

MINUTES
CASS COUNTY BOARD OF ZONING APPEALS

Monday January 23, 2012

6:00PM

Richard Fife 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:

Members present: Richard Fife, Fred Seehase and Bob Barrett.

Member absent: Robert Heckard. (One member yet to be appointed)

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

Staff absent: Jeff Stanton.

Public in attendance: Tammy and Michael Glassburn.

ACTION ON MINUTES:

Minutes of October 24, 2011 were approved as presented.

Staff informed the Board that proof of notification had been received.

Mr. Fife asked if any members have been in contact with the petitioner, advocates or opponents of this petition, all said they had not.

All wishing to speak were sworn in.

PUBLIC HEARING:

CCBZA Case #12-01: A petition of Michael Glassburn requesting a Use Variance to allow a retail trade of no more than 1000 square feet, which is not a permitted use by ordinance. The property is located at 1431 S. CR 700 E. and is zoned AG, Agricultural.

Mr. Gaumer sited the location and gave the following points:

- ✓ Petitioner will be opening a small gun-smithing shop in his garage.
- ✓ This use is classified as retail, not allowed in AG
- ✓ Access to site will be from CR 700 E.
- ✓ Existing gravel parking area in front and back of garage.
- ✓ 1 parking space is required, 5 spaces will be available.
- ✓ No change in current landscaping/buffer.
- ✓ 5" X 12" sign installed on door of garage.
- ✓ No additional lighting will be installed.

Michael Glassburn spoke of the history of this gun shop and that he is now open on Wednesday. Mrs. Shaver asked if he will be open at any other times and Mr. Glassburn stated that in the future he may be open all week, 9:00am – 5:00pm Monday through Friday.

Mrs. Shaver questioned the amount of customers at one time and explained that this petition is presented as cottage industry form which permits only 4 customers at one time. Mr. Glassburn agreed that he will have no more than 4 customers at one time. Mrs. Shaver stated that this will be recorded as a written commitment.

The board questioned where the test firing will be conducted. Mr. Glassburn stated the guns will be fired into a large dirt pile and also at a pond on their 25 acres. Mrs. Shaver explained that a firing range is not permitted for public use.

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 no more than 4 customer vehicles on site at one time.

Petitioner agreed to these conditions.

Fred Seehase made a motion to bring this Use Variance to a vote. Bob Barrett seconded the motion and roll call vote was unanimous to approve CCBZA #12-01.

ELECTION OF OFFICERS:

Mr. Fife explained that election of officers will be postponed until next meeting due to new members yet to be appointed.

REPORTS:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

Services Rendered.

Resolutions for services rendered were approved for Tom Steinberger and Robert Hopper.

There being no further business to be brought before the Board, the meeting was adjourned at 7:38 on January 23, 2012.

Richard Fife, President

Secretary

Peggy Dillon, Recording Secretary