

**City of Norton**  
**BOARD OF ZONING & BUILDING APPEALS**  
**Tuesday, July 21, 2015**

The Board of Zoning & Building Appeals convened in Council Chambers at the Safety Administration Building. Chairman Don Welch called the meeting to order at 6:00 p.m.

**I. ATTENDANCE:**

**PRESENT:**                **Don Welch, Angie Wells, Marty West, Nick Genis  
Miriam Norris (Alternate)**

**EXCUSED:**             **Bill Helmick**

**ALSO PRESENT:**    **Valerie Carr, Administrative Officer**

**II. SWEARING IN:**

Chairman Welch reviewed the procedural requirements for that night's hearing. Chairman Welch proceeded by stating that this was a quasi-judicial Board and asked that anyone wanting to speak needs to sign the attendance sheet and stand to be sworn in. Chairman Welch administered the oath to those intending to speak at the hearing.

**III. PUBLIC HEARINGS:**

Chairman Welch announced anyone wishing to speak at tonight's meeting should please sign in at the front podium.

Chairman Welch announced the Application and stated the Application was filed July 1, 2015 and letters of notification were sent via first class mail, as required, per section 6.03 of the City Charter. Chairman Welch asked the applicant/agent to come forward and be sworn in, state his name and address for the stenographer, and present pertinent information regarding the application.

Mr. David Klossner, 1796 Fox Hollow Lane, Owner, approached the podium. He stated he was asking the Board for a variance on the building height. He stated he works with very large components and needs to lift them with a crane. He stated he needs what is called "Under Hook Height". He stated that 43 to 44 feet is needed in height to accomplish the lift. He stated his company is very similar to the B&W Company. He stated the Board has three building plan layouts in the package in front of them. He stated his company is favoring site layout number three but would have a gas line to work around. He said their next choice is site layout two. Ms. Wells asked how many employees would be at the location. Mr. Klossner stated they would start at 5 to 10 employees and increase as needed. Ms. Wells asked what type of traffic was expected at this site. Mr. Klossner stated they usually have trucks that are 43 to 48 feet that deliver. He said they are more maneuverable. He stated the 53 foot trucks usually are too large. He stated there is usually not a lot of traffic. Mr. Welch asked if company was a 24 hour operation. Mr. Klossner stated it is usually a one shift company, but they are trying to build a business and want to work with customer deadlines and schedules. Mr. Genis asked how the company would address traffic, noise, smoke and fumes with the neighbors. Mr. Klossner stated the company uses Smoke Eaters for welding applications,

which helps a lot. He stated the decibel level for the company was low. He stated he had the decibel level tested in 16 different locations at another business and the level was maybe a 50. He stated the business will also have insulation that is State regulated for fumes and smoke. He stated the company works with governing bodies on these issues and is EPA rated. Mr Genis asked if the company mainly fit into the I-1 District or I-2 District. Mr. Klossner stated the I-1 District Code is very vague. He stated he looked at other similar businesses in the area, and the company seemed to fit into the I-1 District. Mr. Genis stated the company has an industry of I-1 but the appearance of an I-2. He asked Mr. Klossner if the company could make the taller height more appealing to the area with a pond or trees. Mr. Klossner stated the trees on site layout three would help with the appearance. Mr. Genis asked about the water run off on the north side of the site. Mr. Klossner stated he had the site looked at and the water would not be an issue. Mr. Genis asked Mr. Klossner to keep the site design in mind when building. He stated the company had two residences near the site. He stated some cities require a fence to be constructed. He asked if the company would be willing to install a fence as a noise buffer. Mr. Klossner stated he would look into that option. Ms. Carr stated that all neighbors had been notified by mail of this meeting. Ms. Norris asked if the specific height on the roof was needed due to equipment. Mr. Klossner stated that was correct. He stated with the crane moving the large components, the operator has just enough room to operate.

Chairman Welch asked any Board members if they had any other questions.

Chairman Welch asked if anyone wanted to speak for or against the application. No one spoke.

Chairman Welch asked for the second time if anyone wanted to speak for or against the application; no one spoke.

Chairman Welch asked for a third and final time if anyone wanted to speak for or against the application; no one spoke

Chairman Welch closed the public portion of the meeting. **Hearing no other questions or discussion from the Board, Chairman Welch asked for a motion. Ms. Wells moved to Approve the Application: Ms. Norris seconded the Motion. ROLL CALL: Ms. Wells-Yes, Ms. Norris-Yes, Mr. West-Yes, Mr. Welch-Yes, Mr. Genis-Yes. Motion passed to Approve 5-0.**

#### **IV. OLD BUSINESS:**

Chairman Welch asked if there was any old business. There was none.

#### **V. NEW BUSINESS:**

Chairman Welch asked if there was any new business. Mr. West stated he would not be able to attend the next few meetings. He asked if the Board would like to appoint a new Vice Chairman. Mr. Welch stated the Board had no issue with Mr. West being absent at the next few meetings. He stated that Mr. West could remain Vice Chairman.

#### **VI. CONSIDERATION OF MINUTES:**

Minutes for June 16, 2015 will be presented at the next meeting for review.

**VII. ADJOURNMENT:**

There being no other business before the Board, the Chairman adjourned the meeting at 7:12pm. The Board's next scheduled meeting will be Tuesday, August 18, 2015.

\_\_\_\_\_  
Board of Zoning & Building Appeals  
Chair/Vice-Chair

\_\_\_\_\_  
Board of Zoning & Building Appeals  
Vice-Chair/Member

\_\_\_\_\_  
Date

**\* ORIGINAL SIGNED DOCUMENTS ON FILE WITH THE CLERK OF COUNCIL \***