

BOARD OF ZONING APPEALS  
OF THE CITY OF DECATUR/MINUTES

May 4, 2021

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A meeting of the Board of Zoning Appeals of the City of Decatur, Indiana was called to order by Steve Hakes on Tuesday, May 4, 2021 at 4:30 PM at City Hall, 172 N 2<sup>nd</sup> St, Decatur, IN 46733.

Present at the meeting were: Steve Hakes, Dave Schnitz, Dave Haggard, Kevin McIntire, and Shane Cauble. Also, in attendance were: Tim Baker, City Attorney; Mayor Dan Rickord; Curt Witte, Superintendent of Building/Zoning; Don Bergdall, Civil Infrastructure Manager; and Erin Heyerly, Office Administrator.

Upon motion by Haggard, seconded by McIntire, the minutes of the previous meeting were approved as presented. Motion carried, 5-0.

Upon motion by Schnitz, seconded by McIntire, the Proof of Publication was approved as presented. Motion carried, 5-0.

Upon motion by Cauble, seconded by McIntire, the Affidavits of Notice to Adjoining Property Owners were made a matter of record. Motion carried, 5-0.

The application before the board was Brittney Hall of 951 S 28<sup>th</sup> St, Decatur, IN 46733 requesting a variance for fence height and front yard setbacks. Hall explained that their survey did not show the sidewalks on the print and it appeared that their property line went all the way to the edge of the street when in fact it was to the inside of the sidewalk. They had measured back from the street and punched their holes. When Witte went to do the post hole inspection, he questioned the property line and asked to see their survey which was done by MLS Engineering. Seeing that the survey was not real clear, he called MLS and questioned them. Brett Miller from MLS confirmed to Witte that he would need to measure 30' from the center of the street to get the property line, which put the line behind the sidewalk, making the holes already drilled 5' into the 25' required setback. Hall is requesting a variance of 5' for setback, and a fence height variance of 3'. The height variance is because in the front yard only a 3' fence is acceptable if it is closer than 25' to the property line.

Hakes opened for comments from the board. Cauble mentioned he saw the holes when driving by and asked if that was where they were proposing to put the fence. Hall confirmed it was.

Witte made comment that he saw no issues with the location or the height of the fence due to it being out of the line of sight. It will be 20' off of the street and back from the corner over 60'.

Paul Baker, President of the Deer Run Sub-division submitted a letter making comments that there were no issues for the sub-division if this were approved. Haggard made a motion to make this letter a matter of record, seconded by Schnitz. Vote 5-0.

No further questions from the board or the audience.

Hakes opened for comments or questions from the board and the audience. There were none.

Hakes read findings of facts for variance of fence setbacks in a front yard.

Variance was granted with no restrictions.

Hakes read findings of facts for variance of fence height in a front yard.

Variance was granted with no restrictions.

Old Business – Nothing, at this time.

New Business – Nothing at this time.

There being no further business to come before the board, upon motion by McIntire, and seconded by Cauble, the meeting was adjourned at 5:00 PM. Motion carried 5-0.

Respectfully Submitted

Erin Heyerly, Recording Secretary