

Minutes
Cass County of Zoning Appeals
Monday March 27, 2023

Fred Seehase called for the meeting of the Cass County Board of Zoning Appeals to order at 6:01 PM

Members Present: Bob Barrett, Fred Seehase, Randy Pryor

Members absent: Dave Shepler, Stacy Odom

Staff present: Arin Shaver, Ashley Rowe

Public in attendance: See sign in sheet

ACTION ON MINUTES:

Mr. Seehase asked if any changes or corrections: Mrs. Shaver responded to amend Mr. Pryor's last name to be spelled correctly.

Minutes of December 27, 2022 were presented. Mr. Seehase made a motion to approve as amended the minutes, 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 asked if proper notification has been made and do we have proper verification in all cases on today's docket? Mrs. Shaver stated that the petitioner needs to provide the affidavit so there will be a condition of approval, that the affidavit would be provided to the Planning Department Office.

Mr. Seehase swore in all in attendance.

PUBLIC HEARING:

CCBZA # 23-01 The petitioner of Michael Jones for a Use Variance and a Various Variances from developmental standards to allow mini-warehouses on the property. The property is located at 3221 E State Rd. 218, Walton IN 46994 and is zoned AG, Agricultural District.

Mrs. Shaver located the property and explained the following: The petitioner is proposing to use large storage/shipping containers as the storage units. The petitioner is proposing to have 10 storage units. The petitioner wants to place the storage units at the rear of the property. The security light would be 14 ft in height and located on top of the storage units, and if the lighting would become an issue that the petitioner would work with the Planning Department to resolve that issue. There would be 1 sign (double sided) 36 sqft, metal material would be placed 20 ft from St. Rd. 218, and no lighting proposed for that sign. The hours of operation would 24 - hour access, and there will be 1 employee. The parking would be existing gravel drive and access to the units. The drive is approximately 16ft wide, and no buffer yard is being proposed. The Various variance would be 4 evergreens, 2 deciduous shrubs, and fence.

Mr. Seehase asked the Petitioner to step towards to the microphone and state your name and address for the record; Michael Jones 3221 Estate Rd. 218, Walton IN 46994.

Mr. Seehase asked the petitioner if he had anything else to add, he stated no.

Mrs. Shaver asked if there was going to be any security measures other than lighting? The petitioner stated he was going to have cameras, also with using his drive he would be able see who is coming and going. Mr. Pryor asked if he was the only employee and if he was going to be there 24/7. The petitioner stated he is the only employee and that he would not be there all the time, that is why he would have cameras. Mrs. Shaver asked if there would be keys for each container. The petitioner stated that there would a padlock that the customers would put on the units. Mr. Barrett asked what would be allowed to be stored in the units. The petitioner stated that it would be like any other storage container. Mr. Barrett asked about the height of the sign. The petitioner stated he will have the sign at 8 ft high.

Mr. Seehase asked the Board and public if there are any more questions. Joe Shidler (From the audience) asked if there would be electricity to the units, also stated he wants to be good neighbors, but he feels that storage units would look like a semi-trailer junk yard, and doesn't feel it's a good project. The petitioner stated he would paint them all the same color so it would look good. The petitioner doesn't want it to look like a hodge-podge. Mrs. Shaver asked if he knew what color, he stated wasn't sure. Mrs. Shaver suggested a neutral color. Cameron Cummings stated that he has two concerns. One would be his property value, and the other would be too much traffic, his kids swing set is close to the petitioner's property where the storage units would be. He doesn't like the idea of having all that extra traffic in the area at all times of the night. Debbie Baker stated concerns regarding safety for the kids in the neighborhood with people coming and going all the time. Cameron Cummings asked about the gravel in the area. Mrs. Shaver went over where the gravel would be, and that there would be a 15 ft space between the property line and the storage units. Mrs. Shaver stated that this is a special approval for this use, so any changing he would make, he would have to come back to this board to do the same process. Julie Berlet asked if there would be a fence. The petitioner said that he would put up a fence if they felt that was going to be an issue.

Mr. Seehase asked if there were any written correspondence: The Secretary, Bob Barrett read the correspondence to the board and public.

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. That an affidavit would be provided to the Planning Department before issuing a building permit.

Commitments of Approval

1. That if lighting becomes an issue, the petitioner will work with the Planning Department to resolve the issue.
2. That the Use stays with the current owner only.
3. That a 6 ft Chain link fence be built around the storage units.

Findings of Fact for Case #23-01 were completed.

Roll Call Vote was given for the Use Variance: all disapproved

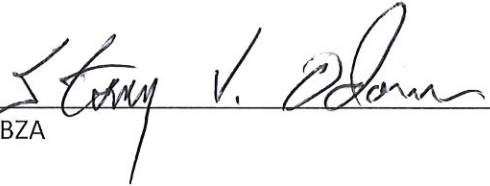
Roll Call vote was given for the Various Variances: all disapproved. The CCBZA # 23-01 was denied

Mr. Pryor motion to adjourn, and Mr. Barrett second the motion.

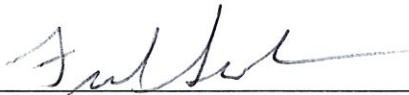
Mr. Seehase explained the appeal process.

Reports: None
Old Business: None
New Business: None

There being no further business to be brought before the Board, the meeting was adjourned at 6:30 pm.



CCBZA



CCBZA Officer



Jamie Moore, Recording Secretary

