

MINUTES
CASS COUNTY BOARD OF ZONING APPEALS
MONDAY, December 17, 2012

Richard Fife called the regular meeting of the Cass County Board of Zoning Appeals to order at 7:02PM in the Commissioners Hearing Room on the 2nd floor of the Cass County Government Building.

Members present: Dick Fife, Fred Seehase, Stacy Odom and Robert Heckard.

Members absent: Bob Barrett and Allen Paschen.

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

Public in attendance: See sign in sheet.

ACTION ON MINUTES:

Minutes of October 22, 2012 were presented. Fred Seehase made a motion to approve the minutes, Robert Heckard seconded the motion and all were in favor.

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

All wishing to speak were sworn in.

PUBLIC HEARING:

CCBZA Case #12-07: A petition of Next Day Container, Inc. requesting a modification to the previously approved Special Exception to allow for the expansion of the Material Recovery Facility. The property is located at 7118 and 7128 W. US 24, Logansport, IN and is zoned B4, General Business.

Chris Gaumer explained that the petitioner wishes to expand the current business onto the adjacent parcel to the west and gave the following information:

- Expansion will be a maximum of 2 buildings, 12,000 sq. ft. each
- Buildings will store tractor trailers and containers
- Existing residence will be converted to the office
- No lighting plans were submitted
- No signage plans were submitted
- Hours of operations: 2 shifts; 7:00am – 3:30pm & 3:30pm – 1:30am
- No additional parking proposed
- No additional curb cuts off Highway 24
- Class V buffer requirements: Transplanting evergreens from existing western property line to proposed western property line
- No landscaping buffer will be added to the north, a natural buffer exists, but not on petitioner's property
- Currently 21 employees

Mark Crisswell, 2050 Ricky Road, Monticello, stated that he will store the items in the tractor trailers in the buildings, not the trailers themselves. Mr. Crisswell stated that the buildings will be constructed between 3 – 5 years. Mr. Crisswell explained that at this time, he does not own the property; purchasing the property is contingent on this board's approval of this petition.

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

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

Arin Shaver reminded that board that they were approving the use of the land and any signage will need to be presented to the Zoning Administrator for approval. Mr. Fife questioned when the trees will be moved and Mr. Crisswell stated he wants to have them moved this spring, before the buildings are built. Mr. Seehase suggested a 1 year time limit for the trees to be moved. Mr. Fife asked for further questions from the board or public, there were none. The findings of fact were completed by the board. 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.
4. That the proposed sign be reviewed by the Zoning Administrator, approved and the appropriate fees be paid before installation.

The following commitment of approval was read:

1. That all landscaping buffers, both natural and man-made, be moved and maintained within 1 year from this date.

Petitioner agreed to these conditions. Stacy Odom made a motion to bring this petition to a vote; motion was seconded by Mr. Seehase. Roll call vote was unanimous to approve CCBZA #12-07.

CCBZA #12-08: A petition of Carmen Leffert requesting a Use Variance to allow for a Reception Hall. The property is located at 2527 N. 925 E. Logansport, IN and is zoned AG, Agricultural.

Mr. Gaumer explained that this will be a venue only; catering and kitchen facilities are not provided and stated the following information:

- This area will also be utilized as an active farm also
- Each events will not exceed 150 persons
- Existing security lights, no additional
- Future freestanding sign, 2'X8' south of driveway is proposed
- Hours of operations 9:00am – Midnight
- Proposed parking area is 200' X 250', 150 spaces, not to be paved, exceeds ordinance
- Access to parking area is existing off 925 East
- Existing landscape buffer to the south and southwest
- No additional buffer to north or northwest – this is an active farm
- Maximum of 4 employees

Carmen Leffert, 5564 E. 100 N. explained that she wishes to provide a rustic family reception hall & event facility from May through September. Mrs. Leffert explained that customers would be able to utilize the nearby pond for wedding ceremonies or other events also.

Mr. Fife asked for questions from the board, there were none. Mr. Fife asked for questions from the public or correspondence, 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.

4. That the proposed sign be reviewed by the Zoning Administrator, approved and the appropriate fees be paid before installation.

Petitioner agreed to these conditions. The board completed the findings of fact. Fred Seehase made a motion to bring this petition to a vote. Robert Heckard seconded the motion and roll call vote was unanimous to approve CCBZA #12-08.

Mr. Seehase made a motion to adopt the majority findings of fact, Mr. Heckard seconded the motion and all were in favor.

REPORTS:

None

OLD BUSINESS:

None

NEW BUSINESS:

None

There being no further business to be brought before the Board, the meeting was adjourned at 7:40 PM, Dec. 17, 2012.

CCBZA Officer

CCBZA Officer

Peggy Dillon, Recording Secretary