

**MINUTES OF
RENSELAER BOARD OF ZONING APPEALS
Thursday, July 18, 2024 at 6:30 pm CT**

I. Call to Order:

The Rensselaer Board Of Zoning Appeals (BZA) met on Thursday, July 18, 2024 in City Hall Council Chambers. BZA Chairman Stan Haines called the meeting to order at 6:30 PM CT. Building Commissioner, Joshua Davis, was asked to proceed with roll call.

II. Roll Call:

Present: Chairman Stan Haines, Vice-Chair Sean Cawby, Secretary Rob Dobson, Craig Hewitt, Chad Gutwein, Attorney Todd Sammons, & Building Commissioner (BC) Joshua Davis

Guests: Mayor Jeffrey Phillips, Robert Schenk, JoAnn McElfresh, & Planning Commission Secretary (PCS) Krystal Bassett

III. Review and Approval of Past Minutes:

Chairman Haines presented the minutes from the last BZA Meeting, held on Thursday April 18th, 2024. Motion to approve was made by Cawby, seconded by Chad Gutwein. **Motion Passed.**

IV. Old Business:

Chairman Haines asked BC Davis to give an update on the progress of 554 S Airport Road, Ruth Hammonds. Davis informed the BZA that while there has been progress made, there were still complaints that the outside had not yet been finished. Mrs. Hammonds presented her case for requesting yet another extension. There was a lengthy discussion among the BZA members, Mrs. Hammonds, & BC Davis. Ultimately, Mrs. Hammonds requested another 30 to 45 day extension for her to continue to make progress and this would allow her enough time to find a contractor to complete the garage doors.

Dobson made a motion to grant an additional extension until the September 19th meeting on the condition she complete the Garage Doors and continued to work with BC Davis to make progress on the interior. Seconded by Hewitt. Chairman Haines requested BC Davis to perform a roll call vote.

Haines - Yes, Cawby - Yes, Dobson - Yes, Hewitt - Yes, Gutwein - Yes

Motion Passed

V. New Business:

A. Petition 09-2024, Roy Rodriguez, 206 E Washington St - Variance of Use

Chairman Haines opened the hearing for discussion of Petition 09-2024. JoAnn McElfresh of Jenkin's Realty was in attendance to represent Mr. Rodriguez. She explained to the BZA that the petitioner is the current tenant and is in the process of purchasing the property from the owner. BC Josh explained that because of the property being in the B-3 district, the change in ownership removes the non-conforming protection that the current owner has from the Zoning Code. Mrs. McElfresh expressed that the Petitioner does desire to continue to use the property as a single family dwelling. The BZA had recently requested two similar variances in the same block, so the BZA did not see any reason to deny the petition.

Chairman Haines requested BC Davis to read the five paragraphs that require approval before granting a Variance of Use.

Dobson made a motion to approve paragraph A) seconded by Cawby. **Motion Passed.**

Dobson made a motion to approve paragraph B) seconded by Cawby. **Motion Passed.**

Dobson made a motion to approve paragraph C) seconded by Cawby. **Motion Passed.**

Dobson made a motion to approve paragraph D) seconded by Cawby. **Motion Passed.**

Dobson made a motion to approve paragraph E) seconded by Cawby. **Motion Passed.**

Final Vote to Approve:

Haines - Yes, Cawby - Yes, Dobson - Yes, Hewitt - Yes, Gutwein - Yes

Petitioner's Variance of Use Granted

B. Discussion of Non-Conforming Situations

BC Davis presented another non-conforming Use. The property where the use was being conducted had not been sold, but the ownership of the non-conforming use had changed. Technically, the new business is not in compliance with the code and therefore Davis could not issue it a Business Registration. After a discussion, the BZA did feel the business needed to petition for a variance of use at this time and instructed BC Davis to grant the Business Registration.

VI. Adjournment:

With no other business before the BZA, Chairman Haines entertained a motion to adjourn the meeting. Motions made by Cawby, seconded by Craig.

Motion Passed. Meeting adjourned at 6:53 PM CT

Next Meeting: Thursday, August 15th, 2024 @ 6:30 PM CT

Minutes Prepared by: Krystal Bassett, PCS