

Decatur County Board of Zoning Appeals Minutes
Decatur County Courthouse
150 Courthouse Square
Meeting Room

The regular scheduled meeting of the Decatur County Board of Zoning Appeals was convened at 6:30 p.m. on Wednesday, February 7, 2024 at the Decatur County Courthouse. The meeting was called to order by Janey Livingston. There were 4 board members present with Rick Hoeing absent. Also attending the meeting was Melissa Scholl – BZA Attorney, Krista Duvall – Decatur County Area Plan Director and Debbie Martin – Administrative Assistant.

Janey Livingston opened the meeting and read the following; *To comply with Title VI of the Civil Rights Act of 1964, Decatur County requests that participants in this meeting complete a voluntary, anonymous survey that is available on the table in the back of the room.*

* **Approval of Minutes: December 6, 2023.** Joyce Brindley made a motion to accept the minutes as mailed; Gary Fischer seconded the motion with all members present saying aye.

* **BZA Petition 2024-1 – John Marcelletti for Milestone LTD** is requesting a “**Variance**” from the maximum height allowed of 60’ to 305’ for a communication tower and a “**Variance**” from the required side setback of 60’ to a setback of approx. 18’ on the West side. The request falls under Decatur County Ordinance #12 & 13. The property is currently owned by the Milestone LTD and is located at 4814 W Old State Rd 46, Greensburg, in **Clay Township**.

John Marceletti: Tower Com is the owner and they are looking to build this tower on behalf of Verizon Wireless. It will be a 305’ overall tower, Verizon will install their antennas at 290 feet, there are no towers within 3 miles so the area is in need of cell service. We are asking for the 60-foot setback on the western property line, not an elimination just a reduction. Mainly due to the fact that the northern part of this property is in the flood plain and we put a different type of compound in this location to avoid the flood plain. Typically we build a 100’ x 100’, we are building a 50’ x 110’ so we can still have the tower and multiple barriers to avoid the flood plain. As far as the pipe goes, the 60’, you don’t see too many cell towers at 60’, if you shrink a tower any shorter then Verizon will not be able to meet their coverage needs and you will end up seeing someone else show up here down the road asking for another tower nearby. **Janey;** the base is different and how? **John;** the compound itself would typically be fenced in 100’ x 100’, 10,000 square feet but due to the size of the property and the flood plain to the north we had to shrink the compound to 50’x110’, the fenced area that the tower sits in. **Janey;** so it is just a tower, no structure there? **John;** no, Verizon does have a pad area where they put some outdoor equipment as well. There is no actual shelter and is not manned. **Joyce;** I would like to know, have you talked to your neighbors, notified them. **John;** yes, the adjoining property owners’ letters were sent out. **Joyce;** the only reason you are asking for that is because of the flood plain? I do know that anywhere that there are lax spots, they are trying to fix them. It is a given right for any citizen to have access to the internet and so forth. **John;** cell cover (inaudible...) and for emergency management purposes too. **Janey;** so all of the surrounding properties up here, is that mostly commercial around that? **John;** the northern portion is mostly industrial properties. **Krista;** and that is considered in the Comprehensive Plan, the ag corridor all through that area, there are a lot of businesses and agricultural businesses there. **Joyce;** so you are saying that that area is not being serviced well for... **John;** the engineers have determined that there is a dead zone in that area. You may have coverage but may not have full coverage. **Paul;** how does the 305’ compare to traditional towers? **John;** typically it is all give or take, you could have someone who has 150’ but typically the ones that I have done recently is

anywhere between 275' and 299'. Technically we are 299' top with steel but we have a lightening rod that puts us at the 305' mark. And we do have the FAA approval at that height. **Janey**; how long is the lease on that? **John**; I believe it is a 50-year lease. **Paul**; have you had any feedback in the office? **Krista**; no. **Debbie**; I had one gentleman come in, he looked at the maps and he didn't see a problem with it, he said if it fell it wouldn't fall on his property. **Paul**; my understanding on these towers is, in any event, I know they are properly engineered, but they are typically self-collapsing. **John**; essentially, yes. The tower itself is built into a 30' foundation so you would need an earthquake to spread that open. It is 2" galvanized steel, steel just doesn't break, it bends. So if anything it will twist and then just hang there at that point. Someone will come out, take it apart, put in a temporary structure and then rebuild. **Janey**; is this solely a cellular or is there any other use for this? **John**; it is a cell phone tower, they are marketing it to other companies as well, cell phone cellular. I have seen fiber antennas added as well, emergency services antennas also. **Krista**; if anyone comes in with a tower proposal, we ask them to look into the area and see if there are other towers available... (inaudible). **John**; the nearest tower is in Burney, about 3.5 miles. **Paul**; is the project value posted or is that information shared? **John**; we provide that information at the building permit time. The cost on a cell tower is anywhere from \$250,000-\$350,000. The steel prices fluctuate.

Joyce Brindley made a motion to vote on BZA 2024-1; Gary Fischer seconded the motion with all in attendance voting yes.

Joyce Brindley made a motion to adjourn the meeting at 6:43p.m. with a second from Janey Livingston, all members present signified by saying aye.

Decatur County Board of Zoning Appeal

Secretary, Rick Hoeing

ATTEST:

, President, Decatur County Board of Zoning Appeals