

City of Taylor Mill

*5225 Taylor Mill Road
Taylor Mill, Kentucky 41015*

Mayor Mark Kreimborg
Ed Meece, City Administrator
Cheryl Niehues, City Clerk
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BOARD OF ADJUSTMENTS MEETING
AGENDA FOR NOVEMBER 6, 1997
7:00 P.M.

CALL TO ORDER:

MINUTES: Approval of the minutes from the July 3, 1997 meeting.
Approval of the minutes from the September 4, 1997 meeting.

OLD BUSINESS:

NEW BUSINESS:

PUBLIC HEARING #1: **25 MAGELLAN WAY**
(Request for a variance from the requirements of section 9.10 subsection A and B, and to provide clarification of the Zoning Administrators interpretation of subsection E of the Taylor Mill Zoning Ordinance.

ADJOURNMENT:

Taylor'd With Pride



Police Department
Chief Steve Knauf
Phone (606) 581-1192
Fax (606) 581-0220



Fire Department
Chief Dennis Halpin
Phone (606) 581-6565
Fax (606) 581-6568



Public Works Department
Tom Robke, Director
Phone (606) 581-3359

**MINUTES OF THE TAYLOR MILL
BOARD OF ADJUSTMENTS
NOVEMBER 6, 1997
7:00 P.M.**

Chairman Maxfield called the meeting to order at 7:00 p.m. The Secretary called the role.

Paul Maxfield, Chairman	Present
Cary Bushman	Present
Sherry Doggett	Present
Leo Dolan	Present
Lee Flischel	Absent
Paula Tretter Kuehne	Absent
John Lucas	Absent

Mr. Dolan made a motion to accept the minutes of the September 4, 1997 and the July 3, 1997 meetings. Mr. Bushman made a second. All members present were in favor of the motion as presented.

Motion Passed.

There being no Old or New Business, Chairman Maxfield opened the public hearing portion of the meeting.

PUBLIC HEARING #1

25 Magellan Way, Taylor Mill, Kentucky

Request to grant a variance from the requirements of section 9.10 subsection A and B, and to provide clarification of the Zoning Administrators interpretation of subsection E of the Taylor Mill Zoning Ordinance.

Mr. Jim Piraino of Cinergy, 4th and Main Street, Room 873 M, Cincinnati, OH 45202 (applicant) was present.

Chairman Maxfield asked if Mr. Piraino would like to begin his explanation of his request.

Mr. Piraino indicated that plans from Sorta had been submitted for a cellular tower and were denied.

B.O.A Minutes 11/06/97

Mr. Withrow (Building Inspector) indicated that plans for the tower were not denied because they are regulated by the Public Service Commission. However, he did indicate that he denied plans for an accessory structure because one structure is already present on this parcel of property.

Mr. Piraino said that the accessory building was a housing facility for the cellular tower transmitter.

Mr. Withrow indicated that the Zoning Ordinance was drafted in the late 60's and public utilities were only considered to be gas, water and electric. He felt that the decision to authorize the placement of additional accessory structures should be given by the Board of Adjustments. He also requested an interpretation of section 9.10, subsection E.

Mr. Piraino presented information on the proliferation of cellular towers in the Northern Kentucky Area. He also presented articles in support of collocation of towers, and pictures of the building currently on the site that houses equipment.

He also indicated that he would need an additional 3-4 buildings on this site to allow the location of additional companies on this tower. Stating that each company who would collocate on a tower would still need their own accessory structure.

He also presented information which showed that the Northern Kentucky Area Planning Commission had approved this site for recommendation to the Public Service Commission.

Additional conversation ensued regarding tower location, use of buildings and definition of a structure.

Chairman Maxfield disclosed that he had previously completed work with Sorta and would not be participating in a vote on this issue and indicated that he would receive no gain if he votes. However, he still chose to not vote on this issue.

Mr. Bushman disclosed that he works for the adjoining property owner and would also not be voting on this issue.

B.O.A. Minutes, 11/06/97

Mr. Withrow requested that the Board of Adjustments clarify the issue of accessory buildings and their status of exemption.

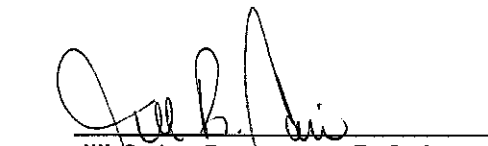
Ms. Doggett made a motion that tower service accessory buildings be exempt from our Zoning Ordinance due to the fact that it falls under the control of the Public Service Commission not local authority as defined in K.R.S. 100.324 which states service facilities include all facilities of such utilities and common carriers by rail other than office space, garage space, and warehouse space and include office space, garage space, and warehouse space when such space is incidental to a service facility. Mr. Dolan made a second. The Secretary called the role.

Chairman Maxfield	Not Voting
Cary Bushman	Not Voting
Sherry Doggett	Yes
Leo Dolan	Yes
Lee Flischel	Absent
Paula Tretter Kuehne	Absent
John Lucas	Absent

Chairman Maxfield made a motion to adjourn. Mr. Bushman made a second. All members present were in favor.

Meeting adjourned at 7:55 p.m.


Paul Maxfield, Chairman


Jill Cain, Secretary, B.O.A.
(City Administrative Officer)