

CITY OF PIQUA, OHIO
BOARD OF ZONING APPEALS MEETING MINUTES
TUESDAY, AUGUST 27, 2013

MUNICIPAL GOVERNMENT COMPLEX - COMMISSION CHAMBERS

CALL TO ORDER

At 6:00 Chairperson Steve Reindel called the meeting to order. The Chair read the Introductory Statement of BZA Duties and outlined the order of business to be followed. The Chair reviewed the meeting conduct procedures and swore in those persons in attendance. The Chairman asked all persons present to stand and raise their right hand. The Chairman administered an oath to all persons present to testify before the BZA asking them to swear or affirm to tell the truth, and to acknowledge their intent to abide by the oath administered by stating, "I do" or "opposed". All persons present stood and took the oath to tell the truth with all persons present stating "I do".

ROLL CALL

Members Present: Steve Reindel, Mike Taylor, and Dan Henthorn.

Members Absent: Dan Patrizio, and Skip Murray

Staff Members: Chris Schmiesing

Attendees: Curt South

Motion was made by Mr. Taylor, seconded by Mr. Henthorn to excuse Mr. Patrizio and Mr. Murray from the August 27, 2013 Board of Zoning Appeals Meeting. Voice vote, Aye: Mr. Henthorn, Mr. Taylor, and Mr. Reindel. Nay: None.

MEETING MINUTES

Approval of the June 25, 2013 Board of Zoning Appeals minutes. Moved by Mr. Henthorn, seconded by Mr. Taylor. Roll call, Aye; Mr. Henthorn, Mr. Taylor, and Mr. Reindel. Motion carried on a 3-0 vote. Minutes were approved.

NEW BUSINESS

Resolution 04-13

A Resolution requesting a variance to the height and setback requirements to allow for a height and setback exception for a communication tower to be located at 1 Tomahawk Trail

City Planner Chris Schmiesing explained the applicant is requesting an exception to the height variance to construct a communications tower. The variance is for the height and setback requirements to allow for a 125' high communications tower with a 100' setback at 1 Tomahawk Trail.

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The City Code of Ordinances Chapter 154.125 (B) establishes that: Public, semi-public, or public service buildings, hospitals, or school, where permitted, may be erected to a height not exceeding 90 feet when the required side and rear yards are each increased by one foot for each foot of additional building height above the height regulations for the district in which the building is located; and Chapter 154.125 (C) establishes that: "Commercial radio, cellular/communication and television towers shall be located centrally on a continuous parcel having a dimension at least equal to the height of the tower measured from the center of the base of the tower to all points on each property line."

The code allows for a 90' tower and the applicant is requesting a 125' high tower in order to provide better communication. The tower will be located near the Jr. High and High School complex on the south side of the property near a storage building. The 125' will still fall short of hitting any of the school buildings, except the storage building, and they are aware of that. Staff pointed out other code requirements and obligations of the applicant such as FAA or the FCC requirements are applicable and will still have to be met. The setback dimensions are somewhat antiquated and further explained. The owner is fully aware they are erecting the tower within close proximity of the storage shed and acknowledge the risk of the tower falling on the building.

It is the recommendation of the staff to approve the variance at this time.

Curt South, representing Piqua City Schools, Applicant, came forward and provided further information regarding the request for the variance for the height of a communication tower at 1 Tomahawk Trail.

After a brief discussion all Board members present were in agreement to grant the variance at this time based on staff comments heard and comments from the applicant.

PUBLIC COMMENT

No one came forward to speak for or against Resolution No. Resolution 04-13.

Moved by Mr. Taylor, seconded by Mr. Henthorn to approve the variance as requested. Roll call, Mr. Taylor, Aye; Mr. Henthorn Aye; Mr. Reindel, Aye; Nay: None.

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OTHER BUSINESS

None

ADJOURNMENT

With no other business before the Board, a motion was made by Mr. Henthorn, seconded by Mr. Taylor. With all those present in favor the meeting was adjourned at 6:30 P.M.