

## SPECIAL MEETING OF THE BOARD OF ADJUSTMENT 07-09-01

The July 9, 2001 special meeting of the Norwalk Board of Adjustment was held in the Council Chambers of Norwalk City Hall, 705 North Avenue, Norwalk, Iowa. Chairperson Joe Smith called the meeting to order at 6:30 p.m. Present at roll call: Joe Smith, Randy Frescoln, Jan Sparks, Chad Stevens and Christin Grant. Absent: None.

City Staff present: Jeff Wren, Community Development Director/Planner and Alice Powers, Customer Service Representative.

**01-006** – Motion by Sparks, seconded by Frescoln, to approve the agenda as presented. Approved 5-0.

**01-007** – Motion by Grant, seconded by Frescoln, to approve the minutes of the April 30, 2001 meeting as presented. Approved 5-0.

*BOA Docket #01-05; Request for a special use permit to erect a communication tower at 100 Wright Road*

Wren stated there had no written or vocal opponents or proponents regarding the request for the special use permit or the variance.

Wren summarized the docket item. U.S. Cellular approached the City about putting the cellular tower on the site of the sports complex. The City then platted a small parcel in the Business Park for this purpose because of the taxation process. The company has requested a 130' cellular communication tower to be built with a building to house the electrical workings. The area will be enclosed with an 8-foot wooden fence. The company is also requesting a variance on the set back requirements in city ordinances.

This will be on the west edge of the parking lot, and built to accommodate at least one other antenna from a separate company

Smith questioned the use of lot B shown on the plat. Wren stated this would probably be used for green space. Smith questioned if there would be any other buildings on the site. Wren stated no there would be not be other buildings on the site unless another company puts an antenna on the tower and then they will have a building on the site.

Frescoln questioned if after the area is built up around this site will there be any buildings it can fall on. Wren answered there will be no building close enough. Towers normally do not fall over they collapse on themselves.

Frescoln asked if in the future the written comments given to the Board could be clearer on the reasons for any statements made by other Commissions or Board Members. Wren answered yes.

Smith asked if this was a high point in the plat or would the tower be built higher because of the lay of the land.

Jim Zieske, G. M. Selby and Associates, stated the tower would be 130' because that was the height needed. The northern part of the lot will be a fenced in area. There will parking lot lights on the poles and will provide lighting for the western part of the parking lot.

Sparks questioned if the tower would interfere with any type of business that wanted to locate in the area. Wren stated not to his knowledge.

Zieske stated this would not interfere with two-way radios.

Smith questioned the location of a trail for kids to walk to site of complex. Wren stated that will be one of the top priorities of the City as this area builds out.

Smith thought the only problem would be the access to the complex and the cell tower. Zieske stated the company would access the tower area from the parking lot.

Zieske explained there will be approximately a 20' base and he had never heard of one collapsing.

Smith closed the public input part of the meeting so that the Board members could discuss the agenda item.

Grant was more comfortable with this proposed tower than the one at the high school because of the number of children that could be involved and the closeness of the school buildings. Grant questioned if the City is forcing the co-location agreements or is it just a good faith agreement on the towers.

Zieske stated that most cell tower companies now are working together because it is becoming harder and harder to get new towers.

**01-008** – Motion by Grant, seconded by Frescoln, to grant the Special Use Permit to U.S. Cellular to erect a communications tower at 100 Wright Road with the following conditions:

1. The applicant submits an Iowa Engineer's structural certification of the tower prior to the issuance of a building permit.
2. The applicant submits appropriate FCC and FAA documentation to the City prior to the issuance of a building permit.
3. The Norwalk Business Park Plat 2 be approved and recorded prior to the issuance of a building permit.
4. The compound must be paved once the portion of the parking lot adjacent to the compound is paved.
5. An 8' high wood fence shall be constructed to enclose the site.
6. Lights shall be attached to the poles to provide lighting to that portion of the sports complex parking lot.
7. A co-location agreement requirement be stated in the lease with the City of Norwalk.

The motion was approved 5-0.

**01-009** – Motion by Stevens, seconded by Sparks, to approve the variance to reduce the setback of the tower from 130' to 93' based on the following:

1. There will be no structures in the right-of-way of Wright Road
2. The arrangement and location of the leased parcel precludes the tower from meeting the setback requirements.
3. The use of the tower and collocation arrangement will eliminate the need for any other tower on the site.

The motion was approved 5-0.

Wren passed out books for the Board to read on the requirements of the Board of Adjustment.

**01-010** – Motion by Frescoln, seconded by Grant, to adjourn at 7:25 p.m. Approved 5-0.

---

Joe Smith, Chairperson

---

Jeff Wren, Community Development/Planning Director