

MINUTES
CASS COUNTY BOARD OF ZONING APPEALS

Monday August 27, 2012

6:00 P.M.

Richard Fife called the meeting of the Cass County Board of Zoning Appeals to order at 6:00 p.m. in the Commissioners' Hearing Room on the 2nd floor of the Cass County Government Building.

ROLL CALL:

Members present: Richard Fife, Fred Seehase, Bob Barrett, Rob Heckard and Stacy Odom.

Members absent: Allen Paschen

Staff Present: Arin Shaver, Chris Gaumer and Peggy Dillon

Public in attendance: Mike Martin, Mark Mattox and Pat McNarny

ACTION ON MINUTES:

A motion was made by Fred Seehase to approve the minutes of June 27, 2012 as presented. Motion was seconded by Bob Barrett and all were in favor.

Mr. Fife asked if any of the members were in contact with the petitioners, advocates or opponents in this case, all stated that they had not.

Staff informed the Board that proof of notification had been met in this case.

Mike Martin was sworn in.

PUBLIC HEARING:

CCBZA Case # 12-04: A petition of Bethlehem United Methodist Church requesting a Variance from Developmental Standards to not allow for a parking lot to be paved and not allow for a landscaped buffer, as required by ordinance. The property is located at 6688 E. CR 625 N. and is zoned AG, Agricultural.

Mr. Gaumer sited the location of the church and proposed addition along with the following information:

- Addition will be approximately 6000 sq. ft. to existing church
- Parking will be east of the church
- Variance - Not to pave the parking area
- Variance - Not to provide lighting to parking area
- Variance - Not to provide landscape buffer
- Variance - Not to provide landscaping within parking area
- Access exists off 652 N.
- 60 parking spaces are conforming

Mr. Gaumer explained that to the east is a dense wooded area, to the south is a cemetery and to the west is a large lawn area, and so the petitioner is requesting no additional landscaping.

Fred Seehase questioned the lighting.

Mike Martin, Bethlehem UMC trustee, stated that security lighting is located by the pavilion and lights up both ways.

Mark Mattox, was sworn in, stated that an additional security light will be added on the south end of the new addition.

Mr. Martin explained that 6 handicap parking spaces will be installed, conforming to standards. Mr. Seehase questioned how far away the nearest neighbor was, Mr. Martin stated 600 – 700 ft. Mr. Fife asked for further questions from the board, there were none. Mr. Fife asked for written correspondence on this issue, there was none. Secretary Bob 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.

Mr. Martin agreed to these conditions.

The findings of fact were completed by the board. Mr. Seehase made a motion to approve this petition. Rob Heckard seconded the motion and roll call vote was unanimous to approve#12-04.

REPORTS

None:

OLD BUSINESS

None

NEW BUSINESS

Bylaw Revisions: Mrs. Shaver explained that the following revisions reflect state code changes as well as staff changes:

1. 102 - Delete Robert's Rules of Parliamentary Law
2. 401 - Appeals of Hearing Officer decision within 5 days
3. 406 - Certificate of Mailing instead of Certified Mailings
4. 506 - Recusals for biased or prejudiced reasons are acceptable.
5. 605 - Commitments must be signed by petitioner, not the property owner
6. 606 - Adverse decisions be appealed with Circuit Court within 30 days

Mrs. Shaver asked the board to review these changes. The board will vote at the next meeting.

There being no further business to be brought before the Board, the meeting was adjourned at 6:30 PM on August 27, 2012.

Richard Fife, President

Bob Barrett, Secretary

Peggy Dillon, Recording Secretary