

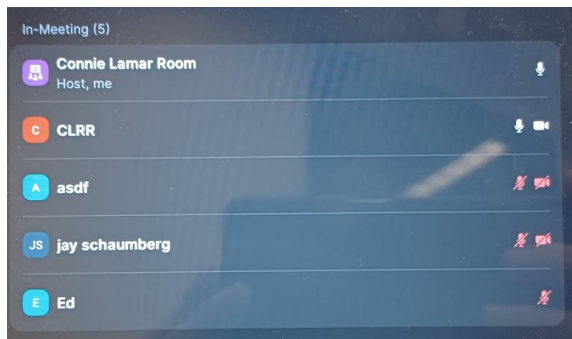
**Boone County Board of Zoning Appeals (BZA)  
February 26, 2025, at 7:00 PM  
Lamar Meeting Room - Boone County Government Building**

**Members Attending:** Brent Henschen, Danielle Morrison and John Merson

**Members Absent:** Sam Mitchell and Jay Schaumberg

**Staff Attending:** Ashley Elliott (Administrative Assistant) and Bob Clutter (Attorney for the Boone County BZA and APC)

**Participants Who Attend on Zoom:**



**A. Administrative Issues**

1. John Merson opened the meeting at 7:00 pm by leading the Pledge of Allegiance. Introductions followed.

2. **Determination of Quorum:** 3 of 5 members present.

**3. Approval of Minutes for January 22, 2025, meeting:**

Danielle Morrison made a motion to approve the minutes from January 22, 2025. Brent Henschen seconded the motion. Motion carried 3-0.

**4. Approval of the Agenda:**

None at this time.

## B. Old Business Public Hearings:

### 1. 24SC-14-269 Gregory Spannan/Jillian Yee/Kent Frandsen; Variance to Have a Small Repair Firearms Business

Attorney Bob Clutter read the staff report.

Attorney Kent Frandsen came forward on behalf of this petition. A neighbor came forward on behalf of this petition and is all for it but doesn't necessarily agree with commitment number 5.

John Merson closed the public hearing and opened it to the board. No questions or issues were raised by Board Members.

Brent Henschen made a motion to approve 24SC-14-269 with the conditions stated in the staff report.

Danielle Morrison seconded the motion. Motion carried 3-0.

STATE OF INDIANA	)		BEFORE THE BOONE COUNTY BOARD OF
	)	SS:	ZONING APPEALS
	)		
COUNTY OF BOONE	)		FILE NO. 24SC-14-269

#### PETITIONERS' VOLUNTARY COMMITMENTS IN SUPPORT OF VARIANCE APPLICATION

Gregory M. Spannan and Jillian Yee ("Petitioners"), who own and reside at the property located at 10891 West State Road 47, Thorntown, Indiana 46071 (the "Property"), hereby make the following voluntary commitments in support of their application for a variance to allow the operation of a gunsmith business as a home occupation on their Property.

If these commitments are approved by the Board, they shall have the full force and effect of law and may be enforced by any current or future neighbor of the Property or the Boone County Area Planning Department.

1. These commitments shall remain in effect as long as Mr. Spannan resides at the Property and is operating a gunsmith business there. Should he relocate from the Property, the BZA's approval for a gunsmith business will automatically end without further order of the BZA. A change in these commitments may only be made by order of the BZA.
2. Services authorized to be performed by Mr. Spannan will be what is commonly referred to as "gunsmithing" as defined in 18 U.S.C § 921(a)(21)(D) and 27 CFR 478.11. He may "receive firearms from a customer for the purpose of repairing, modifying, embellishing, refurbishing or installing parts in or on those firearms. Once the work is completed, the gunsmith returns the firearms and charges the customer for labor and parts." [<http://www.atf.gov/regulations-rulings/rulings/atf-ruling/atf-ruling-2010-10.htm>] The firearms to be worked on by Mr. Spannan will be firearms limited to pistols, rifles and shotguns. No designing or manufacturing of firearms will be allowed. No sales of firearms or ammunition will be allowed on the Property.
3. As a condition of the approval Petitioners seek from this Board, federal law requires the Bureau of Alcohol, Tobacco, Firearms and Explosives to have issued a Type 01 Federal Firearms License to Mr. Spannan. While that license allows the permit holder to engage in more extensive firearms activity than is being sought by this application, Petitioners are voluntarily limiting their activities to those applied for in this proceeding and as permitted by this Board.
4. All gunsmith activities will be conducted solely by Mr. Spannan. He will have no employees working at the Property engaged in gunsmithing.
5. No firearms will be discharged in connection with the operation of the gunsmith business either inside the building or outside on the Property. KMF 2/26/25

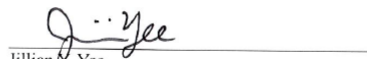
6. No advertising of the gunsmith business will be allowed on the Property.
7. Customer walk-in traffic will be discouraged; customer deliveries or pick up of firearms will mainly be by "appointment only."
8. The building used to host the firearms repair activities and the firearms themselves will be kept secure at all times.
9. Future owner/occupants of the Property will not be permitted to use any approval the Petitioners have received from the BZA or federal authorities for a gunsmith business without formal approval from the BZA after giving notice to the neighbors and the required public hearing.

10. None

11. None

We affirm under the penalties for perjury that the statements and representations set forth above are true and accurate.

  
Gregory M. Spann

  
Jillian Yee

Date: 02/26/25

### C. New Business Public Hearings:

#### 1. 24JA-7M-273 Larry and Sue Utterback Keystone Trust; Special Exception to allow a Minor Residential Subdivision with 3 Lots on Property Zoned Agriculture (AG)

Attorney Bob Clutter read the staff report.

Jeff Utterback came forward on behalf of this petition. A neighbor came forward on behalf of this petition and is all for it and thinks it will bring value to the area.

John Merson closed the public hearing and opened it to the board. No questions or issues were raised by Board Members.

Danielle Morrison made a motion to approve 24JA-7M-273 with the conditions stated in the staff report.

Brent Henschen seconded the motion. Motion carried 3-0.

#### 2. 25MA-14-010 Robert and Lori Tindall; Requesting a Variance to allow an Accessory Dwelling on the Property

Attorney Bob Clutter read the staff report.

Lori Tindall came forward on behalf of this petition. No one else came forward.

John Merson closed the public hearing and opened it to the board. The board members had some questions and concerns, so they recommended to the petitioner to table this so they can get more clarification from the Area Plan Director Deborah Luzier.

Brent Henschen made a motion to table 25MA-14-010 until the March 26, 2025, BZA meeting.

Danielle Morrison seconded the motion. Motion carried 3-0.

#### **D. Reports, Resolutions, Communication & General Discussion**

**1. Director's Announcements:**

None at this Time.

With no further business, Brent Henschen made a motion to adjourn at 7:38pm.  
Danielle Morrison seconded the motion. Motion carried 3-0.