

Agenda Item #1

Case Number BZNA-000004-20025 **Property Size** 15.74 acres

Address 2700 Cicero Road **Zoning** R-1

Owners Jose Romo **Reviewer** Amy Steffens, AICP

Applicants Matt Pleasant, AICP **BZA Meeting** March 3, 2025

ACTION(S) REQUESTED BY APPLICANT(S)

Variance of Use application pursuant to UDO §4.D.3. and Appendix C to allow for a permanent rodeo use, not to exceed five times per year.

Recommendation: Deny

Table of Contents:

- A. Application
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- C. Applicant's findings of fact
- D. Applicant's submittal documents
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- F. Correspondence
- G. 2023 Temporary use permit documents
- H. 2023 Notice of violation
- I. MS4 comments



ANALYSIS

The subject site is a single 15.74-acre parcel in the R-1 single-family residential district. According to assessor's records, the site is improved with a 3,500 square foot primary structure, constructed in 1999, and 8,760 square feet of detached accessory structures. The site gains access to Cicero Road to the west via a single driveway. Single-family dwellings, zoned R-1, are adjacent to the north and south; to the east is a vacant agricultural parcel zoned R-1; directly to the west across Cicero Road is GreenCycle, which according to their website *manufactures and produces all of our own mulches, composts, and soil blends for consumer and commercial use from organic materials* and is zoned I-1. Based on historical aerial photographs, an industrial user has occupied this site since the late 1980s.

Two areas of wetlands are present on the property: along the western half of the site from the northern property boundary to the southern property boundary of the adjacent parcel to the south and adjacent along the south eastern portion of the site (Exhibit E). Additionally, a county regulated drain is located along Cicero Road.

While the parcel is within the City's zoning jurisdiction, it is outside of the corporate boundaries. Permitting county agencies include the Hamilton County Surveyor's Office, Hamilton County Highway Department, and the Hamilton County Health Department.

PROJECT HISTORY

In April 2023, property owner Jose Romo applied for a temporary use permit to allow for bull riding and children's activities on multiple dates throughout 2023. At the time that staff issued the temporary use permit, the dates of the rodeo were confirmed by Mr. Romo (Exhibit G). In October 2023, a notice of violation letter, signed by Noblesville Planning Director Gutshall and Hamilton County Commissioners Altman, Heirbrandt, and Dillinger, was issued to Mr. Romo (Exhibit H). The letter indicates that a number of complaints were filed for the rodeo use on non-approved dates, use of amplified noise, burning of garbage, sales of alcoholic beverages without a permit, operating a slaughterhouse, and incineration and burning of animals. Additional analysis of previous property uses, the various types of complaints made to multiple agencies, and other information provided led to a determination that this use went beyond what was appropriate for approval under the temporary use regulations.

On September 10, 2024, the owner's representative, Matt Pleasant, met with Planning Director Gutshall and Senior Planner Amy Steffens to discuss a variance of use to allow for rodeo at the subject site. After discussion of the proposed variance, Mr. Gutshall indicated that there would be no support for a variance of use for a rodeo at this site and encouraged Mr. Pleasant to look for a more appropriate location.

On January 13, 2025, a variance of use application was received by the planning department. The rodeo activities would be located in the south east corner of the site, encompassing approximately 2.04 acres of the site. According to the applicant's project narrative (Exhibit B):

Jose Romo (“The Petitioner”), is seeking a variance of use to allow a rodeo use on his property of acres located at 2700 Cicero Road. The property owner was permitted to host rodeos on his property via Temporary Use Permit and now seeks to allow the use without the need of permit.

The Petitioner requests the following conditions of approval:

1. *The variance be tied to the current property owner so that the use cannot be passed down if sold.*
2. *Limit to five (5) events per year between the months of April – October.*
3. *Limit to once (1) per month.*
4. *Any event shall end no later than 9:30 PM and only on Weekends.*
5. *A Sound Engineer shall be consulted with prior to the first event of the year to ensure the Noise Ordinance is being followed.*
6. *All dates of events shall be provided to neighboring properties with at least two (2) months in advance.*

VARIANCE OF USE FINDINGS

AGENDA ITEM #1:

If the Board should decide to DENY the requested variance, please use the following findings of fact:

The Noblesville Board of Zoning Appeals is authorized to approve or deny variances of use from the terms of the zoning ordinance. **The BZA may impose reasonable conditions as part of its approval. A Variance of Use may be approved only upon a determination in writing that the following five (5) conditions are met (see Indiana Code § 36-7-4-918.4):**

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

It is likely that this variance WILL be injurious to the public health, safety, morals, and general welfare of the community. The use as proposed by the applicant is a commercial recreation use, commonly seen at county and state fairs, or within an event center, and not within a residential district.

Staff asked Mykel Overby, the Noblesville MS4 coordinator, to comment on the potential use of the rodeo. Mykel also reached out to Clara Furst, the Hamilton County MS4 coordinator, for comment. Their comments are attached in the staff exhibit I. Staff would be concerned about impact to the identified wetlands along the west and south east boundaries of this site. Pollutant concerns would impact the adjoining properties via bacterial and fertilizer associated contamination. Hamilton County raised the issue of the crossing of the county drain not being able to support the weight of the trailers, lack of manure management plan, and additional impervious surface requiring a drainage report. No information was provided by the applicant that shows parking location or expected number of vehicles but based on the information that is available to staff, all of the vehicular traffic would traverse the county drain and the wetlands area. Nothing in the applicant’s submittal addresses these sensitive environmental and site issues. It should be noted that if this were a new use located in the appropriate zoning district, technical advisory committee review would be necessary and

submittal of a wetlands delineation, drainage report, and engineered site plan would be required.

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:

It is likely that the use and value of real estate adjacent to the subject site will be affected in a substantially adverse manner by allowing the requested variance. The additional noise, potential pollutants, and traffic that would impact the adjacent residential properties should be considered by the Board. While the applicant indicated that a sound engineer would be consulted prior to the first rodeo, and that neighbors would be notified of rodeo dates, no additional information has been submitted that addresses noise, parking, waste management, traffic, or environmental factors.

Nearby property owners may remonstrate against this petition if they believe this request will have significant adverse effects on adjacent properties. Correspondence received from interested parties is marked as Exhibit F.

3. The need for the variance arises from some condition peculiar to the property involved:

The need for the variance does NOT arise from a condition peculiar to the property involved. There is no condition peculiar to the property involved that requires relief from the ordinance to allow a rodeo use and the variance request is due to a personal preference of the owner. The site is zoned, used, and developed for residential purposes. A rodeo could be appropriate in the Planned Business district within a stadium or arena, or outdoors in the General Business, Planned Business, or Industrial-1 districts with conditional use approval.

The applicant's material indicates that the variance request is in lieu of filing for a yearly temporary use permit and that the property owner would agree that the variance of use would be only for the current property owner. Staff Exhibit H, the 2023 notice of violation, was issued to the current property owner because the terms of the temporary use permits had been violated, and because the city was made aware of county and state animal related violations.

4. The strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought:

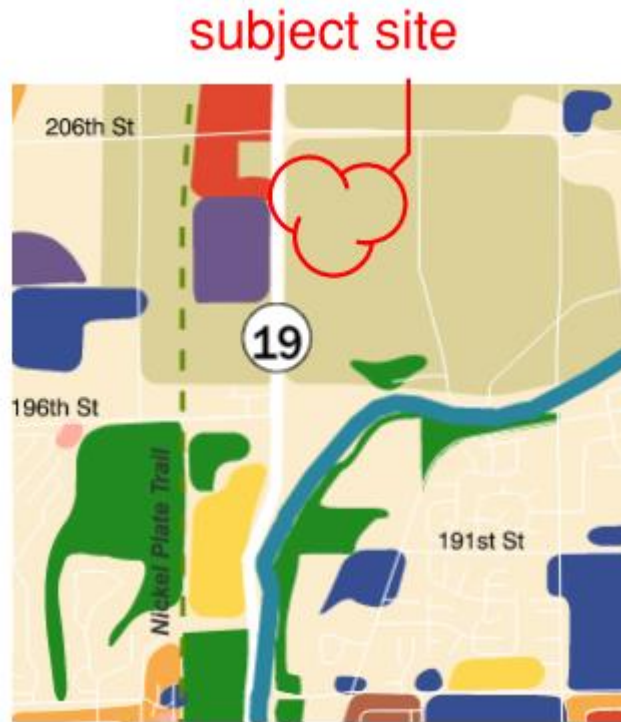
The strict application of the terms of the zoning ordinance WILL NOT result in practical difficulties in the use of the property because the site is zoned, used, and developed for single-family residential purposes that comport with the R1 single-family residential zoning district. The proposed rodeo could be conducted by the property owner on a site that is developed and prepared for this use. Staff found rodeos in other municipalities that are conducted in more appropriate locations for parking, traffic, and adjacent uses.

5. The approval does not interfere substantially with the comprehensive plan adopted by the Noblesville Plan Commission and Council:

The approval does interfere substantially with the 2020 Noblesville Comprehensive Plan. As shown on the future land use map, below, the subject site is planned for Rural/Estate Residential development which is *predominantly located in environmentally sensitive areas and is more rural in nature.*

Legend

	Residential
	Traditional Residential
	Infill Residential
	Mixed Residential
	Rural/Estate Residential
	Preservation/Natural Areas
	Parks & Recreation
	Commercial-Neighborhood
	Commercial-Corridor
	Commercial-Regional/HWY
	Innovation/Flex MU
	Production
	Light Industrial



The applicant's proposed findings of fact (Exhibit C) indicate there are multiple uses along Cicero Road that are more intense of use adjacent to the property so proposed use wouldn't be out of the ordinary. However, the I-1 zoning district to the west and the future land use map are an acknowledgment of the historical use of the property, and do not reflect an intention of adjacent parcels being used for commercial or industrial purposes.

In addition to the findings of fact, per Section 4.D.3.E.2. of the UDO the Board of Zoning Appeals *shall consider the following factors when deliberating over a variance request.*

- a. **Hardship:** No variance shall be granted pursuant to this unless the applicant shall establish that carrying out the strict letter of the provisions of this Ordinance would create a particular hardship or practical difficulty. The hardship in the FH zoning district must be exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or disagreement with the neighbors also does not qualify as an exceptional hardship as they can be resolved through other means without granting a variance, even if the alternative is more expensive. The need for a property owner to build elsewhere or put the property to a different use than originally intended does not constitute a hardship.

The ordinance is clear in that a hardship applies to the property, and not to the property owner. The need for the property owner to run a rodeo elsewhere does not constitute a hardship.

- b. **Unique Physical Condition:** The subject lot is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure, or sign, whether conforming or non-conforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject lot that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot.

The subject lot is exceptional as compared to other lots in the same district because it has unique environmental characteristics, such as the wetlands along the west and east portion of the property. While it is a large lot, it is zoned and used for residential purposes, as are the adjacent residential parcels.

- c. **Not self-created:** The aforesaid unique physical condition is not the result of any action or inaction of the owner or its predecessors in title and existed at the time of the enactment of the provisions from which a variance is sought or was created by natural forces or was the result of governmental action, other than the adoption of this ordinance.
- d. **Denied substantial rights:** The carrying out of the strict letter of the provision from which variance is sought would deprive the owner of the subject lot of substantial rights commonly enjoyed by owners of other lots subject to the same provision.

Denial of the variance request for a permanent rodeo at this site would not deprive the owner of the lot of any substantial rights enjoyed by owners of other lots subject to the R1 requirements. None of the adjacent residentially zoned properties could have a commercial enterprise such as what is being proposed by the applicant.

- e. **Not Merely Special Privilege:** The alleged hardship or difficulty is neither merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely the inability of the owner to make more money from the use of the subject lot.
- f. **Ordinance and Plan Purposes:** The variance would not result in a use or development of the subject lot that would be not in harmony with the general and specific purposes for which this ordinance and the provision from which a variance is sought were enacted or the general purpose and intent of the Comprehensive Plan.

The variance, if approved, would result in a development of the lot that would not be in harmony with the general and specific purposes of both the ordinance and the comprehensive plan. The Comprehensive Plan's recommendation for rural residential development is in harmony and supported by the UDO provisions.

- g. **No Other Remedy:** There is no means other than the requested variance by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject lot.

- h. **Minimum Required:** The requested variance is the minimum measure of relief necessary to alleviate the alleged hardship or difficulty presented by the strict application of the ordinance.

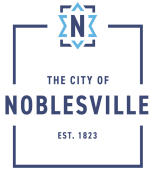
RECOMMENDATION

AGENDA ITEM #1, BZNA-000004-2025:

DENY the requested Variance of Use based upon the following findings of fact:

- **The approval will be injurious to the public health, safety, morals, and general welfare of the community;**
- **The use and value to the area adjacent to the property will be affected in a substantially adverse manner;**
- **The need for the variance does NOT arise from some condition peculiar to the property involved;**
- **The strict zoning ordinance will NOT constitute an unnecessary hardship if applied to the property for which the variance is sought;**
- **The approval does interfere substantially with the comprehensive plan adopted by the Noblesville Plan Commission and Council.**

EXHIBIT A



SUBMITTAL SUMMARY REPORT (BZNA-000004-2025) FOR CITY OF NOBLESVILLE

PERMIT ADDRESS: 2700 Cicero RD
Noblesville, IN 46060

PARCEL:

APPLICATION DATE: 01/13/2025
EXPIRATION DATE:

SQUARE FEET: 0
VALUATION: \$0.00

DESCRIPTION: Jose Romo ("The Petitioner"), is seeking a variance of use to allow a rodeo use on his property of 15.74 acres located at 2700 Cicero Road. The property owner was permitted to host rodeos on his property via Temporary Use Permit and now seeks to allow the use without the need of permit.

CONTACTS	NAME	COMPANY	ADDRESS
Applicant	Jose Romo		2700 CICERO RD Noblesville, IN 46060
Authorized Agent	Matt Pleasant	Pleasant Cities, LLC	5821 Julian Ave. Indianapolis, IN 46219
Property Owner	Jose Romo		2700 CICERO RD Noblesville, IN 46060
Responsible for Costs Associated with Application	Jose Romo		2700 CICERO RD Noblesville, IN 46060

SUBMITTAL	STARTED	DUE	COMPLETE	STATUS
Plan Review - Board of Zoning Appeals v.1	01/13/2025	01/13/2025		Under Review

SUBMITTAL DETAILS

Plan Review - Board of Zoning Appeals v.1

ITEM REVIEW NAME (DEPARTMENT)	ASSIGNED TO	DUE	COMPLETE	STATUS
Planning (Planning)	Amy Steffens	05/19/2025		Under Review



EXHIBIT B

Exhibit C Project Description

Jose Romo (“The Petitioner”), is seeking a variance of use to allow a rodeo use on his property of 15.74 acres located at 2700 Cicero Road. The property owner was permitted to host rodeos on his property via Temporary Use Permit and now seeks to allow the use without the need of permit.

The Petitioner requests the following conditions of approval:

1. The variance be tied to the current property owner so that the use cannot be passed down if sold.
2. Limit to five (5) events per year between the months of April – October.
3. Limit to once (1) per month.
4. Any event shall end no later than 9:30 PM and only on Weekends.
5. A Sound Engineer shall be consulted with prior to the first event of the year to ensure the Noise Ordinance is being followed.
6. All dates of events shall be provided to neighboring properties with at least two (2) months in advance.



EXHIBIT C

Exhibit D Findings of Fact

- 1) **The use will not be injurious to the public health, safety, morals, and general welfare of the community because:** The 15.74-acre property will remain residential/rural in character and use. The function of the variance will not alter any use in a substantial way as the proposed use has been permitted in the past. The concept of a rodeo may be viewed as being an agricultural character and culturally acceptable in rural communities.
- 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 because:** The property has, and will always be, a residence. The uses and values should not change or alter the status with the issuance of this variance request by the limitations suggested through this approval.
- 3) **The need for the variances arises from some condition particular to the property involved because:** This use was originally permitted through a Temporary Use Permit. The Property Owner seeks to make the use an allowable use by-right without the need for further City approvals.
- 4) **The strict application of the terms of the Ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought because:** The property owner lives on site and still uses the property as a residence with light rural uses. This use was permitted under as a Temporary Use Permit and now seeks to make it an allowable use by-right.
- 5) **The variance of use does not interfere substantially with the Comprehensive Plan because:** The variance does not interfere with the Comprehensive Plan because the use of a rodeo could be contemplated as a use seen throughout rural communities of the United States and Indiana. Additionally, there are multiple uses along Cicero Road that are more intense of use adjacent to the property so proposed use wouldn't be out of the ordinary.

EXHIBIT D

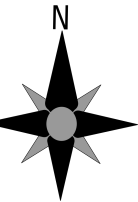
Cicero Rd.

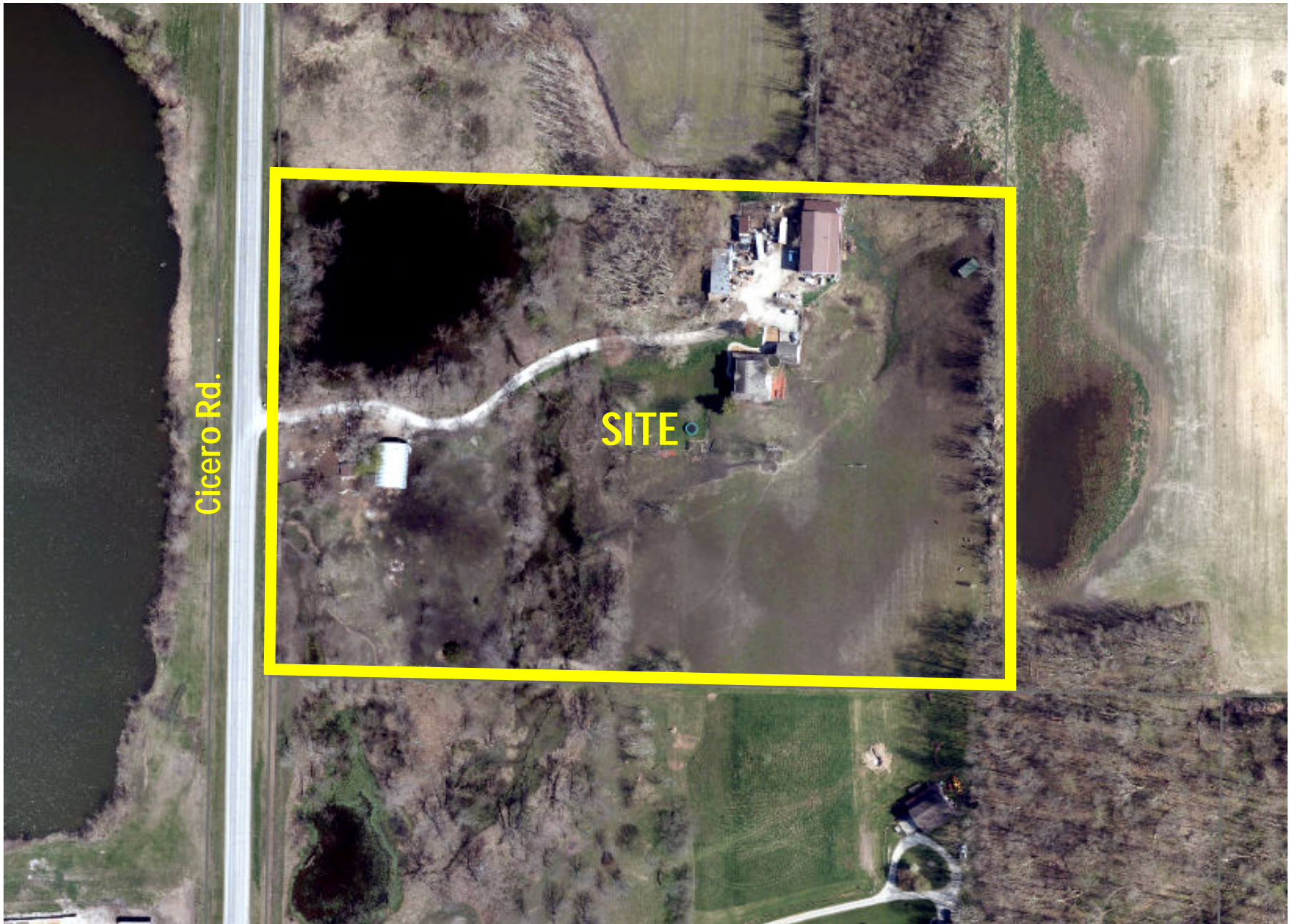
199'

446.9'

100ft

Site Plan





Aerial Map



Aerial Map

Hamilton County, IN - Property Report for Parcel #: 10-07-19-00-00-033.000

Current Owner as of December 10, 2024

This information is updated 5 times a week.

PROPERTY ADDRESS:

2700 Cicero Rd
Noblesville, IN 46060

DEEDED OWNER

Romo, Jose
2700 Cicero Rd
Noblesville, IN 46060

SUMMARY INFORMATION:

Parcel Number: 10-07-19-00-00-033.000
State Parcel Number: 29-07-19-000-033.000-012

Legal Description: Acreage 15.74 Section 19, Township 19, Range 5

Section/Township/Range: 19/19/5

Subdivision Name: Not Available

Subdivision Section: Not Available

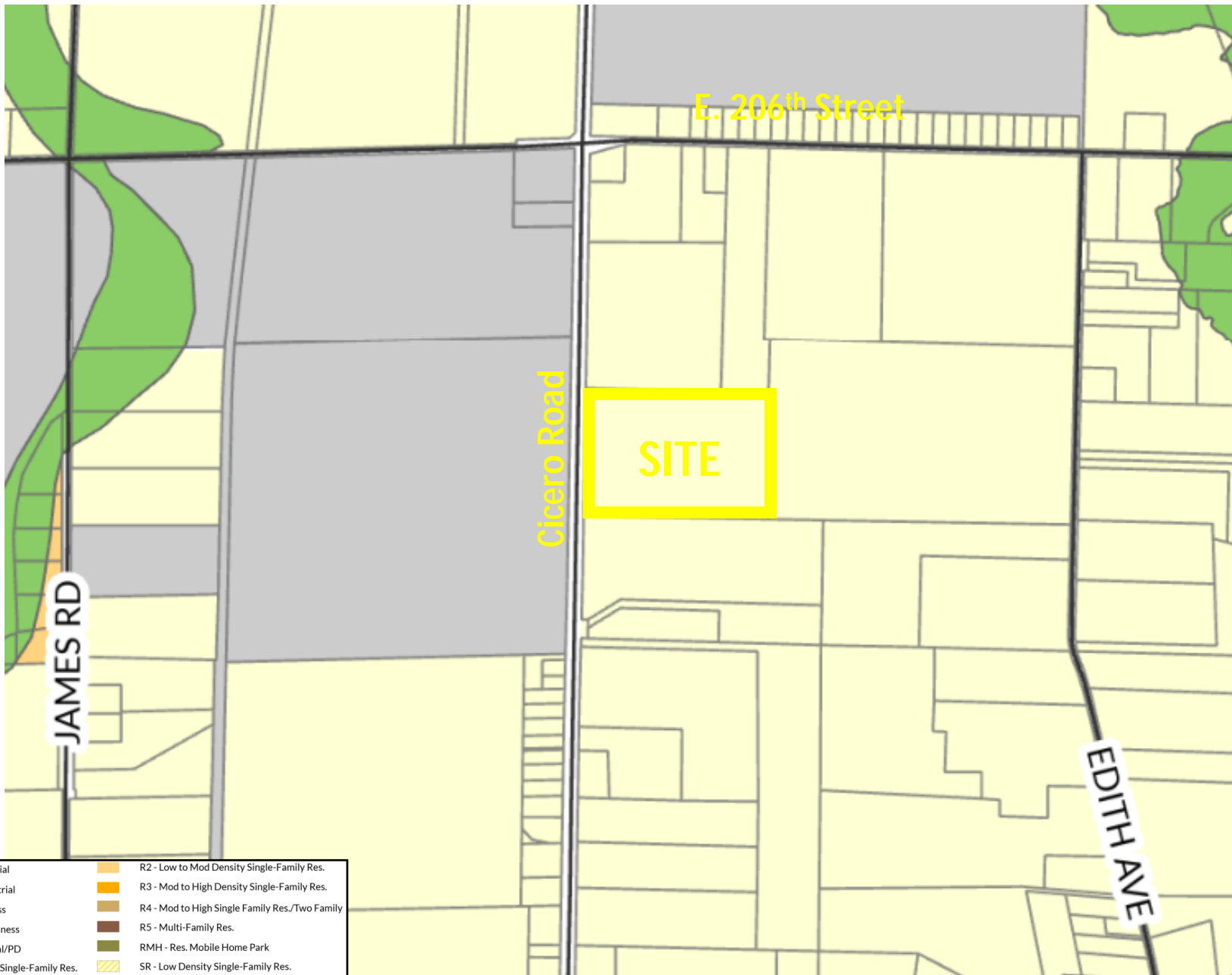
Deeded Acres: 15.74

Political Township: Noblesville

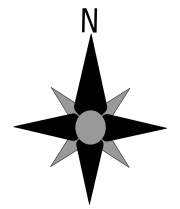
Lot Number(s): Not Available

Last Recorded Date: 5/10/2007

Disclaimer: This program allows you to view and print certain public records. **Each section reflects information as of a specific date;** so the information provided in different sections or reports may not match. All information has been derived from public records that are constantly undergoing change and is not warranted for content or accuracy. It may not reflect the current information pertaining to the property of interest.



B-PD - Business/PD	I-1 - Light Industrial	R2 - Low to Mod Density Single-Family Res.
CCPD - Corporate Campus	I-2 - Heavy Industrial	R3 - Mod to High Density Single-Family Res.
DT - Downtown	LB - Local Business	R4 - Mod to High Single Family Res./Two Family
FH - Flood Hazard	PB - Planned Business	R5 - Multi-Family Res.
FeHiPD - Federal Hill	R/PD - Residential/PD	RMH - Res. Mobile Home Park
GB - General Business	R1 - Low Density Single-Family Res.	SR - Low Density Single-Family Res.
DMU - Downtown Mixed-Use		

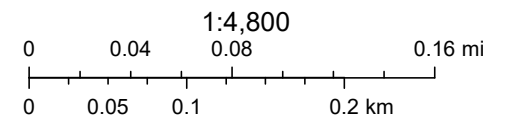


Zoning Map

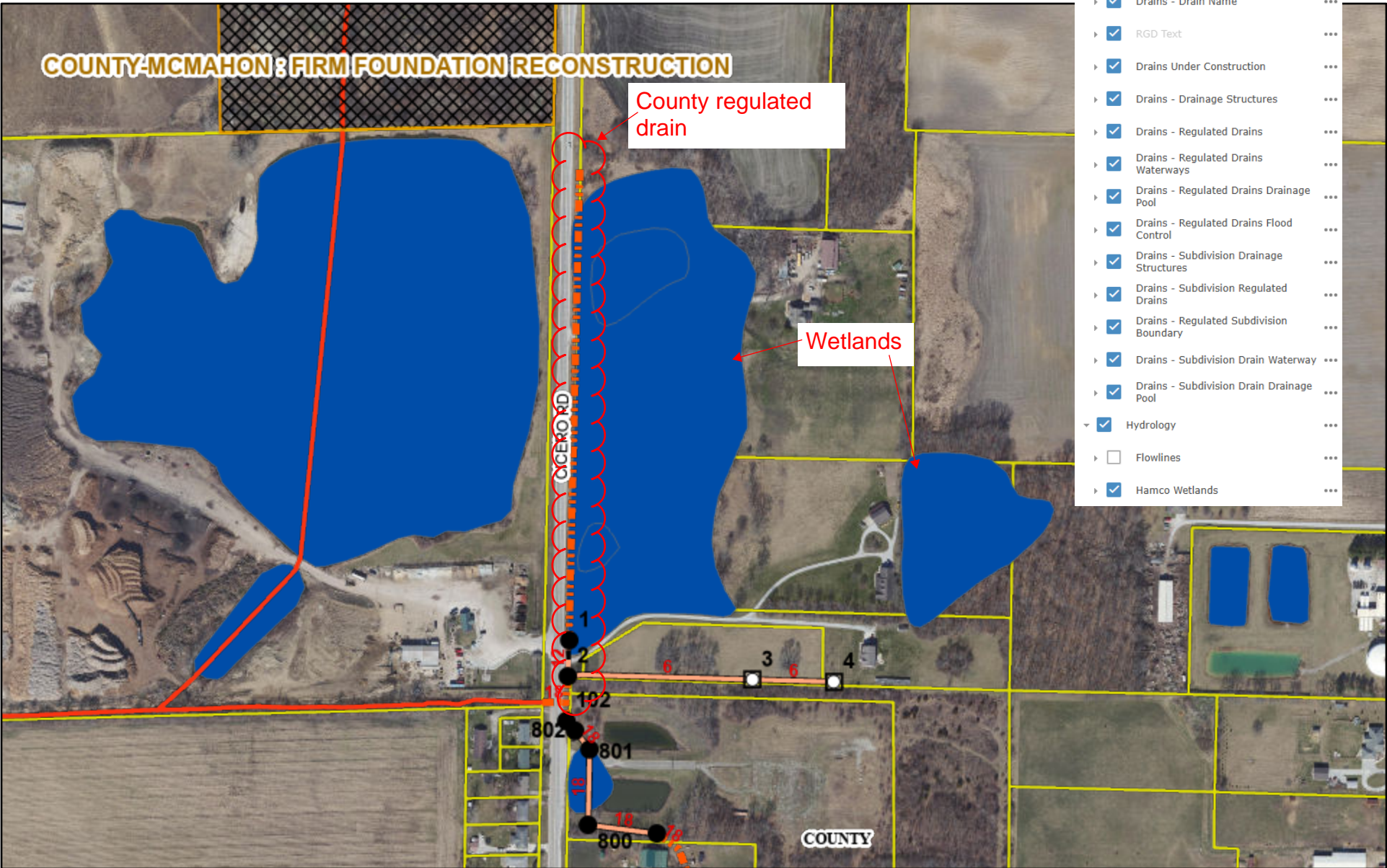
EXHIBIT E



centerlines
Parcels



COUNTY-MCMAHON : FIRM FOUNDATION RECONSTRUCTION



- County Drains ...
- Drains - Drain Name ...
- RGD Text ...
- Drains Under Construction ...
- Drains - Drainage Structures ...
- Drains - Regulated Drains ...
- Drains - Regulated Drains Waterways ...
- Drains - Regulated Drains Drainage Pool ...
- Drains - Regulated Drains Flood Control ...
- Drains - Subdivision Drainage Structures ...
- Drains - Subdivision Regulated Drains ...
- Drains - Regulated Subdivision Boundary ...
- Drains - Subdivision Drain Waterway ...
- Drains - Subdivision Drain Drainage Pool ...
- Hydrology ...
- Flowlines ...
- Hamco Wetlands ...

centerlines

Drains - Regulated Drains

- OPEN DITCH
- PLASTIC, PVC; PLASTIC_SDR 26 PVC; PLASTIC_FBCCP; PLASTIC_CPP; PLASTIC_SDR 35 PVC; PLASTIC_PERFORATED; HDPE; PLASTIC_PERFORATED PVC; PLASTIC_SMOOTH BORE; PLASTIC_SDR 25 PVC
- RCP, RCP_HERCP
- TILE; UNKNOWN; TILE_SEWER

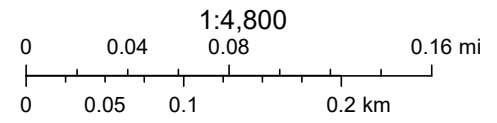


EXHIBIT F

Department of Planning and Development
16 S. 10th Street, Suite B140
Noblesville, IN 46060

Notice of Public Hearing Noblesville Board of Zoning Appeals

In regards to application # BZNA-000004-2025

Meeting date: Monday, March 3, 2025, 6:00 p.m. Council Chambers, City Hall

Property Location: 2700 Cicero Road, Noblesville, IN 46060

Applicant(s): Matt Pleasant, AICP Pleasant Cities, LLC

Property Owner: Jose Romo

Staff Contact: Amy Steffens, AICP

February 23, 2025

We were informed of this Public Hearing, through a certified letter, but we already had plans to be out of state on March 3, 2025. So we are writing this letter with our objections to the variance requested by Jose Romo, who shares a property line between us. Our names are Gordon and Kathy Martin and we live at 2610 Cicero Road, Noblesville, IN 46060. We are the closest neighbors to Jose Romo. We really wanted to be at this meeting to personally express our objections, but instead are doing it in writing, per the letter we received.

Our Objections:

- We bought this property about 24 years ago, as a residential property. We would like it to remain so. We are afraid with this variance of having permanent rodeos, would decrease the value of our home.

- The Temporary Use Permit, Jose Romo had before, did not work very well for us.
 - We could not enjoy our home and sit outside whenever Jose had a rodeo. The music was extremely loud. It is not just music, but loud music with bands and instruments. We went and talked to Jose (trying to be a good neighbor) and he asked us NOT to contact the police. He stated he wanted to be a good neighbor also and gave us his cell phone number and asked us to call or texted him know when the music was too loud, instead of calling the police. We contacted him on numerous times, each time he was hosting a rodeo. We told him the music was extremely loud, and he said he would turn it down. He did (most times) BUT only lasted about 5 minutes, then the

music was turned back up. We would text again and again, and he would say the same thing, "I will take care of it". But, never really made a difference.

- We cannot enjoy our home sitting outside with family or friends because you cannot hear each other talking, due to the loud music, bands and talking over sound system. Jose even told us that we would give us notice of when he was going to have a rodeo, so we would not plan to have anyone over on those days. But, once again, he did not keep his word to us. He had the rodeos without letting us know when they were happening.
- Whenever Jose had rodeos, we had people coming up our driveway, thinking they were going to his property.

We are concerned that Jose is not telling the whole truth on what he intends to have at the so called rodeos. We feel he wants to get the permit and then do what he wants to do and call it a rodeo. We believe that he thinks he can get a variance if he just calls it a rodeo.

We truly hope this variance will be rejected. We are not the only neighbors that have objections to this appeal. But, we realize there are conditions to this appeal to be approved. But, we feel these conditions will not be followed and would like to know how these conditions would be enforced? He usually has rodeos more than once a month, has the event going on way past 9:30 p.m. and has never let us know in advance of the dates.

Thank you for your consideration to us, as Noblesville home owners.

Gordon & Kathy Martin
2610 Cicero Road
Noblesville, IN 46060
317.938.0884

Rodeo Request

From Michelle Arnett <michelle@themedicarefamily.com>

Date Tue 2/25/2025 4:51 PM

To Amy Steffens <asteffens@noblesville.in.gov>

Cc Sylvia Gordon <sylvia@themedicarefamily.com>

EXTERNAL EMAIL - This email was sent by a person from outside your organization. Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

Dear Amy,

I live at 2233 Cicero Rd in Noblesville. Since I've lived here the last 3 years I've put up with massive parties being held at 2700 Cicero Rd. Even though I thought I was buying a home in a quiet "partly" country home, I've been subjected to the loud music and traffic confusion due to this address. I vehemently oppose a "Rodeo" at this address because I feel it's just a way to continue their parties which all neighbors have already voiced their displeasure. I would like to know I can live without the constant noise and traffic. Please vote NO to the rodeo request. This will cause issues with all neighbors and should be prevented! People live around here and do NOT want the hassle of the traffic/noise. Please make the right decision.

Michelle Arnett

Client Care Specialist

The Medicare Family

800.970.1964 ext. 752

[Visit TheMedicareFamily.com »](https://www.themedicarefamily.com)

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Proposed Rodeo

From Sylvia Gordon <sylvia@themedicarefamily.com>

Date Tue 2/25/2025 7:09 PM

To Amy Steffens <asteffens@noblesville.in.gov>

EXTERNAL EMAIL - This email was sent by a person from outside your organization. Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

Dear Board of Zoning Appeals:

I own 4 parcels on land on St Rd 19 south of the parcel applying for a rodeo. My primary residence is 2300 Cicero Road. I purchased two parcels of undeveloped land that was formerly set to be a church. I sold that land to my kids in an unrecorded land contract. Elliot and Ashley Gordon will own 5 acres and Susanna Sharples-Gordon and Nic Ross will own the other 5 acres.

I own 2233 Cicero Road which I rent to Michelle Arnett to which she also has a beneficial interest via a life estate.

We are vehemently opposed to the Romo's having a rodeo. This is their way to work around them not being allowed to have their huge parties. They have had in excess of 200 people on their property for their parties which has stopped all traffic on our street, St Rd 19. People paid \$25 to attend their events (which were advertised on Facebook).

Their noise disrupted our lives before our complaints got your department to stop issuing them permits for their parties.

Their music was so loud my son could hear it in Prairie Crossing on Hague Road.

At my primary residence at 2300 Cicero Road, their party music was so deafening that I could not hold a conversation on my patio with my husband! We could still hear the music in our bedroom with all windows closed until 10pm. As an older woman, I like to be in bed by 9pm. If they are allowed to hold their rodeo, I will again not be able to enjoy watching tv in my own bedroom before I fall asleep.

They ruined our ability to enjoy our property for years. We now beg you not to allow them to resume their activities.

Their application for a rodeo is a guise. Holding a true rodeo would necessitate a lot of infrastructure that they will not be acquiring. This is actually an application to be able to hold parties that will again disrupt our lives.

If they are allowed to hold a rodeo, without music, where their MC via their sound system, did not disrupt the quiet enjoyment of our land, we'd be fine. The county would need to commit to control

traffic so we have easy access to and from our property.

I suggest that if you do allow them to proceed, approve only one event. Let them earn the right to have more events by proving to their neighboring property owner that they respect our legal right to the quiet enjoyment of our properties.

Sylvia Gordon


cell (317) 696-9969

Re: BZA hearing 2700 Cicero Rd

From Sophie Li <artbyspartz@gmail.com>

Date Mon 2/24/2025 11:06 AM

To Amy Steffens <asteffens@noblesville.in.gov>

 1 attachment (4 KB)

Outlook-Text, comp;

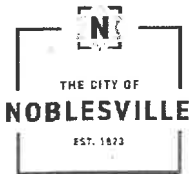
EXTERNAL EMAIL - This email was sent by a person from outside your organization. Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

Hi Amy,

Thanks for the quick reply. I never complain about anything, but I have a couple concerns about the rodeo. I live over a mile away from this location. However, multiple times in the summer of 2023 they held rodeos at this location (apparently without the proper zoning). It was so incredibly loud that we went for a drive to see where the unbelievable sound was coming from. I was shocked to see there must have been over a thousand people at that place and the traffic in and out had Highway 19 backed up to Herrmann Veterinary Clinic. As it was explained by my neighbor, if approved, it would be under the County noise ordinance and not the City noise Ordinance, allowing them to basically play as loud as they want. Is that correct? Will staff recommend approval on this application without conditions for passing lanes on the highway and noise limitation?

Thank you again,

Sophie Li



PERMIT APPLICATION
TEMPORARY USE

Is this a Revision?

Yes No

If yes, permit # _____

LOCATION INFORMATION

Address/Location of temporary use: 2700 Cicero rd noblesville IN 46060

Subdivision: _____ Lot Number _____ Section _____

TEMPORARY USE INFORMATION

Project Details, choose one:

Grand Opening Event: Rodeo

Seasonal Outdoor Sales of: _____

Model Home. Will this replace an existing model home in the subdivision or development? Yes No

Temporary Structure or Yard for: construction office, materials, and equipment.

Other Temporary Use (Describe): _____

Description of Existing Use: _____

Beginning date: 04/23/23 11:00Am Ending Date: 04/23/23 11:00Pm.

Will a tent be used in association with this temporary use? Yes No Size: _____ Sq. Ft

Will a sign be used in association with this temporary use? Yes No

* A separate sign application is required prior to installation or display.

APPLICANT INFORMATION

Name: Jose Romo

Company Name (if applicable): _____

Address: 2700 Cicero rd noblesville IN 46060

Email: Jose_masonry@yahoo.com Phone: 317-2138135

OWNER INFORMATION Same as Applicant

Name: _____

Address: _____

Email: _____ Phone: _____

The undersigned requests a temporary use permit for the use specified above. Should this application be approved, it is understood that is shall only authorize that particular use described in this application and any conditions or safeguards required by the Board of Zoning Appeals.

Signature of Applicant: [Signature] Date: 04/10/23



**PERMIT APPLICATION
 TEMPORARY USE**

Is this a Revision?

Yes No

If yes, permit #

510-2023

LOCATION INFORMATION

Address/Location of temporary use: _____

Subdivision: _____

Lot Number _____

Section _____

TEMPORARY USE INFORMATION

Project Details, choose one:

- Grand Opening Event: _____
- Seasonal Outdoor Sales of: _____
- Model Home. Will this replace an existing model home in the subdivision or development? Yes No
- Temporary Structure or Yard for: construction office, materials, and equipment.
- Other Temporary Use (Describe): _____

Description of Existing Use: _____

Beginning date:

07/23/23

Ending Date:

07/23/23

Will a tent be used in association with this temporary use?

Yes No

Size: _____

Sq. Ft

Will a sign be used in association with this temporary use?

Yes No

* A separate sign application is required prior to installation or display.

APPLICANT INFORMATION

Name: _____

Jose Romo

Company Name (if applicable): _____

Address: _____

2700 Cicero rd Noblesville IN 46060

Email: _____

jose.masonry@yahoo.com

Phone: _____

317 213 8135

OWNER INFORMATION Same as Applicant

Name: _____

Jose Romo

Address: _____

2700 Cicero rd. Noblesville IN 46060

Email: _____

jose.masonry@yahoo.com

Phone: _____

317 213 8135

The undersigned requests a temporary use permit for the use specified above. Should this application be approved, it is understood that it shall only authorize that particular use described in this application and any conditions or safeguards required by the Board of Zoning Appeals.

Signature of Applicant

Date

07/



PLANNING AND DEVELOPMENT

16 S 10th Street, Suite B140 Noblesville, IN 46060
Ph. 317.776.6325 planapplications@noblesville.in.us

PERMIT CHECK LIST TEMPORARY USE

- Completed application
- Site Plan with location and dimensions of property lines, buildings, setbacks, regulated drains, existing or proposed easements (public and private) and the location/layout of the proposed Temporary Use. The location of the parking area for the temporary use and portable toilets (if any) shall also be shown on the Site Plan.
 - The use shall not be located on or block any ADA parking unless adequate ADA parking to replace those rendered unusable for the event is temporarily located elsewhere on the property.
 - The use shall not be located within any required setback, easement or fire lane. The use shall not interfere with pedestrian or vehicular access.
 - If the parking area for the temporary use is not located on the property in question, submit an additional Site Plan showing the entire property in question along with the entire property with the parking area for the proposed Temporary Use.
- Property Owner Consent Form if you do not own the property.
- Any other information needed to determine if the proposed temporary use meets the intent and requirements of the Unified Development Ordinance (UDO) and is appropriate for the location for which it is proposed.
 - **Tent:** If the Temporary Use involved a tent 400 SF or greater, please include tent details (specifications, installation instructions and Certificate of Fire Resistance) and a layout of floor plan of what will be set up under the tent (tables, chairs, etc.)
 - **Model Home:**
 - ◆ Site Plan showing two (2) off-street parking spaces. If the parking area is not located on the property in question, submit an additional Site Plan showing both the lot with the model home and the lot with the parking.
 - ◆ Building plans for the Model Home including the floor plan of sales office (if any).
 - **Fireworks Sales:** Provide proof of compliance with the requirements of the Indiana Department of Homeland Security.
 - **Trailers:** Provide the mobile unit seal of acceptance number issued by the Indiana Fire Prevention and Building Safety Commission.

FOR INFORMATION & QUESTIONS:

City of Noblesville, Department of
Planning & Development
16 South 10th Street, Suite B140
Noblesville, IN 46060

Phone: (317) 776-6325

Email: planapplications@noblesville.in.us

Website: www.cityofnoblesville.org/planning



From: Jose Ramo <joses_masonry@yahoo.com>
Sent: Wednesday, April 19, 2023 1:04 PM
To: Denise Aschleman
Subject: Re: Temporary Use permit
Attachments: [image001.jpg](#)

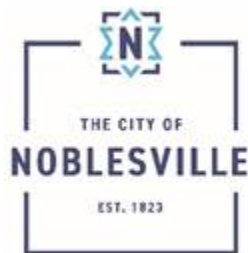
Ok it's going to be bull raiding bouncers for the kids clowns for the kids in approximately 100 vehicles.
thanks

On Monday, April 17, 2023 at 04:01:42 PM EDT, Denise Aschleman <daschleman@noblesville.in.us> wrote:

Jose,

I just need a little bit more detail for your temporary use permit.

1. Could you be more specific about the activities that are included with the rodeo? Please note that the ordinance states no public address systems or other noise-producing devices shall be permitted in a residential district (your property is in a residential district).
2. You note a bar on your site plan – please provide a copy of your permit (or a vendors permit) from ATC.
3. Approximately how many cars are you able to park on this property?



DENISE ASCHLEMAN, AICP, CFM

Principal Planner

Planning and Development Department
CITY OF NOBLESVILLE

P: 317.776.6325 F: 317.776.4638

16 S. 10th Street • Noblesville, IN • 46060

www.CityofNoblesville.org

From: Jose Ramo <joses_masonry@yahoo.com>
Sent: Friday, August 25, 2023 9:16 AM
To: Denise Aschleman
Subject: rodeo 2700 cicero rd

You don't often get email from joses_masonry@yahoo.com. [Learn why this is important](#)

Good morning, write to report the permits approved to do my rodeos in my house located: 2700 cicero rd. Noblesville in 46060, the days approved are:08/27/23 - 09/03/23 - 09/09/23 - 09/17/23 - 10/08/23. thanks.

if you need a copy of the permits let me know.

jose romo

From: Jose Ramo <joses_masonry@yahoo.com>
Sent: Monday, September 25, 2023 9:41 AM
To: Denise Aschleman
Subject: Re: rodeo 2700 cicero rd

You don't often get email from joses_masonry@yahoo.com. [Learn why this is important](#)

good morning! these are the dates that were left to notify you: 09/30/2023 and 10/01/2023

thank you!

On Friday, August 25, 2023 at 09:15:41 AM EDT, Jose Ramo <joses_masonry@yahoo.com> wrote:

Good morning, write to report the permits approved to do my rodeos in my house located: 2700 cicero rd. Noblesville in 46060, the days approved are:08/27/23 - 09/03/23 - 09/09/23 - 09/17/23 - 10/08/23. thanks.

if you need a copy of the permits let me know.

jose romo



BEER / WINE AUTHORITY / TYPE 118

State Form 35494 (R10 / 3-20)

Deliver or mail completed application and payment to:

DISTRICT 1
52422 County Road 17
Bristol, IN 46507
Telephone: (574) 264-9480

DISTRICT 4
651 S. Commerce Drive
Seymour, IN 47274
Telephone: (812) 523-8314

DISTRICT 2
1353 South Governors Drive
Columbia City, IN 46725
Telephone: (260) 244-4285

DISTRICT 5
3650 South US Hwy 41
Vincennes, IN 47591
Telephone: (812) 882-1292

DISTRICT 3
41 West 300 North
Crawfordsville, IN 47933
Telephone: (765) 362-8815

DISTRICT 6
6400 East 30th Street
Indianapolis, IN 46219
Telephone: (317) 541-4100

INSTRUCTIONS:

1. Applicant must complete all requested information.
2. Please type or print clearly.
3. Submit application and payment to the local excise district office.
4. All events are \$50.00 per day (905 IAC 1-11.1-1). Business checks and money orders made payable to the Indiana Alcohol and Tobacco Commission are accepted.
5. Serving past midnight, no later than 3 AM, is one (1) day.
6. No rain checks on any of the listed events.

Visit <https://www.in.gov/atc/sep/2379.htm> for additional information about the districts.

STEP 1. GENERAL INFORMATION			
Name of applicant applying for permit (organization, club, corporation, individual) Jose Romo		TM Permit number (issued by ATC) TM00999 TM0100027	
Address of applicant (number and street, city, state, and ZIP code) 2700 cicero Rd noblesville IN 46060		E-mail address joses_masonry@yahoo.com	
Name of person making application Jose Romo	Fax number ()	Emergency contact telephone number (317) 2138135	
Printed name of contact person of event Jose Romo		Emergency contact telephone number (317,) 2702505	
STEP 2. EVENT INFORMATION			
Beginning day 04/23/2023	Beginning date (month, day, year) 04/23/2023	Ending day 04/23/2023	Ending date (month, day, year) 04/23/2023
Time of event Start time 11 <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM		End time 11 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	
Type or description of event Rodeo			
Exact address of event (number and street, city, state, and ZIP code) 2700 cicero Rd noblesville IN 46060			
STEP 3. FLOOR PLAN (See Step 4, Number 2.)			

STEP 4. ACKNOWLEDGMENT

In order to qualify for this authority to serve beer and wine, the following guidelines must be met:

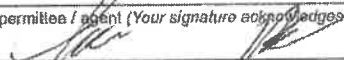
1. There must be a well defined premises, i.e. building, tent, enclosure, or fenced-in or designated area.
2. You must have a defined floor plan or diagram. This is to be drawn on Page 1, Step 3 of this application. If minors are to be present, you must have a defined separation between the bar area and family area. *(Must be on floor plan.)*
3. There shall be **NO** carry-out privileges, **NO** carry-in privileges and **NO** spirituous beverages allowed.
4. Each applicant must designate an individual to be responsible for the event and such person shall sign the authority.
5. **ANY** and **ALL** persons dispensing or accepting payment for alcoholic beverages **MUST POSSESS** a valid ATC employee permit.
6. The event must meet applicable Indiana State Board of Health requirements, particularly with regard to restroom facilities.
7. If the event is held in a town park, you must have approval from the town board.
8. Legal Hours of dispensing alcoholic beverages: (Prevailing time)
Monday through Saturday -- 7 AM to 3 AM the following day
Sunday -- 7 AM to 3 AM the following day
9. Applicant must file with the district office at which the event will be held at least five (5) days prior to the event.
10. The authority must be posted in the most conspicuous place at the location of the event. An excise officer or commissioner, for good cause, has the authority to revoke the authority during the event.

STEP 5. COMMUNITY CLEARANCE

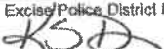
1. Signature of Sheriff of county, or Chief of Police, or Town Marshall of Jurisdiction where the event will be held 	Date signed (month, day, year) 3/21/2023
2. Signature of the mayor (if the event is held in Fort Wayne) 	Date signed (month, day, year)

Note:
Please post your approved request in a conspicuous place where the alcoholic beverages are being dispensed at the location.
If for any reason this request is denied, you may be notified either in person or by telephone.

I swear or affirm under penalties of perjury that the information is true and accurate.

Signature of permittee / agent (Your signature acknowledges that you have read and will abide by the rules and guidelines.) 	Date signed (month, day, year) 03/21/2023
---	---

FOR DISTRICT USE ONLY

District number 3	Date issued (month, day, year) 03-31-2023
Reviewed by Excise/Police District Representative 	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied



STATE OF INDIANA

302 West Washington Street
IGCS Room E114
Indianapolis, IN 46204

ALCOHOL AND TOBACCO COMMISSION

Telephone 317 / 232-2430
Fax 317 / 233-6114
www.IN.gov/atc

These applicants have been approved by our commission to
serve alcohol on permit number TM0100027 on 04/23/2023

Omer A Paredes Garcia DOB 01/31/1975
Jose M Villalobos Perez DOB 08/22/1986
Hugo J Rincon Barboza DOB 08/28/1991
Anais M Cardenas Rodriguez DOB 03/05/1969
Paola C Osorio De Romo DOB 07/02/1987

ALCOHOLIC BEVERAGE COMMISSION

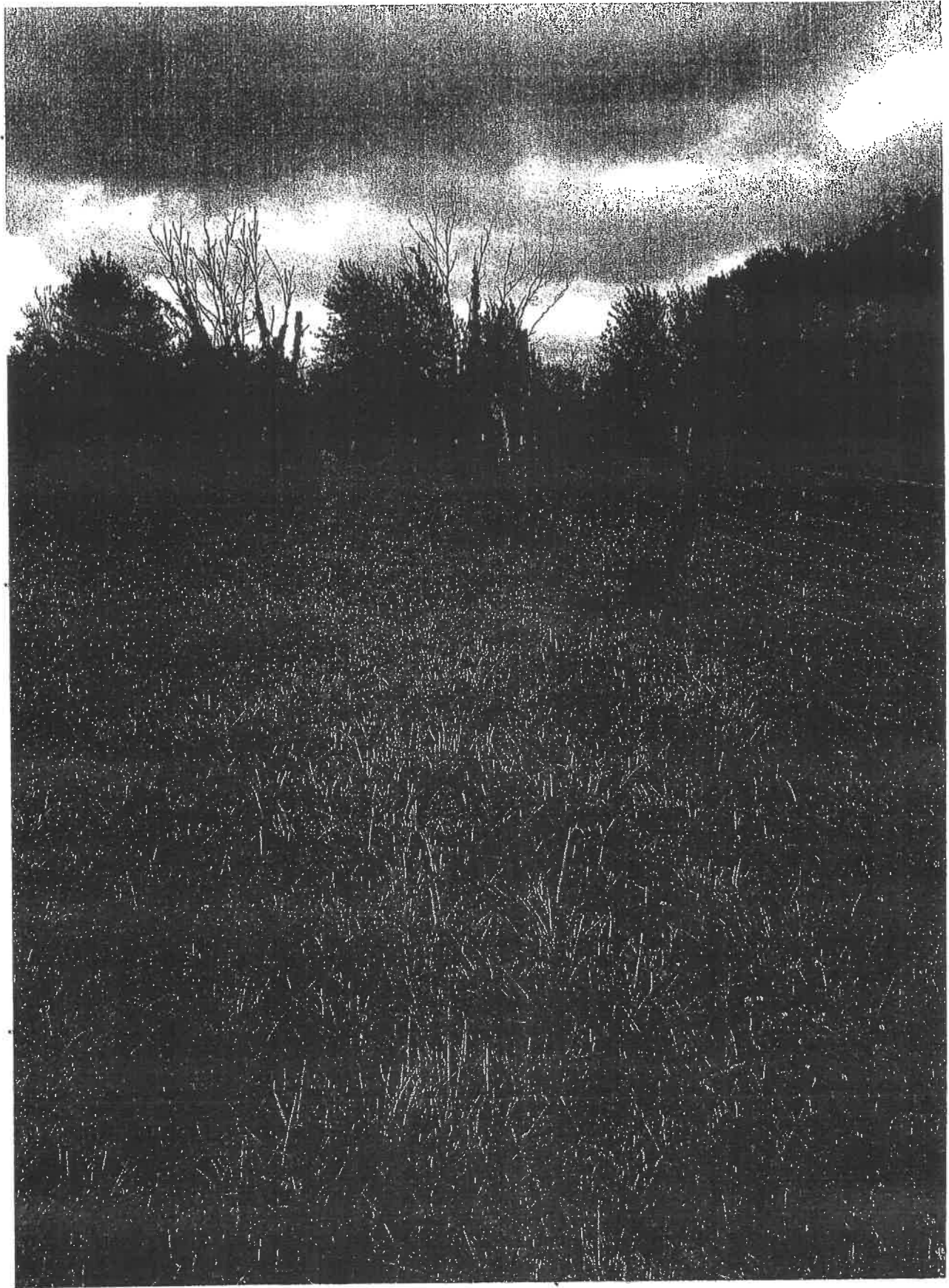
AN EQUAL OPPORTUNITY EMPLOYER

302 West Washington Street, Room E114
Indianapolis, Indiana 46204 (317) 232-
2430

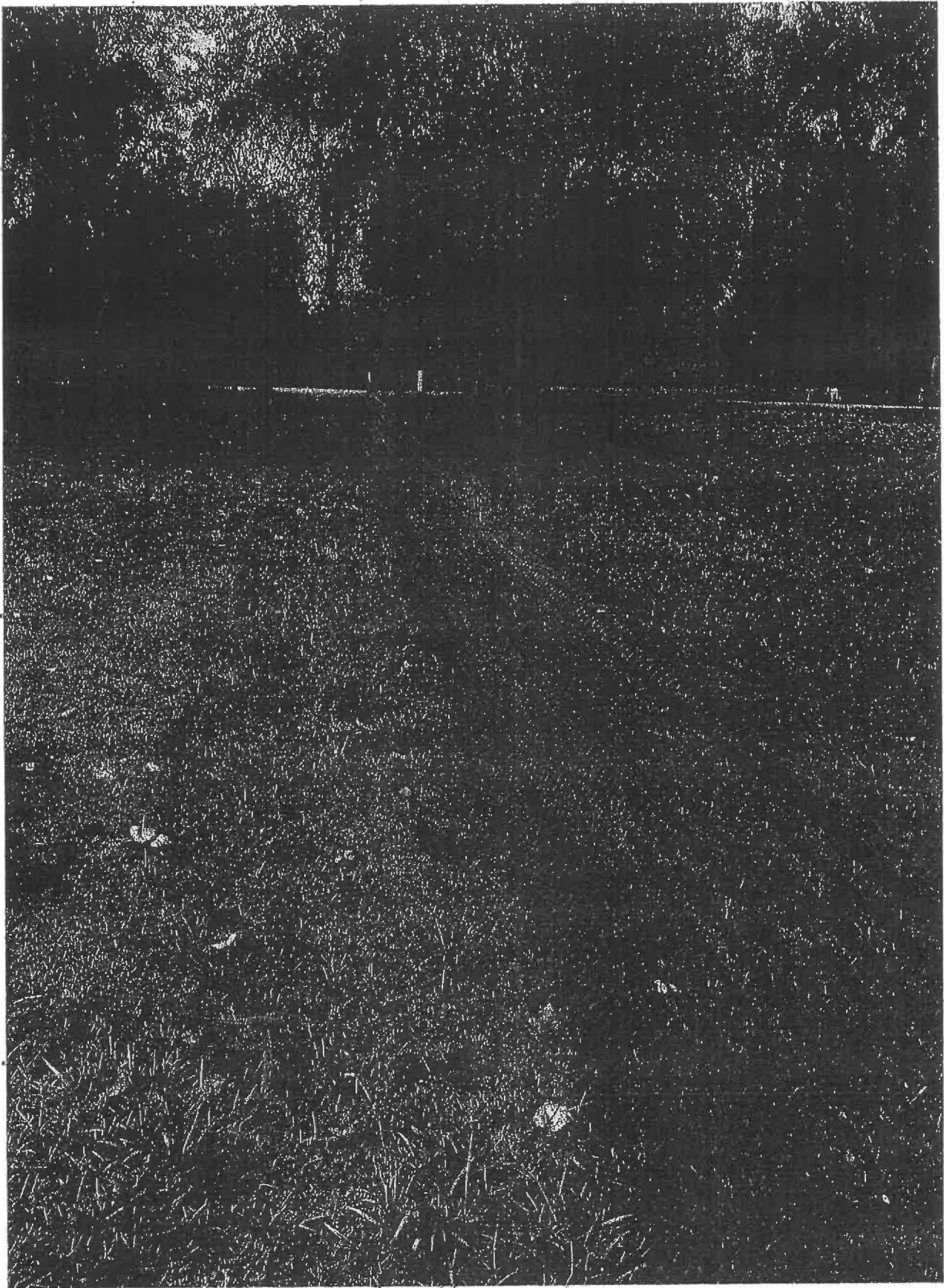
Employee Permit

PERMIT NUMBER BR1955478	ISSUE DATE 09/21/2020	EXPIRATION DATE 09/21/2023
DATE OF BIRTH 04/07/1990	GENDER F	

ESTELA ROMO
5545 Fjord Dr.-Apt D
Indianapolis IN 46250



PICS OF FENCING



Property Fencing



TEMPORARY USE PERMIT

CITY OF NOBLESVILLE
UNIFIED DEVELOPMENT ORDINANCE

DATE: 08/31/2023

BUILDING PERMIT NO: TEMP-000510-2023

ISSUED TO: Jose Romo

STREET NAME AND NUMBER: 2700 CICERO RD

DESCRIPTION: Rodeo

WORK CLASS: Temporary Use

SUBDIVISION/ADDITION:

TOWNSHIP/CITY: Noblesville Township

LOT NO:

RELEASE FOR CONSTRUCTION

Subject to Compliance with all
Applicable Rules and Regulations

Caleb Gutshall
DIRECTOR OF PLANNING AND DEVELOPMENT
NOBLESVILLE, INDIANA

Planning: (317) 776-6325 Engineering: (317) 776-6330

www.noblesville.in.us



TEMPORARY USE PERMIT

CITY OF NOBLESVILLE
UNIFIED DEVELOPMENT ORDINANCE

DATE: 04/20/2023

BUILDING PERMIT NO: TEMP-000510-2023

ISSUED TO: Jose Romo

STREET NAME AND NUMBER: 2700 CICERO RD

DESCRIPTION: Rodeo

WORK CLASS: Temporary Use

SUBDIVISION/ADDITION:

TOWNSHIP/CITY: Noblesville Township

LOT NO:

RELEASE FOR CONSTRUCTION

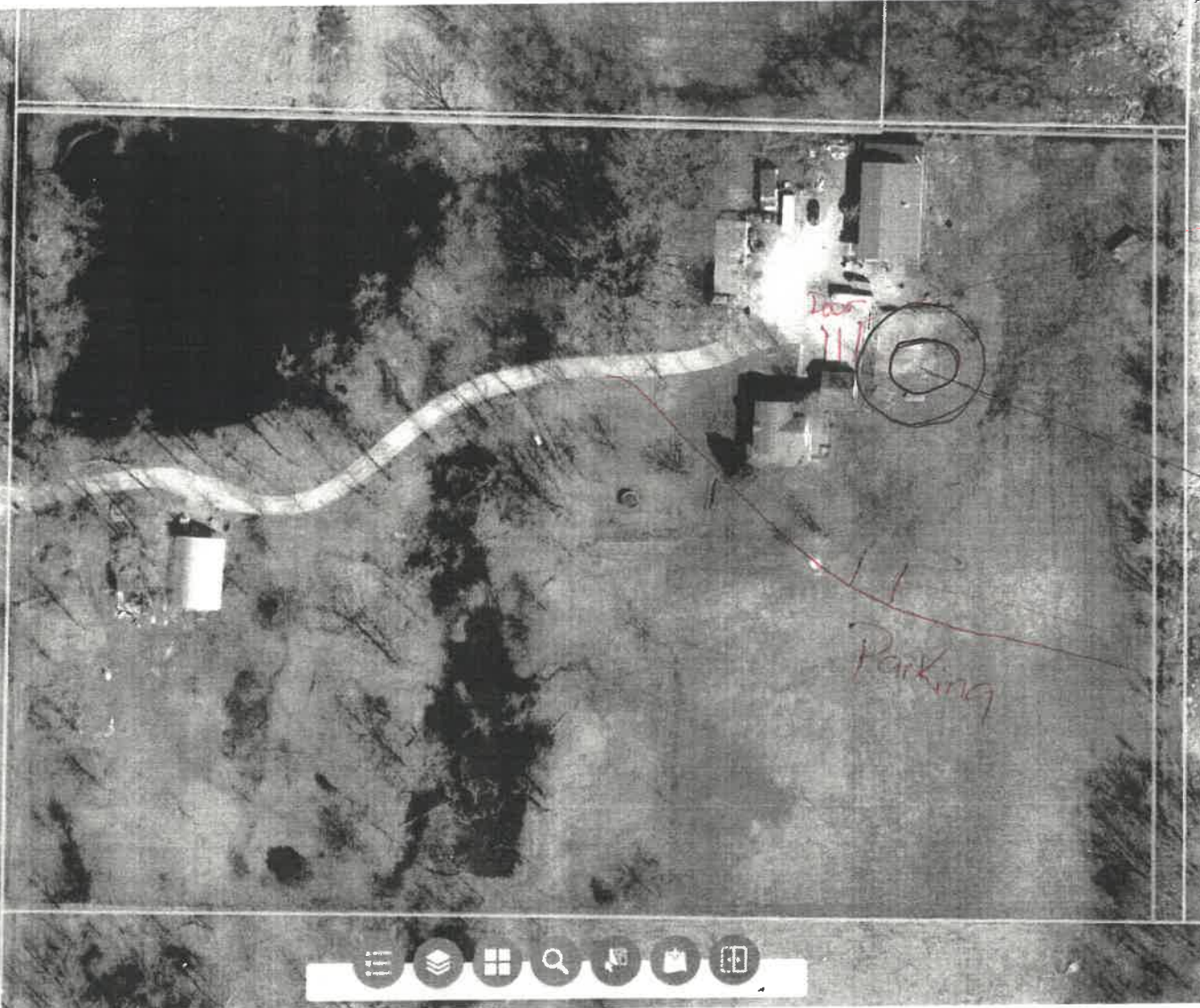
Subject to Compliance with all
Applicable Rules and Regulations

Caleb Gutshall
DIRECTOR OF PLANNING AND DEVELOPMENT
NOBLESVILLE, INDIANA

Planning: (317) 776-6325 Engineering: (317) 776-6330

www.noblesville.in.us

CICERO RD

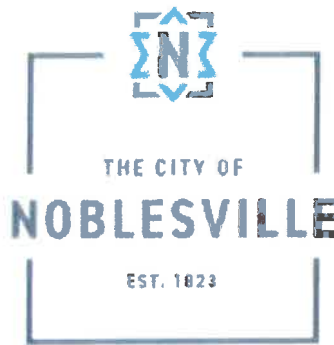


Bar.

Rodeo

///
Parking

Gate



NOTICE OF VIOLATION

October 16, 2023

Jose Romo
2700 Cicero Road
Noblesville, IN 46060

Re: 2700 Cicero Road Special Events

Dear Mr. Romo:

The City of Noblesville and Hamilton County have received multiple recent complaints concerning your property and events you have been hosting there. These events were permitted by the City of Noblesville Planning Department (TEMP-000510-2023) under specific regulations and conditions.

Your property at 2700 Cicero Road is located outside of Noblesville City limits and falls under the Hamilton County Sheriff's Department for law enforcement purposes and under Hamilton County Health Department for public health regulatory purposes. Additionally, it is currently zoned R-1 Residential and since it is located near city boundaries, it is also subject to City of Noblesville Planning jurisdiction for purposes of other property use regulations.

The complaints received include concerns about the use of amplified noise during your events. Under §9.G.2.C.3 in the Noblesville's Unified Development Ordinance ("UDO"), no public address systems or other noise-producing devices are permitted in a residential district. Additionally, amplified noise – whether it comes from an amplifier, microphone, or other device – is prohibited if it exceeds the noise decibel level limits in Chapter 93, sections 20 through 25 of the City of Noblesville Code of Ordinances. These prohibitions were explained to you during the time of the Temporary Use Permit application process and via email. You are not permitted to use any form of amplified noise on your property, and you must cease and desist all such use immediately.

Complaints were also received for festivals held on dates that were not permitted under your permit, including various Sundays.



According to response data, the Hamilton County Sheriff's Department was at your property twenty-three times in the past three months following calls that included noise complaints, incomplete 911 calls, investigations, and to assist the public.

The City and County have also received complaints concerning the burning of garbage on your property. Under §9.G.2.D.1 of the UDO, a Temporary Use is not allowed to be detrimental to the public health, safety, and general welfare and cannot adversely affect the surrounding neighborhood by means of odor, dust, light, noise, traffic, or other nuisances.

In regards to public health, the Hamilton County Health Department and the State Board of Animal Health have also received complaints ranging from August, 2019 – September, 2023. These complaints include, but are not limited to the following: sales of alcoholic beverages without a permit, operating a slaughterhouse, investigating a potential installation of a commercial septic system for a slaughterhouse, incineration, and burning of animals.

It is our understanding from the State Board of Animal Health, that illegal disposal of animal carcasses is occurring despite a permanent injunction being in place at 2700 Cicero Road. Upon receiving this information, the City will monitoring the property for potential zoning enforcement action of a violation regarding the operation of a slaughterhouse. Animal processing and a slaughterhouse are not permitted uses in any Zoning District (per Appendix C. Official Schedule of Uses of the City's Unified Development Ordinance). Additionally, under §9.B.4.N.2.3 of the UDO, no keeping of animals is permitted for profit.

We would like to reiterate that your Temporary Use Permit dates expired after your final date of 10/08/2023. Therefore, there should be no further events at your property. Upon the violation of any applicable conditions, the Director of Planning has the right to suspend the Temporary Use Permit or deny a Temporary Use Permit applied for in the future. In addition, you could be subject to fines and fees for ordinance violations. Please confirm within twenty-four (24) hours of receiving this message in writing that you will not engage in conduct that violates the ordinance.

If you have any questions regarding this matter, please feel free to contact me at (317) 776-6325 or cgutshall@noblesville.in.gov. Thank you for your cooperation.

Respectfully,



Caleb Gutshall
City of Noblesville Planning Director



BOARD OF COMMISSIONERS
OF HAMILTON COUNTY



Christine Altman



Mark E. Heirbrandt



Steven C. Dillinger



EXHIBIT I



RE: 2700 Cicero Road variance of use inquiry

Organizer Amy Steffens <asteffens@noblesville.in.gov>
Meeting time This event occurred 5 months ago (Tue 9/10/2024 1:00 PM - 1:30 PM)
Location Planning Conference Room Large B137
My response Not yet responded
Required attendees Amy Steffens
Optional attendees Caleb Gutshall, Rina Neeley, Matt Pleasant, AICP, Justin Hubbard, Mykel Overby
Message sent Tue 2/25/2025 4:52 PM

Amy,

Water quality wise here are the concerns.

From City MS4, Mykel Overby:

The west end of the property is identified as a wetland in both county and federal data, which may require delineation coordination with the appropriate departments at IDEM or USACE as impacts are anticipated. Additionally, another wetland is located directly southeast of the property.

The primary pollutant concerns stem from increased soil disturbance and animal waste during the event. This presents a dual challenge, as many pollutants are transported by adhering to sediment while also contributing to bacterial and fertilizer-associated contamination. Beyond soil disturbance, proper management of animal waste will be necessary to prevent discharge into nearby wetlands, likely requiring its removal from the site.

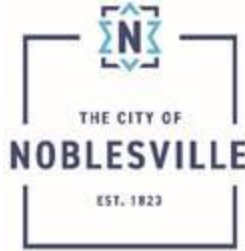
There are several ways to mitigate and address these concerns, but they must be fully considered before approving the property for rodeo use, regardless of past or current activities on the site.

From County MS4, Clara Furst:

- 12' Tile w/ probably 75' easement (did not pull file to confirm) **withhold easement specifics**
 - Huge wetlands along West perimeter line
 - Non-permitted crossing on/under drive not to spec. high probability of not supporting trailers.
 - No manure management plan on record for existing or future livestock
 - The site is known to hold water in the Southeast corner.
 - The crossing permit, manure management plan, encroachment potential within the easement would all be required to get up to compliance prior to supporting an approval for site improvements of any kind.
 - Any arena is considered added additional impervious surface which would trigger a drainage report to be generated to show whether or not detention/retention is required to be improved.
-

I hope this information is helpful for your report. Please let me know if anything needs further clarification, and I'll be happy to assist. Also, could you provide me with a copy when you submit it?

Thank you,



MYKEL OVERBY, MS4CECI

MS4 Coordinator

Engineering

CITY OF NOBLESVILLE

P: 317-776-6330

16 S. 10th Street, Ste 155 • Noblesville, IN • 46060

www.CityofNoblesville.org
