

MINUTES
CASS COUNTY BOARD OF ZONING APPEALS
MONDAY, October 25, 2021

Fred Seehase 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.

Members present: Fred Seehase, Stacy Odom, Dave Shepler and Randy Pryor

Members absent: Bob Barrett and Jim Donato, Alternate

Staff present: Jamey Harper, Arin Shaver, and Brooks Ledger, County Attorney

Staff absent: Peggy Dillon

Public in attendance: See sign in sheet

ACTION ON MINUTES:

Minutes of July 26, 2021 were presented. Mr. Odom made a motion to approve the minutes, Mr. Pryor 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 said they had not.

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

Mr. Seehase swore in all wishing to speak.

PUBLIC HEARING:

CCBZA #21-08: A petition of Aaron Collins requesting a Special Exception and various Variances from Development Standards to allow a commercial garage. The property is located at 10191 E. SR 218, Walton and is zoned AG, Agricultural.

Mrs. Harper located the property and gave the following information:

- To operate a commercial garage from his residence
- The building is existing
- Sand blasting and painting will be done here
- A professional paint booth will be installed; this will have to meet state codes
- Security lights will be 18ft high
- Signage is 1 wall sign, 4' X 8' steel & vinyl and 1 free standing monument sign 5' X 10' steel & vinyl, minimal lighting; variance is needed for the amount of signage
- Hours of operation: Monday – Friday 6am - 8pm; Saturday 8am – 4pm
- 2 drives to access the property
- Access is the existing driveway; 3 parking spaces are provided
- No additional buffer is proposed; variance is needed
- 1 employee currently; proposing no more than 5 employees in the future

Mr. Pryor asked which building the business is located and if Mr. Collins will go back and forth between the buildings.

Aaron Collins, 10191 E. SR 218, located the business and stated he will not go back and forth between building on his property.

Mr. Pryor questioned vehicles awaiting repair. Mr. Collins stated they will be on the northwest side, possibly 2 vehicles.

Mrs. Shaver stated the sign should be a minimum of 10ft. from the road.

Mr. Seehase asked for further questions from the Board, there were none.

Mr. Seehase asked for questions from the public, there was none.

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

The following conditions were read:

1. That all proposals 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.

The Commitments were read:

1. That the commercial garage only be allowed for paint and sandblasting; no other business allowed.
2. That no more than 5 vehicles awaiting repair.
3. That no oil, tires, parts, debris etc. be stored outside at any time.
4. That any waste be disposed of properly.

The petitioner agreed to these conditions and the commitments.

Mr. Seehase asked for further questions, there were none.

The Board completed findings of fact for the Special Exception and for the Variances for the buffer yard and for signage.

Mr. Odom motioned to bring this case to a vote. Mr. Pryor seconded the motion.

The Findings of Fact were completed.

Roll call vote was unanimous to approve CCBZA #21-08.

Mr. Seehase explained the appeal process.

CCBZA #21-09: A petition of Twelve Mile Community Building requesting a Variance from Development Standards to allow for an electronic message center sign. The property is located at 7913 E. SR 16, Twelve Mile and is zoned AG, Agricultural.

Mrs. Harper explained the location and gave the following information:

- The petition is for an electronic message center in an AG district; variance needed
- Sign will be 41.656 sqft; variance is for 17.65 sqft
- Sign to be 15 ft from the road; conforming
- Proposing sign to be 15 ft. from the road; conforming
- Width of sign to be 6'9"; conforming
- The sign to be at 1% or less of total brightness after dark; variance is to allow the sign to be on after 11:00pm
- Dimmer on sign is proposed

Mrs. Harper presented the standards for electronic signage for the City of Logansport.

Lauren Overmyer, 10625 SR 10 Argus, IN, stated that the sign will be located totally within the property, approximately 20 ft. from the road.

Mr. Odom explained that he wishes the sign to be at least 5ft from the easement; with the concern of future road developments.

Ms. Overmyer asked if the signage be on at all times and if there be complaints, she would work with staff. Mrs. Shaver explained that if problems arise, the sign could be turned off from 11:00pm – 6:00am petitioner agreed.

Mr. Seehase asked for further questions from the Board, there were none.

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

Mr. Seehase asked for written commitments, there was none.

The conditions of approval were read:

1. That all proposals 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 sign be placed an additional 5 ft from the property line and within a landscaped area.

The Commitments were read:

1. That if the Electronic Message Center sign becomes a concern, the petitioner work with staff; if a solution cannot be made, the sign come back to the Board of Zoning Appeals. If a concern arises further, the sign be shut off from 11:00pm – 6:00am

The petitioner agreed to the conditions and commitments.

Mr. Seehase asked for further questions, there were none.

Mr. Shepler motioned to bring this case to a vote. Mr. Pryor seconded the motion and roll call vote was unanimous to approve CCBZA #21-09.

Mr. Seehase explained the appeal process.

REPORTS:

None

OLD BUSINESS:

None

NEW BUSINESS:

None

PUBLIC IN ATTENDANCE:

No one spoke to the Board.

There being no further business to be brought before the Board, the meeting was adjourned at 6:44 PM, October 25, 2021.



CCBZA Officer



CCBZA Officer



Peggy Dillon, Recording Secretary

CASS COUNTY BOARD OF ZONING APPEALS

PLEASE SIGN IN

10/25/2021

PRINT NAME

ADDRESS

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|----|------------------|--|
| 1 | George L Staller | 9702 E 550N, Peru, In 46970 |
| 2 | LORA Redweik | 5524 N WOOD E TRM . |
| 3 | Jeanna Paschen | 4407 E 650N Twelvemile |
| 4 | Allen Paschen | 4407 E 650N Twelwe Mile |
| 5 | AARON COLLINS | 10191 E STATE RD 218, WALTON, IN 46994 |
| 6 | LAUREN Overmyer | 10625 St Rd 10 Argos, IN 46501 |
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