

RESOLUTION NUMBER 05-11

A RESOLUTION APPROVING A CONDITIONAL USE FOR A WIRELESS COMMUNICATIONS FACILITY ON PROPERTY LOCATED IN PT. OF NW/4 OF SECTION 32, TOWNSHIP 19 SOUTH, RANGE 2 EAST OF THE 6th PM, OF SCULLY PARTNERS/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 26th of May, 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 support tower be constructed to accommodate a total of three users.

WHEREAS, the Marion County Planning Commission has recommended that a copy of all reports be filed with the county.

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

Northwest ¼ of Section 32, Township 19 South, Range 2 East of the 6th P.M. being more particularly described as follows:

Commencing at the North quarter corner of said section; thence South 00°05'05" East along the East line of the Northwest quarter of said section, a distance of 124.96 feet; thence South 89° 54' 55" West, a distance of 1125.64 feet to the point of beginning for the proposed lease site; thence South 30° 00' 00" East, a distance of 356.80 feet; thence South 90° 00' 00" West, a distance of 356.80 feet; thence North 30° 00' 00" East, a distance of 356.80 feet to the point of beginning. Containing 55,126 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 20~~th~~ day of June, 2005.

Attest:
Carol A. Maggard
Carol A. Maggard, Clerk

Bob Hein
Bob Hein, Chair

Randy Dalke
Randy Dalke, Member

Dan Holub
Dan Holub, Member