

## MINUTES OF BUILDING CODE ADVISORY AND APPEALS BOARD

**DATE:** December 1, 2022  
**TIME:** 4:32 p.m.  
**PLACE:** Historic Federal Building

The meeting was called to order at 4:34 p.m.

Board Members Present: Tom Townsend Corey Valeskey Dan McNamer  
C Blaine Schoenhard III Katrina Wilberding via Web

Housing Staff Present: Ben Pothoff Shane Hoeper Tami Ernster  
Mike Sievers George Jackson Alex Rogan

Other City Staff Present: Jason Lehman

Public Present: Stuart Hoover Dave Stuart Stephen Alt  
Dave Arbogast

### Adoption of Agenda

C Blaine Schoenhard III motioned to adopt the agenda. Dan McNamer seconded. Motion passed 5-0.

### Approval of Minutes of July 7, 2022

Corey Valeskey motioned to approve the minutes. Dan McNamer seconded. Motion passed 5-0.

### Action Items

#### **CASE#1 INTERPRETATION OF THE CODE**

**Applicant:** Doug Horsfall

**Location:** 3427 Wagon Wheel Ln

**Appeal:** Appellant requests appeal of September 29, 2022, Notice of Violation

After discussion and review of the presentations, the board agreed the code official correctly interpreted the true intent of the applicable code, the code fully applied to the property, provisions of the code cited by the code official applied to the property. The Board agreed the appellant did not propose an equal or better form of construction. C Blaine Schoenhard III motioned to approve Mr. Horsfall's appeal. Dan McNamer seconded. Motion failed 4-1. Due to confusion on the motion, the board decided to withdraw the previous motion to clarify. C Blaine Schoenhard III motioned to withdraw the previous motion. Dan McNamer seconded. Motion passed 5-0. Corey Valeskey then motioned to approve the appeal. Dan McNamer seconded. Motion passed 5-0.

#### **CASE #2 INTERPRETATION OF THE CODE**

**Applicant:** David Stuart

**Location:** 1472 Locust St

**Appeal:** Appellant requests appeal of August 15, 2022, Notice of Violation

**CASE #3 INTERPRETATION OF THE CODE**  
**Applicant: David Stuart**  
**Location: 1492 Locust St**  
**Appeal: Appellant requests appeal of August 15, 2022, Notice of Violation**

**CASE #4 INTERPRETATION OF THE CODE**  
**Applicant: David Stuart**  
**Location: 1470 Locust St**  
**Appeal: Appellant requests appeal of August 15, 2022, Notice of Violation**

Appellant Dave Stuart requested all 3 cases be heard together. He requested Shane Hoeper come to the microphone and asked questions regarding his inspections of the three properties. After discussion and review, the Board requested the cases be broken out separately for board discussion.

On Case #2, the Board agreed the code official correctly interpreted the true intent of the applicable code and the code fully applied to the property. The Board agreed the appellant did not propose an equal or better form of construction. Corey Valeskey motioned to approve the appeal. Dan McNamer seconded. Motion failed 4-0.

Katrina Wilberding left the meeting at 6:45 PM.

On Case #3, the Board agreed the code official correctly interpreted the true intent of the applicable code and the code fully applied to the property. The Board agreed the appellant did not propose and equal or better form of construction. Corey Valeskey motioned to approve the appeal. Dan McNamer seconded. Motion failed 4-0.

On Case #4, the Board agreed the code official correctly interpreted the true intent of the applicable code and the code fully applied to the property. The Board agreed the appellant did not propose and equal or better form of construction. However, there was discussion that the shed listed as a violation on bullet point 5 was not a part of 1470 Locust and needed to be noted. Dan McNamer motioned to deny the appeal except for bullet 5 in the Notice of Violation related to the shed. Corey Valeskey seconded. Motion passed 4-0.

**Public Input**

There was no public in the gallery so there was no public input.

**Items from the Board**

There were no items from the Board.

**Items from Staff**

The 2021 Code adoption will be forwarded to the Board soon.

**Adjournment**

Dan McNamer motioned to adjourn the meeting. C Blaine Schoenhard III seconded. Motion passed 4-0. The meeting was adjourned at 7:07 pm.

Minutes prepared by:



Tami Ernster  
Permit Clerk

Respectfully submitted:



Michael Belmont  
Building Code Official