

RESOLUTION NUMBER 05-16

A RESOLUTION APPROVING A CONDITIONAL USE FOR A WIRELESS COMMUNICATIONS FACILITY ON PROPERTY LOCATED IN PT. OF NE/4 OF SECTION 6, TOWNSHIP 22 SOUTH, RANGE 3 EAST OF THE 6th PM, OF THOMAS WASHBURN/WESTERN WIRELESS.

WHEREAS, a public notice of above said proposed conditional use was properly given including publication in the official County newspaper of a public hearing.

WHEREAS, on the 28th of July, 2005, the Marion County Planning Commission did hold a public hearing to consider the above said proposed conditional use.

WHEREAS, the Marion County Planning Commission has recommended approval of a conditional use permit for a wireless communications facility.

WHEREAS, the Marion County Planning Commission has recommended that tower lighting is constructed to be red at night and white during daylight hours.

WHEREAS, the Marion County Planning Commission has recommended that all state and federal permits be obtained and maintained.

WHEREAS, the Marion County Planning Commission has recommended that all antennae and support structures meet or exceed current standards and regulations of the F.A.A and the F.C.C.; should such standards or regulations be amended, then devices and structures shall be brought into compliance as mandated by the controlling agency.

WHEREAS, the Marion County Planning Commission has recommended that the location of the support tower be such that it is constructed at least an equal distance from all property lines as it is in height.

WHEREAS, the Marion County Planning Commission has recommended that the support tower be constructed to accommodate at least two additional users.

WHEREAS, the Marion County Planning Commission has recommended that an environmental impact statement be submitted to the office of the planning commission.

NOW THEREFORE BE IT RESOLVED that a conditional use is hereby approved for wireless communications facility as presented for the following described property:

A tract of land located in the North half of the Southeast quarter and the east 82 acres of the Northeast quarter of Section 6, Township 22 South, Range 3 East of the 6th P.M. as follows:

Commencing at the east quarter corner of said section 6; thence S00°23'06"W along the east line of said section 6, a distance of 276.73 feet, thence N89°36'54"W, a distance of 239.27 feet to the point of beginning; thence N90°00'00"W, a distance of 550.79 feet; thence N30°00'00"E, a distance of 550.79 feet; thence S30°00'00"E, a distance of 550.79 feet to the point of beginning, containing 3.02 acres, 131,364 square feet more or less.

BE IT FURTHER RESOLVED that a conditional use is hereby directed that the Marion County Zoning district maps be amended to reflect above said conditional use.

This Resolution is made by the Board of Marion County Commissioners this 15th day of August, 2005.

Attest:

Carol A. Maggard
Carol A. Maggard, Clerk

Bob Hein
Bob Hein, Chair

Randy Dalke
Randy Dalke, Member

Dan Holub
Dan Holub, Member