

MINUTES
April 7, 2020 – 5:30 p.m.
Zoning Board of Adjustment
Online GoToMeeting

Present: Jodi Hansen, Jeff Armstrong, Robert McFadden, Larry Murray and Julie Wolf

Excused:

Staff: Andrew Fangman, Assistant Community Development Director, Community Development
Christa Bailey, Office Coordinator, Community Development

Acting Chairperson Jodi Hansen opened the meeting at 5:30 p.m. and read the mission statement.

Minutes: Julie Wolf motioned to approve the minutes submitted for the March 24, 2020 meeting; seconded by Robert McFadden. All ayes, motion carried.

Appeal Case #ZBAV-25, has been filed by Carmen Santana to allow for the conversion of an existing single family located at 2211 Lucas Street into a duplex. This location is in the C-1 zoning district which as per City Code Section 10-11-1 does not permit duplexes.

Carmen Santana requested to table this appeal case to the next Zoning Board of Adjustment meeting.

Appeal Case #ZBAV-26, filed by John Whitworth of 510 Centre Drive, is requesting a variance for a fence that does not comply with City Code. The current fence is more than 25% opaque and is less than six feet from the street side lot line. City Code 10-22-1(J)(5)(b)(i) requires fences that are more than 25% opaque may only be three feet in height when located less than six feet from the street side lot line.

Ada Whitworth, 510 Centre Drive, was present for the online meeting to state her case, explaining that when her and her husband purchased their home in April 2019, the fence was already constructed. Mrs. Whitworth disclosed that she did research about the origins of the fence and found that the fence was erected in 1982 at the same time the house was constructed. Mrs. Whitworth stated they did not have any problems with the fence until a neighbor contacted the City with questions about building a similar fence but the neighbor was informed that type of fencing is not allowed per Code, so in turn the neighbor alerted the City to the existence of the non-compliant fence at 510 Centre Drive. Mrs. Whitworth declared she is requesting the variance on the grounds that the fence has been on the property for four decades with no previous issues and it is well maintained. Jodi Hansen asked Andrew Fangman for staff input to which Mr. Fangman replied this case is a difficult situation because no matter the decision, the result is unfair to someone whether it be the neighbor who wanted to build a similar fence or the Whitworths for having to alter or remove an inherited fence that has been there for a substantial length of time. Mrs. Whitworth reassured the Board members that if the fence were ever to be damaged and need replaced, they would ensure the new fence complies with City Code requirements. Julie Wolf motioned to approve the appeal case; seconded by Jeff Armstrong. All ayes, motion carried.

Meeting adjourned at 5:40 p.m.

ATTEST:

Jodi Hansen, Acting Chairperson
Zoning Board of Adjustment

Respectfully Submitted,

Andrew Fangman, Secretary
Assistant Community Development Director