

MINUTES
CASS COUNTY BOARD OF ZONING APPEALS
MONDAY, December 27, 2022

Fred Seehase called the regular meeting of the Cass County Board of Zoning Appeals to order at 6:00 PM

Members present: Fred Seehase, Dave Shepler, Stacy Odom and Bob Barrett, and Randy Pryor

Members absent:

Staff present: Jamey Harper, Arin Shaver, Jamie Moore

Public in attendance: See sign in sheet

Reorganization of the Board

President - Fred Seehase

Vice President – Dave Shepler

Secretary – Bob Barrett

ACTION ON MINUTES:

Minutes of November 28, 2022 were presented. Mr. Seehase made a motion to approve the minutes, Mr. Barrett seconded the minutes were approved.

Mr. Seehase asked if any Board members have been in contact with the petitioners, advocates or opponents in regard to today's cases, all others replied no

Mr. Seehase swore in all in attendance.

PUBLIC HEARING:

CCBZA #22-10: The petitioner of Brice & Abigail Miller for a Use Variance and various variances to allow a retail business for a gun shop. The property is located at 4020 S CR 650 W. Logansport, IN and is zoned AG, Agriculture.

Mrs. Harper located the property and explained the following: The Petitioner is requesting a Use Variance to allow for a retail shop to sell firearms at the residence. The business is proposed to be in an outbuilding that will be built.

Mr. Seehase asked the Petitioner to step towards the microphone and state your name and address for the record; Brice Miller 4020 S CR 650 W Logansport, IN 46947.

There was a discussion regarding where is the septic located, and where the parking lot would be located. There is a variance for the buffer yard, Level 4 buffer, 3 evergreens and 2 deciduous shrubs, and fence. The property is surrounded by woodland, so there will not be a buffer yard needed.

Ammunition will be sold at this shop. No lighting proposed at this time. There will be a sign in the window and hours of operation will Thursday, Friday, Saturday 8am-5pm & Sunday 1pm-5pm. Starting out, there will be only 1 employee, (himself). There will be a lesser setback. Minimum front yard setback is 50 feet. Side yard Setback is approximately 35 ft. with a variance of 15 ft.

Fred Seehase asked the Board and public if there are any more questions. There were none

Fred Seehase asked if there were any written correspondence, there were none.

Mr. Barrett read the conditions of approval:

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.

Commitments of approval:

1. That the approval stays with the current property owner only.

2. That there be no exterior indication of the use other than a sign.

The petitioner agreed to these conditions and commitments of approval.

Mr. Seehase motioned that to bring case # 22-10 to a vote, Mr. Barrett second the motion. The Findings of Fact were completed. The CCBZA #22-10 was approved.

Mr. Seehase explained the appeal process.

CCBZA #22-11: The petition of Fourway Computer Products, Inc. for a Special Exception of an internet tower. The property is located at Washington ST. (by the old grain elevator)

Mrs. Harper located the property and explained the following: The petitioner is proposing to install an internet tower in the AB, Agribusiness District.

Mr. Seehase asked the Petitioner to step towards the microphone and state your name and address for the record; Roland Houin, 51061 North SR 933 South Bend In 46637

There was a discussion regarding how the tower would be stabilized and if the tower would affect any of the neighboring properties.

Fred Seehase asked the Board if there are any more questions. There were none
Fred Seehase asked if anyone in the public had any questions, there were none.

Fred Seehase asked if there were any written correspondence, there were none.

Mrs. Harper read the conditions of approval:

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.

Commitment of Approval

1. That a band be put around the top of the silo.
2. That anchor bolts go through the wall with anchor plates.

The petitioner agreed to these conditions and commitments of approval.

Mr. Seehase motioned that the Board bring Case #22-11 to a vote. Mr. Pryor seconded the motion and roll call vote was approved by Mr. Prior, Mr. Shepler, Mr. Seehase, Mr. Odom, Bob Barrett recused himself. The Findings of Fact were completed. The CCBZA #22-11 was approved.

Mr. Seehase explained the appeal process.

REPORTS: Annual Report 2022
Work Program 2023

OLD BUSINESS: None

NEW BUSINESS: None

There being no further business to be brought before the Board, the meeting was adjourned at 7:02 PM, December 27, 2022.

Bob Barrett

CCBZA Officer

[Signature]

CCBZA Officer

Jamie Moore

Jamie Moore, Recording Secretary