

Minutes - Woodbury County Board of Adjustment Meeting – June 7, 2021

The Board of Adjustment meeting convened on the 7th of June 2021 at 6:00 PM in the first-floor board room of the Woodbury County Courthouse. The meeting was also made available for public access via teleconference.

BA Members Present : Tom Thiesen, Ashley Christensen, Bob Brouillette, Pamela Clark, Daniel Hair
County Staff Present: David Gleiser, Dan Priestley
Public Present: Daryl Carr, Barbara Carr, Josh Watson, Jerry White, Rebecca White, Kevin Heck

Call to Order

Chair Tom Thiesen formally called the meeting to order at 6:00 PM.

Public Comment on Matters Not on the Agenda

No public comment for non-agenda items.

Approval of Minutes

The May 3, 2021 minutes were approved. Motion by Clark to approve; second by Brouillette. Motion passed 5-0.

Review of Conditional Use Permit Application for a Telecommunications Tower

Director Gleiser presented the final report for USCOC of Greater Iowa's application to construct a 155' monopole communications tower (159' including lightning rod) on land leased from KVH Properties, LLC in the NE ¼ of the SE ¼, Sec. 20, T86N R45W (Willow Township) on Parcel #864520400002 west of the Merville Blacktop and North of 320th Street. The property is located in the Agricultural Preservation (AP) Zoning District and is located in the floodplain (Zone A). On 5/24/21, the Zoning Commission voted 5-0 in favor of recommending the proposed application for approval to the Board of Adjustment. Gleiser reported that public was notified about the public hearing via the proper notification procedures. He reported that staff received a phone call on May 26 from Daryl Carr, an adjacent property owner, who had a concern about the position of the tower relative to his airfield. Staff also received a letter dated May 25 from the Hornick Volunteer Fire Department who expressed concerns with the tower setback and the potential of it obstructing the Merville Blacktop. Gleiser informed the Board that he had spoke with Mayor Scott Mitchel who is also a volunteer firefighter and provided him with a written statement addressing those concerns based on the zoning ordinance requirements. Josh Watson of USCOC provided details about the FAA Determination Letter which indicated that the tower would not be in conflict with FAA regulations. He also discussed the site selection process and indicated that this is part of a larger project that includes federal funding to improve rural coverage. Daryl Carr informed the Board that he established his airstrip in 2013 and said it is on file with the FAA but is not published. Carr did not provide proof. He indicated that the airstrip was for recreational use and not for agricultural or commercial. Kevin Heck stated that he was unaware of the airstrip. He indicated that the tower location was selected to maximize his farmland under the consideration of the CSR, drainage, and access. Gleiser assumed the plane hanger/property was an ag use as there was no conditional use permit on file. After Carr's testimony, Gleiser acknowledged the zoning violation since the property was located in the Agricultural Preservation (AP) Zoning District which requires a conditional use permit in the zoning ordinance's land use summary table (Section 3.03.4). Brouillette made a motion to close the public hearing; second by Thiesen. Motion passed 5-0. Clark made a motion to approve the tower application; second by Brouillette. Motion passed 5-0.

Public Comment on Matters Not on the Agenda

None

Commissioner Comment or Inquiry

None

Adjourn

Meeting adjourned at 7:07 PM by order of the chair.