

# Board of Zoning Appeals

## August 11, 2022

**Members present** Chairman, Phil Rooney; Kerry Trombley; and Scott Brecheisen.

Mr. Rooney called the meeting to order at 6:00 p.m. and the general rules were reviewed.

The following was introduced by Mr. Erik Adkins:

**Case Number: BZA-09-2022-62956**

**Address: 701 N. Main Street**

**Zone: C-2 General Commercial**

Filed by Juan Salinas, regarding a variance from section 1161.13.3(B) of the City of Findlay Zoning Ordinance for a new radio communication tower at 701 N. Main Street. The applicant is proposing to build a 60-foot high radio communication tower that will be 255-feet from the closest residential structure. This section requires the communication tower to be a minimum of 500-feet from the closest residential structure.

The site is currently a church and has a radio station that is operated from the facility. This property is uniquely situated within a neighborhood, and the radio communication tower may pose concerns from citizens located within the surrounding area. The section of the code, and the intention of the fall area is geared more around cellular communication towers, more so than 60-foot radio antennas.

The city does have concerns in regards of the local neighborhoods, and would love to abide by the code. However, the city will support whatever decision the Board of Zoning Appeals makes in regards to the request.

Mr. Juan Salinas, Pastor of Church of the Living God located at 701 N. Main St., was sworn in. He stated they opened a radio station here in Findlay in '07. They were at 338 N. Main Street and moved into the Washington School building. They then needed to move the tower. The University of Findlay needed a transmitter to help their security system so they helped each other by moving their transmitter to the University of Findlay. There are a few hang ups, like when their system goes down, the radio station goes down and the church does not have access to the building. The University of Findlay will be changing to a new internet streaming system which will also affect the church, so the church needs to move the antenna location to the 701 North Main Street address. This will eliminate a lot of problems that they are having right now.

Mr. Trombley asked where on the property would the antenna be located?

Pastor Salinas stated it would be located on the back-side; the East side of the building.

Mr. Rooney asked if the 'X' on the drawing is the location?

Pastor Salinas stated "yes". It can be located where ever the Board approves. He stated it has already been approved by the FCC. An environmental survey is included in the packet that was given to all of the Board members. He stated they have done all of their due-diligence.

Mr. Trombley asked for confirmation that it would be 255 feet from the nearest house?

Pastor Salinas stated they are allowed to go 180 feet without putting a light on it. If it falls, it would be within their property and not harm anybody.

Mr. Trombley stated being 60 feet tall, it would be the tallest thing in the area. Is there going to be screening around it?

Mr. Rooney stated it's the size of an old TV antenna.

Conversation continued between Pastor Salinas and Mr. Trombley.

Mr. Trombley stated his concern is, even though this is a Commercial property, it is surrounded by residential properties, how is it going to look to neighbors and how is it going to fit in with the neighborhood?

Pastor Salinas stated he believed that not that long ago, Zoning allowed 50 feet towers.

Mr. Adkins stated that was before him. He stated he thinks the satellites right now are 30 feet or 40 feet.

Mr. Trombley asked if he looked at any alternatives that would be further away from the residence?

Pastor Salinas stated "No" they didn't.

Mr. Trombley asked if he reached out to any of the neighbors? Are there any screening requirements?

Mr. Adkins stated he did not think there are any screening requirements for this situation.

Mr. Brecheisen asked if there were any communications on this case.

Mr. Adkins stated there were one or two phone calls on this case, but he could not answer the questions about the radiation and health things, so he suggested they show up at the meeting to get the answers to their question; however, no-one showed up.

Mr. Trombley and Mr. Adkins had conversation about screening that is geared more toward cell towers and facility.

Mr. Rooney stated any screening would not hide it very well since it will be 60 feet tall.

Pastor Salinas stated the building is 38 feet tall and the antenna will be 20 feet above that.

Mr. Trombley and Pastor Salinas discussed the height of the antenna, broadcasting range, radiation and FCC approval.

Mr. Rooney stated it is not that big of a deal and there are a lot of Commercial structures in that area of Main Street and made a motion to approve the requested variance, with the conditions that it is to be placed no closer than 60 feet from the property line, can have no illumination and contingent on required permits be obtained within 60 days.

Mr. Brecheisen seconded the motion.

Motion to approve the requested variance, with the conditions that it is to be placed no closer than 60 feet from the property line, can have no illumination and contingent on required permits be obtained within 60 days, 3-0.

The following was introduced by Mr. Erik Adkins:

**Case Number: BZA-10-2022-63053**

**Address: 909 Broad Avenue**

**Zone: C-1 – Local Commercial**

Filed by Darrin Karcher, regarding a variance from section 1133.04(A) and 1133.04(B) of the City of Findlay Zoning Ordinance for a new building at 909 Broad Avenue. The applicant is proposing to build a new 60 X 40 building that will replace the existing building. The new building is requesting to be constructed 5-feet from the side property line and 10-feet from the front yard setback. These sections require a 10-foot side yard setback and a 25-foot front yard setback from the property lines.

This address is the current location of the Old Stoney Bar, and the owner is looking to have an option to build a new building with similar setbacks as the existing structure. The existing structures location is within a foot or less from the Broad Avenue and Howard Street right-of-way's, so a new structure at the requested setbacks would be much more appealing to that area.

The city is not opposed to the request, and will support the Board of Zoning Appeals decision.

Mr. Darrin Karcher, owner of 909 Broad Avenue, was sworn in.

Mr. Rooney asked for clarification on the 60 feet x 40 feet building, the extra 15 feet toward Broad is it going to be a covered patio?

Mr. Karcher stated "yes". The building will not even encroach into the 25 feet, they were just hoping to have posts for a covered roof.

Mr. Trombley asked how big the current building is?

Mr. Karcher stated it is 20 x 60 with a lean tube on the back – so 75 x 20 maybe, total. It's a little bigger because they want to add a kitchen. The cost to save the current building would be a concern and would still need a variance to build on to the current building. A new building would be a more attractive option and it would get the current building off of the corner.

Mr. Rooney asked if there were any communications on this case.

Mr. Adkins stated there were no communications on this case.

Mr. Trombley stated it fits well with the area and is an improvement over the existing situation; therefore, made a motion to approve the requested variance, contingent on required permits be obtained within 60 days after CPC approval.

Mr. Brecheisen seconded the motion.

Motion to approve the requested variance, contingent on required permits be obtained within 60 days after CPC approval, 3-0.

The March 10, 2022 meeting minutes were tabled.

The April 14, 2022 meeting minutes were approved.

The May 12, 2022 meeting minutes were approved.

The July 14, 2022 meeting minutes were approved.

The meeting was adjourned.



Chairman



Secretary