



**MINUTES
ZONING BOARD OF ADJUSTMENT
WEDNESDAY, JULY 17, 2019
CITY HALL-COUNCIL CHAMBER, 7105 WHITLEY ROAD
REGULAR MEETING
5:30 P.M.**

MEMBERS PRESENT:

Pete Beierschmitt, Vice-Chairperson, Place 3
Robert Daniel, Place 5
Mel Eperthener, Place 4
David Villafuerte, Alternate, Place 1
Charlie Mann, Alternate, Place 3

And

George Hyde, City Attorney
Randy Richards, Building Official
Paul Hackleman, Director of Public Works
Jeannette Garcia, Planning and Zoning Coordinator

With

James Kite, Chairperson, Place 2, absent without notice
Barry Sullivan, Alternate, Place 4, absent with notice

CALL TO ORDER:

Vice-Chairperson Beierschmitt called the meeting to order at 5:30 p.m.

APPROVAL OF MINUTES:

1. Approval of Minutes from the October 2, 2018 Regular Meeting of the Zoning Board of Adjustment.

Member Bob Daniels made a motion to approve the minutes of October 2, 2018 as presented. Member Charlie Mann seconded the motion, which passed as follows:

AYES:	Beierschmitt, Daniels, Eperthener, Mann
NAYS:	None
ABSENT:	Kite, Sullivan
ABSTAIN:	Villafuerte

PUBLIC HEARING

1. ZBA Case No. 19-01: Request for Special Exception to Watauga City Code of Ordinances, Chapter 115 Zoning, Article V, Section 115-116, Paragraph (e)

stating the maximum height for an antenna facility permitted without a special exception in any CF, GU, LB, GB, C, or I district shall be 65 feet. The applicant is seeking special exception for height to increase from 65 feet to 100 feet and for use of a Lattice or Decorative type cellular antenna tower. The property is located at 6600 Starnes Road, Block A of the Foster Village Addition (Foster Village Park). The property owner is City of Watauga. The applicant is CLQ, LLC Tower Consultants dba Wild West Towers Corporation.

a. Open Public Hearing, allow for staff comments

Vice-Chairperson Beierschmitt opened the Public Hearing at 5:31 p.m. calling upon staff for presentation and comments. Paul Hackleman, Director of Public Works, opened with introductions of applicants from Wild West Towers. Peter Kavanagh, applicant on behalf of Wild West Towers, took the podium giving introductions of the project and the seeking of a special exception for antenna height to increase from 65 feet to 100 feet. Public Works Director, Paul Hackleman, reminded the board that the City is not looking to build a tower; applicant is seeking to lease the land to build the tower. In the lease will be agreement to maintain the tower, acceptable to the City. Many designs are available to choose from. The tower will belong to the applicant as they are leasing space to operate in the park.

b. Public Comments

At 5:53 p.m. Vice-Chairperson Pete Beierschmitt opened the public hearing to public comments. The City Attorney reminded the public to speak to the Board not the audience. He also reminded the audience that the board cannot use health as a basis to deny a permit. The Board is pre-empted.

Tom Kizer	6541 Starnes Road
Tiffany DeAmicis	7404 Meadowbrook Dr.
Kera Pavelka	6536 Bluegrass Dr.
Neal Cooper	6921 Cheatham Dr.
Sandy Bush	6620 Mona Lisa
Victor Alcasas	7017 Declaration St

c. Close Public Hearing

Vice-Chairperson Beierschmitt closed the public hearing and reconvened the meeting at 6:11 p.m.

NEW BUSINESS:

1. Discussion and action on selection of Zoning Board of Adjustment Case No. 19-01: Request for a Special Exception to Watauga City Code of Ordinances, Chapter 115 – Zoning, Article V, Section 115-116, Paragraph (e) stating the maximum height for an antenna facility permitted without a special exception in

any CF, GU, LB, GB, C, or I district shall be 65 feet. The applicant is seeking special exception for height to increase from 65 feet to 100 feet and for use of a Lattice or Decorative type cellular antenna tower. The property is located at 6600 Starnes Road, Block A of the Foster Village Addition (Foster Village Park). The property owner is City of Watauga. The applicant is CLQ, LLC Tower Consultants dba Wild West Towers Corporation.

Applicant, Peter Kavanaugh, on behalf of Wild West Towers, request to postpone item to provide Zone Systems an opportunity to host a meeting with the citizens. Mr. Bob Daniel made a motion as requested and Mr. David Villafuerte seconded the motion, which passed as follows:

AYES: Beierschmitt, Daniels, Eperthener, Mann, Villafuerte
NAYS: None
ABSENT: Kite, Sullivan
ABSTAIN: None

ADJOURNMENT:

With no further business to discuss, Mr. Beierschmitt adjourned the meeting at 6:21 p.m.

APPROVED: this the 26th day of September 2019

SIGNED: this the 26th day of September 2019

APPROVED: Charlie Mann/s/
~~Pete Beierschmitt, Vice-Chairperson~~

ATTEST: Mel Eperthener/s/
~~Mel Eperthener, Secretary~~