

**CITY OF WHITEHALL
BOARD OF ZONING AND BUILDING APPEALS
MARCH 8, 2021**

The City of Whitehall Board of Zoning and Building Appeals meeting of March 8, 2021, was called to order by Zach Woodruff at 6:30 p.m.

Zach Woodruff asked for a roll call. All members were present with the exception of Mr. Arends.

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

Mr. Woodruff asked for a motion to excuse the absent member. Chairperson Bailey made a motion. The motion was seconded by Mr. Weatherby. Voting was unanimous to excuse Mr. Arends.

Mr. Woodruff asked for a nomination for 2021 Chairperson. Mr. Weatherby nominated Aubrey Bailey. Mr. DeWitt seconded the motion. Voting was unanimous, and Aubrey Bailey was chosen as the 2021 Chairperson.

Mr. Woodruff then asked for a nomination for 2021 Vice-Chairperson. Mr. Weatherby nominated Mr. DeWitt, and Chairperson Bailey seconded the motion. Voting was unanimous and Mr. DeWitt was elected 2021 Vice-Chairman.

Mr. Woodruff asked for a nomination for 2021 Secretary. Chairperson Bailey nominated Mr. Weatherby. Mr. DeWitt seconded the motion. Voting was unanimous. Mr. Weatherby was elected 2021 BZBA Secretary.

Mr. Woodruff asked for a motion for the acceptance of the 2021 Clerk, Lori Morton. Chairperson Bailey motioned. Mr. Weatherby seconded. Voting was unanimous.

Mr. Woodruff asked for a motion to approve the November 9, 2020, minutes as written. Mr. Weatherby motioned and Ms. Spater seconded. Voting was unanimous.

Mr. Woodruff asked for a motion to adopt the 2021 Rules and Regulations. Chairperson Bailey motioned and Mr. DeWitt seconded. All were in favor and the 2021 Rules and Regulations were adopted.

Chairperson Bailey announced Case BA-21-01. Mr. Alec Dickman is seeking a A. Fence Height Variance, 1125.06(b) west side and B. Fence Height Variance, 1125.06(b) east side at 4839 Ashley Avenue and owned by the applicant.

Chairperson Bailey swore in Mr. Dickman. Mr. Dickman stated that the fence is currently mixed chain link and 4 ft wood fence. Mr. Dickman stated that the fence is in disrepair. Mr. Dickman requested a 6 ft wood privacy fence all the way around the back yard. Mr. Dickman states he has concerns for the three dogs he owns.

Mr. Woodruff introduced Leonard Lewis, Chief Building Official, to the members of the BZBA. Mr. Woodruff stated Mr. Lewis put together the staff report. Mr. Woodruff asked Mr. Lewis to go over the staff report. Part A is the left side of the property. This presents a unique situation, in that, it is a corner lot, and our zoning code does not allow for a 6 ft fence to be in the front setback. Also, the zoning code does not allow for a 6 ft fence to go past the rear of the neighbor's property. The staff is not opposed to allowing the 6 ft fence on the Briarwood Drive side, as stopping midway would present a hardship for Mr. Dickman and aesthetically would not look good. Part B is on the side between the two houses facing Ashley Avenue. The staff would be opposed to allowing the 6 ft fence. Typically, the residents are asked to step the fence down to 4 ft from the back of the property to the front of the property. Mr. Woodruff reiterated that the current code does not permit construction of 6 ft fences in front of the rear of your neighbor's house which prevents there being a row of fences between peoples' houses. Chairperson Bailey asked if there were questions on the staff report. Mr. Dickman agreed to the 6 ft fence on the east side behind the back of the neighbor's house, thus not requiring a variance. Part B was withdrawn.

Chairperson Bailey asked for a motion to approve Case BA-21-01. Mr. Weatherby motioned as modified and Ms. Spater seconded. Mr. Woodruff clarified that the motion would be to grant the variance, Part A, on the Briarwood Drive side. **Part B, Ashley Avenue side, was withdrawn.**

Chairperson Bailey asked for a vote. Bailey – Yes, Weatherby – Yes, Spater – Yes, DeWitt – Yes. **BA-21-01, Part A, was APPROVED.**

Chairperson Bailey asked Mr. Dickman to contact the office to resubmit his revised plan for approval and obtain the permit.

Chairperson Bailey asked if there was any other business. There being no further business, Chairperson Bailey asked for a motion to adjourn. Ms. Spater motioned and Mr. Weatherby seconded. Roll was called and meeting was adjourned at 6:46 p.m. Bailey – Yes, Weatherby – Yes, Spater – Yes, DeWitt, Yes.

APPROVED: _____, 2021

Respectfully submitted,

AUBREY BAILEY, CHAIRPERSON

Lori Morton, Clerk