

**MINUTES**  
**CASS COUNTY BOARD OF ZONING APPEALS**  
**Tuesday May 28, 2013**  
**6:00PM**

Dick Fife called the regular meeting of the Cass County Board of Zoning Appeals to order at 6:05 PM in the Commissioners Hearing Room on the 2<sup>nd</sup> floor of the Cass County Government Building.

**ROLL CALL:**

Members present: Dick Fife, Fred Seehase, Bob Barrett, Robert Heckard and Allen Paschen

Member absent: None

Staff present: Chris Gaumer and Peggy Dillon

Public in attendance: See sign in sheet.

**ACTION ON MINUTES:**

Minutes of April 22, 2013 were presented. Fred Seehase motioned to approve. Robert Heckard seconded the motion and all were in favor to approve minutes as presented.

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

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 #13-04: A petition of Scott's Square LLC requesting a Special Exception to allow for a Truck Stop & Service Center. The property is located at 3047 W. 300 S. Logansport, IN and is zoned AB, Agribusiness.

Brad Rozzi, attorney for the petitioner, stated that Mr. Scott has purchased 15 acres east of the ethanol plant and wishes to construct a truck stop & service station and that he has met several times with the planning staff to discuss this petition.

Adam Scott, 3527 N. 925 E., explained that he wishes to have a truck stop with fueling stations, a truck wash and a restaurant with 2 shifts of 15 employees.

Mr. Fife questioned the lagoon to be constructed.

Mike Kingery, 659 N. 500 E. Flora, IN, project engineer, explained that a couple of 5000 gallon tanks will be inside the building for the flush water from the trucks. This water will have the solid wastes separated out, the water will then be sent to the lagoon area, and will be re-cycled for the initial flush of the trucks. Mr. Kingery stated that the lagoon will be located on the south end of the property and the solids waste and wood shaving will be hauled off each day. Mr. Kingery stated a concrete structure will be built outside at the end of the building to store the solid wastes until they are hauled away.

Mr. Kingery explained the traffic flow and the parking areas; main drive is on the north side, fueling to the west, exit to the southwest.

Mr. Scott stated that all state and local permits will be submitted along with design plans of the property.

Mr. Kingery stated that 5 exterior lights are proposed and signage will be within zoning requirements.

Mr. Fife questioned the landscaping to be done and Mr. Kingery stated it will be done within zoning requirements.

Mr. Kingery explained the parking: 40 spaces for light duty vehicles and 22 spaces for tractor trailers, meets requirements. Mr. Kingery stated the main drive and parking areas for light duty vehicles will be paved and tractor trailer parking and service bays will be gravel.

Chris Gaumer, staff, entered the meeting at 6:31pm.

Mr. Gaumer explained that a variance is needed for the island landscaping that the petitioner wishes to exclude and a variance to gravel the trailer truck parking area; requirements are to asphalt any parking over 20 spaces, unless the area is treated with a durable product to control dust. Mr. Kingery stated the graveled area will be treated with calcium chloride for dust control. Mr. Gaumer stated that a variance will not be required if the area is treated.

A discussion of the landscaping followed. Mr. Rozzi requested that landscaping requirements be waived. The board questioned the lagoon, Mr. Scott stated that it would be fenced; grass and large gravel would be installed. The board requested some evergreens on the south side of the lagoon that would face the highway. Mr. Scott agreed to install 10 evergreens in this area.

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

Mr. Fife asked for further questions or comments, 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 codes be met, State building permits be obtained and proof be given to the Zoning Administrator.

These commitments were read:

1. That the area not to be paved be treated with a product to be durable and dustless.

Petitioner agreed to these conditions and commitments.

Allen Paschen made a motion to approve this Special Exception. Bob Barrett seconded the motion and roll call vote was unanimous to approve #13-04. Fred Seehase made a motion to approve the variance to exclude landscaping islands for the truck parking area from requirements. Robert Heckard seconded the motion and roll call vote was unanimous to approve the variance for landscaping islands. Mr. Seehase motioned to approve the variance to waive buffer yard requirements but to keep the requirement of 10 or more shrubs to be installed along the lagoon at State Road 25. Allen Paschen seconded the motion and roll call vote was unanimous to approve the variance to for the buffer yard.

#### **REPORTS:**

None

#### **OLD BUSINESS;**

None

#### **NEW BUSINESS:**

None

There being no further business to be brought before the Board, the meeting was adjourned at 6:57 PM on May 28, 2013.

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Officer, CCBZA

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Peggy Dillon, Recording Secretary