

1301 Twelfth Street, Suite 400
Altoona, Pennsylvania 16601

Voice - 814/949-2470
Fax - 814/949-0372
TDD - 711



Richard Andrews
Cory Gehret
Matthew Gindlesperger
Horace McAnuff
Donna Royer

planning@altoonapa.gov

ALTOONA ZONING HEARING BOARD

Vicini Realty LLC
c/o M. James Colombo
230 Fifth Avenue
Altoona, PA 16602-2728

In Re: 1211 Eleventh Street/Vicini Realty LLC- Request
to retain an existing sign/mural larger than allowable
size on premises in a commercial central business zone,
Article VI-Signs 800-61 Table B and 800-62 Table C

Your petitioner appeared by and through M. James Colombo, a member of Vicini Realty LLC. Also, in attendance was Bob Goss, the tenant, of 1211 – 18th Street.

From the testimony presented at the hearing of August 14, 2019, the Board makes the following:

FINDINGS OF FACT

1.

Your petitioner has an ownership interest in the subject property.

2.

Requisite notices were made, and the property posted.

3.

On the side of the property, located at 1211 Eleventh Street, there is a sign/mural which exceeds the permissible dimensions for sign area.



4.

Your petitioner did not seek prior approval from the City of Altoona Department of Community Development or from the Altoona Zoning Hearing Board prior to commencement of work on the sign/mural.

5.

There exists a unique traffic pattern to the property in question, making it difficult for passersby to recognize the location as a restaurant.

6.

Your petitioner did not create a traffic issue.

7.

Other restaurant businesses had attempted to conduct business from the location in recent time and have failed.

8.

The City of Altoona Department of Community Development indicated it does not object to a variance for the petitioner.

From the foregoing testimony, the Board makes the following: '

CONCLUSIONS OF LAW

1.

Your petitioner has met the requirements for a variance to retain an existing sign/mural that is larger than the 100 square feet permitted by the Altoona Planning Code.

2.

This variance applies to the existing sign/mural and does not apply to any future or contemplated additional art or signs on or about the property.

3.

Your petitioner will need to go through the proper approval process, including application to Department of Community Development and/or the Altoona Zoning Hearing Board prior to commencement of any subsequent art/signage on the property.

DECISION

WHEREFORE, THIS 29th DAY OF August, A.D., 2019, THE BOARD GRANTS THE VARIANCE TO RETAIN AN EXISTING SIGN/MURAL THAT IS LARGER THAN PERMITTED BY THE ALTOONA PLANNING CODE SECTIONS 800-61 TABLE B AND 800-62 TABLE C.

ANY FUTURE ADDITIONS OR CHANGES TO THE SIGN/MURAL ARE NOT PERMITTED UNTIL THE OWNER FIRST APPLIES AND OBTAINS APPROVAL FROM THE CITY OF ALTOONA DEPARTMENT OF COMMUNITY DEVELOPMENT AND/OR THE ALTOONA ZONING HEARING BOARD.

ANY PERSON AGGRIEVED BY THE DECISION OF THE ZONING HEARING BOARD MAY APPEAL HEREFROM TO THE COURT OF COMMON PLEAS WITHIN THIRTY (30) DAYS FROM THE DATE OF THIS NOTICE, IN THE MANNER SO PROVIDED BY LAW.

YOUR PETITIONER MUST, OF COURSE, MEET ANY AND ALL OTHER CITY, STATE AND FEDERAL REGULATIONS AND/OR REQUIREMENTS PERTAINING TO THE SUBJECT PROPERTY, WHICH ARE OUTSIDE THE JURISDICTION OF THE ALTOONA ZONING HEARING BOARD.

ANY AND ALL NECESSARY PERMITS INVOLVED MUST BE SECURED WITHIN SIX (6) MONTHS FROM THE DATE OF THIS NOTICE, OR THE AUTHORIZATION SHALL BECOME NULL AND VOID WITHOUT FURTHER ACTION OF THE BOARD.

THE ZONING HEARING BOARD OF THE
CITY OF ALTOONA,

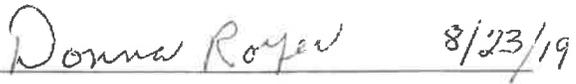
 8-28-19
Horace McAnuff


Cory Gehret


Matthew Gindlesperger

DISSENT:


Richard Andrews, Chairman


Donna Royer

MAILED TO YOUR PETITIONER: August 29, 2019
Date

- Cc: William J. Stokan, Zoning Board Solicitor
- Lee Slusser, Director of Planning
- Marilyn Morgan, Planner II, Zoning Office

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ALTOONA ZONING HEARING BOARD

Cellco Partnership, d/b/a Verizon Wireless
Joseph J. Perotti, Jr., Esquire
c/o Sittig Cortese LLC
437 Grant Street
100 Frick Building
Pittsburgh, PA 15219

In Re: 503 Third Avenue/Cellco Partnership, d/b/a Verizon Wireless- Request for special exception, alternative tower structure (small cell telecommunication facility) in right-of-way at 503 Third Avenue in a multiple household residential zone.

Your petitioner appeared by and through the above identified individual, also present on behalf of your petitioner were Justin Gvoth, Jim Rickard, Tim Stark, and Bilal Altaf.

From the testimony presented at the hearing of August 14, 2019, and the Board's view of the subject premises, the Board makes the following:

FINDINGS OF FACT

1.

Your petitioner has an ownership interest in the subject property.

2.

Requisite notices were made, and the property posted.

3.

The subject property is one in which your petitioner seeks to install a small cell telecommunication facility.



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4.

All the same complies with the requirements of FCC rules and regulations.

5.

Your petitioner seeks to install the small cell telecommunications facility for the purpose improved telecommunications for the residents in the vicinity.

6.

The installation of the equipment will not be or create danger to the public health, welfare, and safety.

From the foregoing testimony, the Board makes the following:

CONCLUSIONS OF LAW

1.

Your petitioner has established compliance with the FCC and the requisite acts, rules, and regulations pertinent thereto.

2.

The proposed small cell telecommunications facility will improve wireless communications services in the vicinity.

3.

The proposed small cell telecommunications facility will not be averse to the public health, safety, and welfare.

4.

The proposed small cell telecommunications facility meets the requirements of the Altoona Planning Code, Section 800-42(D), (E), and (F).

Wherefore, the Board makes the following:

DECISION

WHEREFORE, THIS 28th DAY OF August, A.D., 2019, THE REQUEST OF YOUR PETITIONER IS GRANTED, PROVIDED, OF COURSE, THAT THE SAME SHALL TERMINATE SHOULD THE USE OR OWNERSHIP OF THE SUBJECT PROPERTY CHANGE.

ANY PERSON AGGRIEVED BY THE DECISION OF THE ZONING HEARING BOARD MAY APPEAL HEREFROM TO THE COURT OF COMMON PLEAS WITHIN THIRTY (30) DAYS FROM THE DATE OF THIS NOTICE, IN THE MANNER SO PROVIDED BY LAW.

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THE ZONING HEARING BOARD OF THE
CITY OF ALTOONA,

Richard J. Andrews 8/24/19
Richard Andrews, Chairman

Horace McAnuff 8-28-19
Horace McAnuff

Donna Royer 8/23/19
Donna Royer


Cory Gehret


Matthew Gindlesperger

MAILED TO YOUR PETITIONER: August 29, 2019
Date

Cc: William J. Stokan, Zoning Board Solicitor
Lee Slusser, Director of Planning
Marilyn Morgan, Planner II, Zoning Office

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ALTOONA ZONING HEARING BOARD

Cellco Partnership, d/b/a Verizon Wireless
Joseph J. Perotti, Jr., Esquire
c/o Sittig Cortese LLC
437 Grant Street
100 Frick Building
Pittsburgh, PA 15219

In Re: 1500 – 6th Avenue- Request for special exception, alternative tower structure (small cell telecommunication facility) in right-of-way at 1500 – 6th Avenue in a multiple household residential zone.

Your petitioner appeared by and through the above identified individual, also present on behalf of your petitioner were Justin Gvoth, Jim Rickard, Tim Stark, and Bilal Altaf.

From the testimony presented at the hearing of August 14, 2019, and the Board's view of the subject premises, the Board makes the following:

FINDINGS OF FACT

1.

Your petitioner has an ownership interest in the subject property.

2.

Requisite notices were made, and the property posted.

3.

The subject property is one in which your petitioner seeks to install a small cell telecommunication facility.



4.

All the same complies with the requirements of FCC rules and regulations.

5.

Your petitioner seeks to install the small cell telecommunications facility for the purpose improved telecommunications for the residents in the vicinity.

6.

The installation of the equipment will not be or create danger to the public health, welfare, and safety.

From the foregoing testimony, the Board makes the following:

CONCLUSIONS OF LAW

1.

Your petitioner has established compliance with the FCC and the requisite acts, rules, and regulations pertinent thereto.

2.

The proposed small cell telecommunications facility will improve wireless communications services in the vicinity.

3.

The proposed small cell telecommunications facility will not be averse to the public health, safety, and welfare.

4.

The proposed small cell telecommunications facility meets the requirements of the Altoona Planning Code, Section 800-42(D), (E), and (F).

Wherefore, the Board makes the following:

DECISION

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THE ZONING HEARING BOARD OF THE
CITY OF ALTOONA,

Richard J. Andrews 8/26/19
Richard Andrews, Chairman

Horace McAnuff 8-28-19
Horace McAnuff

Donna Royer 8/23/19
Donna Royer


Cory Gehret


Matthew Gindlesperger

MAILED TO YOUR PETITIONER: August 29, 2019
Date

Cc: William J. Stokan, Zoning Board Solicitor
Lee Slusser, Director of Planning
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ALTOONA ZONING HEARING BOARD

Cellco Partnership, d/b/a Verizon Wireless
Joseph J. Perotti, Jr., Esquire
c/o Sittig Cortese LLC
437 Grant Street
100 Frick Building
Pittsburgh, PA 15219

In Re: 315 – 14th Street/Cellco Partnership, d/b/a Verizon
Wireless- Request for special exception, alternative
tower structure (small cell telecommunication facility) in
right-of-way at 315 – 14th Street in a multiple household
residential zone.

Your petitioner appeared by and through the above identified individual, also present on behalf of your petitioner were Justin Gvoth, Jim Rickard, Tim Stark, and Bilal Altaf.

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FINDINGS OF FACT

1.

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2.

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3.

The subject property is one in which your petitioner seeks to install a small cell telecommunication facility.



4.

All the same complies with the requirements of FCC rules and regulations.

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CITY OF ALTOONA,

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Richard Andrews, Chairman

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