

Memorandum

TO: City Council
FROM: Izaak Peterson , Associate Planner
DATE: June 16, 2025
SUBJECT: Private Antenna/Tower Permit- 165 Edgewater Ave - John Fowler
ITEM NUMBER: 8.j
SECTION: CONSENT AGENDA

REQUESTED MOTION

To approve the permit for a private tower and antenna, for the property located at 165 Edgewater Ave, subject to the following conditions:

1. This permit allows an amateur radio antenna and tower at 165 Edgewater Ave in accordance with the information submitted as part of this application.
2. The combined height of the antenna and tower is limited to 55 feet above grade. Minor modifications, including maintenance and repair may be completed in accordance with this permit. Major modifications including but not limited to an increase in height and/or location may not be made without amending this permit through the Planning Commission and City Council.
3. The antenna shall comply with Federal Communications Commission requirements. Procedures established by the Federal Communications Commission shall be used to resolve any complaints relating to interference allegedly caused by the private antenna.
4. One amateur radio facility is permitted on the property.
5. A building permit is required for this installation. The building permit shall be approved prior to any increase in the height of the antenna.
6. The applicant shall enter into a Private Antenna/Tower agreement with the city prior to the city's release of a building permit application for the facilities.
7. This permit is valid during the term of Private Antenna/Tower agreement and only while the applicant resides on the property. The applicant shall notify the City if he/she no longer resides on the property or of a transfer of title to another individual or party

INTRODUCTION

The City has received a private antenna/tower permit application from John Fowler, which proposes to construct a 50 foot free standing tower to support a citizen band radio antenna mast, at the property located at 165 Edgewater Ave. The applicant is licensed by the Federal Communications Commission (FCC) as an amateur radio operator.

Private antenna/towers are permitted by right within residential zoning districts, provided the permitting standards set forth in [Sec 103-100](#) are met. Consideration of a private antenna/tower permit requires consideration of the planning commission, and approval by the city council, as outlined by [Sec 103-32](#).

DISCUSSION

Site Characteristics

The subject property is located within the R1- Detached Residential zoning district. The site is a corner lot with frontage abutting Soo Street to the east, and Edgewater Ave to the south. The property is adjacent R-1 properties containing residences to the north, south and west, as well as rail road right of way to the east.

The property is .53 acres in size, and contains a 1,900 square foot single story house, and 725 square foot detached accessory garage. The sites rear yard is contained with a 4 foot chain link fence. Additionally, there are 5 mature deciduous tree's located within the property's front yards abutting Soo Street and Edgewater Ave.

Project Proposal

The applicant proposes to construct a 50-foot prefabricated freestanding aluminum tower to support a Mosely TA-33-MW antenna mast at its peak. The applicant proposes to locate the tower within the rear yard of the subject property, 51-feet from the sites front property line abutting Soo Street. The applicant proposes use of the tower, for their hobby of Amateur Radio communications, participating in local and national emergency training, which includes Skywarn (National Weather Service) and A.R.E.S. (Amateur Radio Emergency Service).

Development Code Requirements

Section [Sec. 103-100](#) and [Article II](#) of the City's Municipal Code regulate private antennas.

Private antennas are permitted in the R-1, Detached Residential Zoning District provided they meet the requirements of these sections. The code allows for a one private tower/antenna per property. The maximum height for amateur or citizen band radio antennas and/or towers is 75 feet. Any portion of any antenna or tower over 55 feet must be retractable to a height no greater than 55 feet.

For amateur and citizen band radio facilities, the standards address height, siting/setbacks and color. Amateur radio facilities must be located in a manner that minimizes the visibility of the facility from nearby properties and adjacent streets. No portion of facility may be located within a required principal structure setback or in a yard abutting a public right-of-way. In addition, any freestanding tower must be set back at least one foot from neighboring residential units. The color of the amateur radio facilities shall blend with the surrounding environment and must be screened with trees and landscaping to the extent possible.

Staff Review

The application has been reviewed in accordance with the Municipal Code requirements. This proposal has been reviewed by staff in accordance with the standards for private antennas, including amateur and citizen band radio facilities, as described below:

Height

The tower has a height of fifty (50) feet and complies with the ordinance standard. The proposed antenna in tandem with the tower will not exceed 55 feet in height. The maximum height permitted for any amateur or citizen band radio antenna is seventy-five (75) feet, as such, staff find that the proposed tower height is compliant with specified height standards.

Lowering Device

The ordinance requires antennas with a height greater than fifty-five (55) feet to be equipped with a mechanical device capable of lowering the facility when not in operation. The proposed

facilities do not have a lowering device, which is consistent with the code requirement.

Number Permitted

The application seeks approval for one antenna on the property. The ordinance limits the number of antennas permitted to one per property.

Siting/Setbacks

The location of the antenna complies with the setback requirements. The mast and antenna are located 51 feet from Soo Street right-of-way to the east, 78 feet from the western side lot and 110 feet from the property line to the north. The nearest neighboring residence is 85 feet away from the proposed tower location, at 175 Edgewater Ave directly to the west. The proposed tower location contains any potential fall zone of the facilities, wholly within the subject property.

Color/Screening

The ordinance requires amateur radio facilities be located in a manner that minimizes the visibility of the facility from nearby properties and adjacent streets. The following link displays street imagery from 2024, that accurately reflect existing ground level site conditions: [Street View](#). There are mature deciduous tree's 20-40 feet in height that would effectively screen the facilities as viewed from the Soo Street, and Edgewater Ave right-of-way. Neighboring mature pine tree's exist along the northern property line, however, these trees appear to be located within the neighboring property to the north. There is limited landscaping screening to properties located to the west. In staff's opinion, the proposed facilities appear to be effectively screened by existing vegetation surrounding the site as viewed from the right-of-way. At the time of Planning Commission review, staff provided optional language for the commission to consider additional screening of the site. At that time, the commission opted not to require additional screening as a condition of approval.

Private Tower/Antenna Agreement

Code [Sec 103-189](#) requires a private antenna/tower permittee to enter into a private antenna/tower agreement with the city. Attached to this report is a draft private antenna/tower agreement intended to satisfy the requirements of [Sec 103-189](#).

Public Comment

Property owners within 350 feet of the property were notified of the application. Staff received one comment from a property owner, who indicated they did not object to the proposed tower.

Planning Commission

The Planning Commission reviewed the submitted application at their regularly scheduled May 27, 2025 meeting. At the time of the meeting, no members of the public wished to provide comment. The commission discussed the proposed use and design of the tower, and considered whether additional landscaping or screening was necessary. Ultimately, the commission consensus was that the sites existing vegetation provided adequate screening. Upon discussion, the commission recommended approval of the application with conditions unanimously, with a 7-0 vote.

RECOMMENDATION

The application has been reviewed in accordance with the Municipal Code requirements. In staff's opinion, the proposal meets the standards of the ordinance in regards to height, lowering device, number permitted and siting/setbacks. As such, staff is recommending

approval of the permit with the following conditions attached:

1. This permit allows an amateur radio antenna and tower at 165 Edgewater Ave in accordance with the information submitted as part of this application. The combined height of the antenna and tower is limited to 55 feet above grade. Minor modifications, including maintenance and repair may be completed in accordance with this permit. Major modifications including but not limited to an increase in height and/or location may not be made without amending this permit through the Planning Commission and City Council.
2. The antenna shall comply with Federal Communications Commission requirements. Procedures established by the Federal Communications Commission shall be used to resolve any complaints relating to interference allegedly caused by the private antenna.
3. One amateur radio facility is permitted on the property.
4. A building permit is required for this installation. The building permit shall be approved prior to any increase in the height of the antenna.
5. The applicant shall enter into a Private Antenna/Tower agreement with the city prior to the city's release of a building permit application for the facilities.
6. This permit is valid during the term of Private Antenna/Tower agreement and only while the applicant resides on the property. The applicant shall notify the City if he/she no longer resides on the property or of a transfer of title to another individual or party

ATTACHMENTS

[Location Map](#)

[Applicant Narrative](#)

[Proposed Site Survey](#)

[Proposed Tower Plans](#)

[Private Tower/Antenna Agreement- Draft](#)

[Public Comment- Dunne](#)