

DRAFT MINUTES

DELAWARE COUNTY BOARD OF ADJUSTMENT

1:00 p.m.

Tuesday, February 20, 2024

Conference Room (basement), Delaware County Courthouse

301 E Main Street, Manchester, Iowa

Board Members Present: Chair Tammy Eibey, Vice Chair Therese Beswick, Board Members Randy Rattenborg and Lamont Davidson (via Teams).

Board Members Excused: Board Member Marv Heims.

Board Members Absent: none.

Staff Member Present: Zoning Administrator Alex Linderwell and ECIA Senior Planner Laura Carstens (via Teams).

CALL TO ORDER AND ROLL CALL: The meeting was called to order by Chair Tammy Eibey at 1:01 p.m. and roll call taken. Attached is the sign in sheet.

MINUTES: Discussion followed on amending the minutes to clarify the follow-up with County offices. Motion by Beswick, seconded by Davidson, to approve the minutes of the January 16, 2024 Board of Adjustment meeting as amended. Motion carried by the following vote: Aye – Davidson, Beswick, Rattenborg, and Eibey; Nay – None.

PUBLIC HEARING:

CASE: 1-24 Special Exception - 220th St Manchester, IA 52057 in Oneida, Section 31, Township 89, Range 4 W, PIN 160310002000

Applicant: Buell Consulting, Inc o/b/o Hemphill

Proposal: Construct 265' overall, guyed, communication tower

Blair Ransom, representing the applicant, reviewed the application to construct a new 265' guyed communication tower. Discussion followed between Board members and the applicant regarding construction, location of the proposed and existing towers in the vicinity, determination of coverage needs, and attempt to co-locate on an existing tower.

Zoning Administrator Alex Linderwell reviewed the staff report, noting the proposal is to construct a 255' guyed communication tower with an overall height of 265' including a lightning rod. He reviewed the site is zoned A-1 Agricultural which allows a cell tower as a Special Exception with Board approval. He noted that the proposal complies the County's Zoning Ordinance and other relevant County regulations. He reviewed the proposal meets the standards for approval.

Discussion followed on the draft ordinance amendment for decommissioning cell towers. Board member Beswick asked if conditions could be required for this tower application. There was further discussion that until this amendment is approved, the proposed conditions would not apply to this application.

Motion by Rattenborg, seconded by Davidson, to approve the application as presented. Motion carried by the following vote: Aye – Davidson, Rattenborg, and Eibey; Nay – Beswick.

ITEMS FROM PUBLIC: A member of the public Crystal Haer, 211 E Jefferson ST, Delaware, IA 52036 asked to see a map of the location of the approved cell tower. Discussion followed on the notification process for special exceptions.

ITEMS FROM BOARD: Other Business: Board members discussed the proposed ordinance amendment for decommissioning cell towers and the process for its adoption. Staff explained that after the Board of Adjustment finalizes their recommendation, the amendment must be reviewed by the Zoning Commission at a public hearing, and then the Board of Supervisors at a separate public hearing. The anticipated time frame for this process is 90 days. Board members agreed to review the revised draft amendment and to finalize their recommendation at their next meeting.

ITEMS FROM STAFF: Next Meeting: March 19, 2024

ADJOURNMENT: Motion by Beswick, seconded by Rattenborg, to adjourn the Board of Adjustment meeting. Motion carried by the following vote: Aye – Davidson, Beswick, Rattenborg, and Eibey; Nay – None. The meeting adjourned at 1:44 p.m.

Respectfully submitted,

Alex Linderwell, Zoning Administrator

Adopted: _____