

**BOARD OF ZONING APPEALS**

The regular meeting of the Board of Zoning Appeals was held on March 7, 2019, at 7:00 p.m. in the Public Safety Building located at 500 Quincy Street.

President Shultz called the meeting to order at 7:00 p.m.

**ROLL CALL OF MEMBERS**

**Present**

Board Member Manchin  
Board Member Deasy  
Board Member Ragen  
Board Member Bolyard  
President Shultz

**Absent**

Board Member Majic

Commissioner Bolyard motioned to excused Commissioner Majic from the meeting.  
Commissioner Ragen seconded the motion  
Motion carried 5-0

**City Staff Present**

City Planner, Sandra Scaffidi  
Senior Staff Assistant, Maria Cipolla

**APPROVAL OF MINUTES**

President Shultz asked for a motion to approve the minutes from January 3, 2019.  
Board Member Manchin motioned to approve the minutes.  
Board Member Ragen seconded the motion.  
Motion carried 5-0.

**PUBLIC HEARINGS FOR March 7, 2019**

1. John C. Fahey is requesting a conditional use permit to operate an automobile service center at 1130 Fairmont Avenue. The zoning is Main Corridor Commercial and the property is identified as 3-6-13.

President Shultz asked if there was anyone to speak in favor of this request.  
There were none.

President Shultz asked if there was anyone to speak against this request.  
There were none.

President Shultz asked for a moved to close the public hearing  
Board Member Deasy motioned to close the public hearing.  
Board Member Manchin seconded the motion.  
Motion carried 5-0

President Shultz asked for the staff report.

**Sandra Scaffidi:** This property has been before this Board several times. The applicant is requesting a conditional use permit for an automobile service business. The proposed request to continue to utilize a building to provide automobile service would not be in conflict with other uses in the area. Staff understands that the applicant is only utilizing the area for automobile service and not sales. The applicant does not have enough outdoor property to conduct automobile sales on the site. Due to the fact that the site has been an active business for many years and that no significant changes have been proposed by the applicant, staff supports the Conditional Use request to allow the property to be used an

automobile service center as long as the applicant meets the requirements as identified in Section 4.3.2 and 4.16. We did receive a comment from the City's Assistant City Engineer, Bill Foley. He stated that this request could possibly require the need for an oil separator and a grit collector on the sanitary sewer service line. This could be accomplished regardless of the decision tonight. Mr. Fahey is going to be the tenant and the owner is Carl Nuzum.

**President Shultz** asked for a motion.

**Board Member Deasy** motioned to approve the request.

**Board Member Bolyard** seconded the motion.

**Motion carried 5-0**

**2. Jarrod Krenn, on behalf of Crown Castle USA Inc., is requesting to permission to enlarge a non-conforming use at 1000 Chamberlain Avenue. The applicant wishes to add additional equipment inside the existing compound to service a cellular communication antenna. The property is identified as 03-06-136 and it is located in the Educational Zoning District.**

**President Shultz** asked if there was anyone to speak in favor of this request.

**Jarrod Krenn, from Crown Castle** stated he was here on the behalf of their potential customer, AT&T. They will have their equipment on an elevated platform within the existing building. They want to install their equipment at this location which would include six new antennas, nine corresponding radios, and eight cables that would lead up the tower to the equipment. They will install a platform above one of the current customer's equipment. They will have a walk-in cabinet on this platform that will store all their ground equipment. Mr. Krenn explained the site plans that the Board Members were given in their packets. They have elevated platforms at some of their other locations. They won't begin their project before the summer. After this project, the location will be at its capacity.

**Flick Romesburg, property owner** said he supports this project. He also praised the Planning Department for putting the sign on the property and sending out the certified mail informing him of this project.

**President Shultz** asked if there was anyone to speak against this request.

**There were none.**

**President Shultz** asked for a moved to close the public hearing

**Board Member Ragen** motioned to close the public hearing.

**Board Member Bolyard** seconded the motion.

**Motion carried 5-0**

**President Shultz** asked for the staff report.

**Sandra Scaffidi:** Mr. Krenn from Crown Castle attended a DRC meeting on January 30, 2019 to discuss the expansion of the compound located at the base of the cell tower. After being told that expansion of the footprint of the compound was not allowed due to our Zoning Code, he and his engineers reworked the plan in order to be able to install the proposed new equipment cabinet within the existing compound, thereby not increasing the footprint of the non-conforming use. The new cabinets and equipment will be located inside the fenced compound area and new antenna added to the tower. These additions will not have a substantial detriment on the use and enjoyment of adjacent uses or lots; shall comply with all parking, sign, landscaping, or other applicable regulations to the area affected by the proposed enlargement, increase, or greater area as evidenced on an approved site plan; and no land beyond what was original to the use will be occupied or used by the non-conforming use. It is my recommendation to approve the expansion of the non-conforming use for this applicant.

**The Board Members and City Planner discussed the request.**

**President Shultz** asked for a motion on this request.

**Commissioner Ragen** moved to deny this request.

**Commissioner Deasy** seconded the motion.

**Motion carried 5-0**

**DISPOSITION OF PAST CASES**

**None**

**NEW BUSINESS**

**None**

**OTHER BUSINESS**

**None**

**ADJOURNMENT**

**President Shultz** asked for a motion to adjourn.

**Board Member Ragen** moved to adjourn.

**Board Member Manchin** seconded the motion.

**Motion carried 5-0.**