

**STORY COUNTY  
PLANNING AND DEVELOPMENT**  
STORY COUNTY ADMINISTRATION  
900 6<sup>TH</sup> STREET  
NEVADA, IOWA 50201-2087



*"Commitment, Vision, Balance"*

**515-382-7245**

**MINUTES  
STORY COUNTY  
BOARD OF ADJUSTMENT**

**AN AUDIO RECORDING OF THE FULL MEETING MAY BE FOUND IN THE PLANNING AND DEVELOPMENT DEPARTMENT, OR BY VISITING [WWW.STORYCOUNTYIOWA.GOV](http://WWW.STORYCOUNTYIOWA.GOV)**

<b>DATE:</b> March 27, 2019	Steve McGill	2022
	Lynn Scarlett	2023
<b>CALL TO ORDER:</b> 4:01 PM	*Karen Youngberg	2019
<b>PLACE:</b> Public Meeting Room	Randy Brekke	2019
Administration Building	Matthew Neubauer	2021
*Absent		

**PUBLIC PRESENT:** PJ McBride, Perry Ritland, Judy Ritland, Rob Viera, Steve Wildeboer, Cody Purvis

**STAFF PRESENT:** Jerry Moore, Planning and Development Director; Emily Zandt, Planner; Stephanie Jones, Recording Secretary

**ROLL CALL:** McGill, Scarlett, Youngberg, Brekke, Neubauer

**ABSENT:** Youngberg

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**APPROVAL OF AGENDA (MCU)**

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**APPROVAL OF MINUTES (MCU)**  
February 20, 2019

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**APPROVAL OF FINDINGS OF FACTS FROM PREVIOUS MEETING Motion by Scarlett, Second by Brekke (MCU)**

Written Findings of Fact VAR01-19

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**PUBLIC COMMENTS:** None

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**HEARINGS:**

**CUP01-19 FTC Tower Company Communication Tower**

Emily Zandt stated that the request is for a conditional use permit to allow the FTC Tower Company to construct a new 195' lattice communication tower with a 4' lightning rod (199' total) east of the City of Zearing. The proposed tower would accommodate the FirstNet system, which will provide adequate coverage in the area for the nationwide public safety broadband network (NPSBN) for Emergency Response. The antennas will be owned and maintained by AT&T and will provide improved cellular phone coverage to AT&T customers. This tower will also provide colocation opportunities for two additional carriers. The proposed tower meets all standards of approval and supplemental standards required for the conditional use permit. The Story County Planning and Zoning Commission recommended approval of the conditional use permit with conditions, as recommended by staff.

Zandt highlighted the differences between the proposed FirstNet system and the previously approved communications tower for the Iowa Statewide Interoperable Communications System (ISICS) and StoryComm, an improved emergency response communications system currently in the planning process. Both of these systems are push-to-talk radio communication, to which the FirstNet system would be a supplement. Zandt stated she believed the Story County Board of Supervisors had committed dollars to the StoryComm System at a recent meeting.

Zandt provided information submitted by the applicant on new legislation signed into law regarding an act related to installations of certain wireless telecommunication facilities. McGill asked for more information about the bill and questioned if it means that the board is not allowed to reject the application. Moore stated that the law is specific to counties with populations less than 15,000. Moore stated that staff reached out to the Legislative Information office for clarification, but have not yet heard back, however we didn't think the law applied to Story County.

Rob Viera spoke and stated that he feels the new law is applicable since it refers to the unincorporated area of the county. Viera stated that this site works ideally for the system, and spoke about the tower design could be switched from a three-leg design to a monopole. Viera stated that if the location of the tower were to be moved there would likely be other property owners against the project. Brekke asked if this could be placed on a windmill in the area and Viera stated it could not because of the blades.

Cory Purvis spoke and stated that he lives on the property directly to the north and that his neighbor did mention that the tower would be put up, but he didn't know that the tower location would be right across the road from his house. Mr. Purvis acknowledged the need for improved cellular coverage in the area, however, Mr. Purvis is concerned about the view from his home and would like for research to be done to see if it is possible for the location of the tower to be moved enough to be out of the view from his house.

Judy Ritland stated that she and her husband, Perry, own the property where the proposed tower will be located. Mrs. Ritland agreed that when she reached out to Mr. Purvis they were not aware of the tower location at that time. Mrs. Ritland described constructing their dream home in its current location and the wind turbines being constructed afterward obstructing their view. Mrs. Ritland feels the cell tower will not greatly obstruct the view. Perry Ritland stated that Viera put a lot of time into identifying the best location for the tower. Mr. Ritland stated that he feels many other people in the area will benefit from the added cell phone signal and improved emergency response capabilities, making the tower beneficial for neighbors.

Moore clarified that the Board of Supervisors has not yet approved the StoryComm system.

Brekke asked for clarification on the difference between this tower and the Iowa Statewide Interoperable Communications (ISICS) tower at the Iowa Department of Transportation site at 57073 US Highway 30. Zandt stated that the ISICS tower is a push to talk system. The proposed FirstNet system is for cellular data, which would allow for videos and pictures to be sent. Brekke asked why there are so many FirstNet towers in the Ames area. Viera stated it is because there are more users in that area. Scarlett asked to see the slide that shows where the proposed tower will be placed and where the houses in the area are located. Discussion took place about the tower possibly being moved to the east side of 720<sup>th</sup> Avenue.

**MOTION: The Story County Board of Adjustment approves the Conditional Use Permit for the FTC Tower Company Communication tower as put forth in case CUP01-19, with the following conditions.**

**The following items shall be submitted with the zoning permit application:**

- 1. An Erosion Control Plan that meets the Requirements included in Chapter 88.05 (4) Erosion Control.**
- 2. A statement that the development site will incorporate best management practices as outlined in the Iowa Storm Water Management Manual.**
- 3. A Structural Analysis signed by a Licensed Engineer.**

**Motion: Brekke**

**Second: Neubauer**

**Ayes: Brekke, Neubauer, McGill**

**Nays: Scarlett**

**Not Voting: None**

**Absent: Youngberg**

**Vote: (3-1)**

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**BOARD/STAFF COMMENTS:**

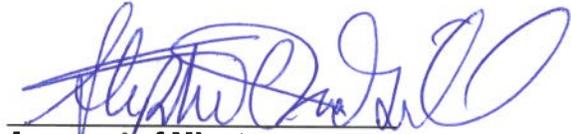
**Staff:** Moore gave an update about the proposed Hickory Grove Conditional Use Permit for a new shower house, which will be before the Board at their April 17<sup>th</sup>, 2019 meeting. Moore stated that Zandt has accepted a new position and her last day with Story County will be April 12.

**Board:** Brekke asked about the difference between a tripod/lattice and monopole tower and if the applicant would be able to change designs since the tripod/lattice tower is what had been approved. Moore stated that the tripod proposal was what was approved but that staff may allow a monopole administratively as long as the tower was the same height and in the same location. Brekke added that the monopole design might be a cleaner look. Neubauer asked if a condition could have been proposed for the monopole. Moore stated that could have been part of the discussion, but he did not know if that would make much of a difference to Mr. Purvis. Zandt reminded the Board of Adjustment members that moving to the west, which is lower in elevation, would have required the tower to be taller which would have required the tower to have lighting required by the FAA. Neubauer asked if there could have been a variance request made so that the tower could have been closer to the road. McGill stated that might have affected the fall zone in the event of the tower were to fall over. Zandt clarified that the AT&T

and FirstNet equipment are the same equipment and the new equipment will allow AT&T to prioritize for emergencies and allow for control of who is using the system.

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**ADJOURNMENT: 5:04 PM**



**Approval of Minutes**

Chairman 4/7-2019

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**Title and Date**