

Minutes of the Marion County Board of Adjustments
September 20, 2022

The Marion County Board of Adjustments met at 3014 E. Main St., Knoxville, Marion County Office Building on July 19, 2022, at 5p.m. Online attendance was available from the agenda on the Marion County website.

Attendees of the meeting were Jan Szlachetka, Dale Miler, Danielle Huffine, Loren Van Wyk and Michael Kacmarynski.

Public present were Albert Aguire, Kent McCorkle, Shawn Hemsted, Vitaliy Zelenskiy, Olga Zelenskiy, Nick Zelenskiy.

Chairperson Huffine called for a motion to approve the minutes from July 19, 2022. Kacmarynski made a motion to approve, and Van Wyk seconded the motion. A roll call vote was taken.

Szlachetka	yes
Miller	yes
Huffine	yes
Kacmarynski	yes
Van Wyk	yes

Petition 2022-895 Mc Corkle, Leslie Kent (LE) (DED) || Kain, Alivia Lynn & Herwehe, Amy Lee with an address of 1001 VIRGINIA ST, Columbia, IA is requesting a variance of up to 61 feet on the west property line to the requirements defined in 55.26 (4) (G) Microwave, radio, television and cellular telephone communication towers. Distance requirement for fall zone is equal to the height of the tower (as measured from the base) to all tower site property lines.

Poffenbarger explains that the proposed location has a 139-foot setback from Parcel 2397200000 which is owned by Mc Corkle, L Kent Trust 1/2 & Mc Corkle, Malane B Trust 1/2 requiring approximately a 61 foot variance.

A letter has been provided by the Sabre Industries the proposed structure of the tower would buckle onto itself needing a 50% setback instead of the 100% fall zone required by Marion County Ordinance. Please see the attached letter.

Kent McCorkle submitted a letter of support for the tower as the effected neighbor. The letter is enclosed. The location placement determined by the GSS Inc. on behalf of U.S. Cellular to allow for better cell coverage in an area of Marion County that is lacking adequate cell signal.

Poffenbarger explains the requirements spelled out in the ordinance were written for guyed wire towers. Today's towers are built differently and as described in the engineer's letter built to buckle down on themselves.

Hemsted explains locations are determined by engineer studies. The location being proposed is the best location. US Cellular is trying to get a location where the tower can be under 200' which is the tower height in which they must be lighted. Both Hempsted and Poffenbarger agree that the lighting on towers is what many people are upset over.

Mr. Zelenskiy is very upset. He has bees and feels the tower will kill his bees. He worries about his family's health that close to a tower. Poffenbarger explains to the BOA his property line is 252 feet from the tower.

Mr. Zelenskiy had other concerns with the neighboring farm field and his bees. Poffenbarger reminded him that is not what the BOA here to review and that discussion should happen elsewhere with the landowner.

Poffenbarger explained that even though no one likes a tower or change everyone today has a cell phone and all throughout the country towers and houses are intermixed.

Poffenbarger explained this is the first step of the proposed tower there will still be the rezoning process and two more public hearings. Poffenbarger suggests Mr. Zelenskiy gather information to support all of his concerns prior to the next public hearing.

A motion to close the public hearing was made by Miller and seconded by Szlachetka.

Szlachetka	yes
Miller	yes
Huffine	yes
Kacmarynski	yes
Van Wyk	yes

Huffine asked the BOA if there was any more discussion otherwise she would entertain a motion on Petition 2202-895. Van Wyk made a motion to approve the variance request. Szlachetka seconded the motion.

Szlachetka	yes
Miller	yes
Huffine	yes
Kacmarynski	yes
Van Wyk	yes

Huffine called for a motion to adjourn the meeting. Miller made the motion and Szlachetka seconded the motion. All in favor; meeting adjourned.

Minutes by: Melissa Poffenbarger