

The regular meeting of the Board of Zoning Appeals of the City of Hammond was held on Tuesday, April 25, 2023 at 6:00 p.m., Council Chambers, 2<sup>nd</sup> Floor, Hammond City Hall, 5925 Calumet Avenue, Hammond, IN 46320, and via [www.Zoom.us](http://www.Zoom.us)

Kathleen Hill called the meeting to order at 6:00 p.m. Ms. Hill led the reciting of the Pledge of Allegiance.

PRESENT

William Hutton (IP)  
Nancy Ragin (IP)  
Kathleen Hill (IP)

ABSENT

Dennis Radowski  
Roger Brock

ALSO PRESENT

Brian L. Poland, AICP  
Director of City Planning

Tom Novak  
Asst. City Planner

Shannon Morris-Smith  
Secretary

PRESENT: FOUR (3)

ABSENT: TWO (2)

QUORUM

APPROVAL OF MINUTES

Chairperson Hill called for a motion to table the minutes of the January 31, 2023, and February 28, 2023 meetings. Ms. Ragin so moved, seconded by Mr. Hutton. Roll call vote. Nancy Ragin/yes; William Hutton/yes; Kathleen Hill/yes. 3 "Ayes", 0 "Nays", 0 "Abstentions, 2 "Absent". Motion carried.

OLD BUSINESS

Z-23-01, Z-23-02, Z-23-03A, Z-23-03B

Mr. Poland stated it was unknown when or if the the U-Haul case that was tabled to the March meeting would be revived. The Commissioners were asked to keep the packet documents for this case. Chairperson Hill asked if the petitioner would need to go through all of the procedures before the new meeting date. Mr. Poland stated "Yes". The petitioner would have to renotify the property owners within three hundred (300) feet.

NEW BUSINESS

Z-23-07 Petition of Lavelle Family Limited Partnership, LLLP for a conditional use regarding Title XI, Section 11.11 to allow outdoor materials storage in a I-1 Light Industrial District located at 625 Conkey Street in the City of Hammond

Z-23-08 Petition of Lavelle Family Limited Partnership, LLLP for a developmental variance regarding Title XXII, Section 22.21 (2) to allow a 6 foot tall & non obscured fencing for outdoor materials storage in a I-1 Light Industrial District located at 625 Conkey Street in the City of Hammond

Chairperson Hill asked the secretary if the notification requirements had been met. Ms. Morris-Smith stated "Yes".

Nathan Vis, Attorney, 12632 Wicker Avenue, Cedar Lake, IN 46303, represented the petitioner. Mr. Vis stated the petitioner was seeking a conditional use permit and a developmental variance. The property was located at 625 Conkey Street. The Public Works building was located directly to the west of the building. The subject property was zoned I-1 Light Industrial District, and was previously used as a recycling facility. The petitioner purchased the property from a tax sale and invested six (6) figures in improving and cleaning up the property.

The tenant for the property was a second-generation company that supplies landscaping, brick, and natural stone materials. The company has grown and has collaborated with quarries located in the south. This location makes sense for distribution and operations within the area. Material have been stored inside the building since January, but there would need to be a second step for the petitioner to be able to store products outside of the building. This would require a conditional use permit.

Mr. Vis stated the facility had a wrought iron fence in the front of the property, a shared access driveway with the Public Works Department. There have been studies regarding the ability of the petitioner and the Public Works Department to navigate the entry way with semi trucks. An engineer conducted a circulation study, and staff agreed that there were not any issues with Public Works and the petitioner coexisting and sharing the access driveway. There were trees along the north of the property. Mr. Vis shared photos of the materials stored inside of the building, and the materials that were stored outside at another storage facility. Mr. Vis further discussed the areas outside of the building that the petitioner was proposing to use for outdoor storage. On the right side of the building there was an existing six (6) foot chain link fence that was the length of the building. There was an area in the back of the building that had an access driveway that trucks could turn into, and a truck loading zone. There was a parking area that could be shared with the Public Works Department. Mr. Vis further stated the petitioner has requested a waiver for fencing on the west side of the property. All

parties agreed that a fence was not practical. This was because of the proximity of the fence from the street and there was an existing fence at the front entry of the property, and fencing would make it difficult for the City's salt trucks to navigate a pathway through the area.

Mr. Vis reviewed a photo of the areas that the petitioner was seeking fence approvals. The area outlined in green was an existing chain link six (6) foot fence that would be replaced with an eight (8) foot fence with extensions and slats. The area outlined in blue was half the distance of the building and was a chain link fence. The fence would remain six (6) feet tall and slats would be added. The area outlined in orange was requested to remain a six (6) foot chain link fence as it currently exists.

Mr. Vis further stated that the petitioner has worked with various City departments and covered their concerns. The petitioner was seeking a conditional use permit to allow the exterior storage of natural material to be properly stored as described in the petition, not to exceed seventy (70) inches in height and stored in the areas per the application. The petitioner was secondarily seeking approval of a waiver of fencing for the described areas and transitioning the fencing that was described in the application.

Chairperson Hill asked if there were any questions from the Board. Mr. Hutton thanked the petitioner for bringing their business to the City of Hammond.

Chairperson Hill asked if the supplies would be open to the public. Mr. Vis stated "No". This would be wholesale to suppliers, shipped to local companies, and sold directly to consumers.

Mr. Poland asked how many trucks per day, per week. Mr. Vis stated currently one (1) to five (5) trucks per day. It was anticipated that the number would be slightly higher during the summer months. Mr. Poland stated the truck traffic would come from Calumet Avenue and would not go west into the neighborhood. Mr. Vis stated there has been discussion with the petitioner that there was a truck route, and he would revisit the subject with the petitioner.

Chairperson Hill asked how long has the company been transporting and storing at the property. Mr. Vis stated the interior of the property has been utilized since January 5, 2023. Chairperson Hill asked if there had been truck traffic with no complaints at the present time. Mr. Vis stated "Yes". There had not been any issues. Mr. Poland further

stated there was discussion on the trucks ability to maneuver between the parking rows and the building to get in to the loading area on the west side of the building. The navigation was appropriate with the turning radius with no impact on the parking spaces. This was a concern with the Public Works Department.

Mr. Hutton asked how many trucks would go out daily. Mr. Vis stated one (1) to five (5) trucks. The same number in and out.

Ms. Ragin asked the business hours. Mr. Vis stated the standard business hours during the day. There would not be night traffic.

Mr. Poland asked if there was coordination between the petitioner and the Public Works Department on locking up the facility after Public Works closes. Mr. Vis stated he has not been a part of any conversation addressing the subject. Mr. Vis further stated there was an access easement agreement that would allow the two parties to coordinate a plan. There was another access portal along the alley way that would allow the petitioner to ingress and egress the back side of the property.

Mr. Hutton asked if there would be a new fence/gate on the north end of the property. Mr. Poland stated there was existing fence and gates. The developmental variance was to allow the standard eight (8) foot solid/opaque fence and the variation of the fence that was proposed. Mr. Hutton asked if the trucks were large. Mr. Vis stated the trucks were flat bed standard semi trucks that have frequented the area without any problems. Mr. Poland further stated the driveway went straight back to the tire company that had semi trucks that go straight and make turn movements once trucks pass their gate. The gate that goes into the subject property was part of the turning radius analysis.

Chairperson Hill asked if there were anything additional questions from the Board. There were none.

Chairperson Hill opened the floor for public comments. There were none.

Chairperson Hill closed the floor for public comments.

Chairperson Hill asked if there were any additional questions from the Board members. There were none.

Chairperson Hill asked for staff to read the staff report recommendations (Z-23-07), however it is included in its entirety.

### Zoning Citation

**Case No. Z-23-07: Title XI I-1 Light Industrial District, Section 11.11 Conditional Uses, Subsection # 3** "Outside materials storage as a necessary accessory use to a permitted use."

### Background

The subject property is a 3.278-acre, irregularly-shaped, 12-sided parcel. The parcel varies from 192' wide on north end to 303' wide on south end and is approx. 518' long from north end to south end. The site is located on the north side of Conkey St, a local delivery truck route, and starts approx. 800' west of Calumet Ave. The site features an existing metal-frame, 21,840 SF warehouse built in 1998. The warehouse includes truck wells and ramps for loading and unloading materials. Running north-south along the west edge of the property is a row of 18 standard parking spaces.

The subject property and its neighboring parcels to the west, north, and east are zoned I-1 Light Industrial District.

The proposal is to store building materials such as "natural stone, slate, brick, and related materials," and this material storage and handling is a permitted use when occurring inside. The LaVelle Family Limited Partnership, LLLP, procured deed ownership on February 22, 2023. The same LLLP owns the parcel (45-06-01-277-019.000-023) immediately to the north, commonly known as 635 Conkey St. Steel City Tire, Inc, utilizes the property for indoor and outdoor storage of their stock of tires for a variety of both commonplace and specialized vehicles.

To the east is Root Brothers Manufacturing & Supply Co, a plumbing contractor. To the west is the City of Hammond's Public Works Complex at 601 Conkey St, and access is allowed between 601 and 625 Conkey St with the shared parking lot. To the south is a row of C-1 Local Commercial properties, and south of those is the Hyde Park neighborhood, zoned R-1U Urban Single Family Residential.

The property was utilized for 15+ years as a recyclable sorting facility for materials collected from the City's residences. In Sept. 2014, property was sold to "JJS Recycling Factory" with intentions to repurpose post-consumer plastic materials. In recent years, property has been vacant.

**Petition**

The new owner and petitioner, LaVelle Family Limited Partnership, LLLP, is seeking a conditional use permit, related to T/S 11.11(3), to allow outdoor materials storage of its stock of "natural stone, slate, brick, and related materials." This is to be an accessory use to a permitted warehousing use.

The owner has a potential business tenant, Buechel Stone Corp. of Chilton, Wisconsin. They are a stone/natural slate and brick supplier throughout the Midwest. This property is to serve as a site to transfer their materials both locally and beyond. A significant portion of their product is to be stored inside. The exterior storage is proposed for only the east and north sides of the warehouse, too. Per petitioner, all materials (boulders, slate, or other types of cut natural stone) are to be stored on wooden pallets or in boxes on wooden pallets in as clean a condition as possible. The total height of stacked materials, including pallets, is not to exceed seventy inches (5' 10").

**Analysis**

Outdoor materials storage has occurred on this site in past years, and there have been issues at various times. Therefore, it is a reasonable concern of the City of Hammond that outdoor storage of materials here will be done neatly, safely, and out-of-sight of the public. Management of Buechel Stone Corp. must do their best to ensure this outdoor storage remains in such an acceptable condition.

The warehouse building is set back approx. 90' from the Conkey Street ROW, and therefore, all outdoor storage will occur at least 90' north of the Conkey St. ROW. At the SE corner of the warehouse, the owner has stated that he will install an 8' tall fence with slats will run east to obscure the view from Conkey St.

Primary entrance to facility will be via the ingress/egress easement for vehicular traffic marked on the survey, which is a paved driveway running along the east end of the property outside the fence. In some instances, vehicular access may be via the Public Works' Complex's main entrance to the west of subject property to allow access to the west side of warehouse.

**Reviews and Approvals**

City Planning staff has reviewed materials provided by the petitioner.

A site visit, which included the Director of City Planning, the City Engineer, the Director of Public Works, and a driver of Buechel Stone, resulted in the conclusion that

there are no concerns regarding access through the shared parking lot or on the maneuverability of the semi-trucks.

There were no objections from the Building Commissioner, Chief Fire Inspector, Superintendent of Wastewater Management, nor Director of the Hammond Department of Environmental Management.

**Standards for Granting a Conditional Use**

- 1) The approval will not be injurious to the public health, safety, morals, and general welfare of the community.
- 2) The use and the value of the area adjacent to the property related to the conditional use will not be affected in a substantially adverse manner.
- 3) The approval will not have an adverse effect on the density of the adjacent area and the area will not be burdened by an excessive number of similar uses in the area.
- 4) The approval will not have an adverse impact on the transportation network, public utilities and educational facilities.
- 5) The approval will not have an adverse impact on the environment or natural resources.
- 6) The approval will not have an adverse impact on historical, architectural, cultural and archaeological resources.
- 7) The approval does not substantially interfere with the comprehensive city zoning plan.
- 8) The approval will be in compliance with applicable provisions established elsewhere in the Zoning Ordinance.
- 9) The approval will provide for reasonable accommodation pursuant to Section 24.53.

**Recommendation**

Staff has reviewed the petitioner's request and recommends that the BZA grant the conditional use permit should the Board feel the petitioner has met the standards, subject to:

- 1.) Approval by the Board of the developmental variance case known as Z-23-08, and compliance with all of that case's conditions, especially those involving the fencing on-site;
- 2.) Outdoor materials storage shall only occur to the north and east of the warehouse;
- 3.) No outdoor displays of any wares for sale nor displays visible to the public to be allowed;
- 4.) Compliance with Hammond City Code Chapters 94, 97, 98, 101, 132, 150, and 160, and in particular sections enforcing litter, junk, and the harboring of a public nuisance, as to maintain a sanitary, safe, and aesthetically pleasing property.

Mr. Novak concluded the reading of the recommendation section of the staff report.

Chairperson Hill asked if there were any questions from the Board members.

#### **FINDINGS OF FACT**

**1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.**

- a. The product stored does not produce a smell or nuisance to public, and being stone and brick, is made of natural materials.
- b. Neighboring properties are similarly zoned I-1 Light Industrial District.
- c. The property itself is 203' from the nearest residentially zoned district and approximately 215' from nearest residence, while the area where materials are to be stored outdoors is approximately 250' from the nearest residence.
- d. There are other industrially and commercially zoned properties between subject property and any residential district.
- e. The business tenant will neatly stack and wrap its products in plastic out-of-sight of the public, and will comply with other sections of Hammond City Code related to safety, sanitation, and aesthetics.

**2. The use and the value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.**

- a. The occupancy of a vacant property and the proposal for outdoor activities to occur behind new, obscured fencing should improve values.
- b. The total height of stacked materials, including pallets, is not to exceed seventy inches (5' 10"), which is under the height of any 8' or 6' tall fencing proposed.
- c. The ingress/egress points to property, off of Conkey St, will remain the same.

**3. The approval will not have an adverse effect on the density of the adjacent area and the area will not be burdened by an excessive number of similar uses in the area.**

- a. The intensity of the use of the property will not change from prior use of sorting recyclables.
- b. Conkey Street is a local delivery truck route.
- c. Three to eight employees will be on site with one to five semi-trucks visiting the site per day.
- d. The eighteen (18) standard parking spaces supplied should cover employees and visitors.
- e. The warehouse on the property which business is to use has existed since 1998.
- f. There are no other regional logistics warehouses nor natural stone and brick suppliers located in the neighborhood.

**4. The approval will not have an adverse impact on the transportation network, public utilities and educational facilities.**

a. The Director of City Planning, the City Engineer, the Director of Public Works, and a driver of Buechel Stone met on-site and concluded there are no concerns regarding semi-truck movement nor access to the loading docks on the west side of the warehouse via the parking lot shared with City of Hammond's Public Works Complex.

b. The existing utilities will be utilized and there is no impact on the service line connections to 601 Conkey St. next door.

c. There is no impact on the nearby Wallace Elementary School.

**5. The approval will not have an adverse impact on the environment or natural resources.**

a. The stone and brick products to be stored outside are not degradable or hazardous in nature.

b. The products will be transported on wooden pallets and wrapped in plastic to mitigate any potential dust or debris.

c. There are no natural areas being affected as site is already developed.

**6. The approval will not have an adverse impact on historical, architectural, cultural and archaeological resources.**

a. The property is not identified on the 1996 Lake County Interim Report.

b. The property is not listed in the State Register of Historic Places.

c. The property is not listed in the National Register of Historic Places.

d. The property is not a locally designated landmark by the City of Hammond.

e. There are no known historical nor archaeological resources on-site.

**7. The approval does not substantially interfere with the comprehensive city zoning plan.**

a. "Outdoor materials storage" is an allowed conditional use in an I-1 Light Industrial District when approved by the Hammond Advisory Board of Zoning Appeals.

b. The conditional use permit will be subject to approval of the developmental variance in BZA Case No. Z-23-08.

**8. The approval will be in compliance with applicable provisions established elsewhere in the Zoning Ordinance.**

a. The petitioner will be able to comply with all other applicable Zoning sections and City codes, especially Hammond City Code Chapters 94, 97, 98, 101, 132, 150, and 160.

**9. The approval will provide for reasonable accommodation pursuant to Section 24.53.**

- a. The petition is not for residential uses and therefore is not applicable.

Chairperson Hill asked for a motion to adopt the staff report as presented by staff and to adopt the Finding of Fact into the record (Z-23-07) subject to the four (4) conditions. Ms. Ragin so moved, seconded by Mr. Hutton. Roll call vote. Nancy Ragin/yes; William Hutton/yes; Kathleen Hill/yes. 3 "Ayes", 0 "Nays", 0 "Abstentions", 2 "Absent". Motion carried.

Chairperson Hill asked for a motion to approve the conditional use (Z-23-07) subject to the four (4) conditions. Ms. Ragin so moved, seconded by Mr. Hutton. Roll call vote. Nancy Ragin/yes; William Hutton/yes; Kathleen Hill/yes. 3 "Ayes", 0 "Nays", 0 "Abstentions", 2 "Absent". Motion carried.

Chairperson Hill asked if there were any questions from the Board regarding Z-23-08. Mr. Poland stated the petitioner would install an eight (8) foot fence on the portion parallel to Conkey Street, replacing the existing six (6) foot fence and adding slats. The existing six (6) foot fence on the east and north would remain, and slats would be added on the east side in the area from the south wall to the mid point of the building. The requirement of fencing would be eliminated on the west side abutting the Public Works facility due to the cross access, cross parking agreement.

Chairperson Hill asked for staff to read the staff report recommendations (Z-23-08), however it is included in its entirety.

**Zoning Citation**

**Case No. Z-23-08: Title XXII Fences and Landscaping, Section 22.21 Fences in Industrial Areas, Subsection #2 "For open storage areas... solid 100% obscure fences 8' in height must be erected..."**

**Background**

The subject property is a 3.278-acre, irregularly-shaped. The parcel varies from 192' wide on north end to 303' wide on south end and is approx. 518' long from north end to south end. The site is located on the north side of Conkey St, a local delivery truck route, and starts approx. 800' west of Calumet Av. The site features an existing metal-frame, 21,840 SF warehouse built in 1998. The LaVelle Family Limited Partnership, LLLP, procured deed ownership on February 22, 2023.

The subject property and its neighboring parcels to the west, north, and east are zoned I-1 Light Industrial District. To the east is Root Brothers Manufacturing & Supply Co, a plumbing contractor. An existing chain-link fence divides the properties' two main buildings. To the west is the City of Hammond's Public Works Complex at 601 Conkey St, and there is no barrier separating 601 from 625 Conkey St. nor a plan for one. Decorative, non-obscured metal fencing runs across the front yards of both 601 and 625 Conkey St. To the south is a row of C-1 Local Commercial properties, and south of those is the Hyde Park neighborhood, zoned R-1U Urban Single Family Residential. Only one residence, located in a C-1 District across Conkey St, borders the site.

The property was utilized for 15+ years as a recyclable sorting facility for materials collected from the City's residences. In Sept. 2014, property was sold to "JJS Recycling Factory" with intentions to repurpose post-consumer plastic materials. In recent years, property has been vacant.

### **Petition**

The new owner and petitioner, LaVelle Family Limited Partnership, LLLP, is seeking a developmental variance, related to T/S 22.21(2), to allow exceptions to the 8' height and 100% obscured requirements for fencing surrounding an outdoor storage area in an industrially-zoned district. This outdoor materials storage is the subject of BZA Case No. Z-23-07.

The owner has a potential business tenant, Buechel Stone Corp. of Chilton, Wisconsin. They are a stone/natural slate and brick supplier throughout the Midwest. This property is to serve as a site to transfer their materials both locally and beyond. The total height of stacked materials, including pallets, is not to exceed seventy inches (5' 10"). The petitioner requests an exception to the 100% obscured requirement for fencing located north of the mid-point of the warehouse, as well as an exception to the 8' height requirement to allow 6' high fencing along the east and north sides. They plan for no fencing along the property line (and parking lot) shared with the City of Hammond's Public Works Complex at 601 Conkey St. to its west; no outdoor storage is planned for west side.

### **Analysis**

Outdoor materials storage has occurred on this site in past years, and there have been issues at various times. Therefore, it is a reasonable concern of the City of Hammond that outdoor storage of materials here will be done neatly, safely, and out-of-sight of the

public. Management of Buechel Stone Corp. must do their best to ensure this outdoor storage remains in such an acceptable condition.

The warehouse building is set back approximately 90' from the Conkey Street ROW, and therefore, all outdoor storage will occur at least 90' north of the Conkey St. ROW. At the SE corner of the warehouse, an 8' tall and 100% obscured fence will be installed running east to obscure the view from Conkey St. It will meet the existing 6' tall chain-

link fence, with slats being added to 100% obscure, that is to run north along the west edge of the driveway for ½ the length of the warehouse (91'), where it will then continue until the north end of the property as a 6' tall non-obscured chain-link fence. Closer to the north end of the fence, where outdoor materials storage is to occur, there will be a 31'-wide gate for semi-truck access. The neighbors on the north and west sides of the property are actively-utilized I-1 zoned properties, and there is no outdoor storage planned on the west or south sides of the warehouse. The property does not have alley frontage. Thus, outdoor storage activities on the north and east sides of property should not be visible from the vantage points of the public ROWs. This lack of fencing on the property lines shared with 601 Conkey St. will allow free access to the docks on the west side of the warehouse.

#### **Reviews and Approvals**

City Planning staff has reviewed materials provided by the petitioner.

There were no objections from the Building Commissioner, Chief Fire Inspector, City Engineer, Superintendent of Wastewater Management, nor Director of the Hammond Department of Environmental Management.

#### **Standards for Granting a Developmental Variance**

- 1.) The approval will not be injurious to the public health, safety, morals, and general welfare of the community.
- 2.) The use and the value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.
- 3.) The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property.

#### **Recommendation**

Staff has reviewed the petitioner's request and recommends that the BZA grant the developmental variance should the Board feel the petitioner has met the standards, subject to:

- 1.) Approval by the Board of the conditional use permit case known as Z-23-07;

- 2.) Maintenance of required sections of 8' tall and 6' tall, 100% obscured fence as indicated;
- 3.) Outdoor materials storage shall only occur to the north and east of the warehouse.

Mr. Novak concluded the reading of the recommendation section of the staff report.

Chairperson Hill asked if there were any questions from the Board members.

#### FINDINGS OF FACT

**1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.**

- a. Neighboring properties are similarly zoned I-1 Light Industrial District.
- b. The property itself is 203' from the nearest residentially zoned district and approximately 215' from nearest residence, while the area where materials are to be stored outdoors is approximately 250' from the nearest residence.
- c. There are other industrially and commercially zoned properties between subject property and any residential district.
- d. The pattern of the property lines and proximity of other light industrial use buildings adjacent to property will aid in blocking the public's view of the outdoor storage.
- e. The location of the 8' tall fence and the 100% obscured fences are designed in such a way to prevent the view of outdoor storage from public ROWs and from residential properties.

**2. The use and the value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.**

- a. The outdoor storage area will start no less than 90' north of the Conkey St. ROW and will be kept behind an 8' tall, 100% obscured fence running parallel with Conkey St.
- b. The proposal for outdoor activities to occur partially behind new, obscured fencing where only chain-link fencing exists now could improve values.
- c. The total height of stacked materials, including pallets, is not to exceed seventy inches (5' 10"), which is under the height of any 8' or 6' tall fencing proposed.
- d. Areas where no fence is proposed are not to feature outdoor materials storage.
- e. Erection of fences along shared property lines with 601 Conkey St. would inhibit the City of Hammond's use of its Public Works salt barn and its adjacent land.

**3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property.**

- a. There is a need for free access to the docks on the west side of the warehouse, and to aid in semi-truck navigation, there is no fence along the property lines shared with 601 Conkey St.

b. Strict application could limit site visibility from certain views, which is a security concern.

Chairperson Hill asked for a motion to adopt the staff report as presented by staff and to adopt the Finding of Fact into the record (Z-23-08) subject to the three (3) conditions. Ms. Ragin so moved, seconded by Mr. Hutton. Roll call vote. Nancy Ragin/yes; William Hutton/yes; Kathleen Hill/yes. 3 "Ayes", 0 "Nays", 0 "Abstentions, 2 "Absent". Motion carried.

Chairperson Hill asked for a motion to approve the developmental use (Z-23-08) subject to the three (3) conditions. Ms. Ragin so moved, seconded by Mr. Hutton. Roll call vote. Nancy Ragin/yes; William Hutton/yes; Kathleen Hill/yes. 3 "Ayes", 0 "Nays", 0 "Abstentions, 2 "Absent". Motion carried.

#### COMMISSIONER COMMENTS

There were none.

#### STAFF COMMENTS

Mr. Poland reminded the Board that the next meeting would be on Wednesday, May 31, 2023

#### PUBLIC COMMENTS

There were none.

#### ADJOURNMENT

Chairperson Hill motioned to adjourn the meeting. The meeting was adjourned at 6:35 p.m.

PREPARED BY:



Shannon Morris-Smith  
Secretary to the Board of Zoning Appeals

APPROVED BY THE BOARD OF ZONING APPEALS:



Kathleen Hill  
Chairperson

Date Approved: 8/29/23