

MINUTES
CASS COUNTY BOARD OF ZONING APPEALS
MONDAY, May 29, 2018

Fred Seehase called the regular meeting of the Cass County Board of Zoning Appeals to order at 6:00PM in the Commissioners Hearing Room on the 2nd floor of the Cass County Government Building.

Members present: Fred Seehase, Stacy Odom, Larry Phipps and Bob Barrett

Members absent: Robert Heckard and Jim Donato, Alternate

Staff present: Austin Brass, Arin Shaver and Peggy Dillon, Recording Secretary

Public in attendance: See sign in sheet

ACTION ON MINUTES:

Minutes of March 26, 2018 were presented. Mr. Odom made a motion to approve the minutes, Mr. Barrett seconded the motion and all were in favor.

Mr. Seehase asked if any Board members have been in contact with the petitioners, advocates or opponents in regard to today's case, all said they had not.

Staff informed the Board that proof of notification has been met for these cases.

Mr. Seehase swore in all wishing to speak.

PUBLIC HEARING:

CCBZA #18-07: A petition of Marion & Nikki Beebout requesting a Variance from Development Standards to allow for a mobile home. The property is located at 4891 E. SR 16 and is zoned AG, Agricultural.

Mr. Brass explained that the application did not have the correct legal description but the notice of public hearing did have the correct description and this case is able to move forward. Mr. Brass located the site and gave the following information:

- Currently there is 1 residence on the property
- Ordinance states 1 acre per residence
- The mobile home will be added and that will make 2 residences on less than 2 acres, property not conforming to ordinance
- The septic permit is approved for both residences on property
- Mobile home will use the existing driveway

Mr. Beebout, 4891 E. SR 16, stated that Dan Musselman, Health Dept., approved the septic system.

Mrs. Shaver suggested adding a commitment that only a 1 bedroom mobile home be all placed on the property.

Mr. Seehase asked for questions from the Board, there were none.

Mr. Seehase asked for written correspondence. A letter from Robert Johnson in favor of petition explaining that the Beebouts take good care of the property.

Mr. Seehase asked for further questions from the Board, there were none.

Mr. Seehase asked for questions from the public, there were none.

The following conditions of approval were read:

1. That all proposals be made conditions of approval.
2. That all other standards of the ordinance be met.
3. That all applicable state and local permits be obtained and proof be given to the Zoning Administrator.
4. Petitioner receives a Mobile Home Moving Permit from the Treasurer's Office prior to issuance of the Improvement Location Permit.

The following commitments were read:

1. That only a 1 bedroom mobile home be permitted on site.

Mr. Beebout agreed to the conditions and commitments.

Discussion was closed by Mr. Seehase. The findings of fact were completed.

Motion was made by Mr. Phipps to bring this case to a vote. Mr. Odom seconded the motion and roll call vote was unanimous to approve CCBZA Case #18-07.

CCBZA Case#18-08: A petition of Twelve Mile Community Center requesting a Special Exception and various Variances from Development Standards to allow for a Community Center Building. The property is located at 7913 E. SR 16 Twelve Mile, IN and is zoned AG, Agricultural.

Mr. Brass explained that this parcel was recently split off from Moss Grain Farm, presented the site and gave the following information:

1. Parcel is less than 2 acres
2. Landscape standards are required for the south and east sides because they abut residential districts
3. Parking lot is proposed to be gravel, this will need a variance
4. If no curbing, bumper stops will be required
5. Sign will be at front of building and will have metal lettering
6. The application stated there will be no employees

Mr. Odom asked if the size of the parking spaces meet ordinance standards, Mr. Brass stated yes.

Mr. Staller, 9702 E. CR 550 N., explained that the church wishes to asphalt the parking area when they have the money.

Mr. Barrett questioned where the sign will be located and Mr. Staller stated it will probably be on the existing building but the plans for it have not been finalized.

Mr. Odom asked if he would agree to the bumper stops and Mr. Staller stated they would either do a curb or the bumper stops on the south side.

Mr. Staller stated that to the south and east sides, they can easily plant trees, but will need to avoid the septic system.

Mrs. Shaver explained the landscaping requirements will be on the east side and that will require 5 trees, 5 shrubs and 10 evergreens. Mr. Staller agreed to this, no variance required.

Mrs. Shaver explained the only variance will be for the parking area to be gravel instead of asphalt.

Mr. Seehase asked for further questions from the Board, there were none.

Mr. Seehase asked for questions from the public.

Mark Belanger, 7916 E. SR 16, questioned the drainage of water onto his property south across SR 16.

Mr. Staller explained that water on the property will go to the west and not impact the south side of SR 16.

Mr. Seehase asked for further questions from the Board or public, there were none.

Mr. Seehase asked for written correspondence, there was none.

The following conditions of approval were read:

1. That all proposals be made conditions of approval.
2. That all other standards of the ordinance be met.
3. That all applicable state and local permits be obtained and proof be given to the Zoning Administrator.

Petitioner agreed to the conditions of approval.

Mr. Seehase closed the public discussion.

Mr. Phipps motioned to bring the Special Exception and the Variances to a vote. Mr. Odom seconded the motion. The Board completed the Findings of Fact.

Roll call vote was unanimous to approve Special Exception and the Variance from Development Standards for Case #18-08.

OLD BUSINESS:

None.


NEW BUSINESS:

Hearing Officer #18-06 Hamilton: Mrs. Shaver explained the request to allow a garage to be placed within the front yard setback. No questions were asked. Mr. Odom motioned to approve the minutes, Dr. Phipps seconded the motion and all were in favor.


PUBLIC IN ATTENDANCE:

No one spoke to the Board.

There being no further business to be brought before the Board, the meeting was adjourned at 6:31 PM, May 29, 2018.



CCBZA Officer



CCBZA Officer



Peggy Dillon, Recording Secretary