

The regular meeting of the Board of Zoning Appeals was held August 1, 2024, at 7:00 pm in the Public Safety Building located at 500 Quincy Street.

President Cunningham called the meeting to order at 7:00 pm.

ROLL CALL OF MEMBERS:

President Mariah Cunningham	PRESENT
Vice President Alex Knapp	PRESENT
Aron Majic	PRESENT
Joseph Manchin IV	PRESENT
Madelaine Shultz	ABSENT

A motion to excuse Board Member Shultz was made by Board Member Majic, seconded by Board Member Manchin. There was no opposition to the motion.

City Staff Present

Shae Strait, Director of Planning
Carly O’Dell Jones, Assistant Planner

APPROVAL OF MINUTES FROM June 13, 2024:

President Cunningham asked for everyone to read over the previous month’s minutes and look for corrections or additions. A motion was made by Board Member Manchin to approve the minutes and a second by Board Member Majic. The motion passed unanimously.

PUBLIC HEARINGS FOR August 1, 2024:

Old Business: None

New Business:

BZA 24-07 – Raymond W. St. Clair II is appealing a decision made by a code enforcement officer that their residential property, 1038 Owens Avenue, is being used for Outdoor Storage, which is prohibited as a use in the Neighborhood Residential zoning district.

Legal council for the petitioner, John Funkhouser, was in attendance to represent the petitioner. There was some clarification by Planning Director Shae Strait of the topic of this particular appeal case being heard at the BZA, as the appeal covered multiple jurisdictions. The clarification was that this appeal case is appealing the determination that the property is being used for Outdoor Storage. Mr. Funkhouser and the petitioners shared that in regards to the building materials, it has all been cleaned up. They are still working on the building that was noted to be in bad condition,

President Cunningham asked for a motion to close the public hearing. Motion was made by Board Member Manchin and seconded by Board Member Majic. The motion passed unanimously.

President Cunningham outlined that the options for the Board are to reverse, affirm, or modify the decision being appealed.

Planning Director Shae Strait detailed some of the definitions evaluated in the staff report and that the staff recommendation was for the Board to reverse the decision of the code enforcement officer that the property at 1038 Owens Avenue is being used as Outdoor Storage, as it was the determination of staff that the things being stored at the property are in direct correlation with its use as a single-family dwelling.

A motion to reverse the decision was made by Vice President Knapp, seconded by Board Member Majic. A roll call vote was taken as follows:

President Cunningham	FOR
Vice President Knapp	FOR
Board Member Majic	FOR
Board Member Manchin	FOR

Disposition of Past Cases: None

Other Business: None

Adjournment:

President Cunningham asked for a motion to adjourn, made by Vice President Knapp. Motion passed unanimously.

Meeting adjourned at 7:16 pm.