

MINUTES
CASS COUNTY BOARD OF ZONING APPEALS
MONDAY, September 26, 2016

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, Bob Barrett, Stacy Odom and Larry Phipps

Members absent: Robert Heckard and Jim Donato, Alternate

Staff present: Chris Gaumer, Peggy Dillon and Attorney, Jeff Stanton

Staff absent: Arin Shaver

Public in attendance: See sign in sheet

ACTION ON MINUTES:

Minutes of August 22, 2016 were presented. Mr. Barrett made a motion to approve the minutes, Mr. Phipps 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 #16-08, all said they had not.

Staff informed the Board that proof of notification has been met for Case #16-08.

Mr. Seehase swore in all wishing to speak.

PUBLIC HEARING:

CCBZA #16-08: A petition of Taylor Miller Farms requesting a Special Exception to allow for a confined feed operation (CFO). The property is located at 9158 S. US 35, Galveston, IN and is zoned AG, Agricultural.

Mr. Gaumer explained that the petitioner is requesting the approval for a Confined Feed Operation and gave the site of the petition and the following information:

- The petitioner is proposing a 2 structure, wean – to – finish pig buildings with a maximum capacity of 4,000 head per building (8,000 total pigs). Both buildings housing the CFO will be approximately 400 feet x 80 feet (32,000 sq. ft. each).
- The petitioner has stated that waste will be applied by drag line and knifed in the ground of farms owned by the petitioner and the farm owned by his brother Drew Miller.
- Security lighting will be installed on the front & sides of each barn
- 1 proposed sign of 60 sq. ft. near the entrance of the CFO will be lit and is permitted
- Hours of operations will be 5AM– 12 NOON, 7 days a week
- 2 employees = 2 employee parking spaces required
- Parking is provided adjacent to the building for employees and livestock trucks. Access drive located from SR 35
- No landscape buffer required.

Mr. Seehase asked the petitioner to advance to the microphone. Taylor Miller stated that he had nothing to add to the petition.

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

Mr. Seehase asked for questions from the public.

James Pullen, 7621 E. 900 S. Galveston, IN questioned the water usage and asked that a buffer zone be considered.

Mr. Miller stated that they will be putting a buffer zone on the west side.

Jeff Taylor speaking with Mr. Miller, stated that typically water consumption is 1.75 gallons per pig per day, approximately 16,000 gallons a day maximum.

Mr. Odom asked if the petitioner would consider a buffer zone on the south and west sides. Mr. Miller explained that he was installing a buffer on the west side for visual purposes and would consider additional buffer if necessary. Mr. Odom proposed a the petition includes a 3 row shelter belt buffer

surrounding all buildings that would meet the Natural Resources Conservation standards around a livestock facility.

Mr. Miller agreed to this commitment.

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

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

The conditions of approval were read:

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

The commitment was read:

1. That a 3 row shelter belt buffer be built that is surrounding all buildings and would meet the Natural Resources Conservation Standards around a livestock facility.

Mr. Odom motioned to bring this case to a vote and Mr. Phipps seconded the motion. Mr. Seehase stated that discussion is closed. The Board completed the Findings of Fact. Roll call vote was unanimous to approve #16-08.

Mr. Seehase explained the appeals process.

REPORTS:

None

OLD BUSINESS:

None

NEW BUSINESS:

Bylaw Amendments:

Mr. Gaumer explained the following changes to the bylaws:

- Section 402 is adding a perspective possessory interest to applicant qualification
- Section 604 stating that amendments to a petition may be presented to the Board during the meeting

Mr. Gaumer stated that these amendments are to be considered and voted on at the next meeting.

A discussion of the process that petitioners are required to go through followed and Mr. Gaumer clarified the steps needed to complete an application to this Board.

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 6:37 PM, September 26, 2016.

CCBZA Officer

CCBZA Officer

Peggy Dillon, Recording Secretary