

MINUTES
CASS COUNTY BOARD OF ZONING APPEALS
Monday February 24, 2014
6:00PM

Fred Seehase, Vice President, 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 2nd floor of the Cass County Government Building.

ROLL CALL: The Board welcomed new member Tracy Williamson.

Members present: Fred Seehase, Bob Barrett, Allen Paschen, Tracy Williamson and Robert Heckard.

Member absent: None.

Staff present: Chris Gaumer, Peggy Dillon and Arin Shaver.

Public in attendance: See sign in sheet.

ACTION ON MINUTES:

Minutes of November 24, 2014 were presented. Bob Barrett motioned to approve the minutes as presented. Robert Heckard seconded the motion and all were in favor.

ELECTION OF OFFICERS:

Mr. Seehase called for nominations of officers. Allen Paschen nominated Fred Seehase for president; motion was seconded by Bob Barrett and all were in favor.

Mr. Barrett nominated Robert Heckard for Vice President; motion was seconded by Mr. Paschen and all were in favor.

Mr. Seehase nominated Bob Barrett for Secretary; motion was seconded by Mr. Heckard and all were in favor.

PUBLIC HEARINGS:

Mr. Seehase asked if any Board members had been in contact with any petitioner, advocates or opponents in regard to any petitions before this Board, all members said they had not.

Mr. Gaumer stated that proper notification had been met in #14-02, but #14-03 will need to produce documentation.

Mr. Seehase swore in all those wishing to speak.

CCBZA #14-02:

A petition of Mark & Jann Byers requesting a Use Variance to allow for retail trade no more than 1000 sq. ft. The property is located at 7459 N. Royal Center Pike and is zoned AG, Agricultural.

Mr. Gaumer explained that state requires gun sales and repairs go through a retail trade use. Mr. Gaumer sited the location along with the following information:

- Gun shop, bait & tackle business will be located in the existing garage
- Access will be off Royal Center Pike
- Existing parking area is in front of the garage
- Spaces for 2 vehicles, conforming to ordinance
- No change in existing landscaping or buffer
- Proposing a 8'X8' (16 sq. ft.) wood sign located in the front yard
- Staff recommends a commitment: The sign will not exceed 8 ft in height and not be more than 10 ft closer to the front property line
- Hours of operation to be Monday – Saturday 9:00AM – 5:00PM
- 4 total employees
- No additional lighting

Mark Byers, 7459 N. Royal Center Pike, explained that his neighbors are in favor of this petition and most sales will be by the internet.

Mr. Barrett asked if there are any complaints from the neighbors. Mr. Byers stated that a neighbor has commented on an echo that can be heard when high powered rifles are shot.

Mr. Heckard asked if there will be any further additions to the building and Mr. Byers stated, no.

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

Mr. Seehase asked for questions or comments from the public or written correspondence, there were none.

Mr. Williamson motioned to approve this petition.

The following conditions 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 state and local permits be obtained and proof be given to the Zoning Administrator.

The following commitment was read:

1. That the signage conform to the setback and height regulations of 505.02; not to exceed 8 feet in height nor be located closer than 10 feet to the front property line.

The petitioner agreed to these conditions and commitment. Motion was seconded by Mr. Williamson, findings of fact were completed and roll call vote was unanimous to approve CCBZA#14-02.

CCBZA #14-03: A petition of Marcus Zartman requesting a Use Variance to allow for a light manufacturing use. The property is located at 1580 N. 800 E. Logansport, IN and is zoned AG, Agricultural.

Mr. Gaumer explained that the petitioner started the business as a hobby and it has become a full time business and gave the following information:

- The light manufacturing use is located in an accessory structure
- The business could be defined as a cottage industry but is not able to meet standards for: parking, hours of operations and building size
- Petitioner will move his business if it grows to a suitable area for light manufacturing
- No lighting is proposed
- Wall mounted sign - 2'X6' (12 sq ft) is proposed
- 10 gravel parking spaces, conforming
- Will be 8 employees
- No proposed landscaping or buffering

Mr. Gaumer presented a larger picture of the addition to the structure.

Marcus Zartman, 1580 N. 800 E., stated that he produces just about anything made with steel for customers.

Christy Household, Economic Development Director, spoke in favor of this petition.

John Allen, 800 E., spoke favorably of the business and Mr. Zartman's character.

A letter was read from James E. & Sarah Gentry, 1141 N. 800 E., stating approval of the business.

Mr. Seehase spoke in favor of the petition.

Mr. Seehase asked for further questions or comments, there were 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 state and local permits are obtained and proof be given to the Zoning Administrator.
4. The newspaper affidavit and the receipt from the post office be given to the Zoning Administrator.

The petitioner agreed to these conditions of approval.

Mr. Heckard motioned to approve, Mr. Barrett seconded the motion and roll call vote was unanimous to approve CCBZA #14-03.

REPORTS:

CCHearing Officer #14-01: A petition of Dennis Crume requesting a Variance from Development Standards to allow an agricultural building closer to the property line than allowed. The property is located at 1394 S. 500 W. and is zoned AG, Agricultural.

Mr. Gaumer presented the minutes for this case. There were no questions or comments.

OLD BUSINESS:

NONE:

NEW BUSINESS:

None:

There being no further business to be brought before the Board, the meeting was adjourned at 6:33PM on February 24, 2014.

CCBZA Officer

CCBZA Officer

Peggy Dillon, Recording Secretary