

**Board of Adjustment  
Minutes  
December 2, 2008**

Miller called the meeting to order at 5:06 PM.

Roll Call: Present -Eaton, Hitchins, Miller, Schulze, Welker. Also present: Roger Nowadzky, City Attorney.

**Agenda Item #1** - Hitchins moved to approve the agenda, second by Eaton. Motion carried 5-0.

**Agenda Item #2** - Foster Hawkins, 210 E Main Street, requested a variance to the parking requirements for two potential upstairs apartments at 216-218 E Main Street in the Central Business District. There is no physical space on the lot for the parking requirements. Troskey received no calls for information as a result of the posted sign and informed the board the Plan Zoning Commission discussed removing the on site parking requirement for rehabilitated housing within the CBD. Eaton moved to approve the variance to the parking requirement, second by Welker. Motion carried 5-0. City staff was asked to provide Hawkins with information relating to the use of city parking lots.

**Agenda Item #3** - Eaton moved to approve the November 18, 2008 Minutes, second by Schulze. Motion carried 5-0.

**Agenda Item #4** - U.S. Cellular requested a special use permit to allow a cell tower at the MCSD football field located on East Anson Street. The football field currently has multiple light poles and US Cellular plans to incorporate an enclosed tower within one of those light poles. The tower will extend 15' above the light. The new pole will have a higher wind load than the existing light poles. An unmanned shelter will be at the base of the pole for radio equipment. US Cellular has complied with FCC and E911 requirements. Chairman Miller read a statement informing the public to keep the comments focused on areas within the Board's purview, being health and safety issues regulated by the city's zoning code as the FCC regulations were not able to be addressed by the board. Several citizens spoke for and against the special use permit. Hitchins moved to approve the special use permit as requested, second by Welker. Motion carried 4-0, with Schulze abstaining as the MCSD Architect. Welker clarified he had no financial interest in the matter as his prior Construction Management contract with the MCSD was completed.

With no further business the meeting adjourned at 6:54 PM.

Respectfully submitted,

Shari L. Coughenour, CMC, City Clerk  
City of Marshalltown