

**CITY OF WHITEHALL
BOARD OF ZONING AND BUILDING APPEALS
JANUARY 13TH, 2020**

The City of Whitehall Board of Zoning and Building Appeals meeting of January 13th, 2020 was called to order by Mayor Maggard at 7:00 PM.

Mayor Maggard asked for a roll call. All members were present with the exception of Ms. Spater.

Weatherby-Present
Arends-Present
Bailey-Present
DeWitt- Present
Spater-Absent

Mayor Maggard then asked for a nomination for 2020 Chairperson. Bob Weatherby nominated Aubrey Bailey and Mike Arends seconded it. Voting was unanimous and Aubrey Bailey was chosen for 2020 Chairperson.

Chairman Bailey took over the meeting and asked to excuse the absent member. Mr. Arends motioned and Mr. Weatherby seconded.

Voting was unanimous to excuse Ms. Spater.

Chairman Bailey asked for a nomination for Vice-Chairman. Mr. Weatherby nominated Mr. Arends and Mr. DeWitt seconded.

Voting was unanimous and Mr. Arends was selected 2020 Vice-Chairman.

Chairman Bailey asked for a nomination for Secretary and Mr. Arends nominated Mr. Weatherby, Mr. DeWitt seconded.

Voting was unanimous, Mr. Weatherby was selected as 2020 BZBA Secretary.

Chairman Bailey asked for a nomination for 2019 Clerk. Mr. Arends nominated Mrs. Netotian and Mr. Weatherby seconded.

Voting was once again unanimous.

Chairman Bailey asked for a motion to approve the December 9, 2019 minutes as written.

Vice Chairman Arends motioned and Mr. Weatherby seconded. There were only two members in attendance that were present at the Dec Meeting. The minutes were not voted on at this time.

Chairman Bailey asked for a motion to adopt the 2020 Rules and Regulations.

Mr. Weatherby motioned and Vice-Chair Arends seconded.

All were in favor and the 2020 Rules and Regulations were adopted.

Chairman Bailey announced Case BA-20-01. Mrs. Deskins-Millican, is seeking a Fence Variance, 1125.06(b) at 4645 Jae Ave and owned by the applicant.

Chairman Bailey swore in Mrs. Deskins-Millican & her son, the current tenant of 4645 Jae Ave. (I couldn't get the name of the son because I couldn't read it off the sign in sheet).

Mrs. Millican said she is asking for a fence variance for the 4 ft. fence around the front porch. Her son had built the fence and did not obtain a fence permit. Code enforcement noticed the new fence and that it did not meet the code. He advised them to turn in a fence application. The fence application got denied. Based on code the fence has to be 50% opaque.

Mr. Deskins, son of the applicant, said he lives about 3 houses down from the duplexes on Valerie Ln. He said there is always crime over there. He built the fence as a solid fence for security and to allow his dogs to play on the front on the porch.

Mr. Hulsey, Chief Building Official, said the solid fence was a safety hazard. He said if someone was running from the Police they could just get behind his fence and the Police would never see them.

Mr. Hulsey presented the members with a Staff Report for case BA-20-01. It read; "The zoning code requires that any fence built in a front yard shall not be more than 50% opaque when viewed at right angles of the vertical plane.

Requiring an open fence in the front yard helps to keep an open spacious feel to the neighborhood. A solid fence breaks up the open feel back to the front of the house and creates a closed compartmentalized look to an individual property and can create a very closed look if many houses on a street are walked in. Keeping open front yards also generally keeps items that should be stored in the rear of a property from being placed in enclosures in the front of a house. For these reasons Staff does not recommend the approval of the variance"

Chairman Bailey asked if there were any questions.

It was asked what could be done to make this fence be in compliance. Mr. Hulsey stated he could take the fence down, or he could remove every other board and put some sort of mesh fencing behind the wood so the dogs could still be contained.

Chairman Bailey asked for a motion to approve Case BA-20-01.

Mr. Weatherby motioned and Mr. Arends seconded.

Chairman Bailey asked for a vote.
Voting went as follows: Weatherby-No; Arends-No; DeWitt-No; Bailey-No
Case BA-20-01 was DENIED.

Chairman Bailey asked for a motion to adjourn. Mr. Weatherby motioned and Mr. Arends seconded.

Roll was called and meeting was adjourned at 7:19 pm

APPROVED: _____, 2020

Respectfully submitted,

AUBREY BAILEY, CHAIRMAN

Teresa Netotian, Clerk