

ZONING BOARD OF ADJUSTMENT

DATE: September 17th, 2020

The Zoning Board of Adjustment met at a regularly scheduled meeting on Thursday, September 17th, 2020 at 2:30 p.m. in the Commission Chambers at City Hall, Shawnee, Oklahoma, Pottawatomie County, pursuant to notice duly posted as prescribed by law.

AGENDA ITEM NO. 1:

Roll Call

Upon roll call the following members were present: Tim Burg, Mark Cannon, and Holly Gordon.

A quorum was declared present.

NOTE: Brandon Dyer and Crystal Richardson were absent.

AGENDA ITEM NO. 2:

Consideration of approval of the minutes from the regular meeting of the Zoning Board of Adjustment of August 20th, 2020.

Chairwoman Gordon asked for a motion. Commissioner Burg made a motion to approve the minutes to form which was seconded by Commissioner Cannon. The motion passed 3-0.

Motion passed:

AYE: Burg, Cannon, Gordon

NAY: None

ABSTAIN: None

AGENDA ITEM NO. 3:

Case #ZBOA04-20 – Public hearing and consideration of approval of a variance request for a 33' setback for a communications tower from the north property line located at 815 N. Harrison Avenue.

Applicant: Troy Williams, Branch Communications, on behalf of AT&T

Planning Director Rebecca Blaine presented staff report. She stated the applicant was requesting a setback variance from the north property line. She stated the current zoning of S&S Auto Salvage is currently in a nonconforming zoning district, as the frontage on Harrison Avenue is currently zoned C-1 (Neighborhood Commercial) and the back is currently zoned R-1 (Single-Family Residential). She mentioned a rezoning has been requested to go to C-3 (Highway Commercial) with a CUP (Conditional Use Permit) which is required for any new communication towers, which will bring the auto salvage business use into conformity by right. The Zoning Code which sets the parameters for communications towers is thirty years old, and engineering standards have changed drastically since then. Whereas thirty years ago, a communications tower would require an 80% of total height fall radius buffer for a tower that might fall over due to a natural disaster or some other act, engineered towers now have the ability to self-collapse within a compound. In other words, they would fall straight down. This advancement in engineering and design eliminates the need for the 80% setback. This tower is 110' tall, which would require an 88' setback. The applicant has a potential placement of 55' off the property line, which would require the 33' setback variance.

Chairwoman Gordon asked if any of the commissioners had questions for Director Blaine. No questions were had.

No citizens were present or came forward for the public hearing portion of this item. The public hearing portion of the meeting was closed.

Commissioner Burg made a motion to approve the variance as requested, which was seconded by Commissioner Cannon.
The motion passed 3-0.

Motion passed:

AYE: Burg, Cannon, Gordon

NAY: None

ABSTAIN: None

AGENDA ITEM NO. 4:

New Business

None.

AGENDA ITEM NO. 5:

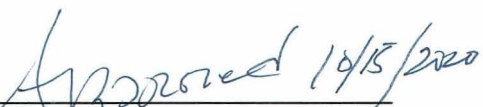
Commissioners' Comments

None.

AGENDA ITEM NO. 6:

Adjournment

The meeting was adjourned at 2:34 p.m.



Chairwoman/Vice-Chairman

Rebecca Blaine

Planning Director