

MINUTES
CASS COUNTY BOARD OF ZONING APPEALS
MONDAY, September 26, 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

Members absent: Jim Donato, Randy Pryor

Staff present: Jamey Harper, Arin Shaver, Jamie Moore

Public in attendance: See sign in sheet

ACTION ON MINUTES:

Minutes of August 22, 2022 were presented. Mr. Odom made a motion to approve the minutes, Mr. Barrett seconded the motion and all were in favor.

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 #22-05: A petition of Rick Rookstool for a Special Exception to expand Tall Sycamore Campground. The property is located at 355 S County Road 600 E and is zoned AG, Agriculture.

Mrs. Harper located the property and explained the following: The Petitioner is requesting a Special Exception to expand the existing campground.

- Recreational Vehicle Parks/ Campgrounds are only allowed in AG, B4, AB, and I1 with a Special Exception.
- All of the RV sites are 30'X60'.
- 30 full hook up additional sites proposed.

Recreational Vehicle Park/ Campgrounds must meet the following standards:

- Recreational vehicle park and campgrounds shall have direct access to a public street with sufficient frontage thereon for the proper construction of entrances and exits.
 - There is access from 600 E.
- Conditions of soil, ground water level, drainage, geologic structure, and topography shall not create hazards to the park site or to the health and safety of occupants, nor shall the site be subject to the hazards of objectionable smoke, odor, or noise, or the possibility of subsidence, sudden flooding, or severe erosion.
- The minimum area of a recreational park or campground shall be three acres.
 - The entire property is approximately 29+ acres.
- The density of a park shall not exceed 17 recreational vehicles or camping spaces per acre of gross site area.
- Recreational vehicles and camping spaces shall be separated from each other and from other park structures by at least 10 feet.
 - Each space is proposed to be 30' X 60' allowing for 10 feet of separation.
- In addition to complying with any required side or rear yard requirements of the district in which the park is located:
 - No recreational vehicle or camping space shall be nearer than 50 feet to the right-of-way line of a highway or street.
 - The new camp spaces will be setback from 600 E at least 300 feet with a property in between.
 - Where the boundary line of a recreational vehicle park coincides with that of a residential district, a yard of at least 25 feet shall be provided for a camping space.

In Agricultural District, food stores, restaurant, sporting good stores, laundromat, and similar convenience and service shops shall be permitted in recreational vehicle parks and campgrounds which contain 50 or more spaces provided:

- Such shops and the parking areas required by their use shall not occupy more than 10% of the total area of the park.
- The use of such shops shall be solely by occupants of the park
- Such shops shall be located or designed within the park to present no visible evidence of their commercial nature to persons outside the park.
- Management offices and storage, playground and picnic equipment, sanitation and laundry facilities, informational signs, and other structures customarily incidental to a recreational vehicle park or campground shall be permitted as accessory uses.

- These facilities already exist with the campground.
- All applicable regulations of the Board of Health shall be met.
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Lighting: Lighting devices which produce objectionable direct or reflected glare on adjoining properties or thoroughfares shall not be permitted.

- Proposing 2-3 more security lights based on LMU recommendation.
- Petitioner had a consultation with LMU and Small's Electrical about the lighting and electrical install for the additional sites.

Signage: Proposes to use existing signage.

Hours of Operation: Existing Hours

- Office Hours: 9 am – 7 pm Monday – Sunday (Campground open 24 hours, 7 days a week)

Parking/ Access: Classification A – 2 per dwelling unit or pad or campsite plus 1 per home occupation

- The campsites are big enough for 2 parking spaces.

Landscaping/ Buffer yard: No buffer proposed.

- *The Board should note that the typically this type of use would require the following buffer class; Buffer Class D – Level 5: minimum 10' buffer consisting of 2 deciduous shrubs, 4 evergreens, and a fence.*

VDS: 10' buffer of 2 deciduous shrubs, 4 evergreens, and a fence.

- *Staff recommends that the Level 5 buffer be required at the western property line along the new road and camping spaces.*

Number of Employees: 7 “employees” currently

Mr. Seehase asked the Petitioner to step towards the microphone and state your name and address for the record; Rick Rookstool, 3713 Rochester Hills Michigan. Mr. Rookstool stated the property is an existing RV property on 29 acres with 115 sites currently, the park is approximately 51 years old. We have met all state requirements. We have a small store and laundry area with three washers and dryers. We propose to add an additional 30 sites to the west end, and will meet all setbacks and requirements. Later coming back to the board discussing an additional 90 more sites. Board determined to just review the proposal for up to 120 sites. All roads are one-way roads except for the entrance road that is 24 ft.

Fred Seehase asked the Board if there are any more questions, no other questions were asked.

Fred Seehase asked if anyone in the public had any questions, Mr. Dee Gregory stepped forward. Dee Gregory represents the Coppernoll's property which borders the Tall Sycamore Campground. His concerns were people coming over to the Coppernoll's property possibly getting hurt. The manager, Wendy Oak of the Tall Sycamore campground stated that there are trees blown down to help keep people from entering the Coppernoll's and if Mr. Gregory would happen to have anymore problems to notify them immediately.

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 western level 5 buffer yard be maintained and extended to the north.
2. That if future lighting is a concern the petitioner will work with staff.

The petitioner agreed to these conditions and commitments of approval.

Mr. Odom motioned that to bring case # 22-05 to a vote, Mr. Barrett second the motion. The Findings of Fact were completed. The CCBZA #22-05 was approved.

Mr. Seehase explained the appeal process.

CCBZA #22-06: A petition of Dolly Daugherty for a Variance of Developmental Standards to move a mobile home that is older than 20 years to a new property. The property is located at 9034 W County Road 100 N Logansport, IN and is zoned AG, Agriculture.

Mrs. Harper located the property and explained the following: The Petitioner is requesting a Variance from Development Standards to allow the placement of a mobile home that is older than 20 years old.

ANALYSIS: The petitioner is requesting a Variance from Developmental Standards to allow the placement of a mobile home that is older than 20 years old. The petitioner is wanting to move the home to her property.

- The home in question is 26 years old.
- It is a 1996 Auburn mobile home that is 16' X 80'.
- The previous occupants just recently moved out.
- Proposing a normal mobile home "foundation".

Definition - Mobile Home: A Pre-manufactured structure, often constructed of metal, that is designed to be transported to a site and semi-permanently attached. Mobile homes can be single or double wide and are designed to be used as a year-round residential dwelling. All homes must have a title and be newer than 20 years old, as indicated by the serial number issued by the State of Indiana, to be considered conforming to this Ordinance. A mobile home shall be installed in conformance with the Indiana One- and Two-Family Dwelling Code. This definition shall not include motor homes or RV's.

- *The Board should note that the home is in good condition.*
- *The petitioner meets all other Developmental Standards.*
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Mrs. Harper stated that the septic system is permitted and installed.

Mr. Seehase asked the Petitioner to step towards the microphone and state your name and address for the record; Dolly Daugherty 9034 W County Road 100 N Logansport, IN. Miss Daugherty is wanting to put a 1996 mobile home on her property. Mr. Odom asked if she was opposed to having the electrical inspected, Miss Daugherty replied that she would have it inspected by a licensed electrician.

Fred Seehase asked the Board if there are any more questions, Mr. Prior asked if there were any mobile homes there before on that property, Miss Daugherty said yes, several years before. Mr. Odom asked if there had been any electrical inspections done to the home, Miss Daugherty replied back with no there had not.

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.

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.
4. The mobile home needs to be inspected by a licensed electrician before a permit is issued to make sure it meets current codes.

The petitioner agreed to these conditions and of approval.

Mr. Odom motioned that the Board bring Case #22-06 to a vote. Mr. Barrett seconded the motion and roll call vote was approved by all. The Findings of Fact were completed. The CCBZA #22-06 was approved.

Mr. Seehase explained the appeal process.

REPORTS: None

OLD BUSINESS: None

NEW BUSINESS: Hearing Officer Minutes Case 22-04

Rose Clem, 6987 W. Georgetown Rd. Logansport, IN 46947. Rose Clem gave her neighbor some property to straighten up her property line, which creates less acreage than allowed by ordinance.

Mr. Seehase motioned to bring this case to a vote. Mr. Barrett seconded the motion. Roll Call Vote was a unanimous vote to approve CCBZA #22-04.

PUBLIC IN ATTENDANCE:

See Sign in sheet

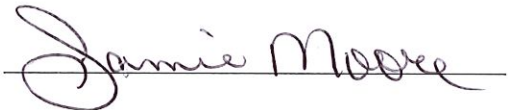
There being no further business to be brought before the Board, the meeting was adjourned at 6:29 PM, August 22, 2022.



CCBZA Officer



CCBZA Officer



Jamie Moore, Recording Secretary