

**MINUTES**  
**CASS COUNTY BOARD OF ZONING APPEALS**  
**MONDAY, June 24, 2019**

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 2<sup>nd</sup> floor of the Cass County Government Building.

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

Members absent: Robert Heckard, Bob Barrett and Jim Donato, Alternate

Staff present: Arin Shaver and Peggy Dillon, Recording Secretary

Public in attendance: See sign in sheet

**ACTION ON MINUTES:**

Minutes of March 25, 2019 were presented. Mr. Odom 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, all said they had not.

Staff informed the Board that proof of notification has been met for this case.

Mr. Seehase swore in all wishing to speak.

**PUBLIC HEARING:**

CCBZA #19-03: A petition of Marion Beebout requesting a Use Variance to allow a retail business. The property is located at 4891 E. SR 16 Twelve Mile and is zoned AG, Agricultural.

Mrs. Shaver explained the location and gave the following information:

- The use will be a retail trade business for gunsmithing and making and selling ammunition
- The area is agricultural
- No signage is provided
- Lighting is existing as a security light (not full cut off )
- Hours of operation: Monday – Friday 5:00pm – 8:00pm; Saturday 9:00am – 5:00pm
- 1 employee
- Landscaping is proposed existing yard around the house; no other landscaping is proposed
- Access is existing – typical requirement is 1 space per employee

Mr. Jim Brugh, attorney for Mr. Beebout, gave a brief summary with the following information:

- Mr. Beebout is a skilled gunsmith
- To practice this skill he is required to obtain 2 Federal licenses: 1 for gunsmithing and 1 for making and selling ammunition
- Proper zoning for this business is required
- Mr. Beebout has lived here for 18 years and knows his neighbors
- Mr. Brugh presented a petition of 20 people in favor of petition
- Lighting is a LED security light; no neighbors are near by

Mr. Beebout, 4891 E. SR 16, explained what his petition is for:

- He does professional gunsmithing
- Wants to sell hunting style guns
- He shoots as a sport and practices on a 100 yard shooting range
- The shooting range is not a part of the business
- He does help others and has applied to the ATF for a license
- He has moved his shop out of his house to the shop

Mr. Phipps asked where the shooting range is located. Mr. Beebout stated it is at the back of the house and is only for his use to practice.

Mr. Phipps stated concern of others using this shooting range and it becoming a dangerous situation.

Mr. Beebout stated that he takes people to the Lake Cicott shooting range.

Mrs. Shaver stated a commitment that the firing range be used only by the petitioner.

Mr. Beebout agreed to this commitment.

Mrs. Shaver asked the Board if they wish any other landscaping to be required; the Board did not require additional landscaping.

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

Mr. Seehase asked for written correspondence. A letter in favor from Randy & Jill Rife, 3421 N. 725 E., was read into the record.

Mr. Seehase asked for questions from the 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 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 commitments were read:

1. That the petitioner works with staff if lighting becomes an issue
2. That there will be no firing range on the property other than for use by the property owner

Mr. Beebout agreed to the conditions and commitments.

A motion to bring this case to a vote was made by Mr. Phipps and seconded by Mr. Odom.

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

Roll call vote was unanimous to approve CCBZA Case #19-03.

**OLD BUSINESS:**

None


**NEW BUSINESS:**


None

**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 6:23 PM, June 24, 2019.

  
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CCBZA Officer

  
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CCBZA Officer

  
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Peggy Dillon, Recording Secretary