

MINUTES OF THE  
**JEFFERSONVILLE BOARD OF ZONING APPEALS**  
February 25, 2025

**Call to Order**

Board President Mike McCutcheon calls to order the Board of Zoning Appeals meeting. It is Tuesday, February 25, 2025, it is 7:26 pm in the City Council Chambers, Jeffersonville City Hall, 500 Quartermaster Ct., Jeffersonville, Indiana. The meeting was held in person and streamed live on the City's website and City's Facebook page.

**Roll Call**

Board President Mike McCutcheon and board members Kelli Jones, David Stinson, and Dennis Hill were present in the City Council Chambers. Member Duard Avery was absent. Also present were Planning & Zoning Attorney Les Merkley, Planning and Zoning Director Chad Reischl and Secretary Shane Shaughnessy.

**(Secretary's Note: All plat maps, public letters, photos, etc. presented before the Plan Commission on this date can be found in the office of Planning & Zoning.)**

**Approval of Minutes**

Approval of the minutes from January 28, 2025. Mr. Hill made a motion to approve the January 28, 2025 minutes, seconded by Ms. Jones. Roll Call vote. Motion passed 4-0.

**Approval of Findings of Fact**

Approval of the Findings of Fact from January 28, 2025. Mr. Stenson made a motion to approve the January 28, 2025 findings of fact, seconded by Ms. Jones. Roll Call vote. Motion passed 4-0.

**Approval of the Docket**

Motion to approve the agenda made by Ms. Jones, seconded by Mr. Hill. Roll call vote. Motion passed 4-0.

**Oath**

Les Merkley administered the oath. When you speak, please state your name and acknowledge you took the oath.

**Old Business**

None

**New Business**

**BZA-25-06 Special Exception**

Xiaotang Wang filed a Special Exception for the property located at 425 W. Maple Street. The applicant requests to establish a Short-Term Rental on the property. The property is zoned CN (Commercial – Neighborhood). The docket number is BZA-25-06.

Xiaotang Wang of 42 57<sup>th</sup> Avenue, Seattle, Washington stated they took the oath and that they are the owner of the property. They stated that they hoped to use the property as a non-owner occupied short-term rental. They stated that they were only planning on occupying the property around two weeks per year and would rent it out the rest of the time

Chad Reischl stated that this is the first short-term rental Special Exception that has been filed since the short-term rental ordinance was adopted. The Ordinance request a Special Exception to establish a short-term rental in a number of zoning districts in the Downtown and Adjacent Neighborhoods area. Staff does not have an issue was this request.

Mr. McCutcheon asked what would happen if there were issues at the property. Mr. Reischl stated that there is also a short-term rental registry and that permit would give the City contact information for the owner should it be needed. Mr. McCutcheon asked if there were ongoing issues at the property, does the City has a way to remove the Special Exception from the property. Mr. Reischl stated that there were limited restrictions the City could place on short-term rentals. Mr. Merkley stated that once the Board grants the Special Exception, the applicant will not need to come back to the Board to renew the license. Mr. Reischl stated that the property owner will be required to renew the license on an annual basis on an administrative level. Mr. Merkley stated there are mechanisms in place to revoke licenses should there be issues at the property.

#### Open public comment

Jim Johns stated he took the oath and said he supports what is being done at the property he built and that the applicant has done a good job with decorating the property.

Dana Thompson of 2414 Johnson Pass in Memphis, Indiana stated she owns the property next door to the applicant and would be looking to rent her property as a short-term rental. She stated that Indiana State Law says that a property that has three violations on it would have its short-term rental license revoked.

Mr. Reischl stated that if a Special Exception is not used for six months, the Special Exception is revoked.

#### Closed public comment

Ms. Jones stated that she wanted to reiterate that the conversation that was had wasn't specifically referring to the applicant, but the process in general. She stated she doesn't have any issues with the application and that the letter that was submitted by the applicant addresses any concerns she had.

#### Move to findings

The Board of Zoning Appeals of the City of Jeffersonville, having heard the application for variance described above, and all opposition from parties claiming to be adversely affected thereby, does now enter the following findings:

1. The special exception will not be injurious to the public health, safety, moral, and general welfare of the community; and
2. The requirements and development standards for the requested use prescribed by this Ordinance will be met; and
3. Granting the special exception will not subvert the general purposes of the Zoning Ordinance and will not permanently injure other property and uses in the same district; and

4. The proposed use will be consistent with the character of the district therein, the spirit and intent of the Zoning Ordinance, and the Jeffersonville Comprehensive Plan.

Based on the findings described above, the Board does now approve this application. So ordered this 25<sup>th</sup> of February, 2025.

**Report from Director's and Staff**

None.

**Adjournment**

There being no further business to come before the Board of Zoning Appeals, the meeting was adjourned at 7:38 pm.

A handwritten signature in blue ink, appearing to read "Mike McCutcheon", written over a horizontal line.

Mike McCutcheon, Chair

A handwritten signature in blue ink, written over a horizontal line. The signature is stylized and appears to be "S. Styer".

Secretary