACTED] CA 90016

info@tvliquidator.com www.TVLiquidator.com

To: Town of Cicero & Jackson Township, IN

7/25/2025

Regarding:

TV Liquidator acknowledges compliance with the regulations and ordinances pertained in your city's Zoning Ordinance and meets all applicable criteria as outlined in Section 3(a) through (e)-ii on page 154.. The sign has been preset to not exceed 323 cd/m2 or .03 fc above ambient levels to meet the city Ordinances. All of our LED signs can be set to automatically dim to as low as 100 nits of brightness once set in programming. The sign's light intensity can be changed automatically from 100 NITS to 4,000 NITS which can be programmed in the software settings. Additionally, our signs operate silently and do not emit any sound.

The digital message board is completely programmable and can display messages/content that can remain static from 1 second up to an infinite time. The programmer controls how long the message will remain on the sign before the next message appears. If any malfunction occurs, the sign will power off. The sign has an internal timer which can turn the sign on and off at certain times in compliance with the city codes. The content of the messages are customized by the programmer and the programmer can prohibit any flashing lights/moving images in their messages.

The LED Sign is completely weatherproof with a quarter inch pour of silicone IP 65 coating. The signs can function in weather of negative 40 degrees fahrenheit to 140 degrees fahrenheit. The 3 year warranty that comes with the sign covers everything except for natural disasters and vandalism. It covers all parts and factory labor.

All of our signs have a conformal coated Meanwell Power Supply, which is a high quality UL approved power supply. Our signs are manufactured in the U.S. and are FCC Compliant, UL Compliant, CSA Compliant and MET Lab Trusted. Our MET Lab certification complies with UL48, UL8750 and UL1433 and CSA approved. In the event there is a hardware failure, the malfunctioned portion will be unable to display any data until serviced. If you have any questions, you can contact us at [REDACTED]

Thank you.

Thank you,

Edward Estrada - Sales Manager
[REDACTED]



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

Director's Report

July 2025

Permit Revenue: June 2025 = \$6,551 YTD: \$29,927

June 2024 = \$7,331 YTD: \$32,388

Difference: Month = -\$780 YTD: \$-2,461

- We have issued a total of 18 building permits for July 2025.
- 10 have been inside the corporate limits (of which 0 have been new homes).
- We have issued 8 in Jackson Township (of which, 2 was for a new home).
- Estimated Cost of projects permitted \$3,135,342.

The Planning Commission meeting has been cancelled for August 12th.

The BZA will meet August 21st, 2025 at the Town Hall.

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

At your service!

Frank Zawadzki