

**CITY OF MURFREESBORO  
BOARD OF ZONING APPEALS**

Regular Meeting, May 23, 2012, at 1:00 p.m.  
City Hall, 111 West Vine Street, Council Chambers, 1<sup>st</sup> Floor

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**A G E N D A**

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1. Call to order
2. New Business

*Sign Variance Request*

- a. **Application S-12-026 by Mr. Matt Taylor of Site Engineering Consultants, Inc., for Polaris Hospital Co.**, is requesting a variance from Section 25 $\frac{1}{4}$ -24 (A)(22) of the City of Murfreesboro Sign Ordinance which prohibits a sign placed in or over a public utility or drainage easement on property located at 1009 North Thompson Lane.

*Variance Requests*

- b. **Application Z-12-027 by Mr. John Callow of the City of Murfreesboro Community Development Department, for Grady and Mildred Bowen**, is requesting a 10-foot variance from the minimum required 30-foot front building setback for principal structures, as stated in Chart 2 (*Minimum Lot Requirements, Minimum Yard Requirements, and Land Use Intensity Ratios*) of the City of Murfreesboro Zoning Ordinance, for property located in a Residential Multi-Family (RM-12) zone at 624 North Academy Street.
- c. **Application Z-12-028 by Mr. Larry Sims**, is requesting a variance from Section 25(E)(1)(a) of the City of Murfreesboro Zoning Ordinance which states that accessory structures on interior lots in residential zoning districts shall be no less than 5-feet from any side lot line. The applicant is seeking a 2-foot variance to the minimum required 5-foot building setback for an addition to an existing accessory structure on property located at 537 East Main Street in a Residential Single-Family (RS-10) zone.

*Special Use Permit Requests*

- d. **Application Z-12-029 by Mr. Douglas Young and Mr. John Moss, for First Presbyterian Church**, are requesting a special use permit for the expansion of an existing institutional group assembly use (a church) in a General Office District – Residential (OG-R) zone for property located at 210 North Spring Street. The request pertains to the construction and use of a columbarium on the church grounds.
- e. **Application Z-12-030 by Mr. Jeff Breeden, for the Riverdale High School Softball Booster Club**, is requesting a special use permit in order to operate a temporary outdoor vending establishment (seasonal fireworks retailer) in a Light-Industrial (L-I) zone for property located at 2030 South Church Street.
- f. **Application Z-12-031 by Ms. Kathy Biter, for B&B Fireworks, LLC**, is requesting a special use permit in order to operate a temporary outdoor vending establishment (seasonal fireworks retailer) in a Commercial Highway (CH) zone for property located at the southeast corner of South Church Street and Southeast Broad Street.

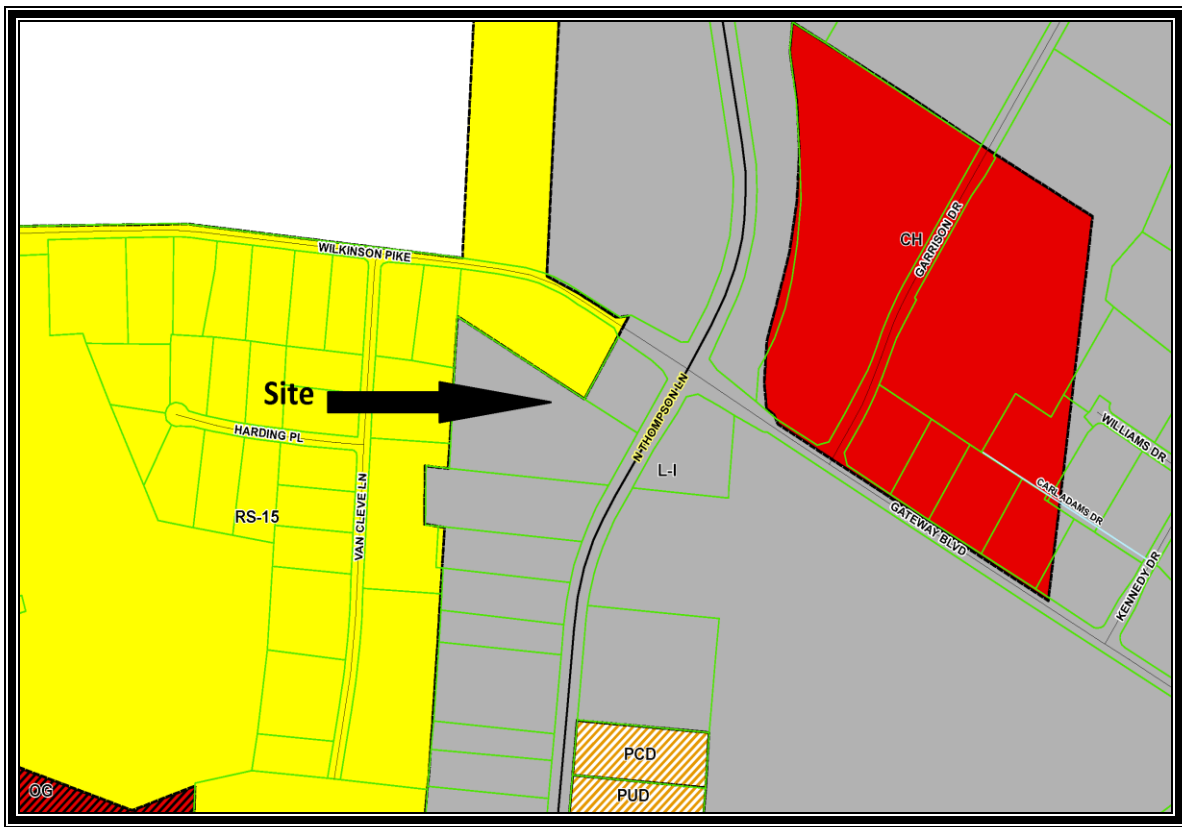
*Special Use Permit Amendment Request*

- g. **Application Z-12-032 by Mr. Philip Head of Waller Lansden Dortch & Davis, LLP, for Verizon Wireless Tennessee Partnership**, is requesting an amendment to a special use permit that was approved on August 25, 2010 allowing the establishment of a telephone or telegraph facility in a Commercial Highway (CH) zone for property located at 1200 Conference Center Boulevard. A condition was placed on the special use permit that any equipment and/or antennae for future carriers to be installed on the roof of 1200 Conference Center Boulevard must not exceed the height of the parapet wall. The applicant seeks an amendment of the original special use permit in order to install wireless communications equipment that exceeds the height of the parapet wall.

- 3. Staff Reports and Other Business
- 4. Adjourn

**MURFREESBORO BOARD OF ZONING APPEALS  
STAFF COMMENTS  
MAY 23, 2012**

**Application:** S-12-026  
**Address:** 1009 North Thompson Lane  
**Applicant:** Mr. Matt Taylor of Site Engineering Consultants, Inc., for Polaris Hospital Co.  
**Zoning:** Light-Industrial (L-I), Gateway Design Overlay District (GDO-2), and Battlefield Protection District (BPD)  
**Request:** A variance from Section 25 ¼-24 (A)(22) of the City of Murfreesboro Sign Ordinance which prohibits a sign placed in or over a public utility or drainage easement



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The Applicant, Matt Taylor representing Polaris Hospital Company is requesting a variance from Section 25 ¼-24 (A)(22) of the City of Murfreesboro Sign Ordinance which prohibits a foundation or signs placed in or over a public utility or drainage

easement without consent of the easement holder and Board of Zoning Appeals approval. The sign location proposed at 1009 N Thompson Lane is within the Gateway Design Overlay (GDO-2) zone.

The applicant is requesting permission to erect one (1) externally illuminated, freestanding wall sign with 18 sq. ft. display area and an overall height of 3'6". The sign will be located within a 60' slope, drainage, electric, cable tv, gas and water & sewer easement.

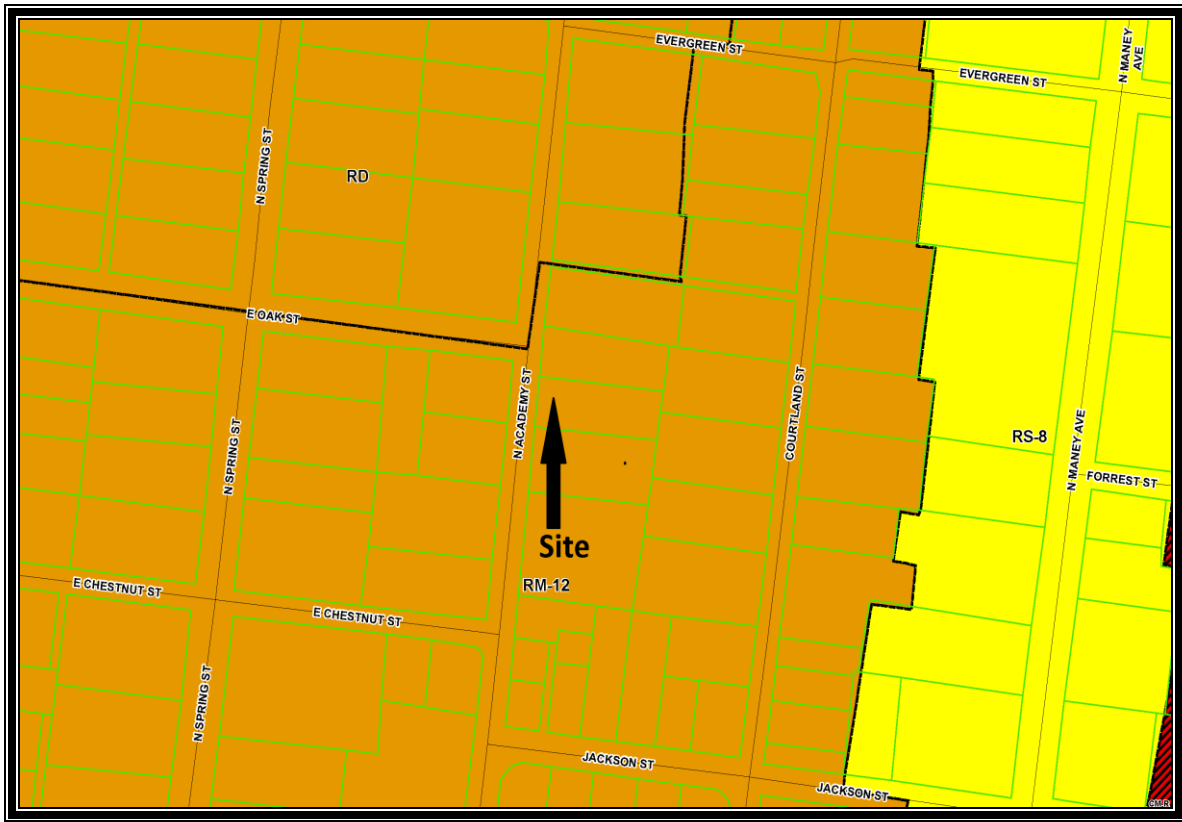
The Agreement for a Sign in a City of Murfreesboro Easement has been signed by the Director of Building & Codes, the City Engineer, Murfreesboro Electric Dept. and Murfreesboro Water and Sewer Department. A letter for approval for the sign placement within the easement has also been received from Atmos Energy, AT&T, Comcast and Middle Tennessee Electric Membership Corporation.

The applicant will comply with all other setbacks and regulations.

Mr. Taylor will be in attendance at the meeting to answer any questions that the Board may have.

**MURFREESBORO BOARD OF ZONING APPEALS  
STAFF COMMENTS  
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**Application:** Z-12-027  
**Address:** 624 North Academy Street  
**Applicant:** Mr. John Callow of the City of Murfreesboro  
Community Development Department, for Grady and  
Mildred Bowen  
**Zoning:** Residential Multi-Family (RM-12)  
**Request:** A 10-foot variance from the minimum required 30-foot front building setback for principal structures, as stated in Chart 2 (*Minimum Lot Requirements, Minimum Yard Requirements, and Land Use Intensity Ratios*) of the City of Murfreesboro Zoning Ordinance



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The subject property is located along the east side of North Academy Street and is zoned Residential Multi-Family (RM-12). The subject property, 624 North Academy Street, is

developed with a single-family residence. The existing house is in disrepair, and the City of Murfreesboro Community Development Department proposes to raze it and rebuild a new house in its place. The subject lot is of adequate width and depth to build a new house without applying for setback variances. However, in order to keep the proposed house in harmony with the existing residential structures in the immediate vicinity, the applicant has requested a 10-foot variance of the minimum required 30-foot front setback in the RM-12 zoning district. Included with the agenda materials is a letter from the applicant, as well as a survey of the property with a plot plan showing the proposed house on the subject lot. The applicant has also included a photograph of the house that he proposes to construct on the subject property.

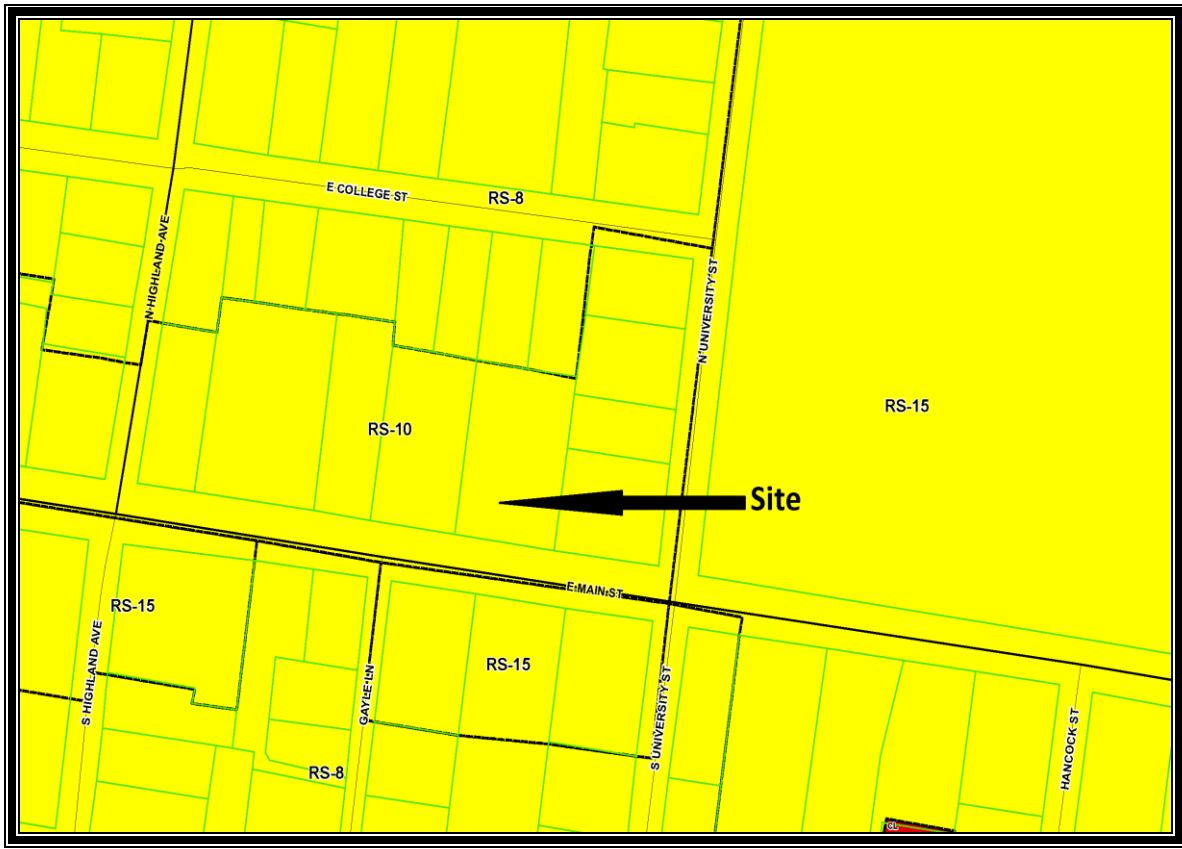
The size of the lot is approximately 149-feet deep by 60-feet wide. The area of the lot is 8,918.6 square-feet. The minimum front setback requirement in the RM-12 zoning district is 30-feet. The proposed house will be constructed towards the north side of the lot, so that a compliant driveway can be constructed on its south side. The new house is proposed to be constructed at approximately the same distance from the front property line as the existing house. At its closest point, the new house will be approximately 20-feet from the front property line. This distance is very similar to other residential structures in this area of North Academy Street.

Staff believes that the subject lot is a good candidate for a front setback variance, although a single-family home could be built on this lot without any variances. The Community Development Department makes a concerted effort to build in harmony with the existing homes in the older parts of the City. Much of the development near downtown predates current zoning regulations and is built much closer to the front property lines than current zoning regulations allow. Staff has observed that most of the residential structures in the immediate vicinity are indeed closer to the front property line than 30-feet. Photographs depicting the proximity of the surrounding housing to the street have been included for the Board's review. In addition, this request is generally consistent with the recommendations of the *Maney Avenue Comprehensive Plan*, which is used as a planning tool for the subject area by the Planning and Engineering Department as well as the Planning Commission and the Board of Zoning Appeals. The Plan identifies the subject property as being in the Oaklands Mansion Residential District. With regards to the Oaklands Mansion Residential District, the plan recommends as a key design standard "reduced front setbacks to better relate homes to the street." It recommends a minimum front setback of 15-feet and a maximum front setback of 25-feet. The applicant proposes a 20-foot front setback for the subject lot, which is within the recommended range. The Plan noted that in many instances the suburban zoning requirements that are currently in place are not conducive to redevelopment of the older, more urbanized areas of the City.

Mr. Callow will be in attendance to answer any questions that the Board may have.

**MURFREESBORO BOARD OF ZONING APPEALS  
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**Application:** Z-12-028  
**Address:** 537 East Main Street  
**Applicant:** Mr. Larry Sims  
**Zoning:** Residential Single-Family (RS-10) and Historic District (H-1)  
**Request:** A variance from Section 25(E)(1)(a) of the City of Murfreesboro Zoning Ordinance which states that accessory structures on interior lots in residential zoning districts shall be no less than 5-feet from any side lot line. The applicant is seeking a 2-foot variance to the minimum required 5-foot building setback for an addition to an existing accessory structure.



The subject property is located along the north side of East Main Street, east of North Highland Avenue and west of North University Street. It is zoned Residential Single-Family (RS-10). It is also located in the Historic District (H-1). The subject property is developed with a single-family residence. At the northwest corner of the property is a pool and small pool house. The existing pool house is only 3.1' from the west side property line. The applicant would like to build an addition onto the south side of this accessory structure. He would like to keep the addition in line with the existing structure at the same distance from the west side lot line. In order to do so, he has requested a side setback variance from the west side lot line. The property to the west, which is closest to the structure in question, is developed as a single-family residence. Included with the agenda materials is a site plan and a letter from the applicant detailing the variance request and addressing Section 10 of the Zoning Ordinance. Staff has also provided the Board with photographs of the subject property and of the property to the west.

The side setback requirement for accessory structures in residential zones is 5-feet, and the applicant is requesting a 2-foot variance of this requirement. According to the applicant, the accessory structure in question, which is 184-square-feet, was constructed in 1975. The applicant proposes a 26'x18' (468 square-feet) addition on the south side of the existing accessory structure. It will be used as a hobby shop/studio. The applicant would like to line up the addition with the existing building. In order to do so, he is seeking a side setback variance. If he were to comply with the minimum 5-foot side setback requirement, the building would have a 2-foot jog inward away from the west side lot line where the existing building adjoins the addition. The applicant points out in his write-up that the existing building was built 37 years ago, long before he took ownership of the property. He also states that, in his opinion, approving the variance would not be detrimental to other property in the area.

The BZA should also note that the Building and Codes Department requires that all structures maintain a minimum separation of 5-feet from property lines. The applicant has been advised that he will need relief from minimum codes requirements as well in order to add on to the structure as he proposes. He plans on submitting an application to the Construction Board of Adjustment and Appeals.

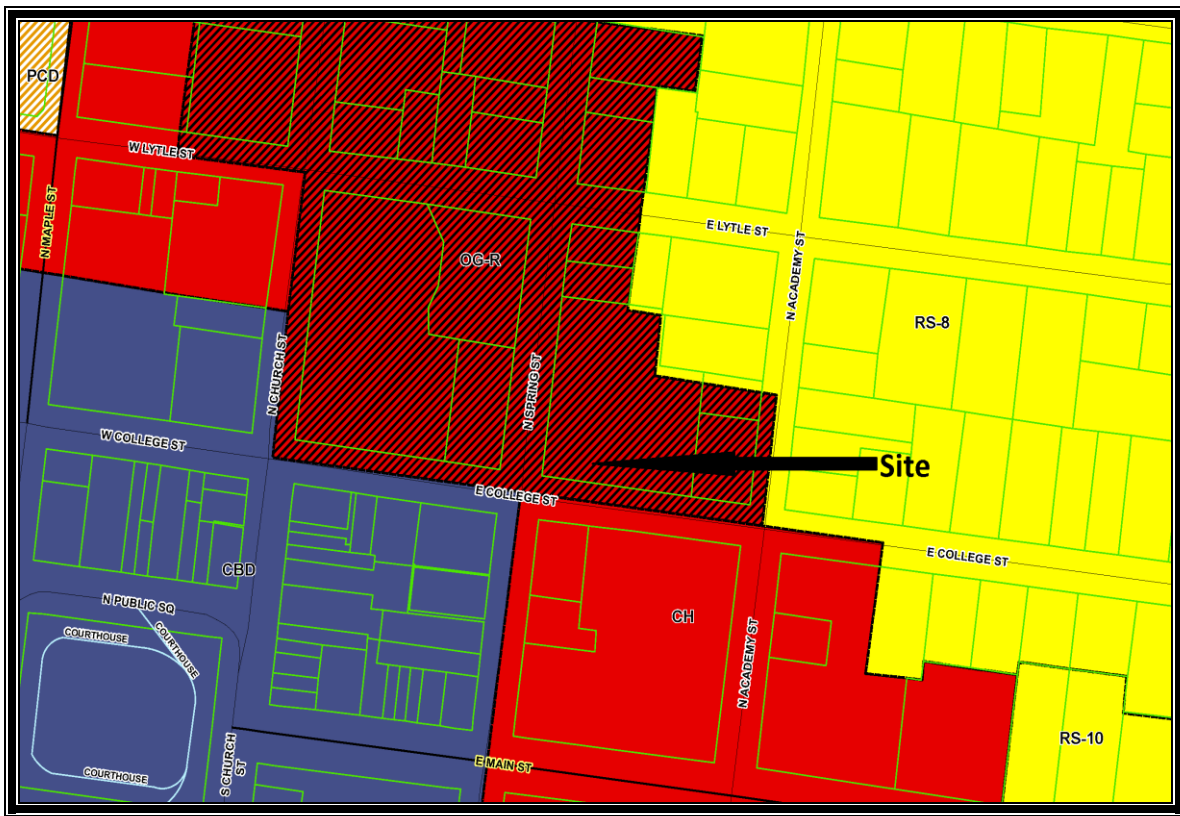
If the Board approves this request, staff recommends the following condition:

- 1) The Construction Board of Adjustment and Appeals must approve the applicant's request for relief from the minimum 5' setback from the west side lot line.

Mr. Sims will be in attendance at the meeting to answer any questions that the Board may have.

**MURFREESBORO BOARD OF ZONING APPEALS  
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**Application:** Z-12-029  
**Address:** 210 North Spring Street  
**Applicant:** Mr. Douglas Young and Mr. John Moss, for First Presbyterian Church  
**Zoning:** General Office District – Residential (OG-R)  
**Request:** A special use permit for the expansion of an existing institutional group assembly use (a church). The request pertains to the construction and use of a columbarium on the church grounds.



The subject property is located at the northeast corner of East College Street and North Spring Street. It is zoned OG-R (General Office District - Residential) and is developed as a church. There are a variety of commercial, institutional, and residential uses in the immediate vicinity. A church is considered an institutional group assembly use, and all such uses (and expansions to such uses) are required to obtain a special use permit from

the Board of Zoning Appeals when located in the OG-R zone. First Presbyterian Church is currently located on the subject property, and its most recent special use permit was in 1996 for a previous church expansion. With the current request, the church wishes to construct a columbarium, which will be used for the storage of cinerary urns and cremated remains. The applicants have submitted a site plan, architectural elevations, a rendering, a 3-D model, and a letter addressing Sections 8 and 9 of the Zoning Ordinance. Staff has also included photographs of the site and the surrounding area for the Board's reference.

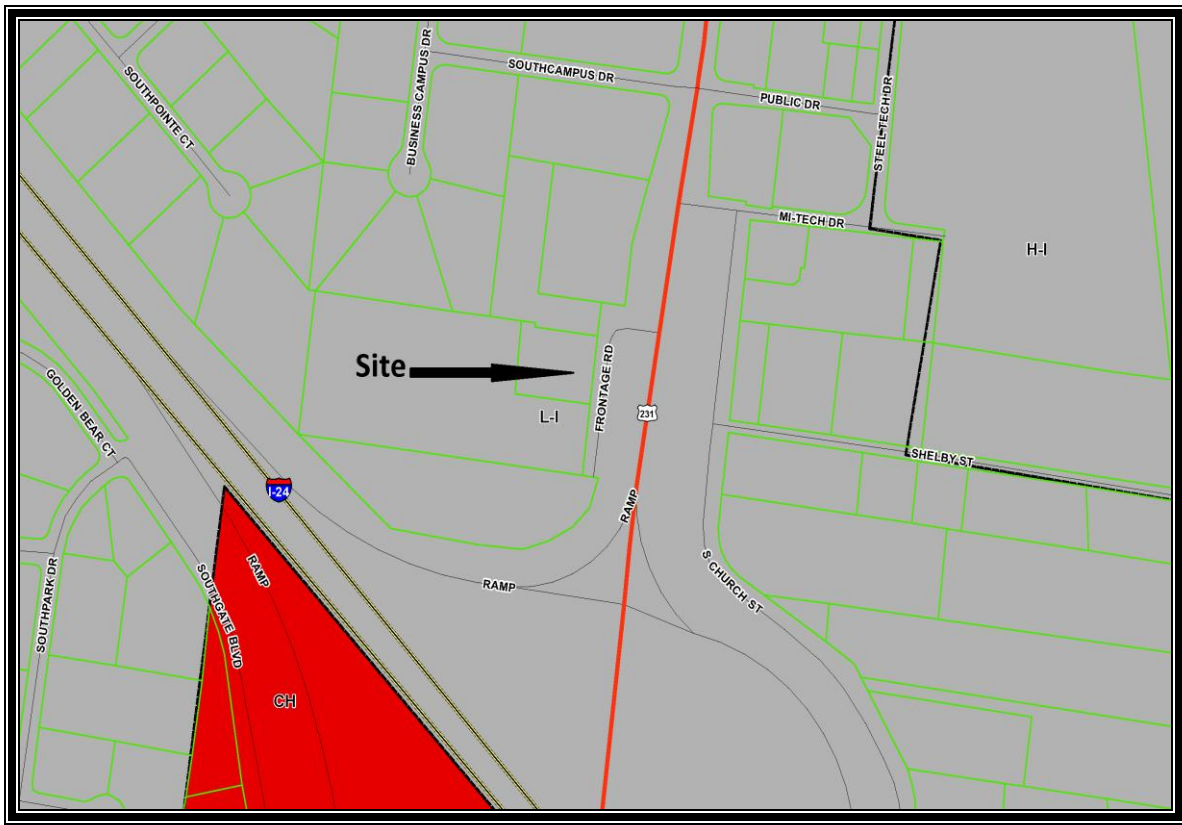
The columbarium will be approximately 25'x30' but will not be a perfect rectangle. Some of the walls will be angled. It will be located in an alcove in between the older church building and the newer addition. There are several planters there now. Some of those planters will be removed. New planters will also be added. The columbarium will consist of a 3.5'-tall wall around its perimeter. It will contain "niches" in which the urns with the cremated remains of church members can be placed. There will also be several benches located on the inside of the columbarium wall. At the center of the columbarium will be a grassy area with a cross. People will have the opportunity to sprinkle ashes in this grassy area.

The applicants propose no other improvements in addition to the columbarium. As such, many of the additional standards for institutional group assembly uses are not applicable. The applicants have indicated that the only possible additional lighting will be on the ground. The columbarium will be located outside of the 30-foot front setback. Uses that would otherwise require a special use permit on their own also require a special use permit when accessory to an institutional group assembly use. A columbarium is included in the Zoning Ordinance's definition of "cemetery." Cemeteries in the OG-R zone require a special use permit; therefore, as an accessory use to a church, it also requires a special use permit. The special use permit that has been submitted includes both the construction of the columbarium and the use of the columbarium as a permitted accessory use for the church. The Board should note that the applicants only propose the storage of cremated remains and that no other types of human remains are proposed to be stored on the church grounds.

Mr. Young and Mr. Moss will both be in attendance at the meeting to answer any questions that the Board may have.

**MURFREESBORO BOARD OF ZONING APPEALS  
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**Application:** Z-12-030  
**Address:** 2030 South Church Street  
**Applicant:** Mr. Jeff Breeden, for the Riverdale High School Softball Booster Club  
**Zoning:** Light-Industrial (L-I)  
**Request:** A special use permit in order to operate a temporary outdoor vending establishment (seasonal fireworks retailer)



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The subject property is located along the west side of South Church Street north of I-24 and along the frontage road. The subject property was previously developed with a permanent fireworks retail store, which burned beyond repair in 2008. The applicant wishes to locate a seasonal fireworks tent on the parking lot of the subject site. The applicant has submitted a letter describing his request and addressing the standards for temporary vendors, as well as a site plan of the property.

This is the fourth time that an application has been submitted for a seasonal fireworks retailer on this site, as approval was granted in 2009 to a different applicant and in 2010 and 2011 to the current applicant. According to the City Code, fireworks are permitted to be sold and used in the City limits from June 28<sup>th</sup> to July 5<sup>th</sup>. The applicant proposes to sell fireworks only during the July 4<sup>th</sup> selling season. The tent's hours of operation will be from 8 AM until 11 PM, with the exception of July 3<sup>rd</sup>, July 4<sup>th</sup>, during which time the tent will be open until midnight. This site passed its initial zoning inspection after the application was made, but it did not pass its initial codes inspection, due to tall weeds and grass. The applicant has been advised that he will need to bring the property into compliance and have it re-inspected before the BZA meeting. The Board should be aware that after the fire in the previous building, the property owner obtained a demolition permit and has complied with the requirements of the demolition permit. The area that was seeded and strawed as a part of this demolition permit should be protected, however, and staff recommends that the Board condition any approval on some type of barrier being placed on the western edge of the parking lot adjacent to this area, so that no parking occurs there on the new grass. This has been addressed the previous two (2) years with the installation of a silt fence barrier.

The size of the proposed tent is 60' x 80'. According to the site plan, the tent will be compliant with the 42-foot front setback along the South Church Street frontage road as well as with the minimum required 10-foot side setback in the L-I zoning district. The proposed tent will exceed the minimum 200-foot separation from gas pumps at the Exxon Tigermarket next door to the north. The applicant proposes to use a temporary power pole to provide power to the tent. The tent operator will properly dispose of solid waste as needed, as there will be a 10' x 40' Dumpster placed on-site. The applicant has indicated that there may be a recreational vehicle parked on-site during the overnight hours for security purposes. The applicant will have a portable toilet brought on-site for the duration of the selling season. There appears to be adequate space for parking for the proposed fireworks tent. The tent meets the minimum separation requirements for alcohol sales for on-site consumption and is within 500-feet of a fire hydrant.

If the Board approves this application, staff recommends the following conditions:

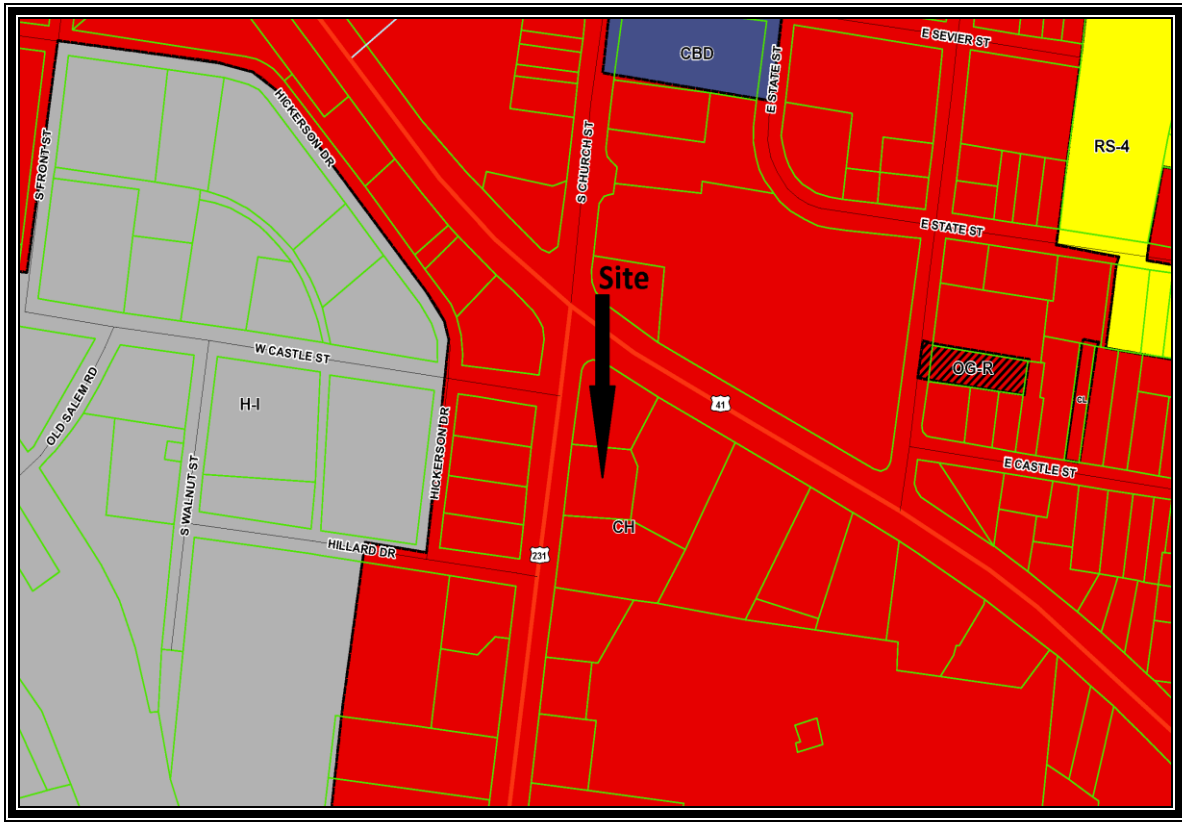
- 1) Certification should be submitted that the tent is flame-resistant or treated to be flame-resistant.
- 2) A fire extinguisher should be kept on-site at all times.
- 3) The City's fireworks ordinance should be posted on-site.
- 4) No fireworks are to be set off on-site.
- 5) All signage must comply with the City's Sign Ordinance.
- 6) The site must pass an electrical safety inspection prior to opening for business. An electrical permit must be purchased from the Building and Codes Department in order to obtain this inspection.
- 7) The tent must meet all minimum building setback requirements for the L-I zoning district, and a tent permit must be obtained for the tent.

- 8) A temporary barrier must be installed during the selling season along the edge of the area that has been seeded and strawed, so that there is no vehicular travel or parking on this grass area.

Mr. Breeden will be in attendance at the meeting to answer any questions that the Board may have.

**MURFREESBORO BOARD OF ZONING APPEALS  
STAFF COMMENTS  
MAY 23, 2012**

**Application:** Z-12-031  
**Location:** The southeast corner of South Church Street and Southeast Broad Street  
**Applicant:** Ms. Kathy Biter, for B&B Fireworks, LLC  
**Zoning:** Commercial Highway (CH)  
**Request:** A special use permit in order to operate a temporary outdoor vending establishment (seasonal fireworks retailer)



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The subject property is located at the southeast corner of Southeast Broad Street and South Church Street, west of McDonalds and north of the former Kentucky Fried Chicken. The subject property was previously developed with a gas station but has been vacant for some time. The applicant wishes to locate a seasonal fireworks tent on the subject site. The applicant has submitted a letter describing her request and addressing

the standards for temporary vending, as well as a site plan of the property and a copy of the lease from the property owner allowing the use of the property as proposed.

This site has been approved for a fireworks tent from 1997 through 2011. According to the City Code, fireworks are permitted to be sold and used in the City limits from June 28<sup>th</sup> to July 5<sup>th</sup>. The applicant proposes to sell fireworks only during the designated July 4<sup>th</sup> selling season. The tent's hours of operation will be from 8 AM until 10 PM, with the exception of July 4<sup>th</sup>, when the tent will be open until midnight. This site has passed its initial codes and zoning inspections. The size of the proposed tent is 30' x 50' and will comply with the minimum setback requirements in the CH zoning district. The applicant proposes to connect to an existing power source on the old KFC sign along Southeast Broad Street. The applicant has indicated that an employee will dispose of trash off-site daily. The applicant has indicated that the tent operator and his vehicle and/or a travel trailer will remain on-site during the overnight hours for security purposes. The applicant has stated that there will be a portable toilet on-site. The tent complies with the minimum distance requirements from alcohol sales for on-site consumption and from the nearest fuel source. The tent is approximately 170-feet from an existing fire hydrant, meeting minimum requirements. There is an electric easement on-site, but the tent will be located outside of it.

Although the tent and part of the parking area are proposed to be located on a gravel surface, this is an existing gravel lot that has been grandfathered in for temporary vending purposes. The quality of the travel surface on this lot tends to deteriorate during the course of the year, however, as there are a number of potholes. Additional gravel should be added to the site to smooth out the lot. There are currently three (3) direct access points onto South Church Street and one (1) direct access point onto Southeast Broad Street. Because of the volume of traffic that travels this busy intersection, staff recommends that the two (2) northernmost access drives onto South Church Street be barricaded during the selling season, as shown on the site plan. In years past, the BZA has required that only the northernmost access onto South Church be barricaded. However, due to the fact that the southernmost two driveways are very close to each other, which complicates both site access and internal circulation, especially in such close proximity to a very busy intersection, the Planning and Traffic Staffs recommend that the only vehicular access to South Church Street be via the southernmost driveway, which is paved and is shared with McDonald's. The applicant is in agreement with the access plan recommended by Staff. In addition, after the previous gas station on the site was demolished, the area where the building was located was sodded in order to meet minimum codes requirements. In order not to damage this sodded area, it should be barricaded, as shown on the site plan, in order to prohibit vehicular travel over it.

As an aside, in 2010, the City Engineering Department identified that a drainage structure underneath this property had fallen into disrepair. In fact, there is one area on-site in which there is an exposed hole in the underground drainage pipe. City Staff has barricaded this area, so that the public cannot access it. According to the City Engineer, with the barricade that is currently in place, he has no reservations about a seasonal fireworks retailer occupying the site. However, in order for tent stakes not to further

damage this underground pipe, Staff recommends that the BZA condition any approval on a licensed surveyor assisting the tent company in the placement of the tent and that the surveyor provide written verification that the tent has been placed as shown on the site plan and that there is no encroachment of any part of the tent into any utility or drainage easements.

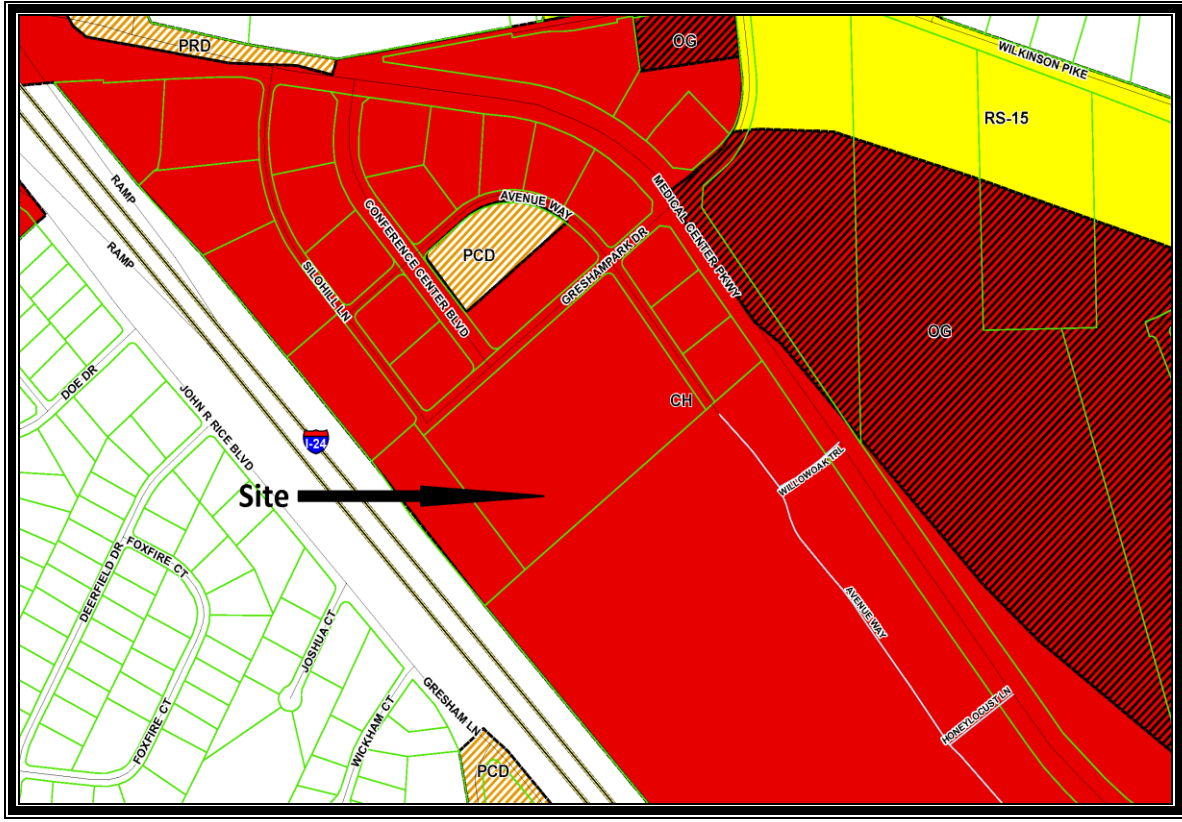
If the Board approves this application, staff recommends the following conditions:

- 1) Certification should be submitted that the tent is flame-resistant or treated to be flame-resistant.
- 2) A fire extinguisher should be kept on-site at all times.
- 3) The City's fireworks ordinance should be posted on-site.
- 4) No fireworks are to be set off on-site.
- 5) All signage is to comply with the City's Sign Ordinance.
- 6) The site must pass an electrical safety inspection prior to opening for business. An electrical permit must be purchased from the Building and Codes Department in order to obtain this inspection.
- 7) The tent must meet all minimum building setback requirements for the CH zoning district, and a tent permit must be obtained for the tent.
- 8) A licensed surveyor must assist the tent company in the placement of the tent. The licensed surveyor must provide written verification that the tent has been placed as shown on the site plan and that there is no encroachment of any part of the tent into any utility or drainage easements.
- 9) All grass and weeds growing up through the existing gravel must be removed and/or killed, as no grass surfaces are allowed for the placement of the tent and for vehicular travel/parking. In addition, the applicant may need to add gravel and/or smooth out the existing gravel surface, subject to the approval of the Planning Staff.
- 10) The sodded area should be barricaded, as shown on the site plan, in order to prohibit vehicular travel over it.
- 11) The two northernmost ramps onto South Church Street must be barricaded, as shown on the site plan, during the selling season. The only access from South Church Street will be the southernmost access drive, which is the driveway that is shared with McDonald's.

Ms. Biter will be in attendance at the meeting to answer any questions that the Board may have.

**MURFREESBORO BOARD OF ZONING APPEALS  
STAFF COMMENTS  
MAY 23, 2012**

**Application:** Z-12-032  
**Address:** 1200 Conference Center Boulevard  
**Applicant:** Mr. Philip Head of Waller Lansden Dortch & Davis, LLP, for Verizon Wireless Tennessee Partnership  
**Zoning:** Commercial Highway (CH) and Gateway Design Overlay District (GDO-1)  
**Request:** An amendment to a special use permit that was approved on August 25, 2010 allowing the establishment of a telephone or telegraph facility. A condition was placed on the special use permit that any equipment and/or antennae for future carriers to be installed on the roof of 1200 Conference Center Boulevard must not exceed the height of the parapet wall. The applicant seeks an amendment of the original special use permit in order to install wireless communications equipment that exceeds the height of the parapet wall.



The subject property is identified as 1200 Conference Center Boulevard and is located at the intersection of Avenue Way and Greshampark Drive, just south of Medical Center Parkway. The subject property is currently developed with the Embassy Suites Hotel and Conference Center. The applicant has submitted a copy of the lease with the property owner and the hotel owner in order to install antennae and equipment on the roof of the hotel. In August 2010, the BZA approved a special use permit for the establishment of a telephone or telegraph facility at this site, in order for Clearwire to install its equipment and antennae on the roof of the Embassy Suites. Telephone or telegraph facilities in the Commercial Highway (CH) zoning district require special use permits. The approval of the special use permit in 2010 was conditioned on all equipment or antennae for future carriers not exceeding the height of the parapet wall. The Board stated that any applicant not complying with this condition would be required to request an amendment to the special use permit. The applicant, who represents Verizon, has made this request in order to exceed the height of the parapet wall with the proposed wireless communications equipment. He has submitted a letter addressing Sections 8 and 9 of the Zoning Ordinance, as well as construction drawings, photographs, and other exhibits. He has also submitted a letter from an engineer stating that the existing building is “structurally adequate” to support the proposed improvements.

The Board will remember that a 65-foot height variance was granted for the construction of the Embassy Suites back in September of 2006. The proposed antennae and

equipment will not exceed the 2006 height variance, so no additional height variance is required for the applicant to be able to proceed with his plan. The surrounding land uses are predominantly commercial in nature. The Avenue shopping center is directly to the east of the subject property, while a number of vacant commercial lots are located to the west. To the north across Medical Center Parkway is the new Chamber of Commerce building. South of the subject property is I-24. The subject property is also located within the Gateway Design Overlay District (GDO-1).

The Board should note that Clearwire never followed through with its installation, so there is not currently any wireless equipment or antennae on the roof of the building. Clearwire's initial plans called for its equipment shelter to be 2'3" above the parapet wall. In addition, its proposed antennae would be mounted behind the face of the parapet wall. According to the plans submitted, the existing stucco panels on the parapet wall were to be removed and replaced with panels that would allow the antennae to function properly.

In the current application, the applicant proposes to install sets of antennae on three (3) sides of the roof of the building, in addition to the equipment cabinet and cable bridges. In most instances, the equipment cabinet will be less than a foot higher than the existing parapet wall. Because of the varying height of the parapet wall around the building, though, it is over 6-feet higher than the parapet wall on what is referred to by the applicant as the west side. In order to make the equipment shelter blend in with the existing building, it is proposed to have a stucco façade the same color as the building. Despite the fact that the equipment shelter will be higher than the parapet wall, the applicant has submitted line-of-sight elevations, demonstrating that it will be visible only from distances greater than between 647 and 1,643-feet away from the building (depending on the side of the building). The antennae will be located on what the applicant is calling the east, west, and south building faces inside of the parapet wall. In order for the antennae to perform, however, several panels of the existing parapet wall will be removed and then replaced with panels constructed out of materials that will allow the antennae to function properly. The antennae will not protrude out past the existing parapet wall and will be located behind the new wall panels. According to the applicant, the new parapet wall panels will be stucco and will match the appearance to the existing parapet wall panels. Running between the equipment shelter and the antennae will be cable bridges. The applicant is committing to painting the cable bridge to match the color of the existing building. In his letter to the Board, the applicant makes the point that the ability to co-locate on the roof of this structure will help to utilize existing infrastructure and eliminate the need to construct a new cell tower, in an effort to provide coverage to the area.

Ms. Anne Marie Kempf will be in attendance at the meeting in Mr. Head's stead to answer any questions that the Board may have.