

**MINUTES**  
**CASS COUNTY BOARD OF ZONING APPEALS**  
**MONDAY, November 22, 2010**

Richard Fife called the regular meeting of the Cass County Board of Zoning Appeals to order at 6:00 PM in the Commissioners Hearing Room on the 2<sup>nd</sup> floor of the Cass County Government Building.

Arin Shaver introduced, Chris Gaumer, the new Assistant Planner and County Zoning Administrator.

Members present: Robert Hopper, Dick Fife, Bob Barrett, Tom Steinberger and Fred Seehase.

Members absent: None.

Staff present: Arin Shaver, Chris Gaumer, Peggy Dillon and legal council, Jeff Stanton.

Public in attendance: Randy Graves and Don Singley.

**ACTION ON MINUTES:**

Minutes of October 25, 2010 were approved as presented.

Staff informed the Board that proof of notification for the newspaper had been met in this case but the signature returned slips need to be presented.

All wishing to speak were sworn in.

**PUBLIC HEARING:**

CCBZA Case #10-09: A petition of Randy Graves requesting a variance from developmental standards to allow a mobile home to be installed that is older than twenty (20) years, which is not allowed by ordinance. The property is located at 2236 N. CR 600 E. and is zoned AG, Agricultural.

Chris Gaumer located the site and explained the following issues:

- Mobile home was new in 1984, is in good shape and was remodeled in 2005.
- Will be utilizing the existing well, electricity and septic system.
- Due to topography, the Health Department needs to be involved in regard to the septic system.
- The petitioner will be renting .82 acres from Mr. & Mrs. Flory for placement of the home.
- Will be in compliance with setback requirements.

Randy Graves stated that he wishes to locate a mobile home that has been recently remodeled on property that he will be renting. Mr. Graves stated that he will be cleaning up the property and the septic system is working but a new pump is needed.

Don Singley, neighbor, stated that issues in the past have been, unpleasant odors, excessive trash and noise from this property. Tom Steinberger stated that the board wants the property cleaned up and maintained, the petitioner agreed.

Mr. Fife asked for further questions from the board or public, there were none. The following conditions of approval were read:

1. That all proposals of the petitioner be made conditions of approval.
2. That all other regulations of the ordinance be met.
3. That all applicable state and local permits be obtained and proof be given to the Zoning Administrator.
4. That the current buffer yard be maintained.

5. That property be cleaned and existing debris disposed of properly.
6. Meet all regulations as stated in Section 506 including:
  - a. Mobile home be securely anchored in accordance with 410 IAC 6-6-11.
  - b. All utilities shall be permanently connected in accordance with County Code.
7. Petitioner receives a Mobile Home Moving Permit from the Treasures' office prior to issuance of Improvement Location Permit.
8. Petitioner receives Health Department approval and/or permit prior to issuance of Improvement Location Permit.
9. The certified mailings will be presented to the Planning Staff prior to the issuance of an Improvement Location Permit.

Petitioner agreed to these conditions. Tom Steinberger made a motion to approve this petition, motion was seconded and findings of fact were completed. Roll call vote was as follows: Bob Barrett, yes; Dick Fife, yes; Fred Seehase, yes; Tom Steinberger, yes; Robert Hopper, no. The petition #10-09 was approved.

### **REPORTS:**

#### Update of past BZA cases:

Arin Shaver reported that only 3 past cases are not in compliance at this time:

- 1) Don Ulery – 3104 N. CR 925 E.
- 2) David Wheatley - 6012 N US 35
- 3) Terry Moss – 400 E. CR 800 S.

Letters have been written to the property owners and these issues will be re-inspected on Nov. 24, 2010.

### **OLD BUSINESS:**

#### ByLaws:

Arin Shaver presented the newly revised Bylaws for the Zoning Board to the members.

### **NEW BUSINESS:**

There being no further business to be brought before the Board, the meeting was adjourned at 6:38 PM.

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Richard Fife, President

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Robert Hopper, Secretary

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Peggy Dillon, Recording Secretary