

STATE OF TEXAS §
 COUNTIES OF POTTER §
 AND RANDALL §
 CITY OF AMARILLO §

On the 14th day of February, 2013 the Zoning Board of Adjustment of the City of Amarillo met at 4:00 p.m. in a work session in the City Commission Work Room of City Hall. They reviewed the agenda items for the meeting. The Board adjourned the work session and convened to the regular meeting in the City Commission Chamber of City Hall at 4:30 P.M., with the following members present:

VOTING MEMBERS	PRESENT	NO. MEETINGS HELD	NO. MEETINGS ATTENDED
Matt Thomas, Chairman	Yes	30	27
Sandera Dear-DeWeese	Yes	23	19
Wayne Osteen	Yes	19	14
Richard Walton	Yes	11	6
Larry Mills	Yes	18	13
ALTERNATE MEMBERS			
Farrar Mansfield	No	3	2
Ryan Brewster	No	2	1
Barry Lynch	No	2	0

ADMINISTRATIVE MEMBERS PRESENT

Randy Schuster, Deputy Building Official
 Teresa Hook, Administrative Tech

Marcus Norris, City Attorney

Chairman Matt Thomas called the regular meeting to order at 4:30 P.M., recited the procedural rules, and swore in those who planned to give testimony.

Item 1: Approval of the minutes of the December 13, 2012 meeting. Sandera Dear-DeWeese moved to approve the minutes. The motion was seconded by Larry Mills and passed on a 5:0 vote.

Item 2: V-01-13 **Location:** 4118 Bushland Blvd **Zoned:** L.C.
Legal Description: South irregular 157.6' of block 0205 San Jacinto Amended Addition
Property Owner: WTG Fuels Inc.
Applicant: NTCH, LLC Tanya Cintron
Variance Requested: Increase the maximum allowed height from 34'5" to 160' for the placement of a communication tower.

Mr. Keith Fisher, representative for NTCH-NM, appeared before the Board to explain that the project consists of constructing a 160' monopole cell tower. Mr. Fisher explained that the tower would be constructed with "breaking points" which would allow it to fall in sections in the event of failure; however, he also provided pictures of a similar cell tower in Jackson, Tennessee that remained standing after an F4 tornado. Mr. Fisher stated that the tower would provide the height needed for new national first-responders network and that adequate tower space and ground equipment space would be provided to the City of Amarillo for this new Public Safety Network at no charge.

Eric Steinman, NTCH-NM site development director, explained how the proposed tower would improve communications coverage in the surrounding area and help to meet the demands of new technology and increased service needs.

Mr. Schuster stated that the City of Amarillo mailed 6 letters to area property owners and received one response opposing the application.

After discussion on the request, Sandera Dear-DeWeese made a motion that the request be denied. With no second, the motion died. Wayne Osteen moved that the requested variance be approved because there are other properties in the area enjoying similar conditions; it will not adversely affect the land use pattern of the area;

the variance will be no material detriment to public safety or welfare or cause injury to the use of adjoining property. Seconded by Larry Mills, the motion passed with a 4:1 vote.

Item 3: V-02-13

Location: 5208 S Western Zoned: G.R.

Legal Description: Lot 6C Western Plateau #19

Property Owner: Kress Properties

Applicant: NTCH, LLC Tanya Cintron

Variance Requested: Increase the maximum allowed height from 34'5" to 160' for the placement of a communication tower.

Mr. Keith Fisher, representative for NTCH-NM explained that conditions for this project including construction, improved communications coverage, and space for Public Safety Network provided to the City of Amarillo at no charge are the same as stated in previous variance request.

Mr. Schuster stated that the City of Amarillo mailed 5 letters to area property owners and received one response opposing the application.

After discussion on the request, Sandera Dear-DeWeese made a motion that the request be denied. With no second, the motion died. Richard Walton moved that the requested variance be approved because there are other properties in the area enjoying similar conditions; it will not adversely affect the land use pattern of the area; the variance will be no material detriment to public safety or welfare or cause injury to the use of adjoining property. Seconded by Larry Mills, the motion passed with a 4:1 vote.

As there was no further business to discuss, Chairman Matt Thomas adjourned the meeting at 5:25 PM.



Randy Schuster for Scott McDonald
Secretary to the Board

On the 15th day of February, 2013, I caused the minutes to be filed in the original minute records of the Zoning Board of Adjustment, which are on file in the office of the Building Official.