

MINUTES
CASS COUNTY BOARD OF ZONING APPEALS
MONDAY, October 19, 2020

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, Bob Barrett, Stacy Odom and Randy Pryor

Members absent: Larry Phipps, Jim Donato, Alternate

Staff present: Eric Servin, and Arin Shaver

Staff absent: Peggy Dillon, Jeff Stanton

Public in attendance: See sign in sheet

ACTION ON MINUTES:

Minutes of June 22, 2020 were presented. Mr. Pryor 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 case, all said they had not.

Staff informed the Board that proof of notification has been met for this case.

Mr. Seehase swore in all wishing to speak.

PUBLIC HEARING:

CCBZA #20-04: A petition of Moss Fertilizer requesting a Special Exception to build a Dry Fertilizer Storage structure in an AG district and various variances from development standards. The property is located at 800 E. Twelve Mile, IN and is zoned AG, Agricultural.

Mr. Servin explained the location and surrounding uses, and then gave the following information:

- The Moss Fertilizer business is directly to the east, across CR 800 E.
- To construct a 80'X 66', 5280 sq. ft. fertilizer facility
- At this location: sales, mixing, storage and distribution of products
- Security lights will be on all 4 sides of building
- No signage is proposed
- Hours of operation: 7:00am – 5:00pm Monday – Friday
- Access will be off CR 800 E ; access approval needed from CC Highway Dept.
- 6 parking spaces are needed and will be on west side of building
- Landscaping is required on side and rear property lines
 - No landscaping is proposed; variance is needed
- 1 - 2 employees will be in this building

Mr. Servin asked for questions, there were none.

Steve Moss, 8414 N. SR 25, explained that they will be farming the land right up to the driveway and is not sure what to do about the landscaping.

Mrs. Shaver questioned where the employees will park, Mr. Moss replied at the current operations, on the east side of CR 800 E. Mrs. Shaver stated there will not need to be a variance for parking.

Mr. Pryor questioned the buffer/ landscaping requirements and Mrs. Shaver stated that this will be a variance since none is proposed.

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

Written correspondence from John and Gale Byrum in support of and established business willing to grow in the area.

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

The Findings of Fact were completed for the Special Exception and variance for buffer yard.

Mr. Pryor motioned to bring both to a vote. Mr. Barrett seconded the motion. Roll call vote was unanimous to approve CCBZA #20-04.

The 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 security lights meet our performance standards section 309.07
2. If future signage be placed that it meets the AG sign standards

The petitioner agreed to these conditions and the commitments.

Mr. Seehase explained the appeal process.

REPORTS:

None

OLD BUSINESS:

Truck Stop:

Mrs. Shaver stated the Heartland Truck Stop has completed planting the 10 trees required. They were not able to get the permit for 2 new buildings until this was done.

Confined Feed Operations:

Mr. Servin stated that all CFOs are in compliant with the buffers that are required.

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 6:18 PM, October 19, 2020.



CCBZA Officer



CCBZA Officer



Peggy Dillon, Recording Secretary