

DRAFT STAFF REPORT

MADISON COUNTY BOARD OF ZONING APPEALS

August 25, 2026

Petition Number: 2026-SU-008 and V-025, 026, 027
Location: 0 W 1050 S, Fortville, IN 48040; SP# 48-16-02-300-008.000-014
Petitioner: APC Towers
Owner: Michael and Jaqueline Crouse
Zoning District: CR
Request: Special use and associated variances for a new 199' cell tower

2026-SU-008

Special Uses may be approved by the BZA only upon determination that the petition meets all the legal required criteria:

- The approval will not be injurious to the public health, safety, morals, and general welfare of the community.
- The requirements and development standards for the requested special use as prescribed by the Ordinance will be met.
- Granting of the Special Use will not subvert the general purposes served by the Ordinance and will not permanently injure other property or uses in the same district and vicinity.
- The proposed use will be consistent with the character of the zoning district in which it is located and the Madison County Comprehensive Plan.

The Board may examine the following items as they relate to the proposed use:

1. Topography and other natural site features;
2. Zoning of the site and surrounding properties;
3. Driveway locations, street access, and vehicular and pedestrian traffic;
4. Parking amount, location, and design;
5. Landscaping, screening, and buffering;
6. Open space and other site amenities;
7. Noise production and hours of operation;
8. Design, placement, architecture, and building materials of the structure;
9. Placement, design, intensity, height, and shielding of lighting;
10. Traffic generation;
11. General site layout as it relates to its surroundings.

LETTER OF INTENT



ClarkQuinn
Clark, Quinn, Moses, Scott & Grahn, LLP

July 27, 2026

Madison County Board of Zoning Appeals
Planning & Development Department
16 East 9th Street
Anderson, IN 46016

RE: Letter of Intent: Special Use Application for Wireless Communications Facility
Property Address: 0 W County Road 1050 S; Fortville IN 46040
Parcel ID: 48-16-02-300-008.000-014
Current Zoning: CR (Conservation Residential)
Applicant: APC Towers IV, LLC & Celco Partnership d/b/a Verizon Wireless
By: Clark, Quinn, Moses, Scott, & Grahn, LLP

Robert B. Scott
Charles R. Grahn
Frank D. Otte*
John "Bart" Herriman
William W. Gouden**
Russell L. Brown**
Travis W. Cochran
Michael P. Maxwell
Keith L. Beall
John M. Mead
Jennifer F. Perry
Clark P. Kirkman
Kristin A. McKinney
Olivia A. Hess
Kelly M. Shaw

Land Use Consultants
Elizabeth Bentz Williams, AICP
Joseph M. Csikos, AICP

*Also admitted in Montana
*Also admitted in Kentucky
**Registered Civil Mediator

1. Executive Summary & Overview

APC Towers IV, LLC and Celco Partnership d/b/a Verizon Wireless respectfully submit this application for a Special Use Permit to construct, operate, and maintain a new 199-foot overall wireless communications facility (WCF) on property located at 0 N County Road 1050 North, Fortville, IN 46040.

The primary objective of the proposed facility is to eliminate critical wireless coverage gaps, expand high-speed 4G/5G broadband capacity, and support emergency 911 telecommunications services for residents, businesses, and emergency responders in central Madison County.

2. Site Location & Facility Description

The subject property is located along County Road 1050 South. The proposed site plan incorporates the following key design elements:

- **Tower Structure:** A 195-foot self-supporting monopole communications tower with a 4-foot lightning arrestor (199-foot overall height), designed to accommodate at least three (3) commercial wireless service providers as well as local emergency communications equipment.
- **Leased Compound Area:** A fenced ground compound measuring approximately (45' x 45'), within an overall 100' x 100' leased area designed to house ground equipment cabinets, fiber transport utilities, and a back-up power generator.
- **Security & Screening:** An 8-foot tall, 100% opaque, wooden shadowbox fence along with a 10-foot landscape buffer, along the North and West sides of the compound, planted with evergreen trees designed to meet the screening requirements within Section 6.18 of the Zoning Ordinance.
- **Access & Utilities:** Access to the compound will be provided via a proposed, 12-foot wide, gravel driveway connected to County Road 1050 South. Underground power and fiber connections will run along the designated access easement.

3. Public Necessity & Service Improvement

Reliable telecommunications infrastructure is an essential public utility. Wireless network usage in Madison County has increased substantially due to remote work, fixed home internet services, smart agricultural technology, and expanded public safety communications.

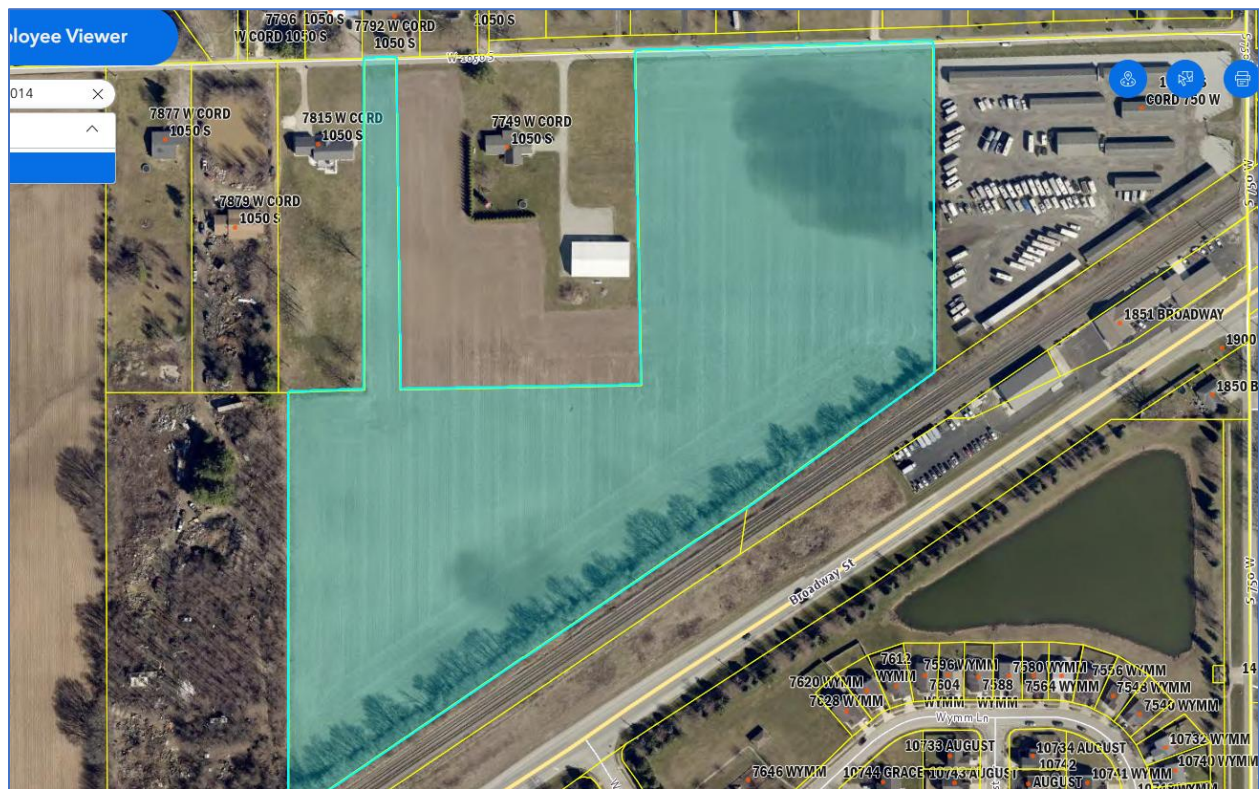
- **Coverage & Capacity Gap:** Propagation modeling confirms that the immediate surrounding area currently suffers from reduced signal strength, inconsistent in-building coverage, and capacity bottlenecks. The

proposed 199-foot height is the minimum height necessary to achieve line-of-sight propagation over surrounding topography and tree canopies.

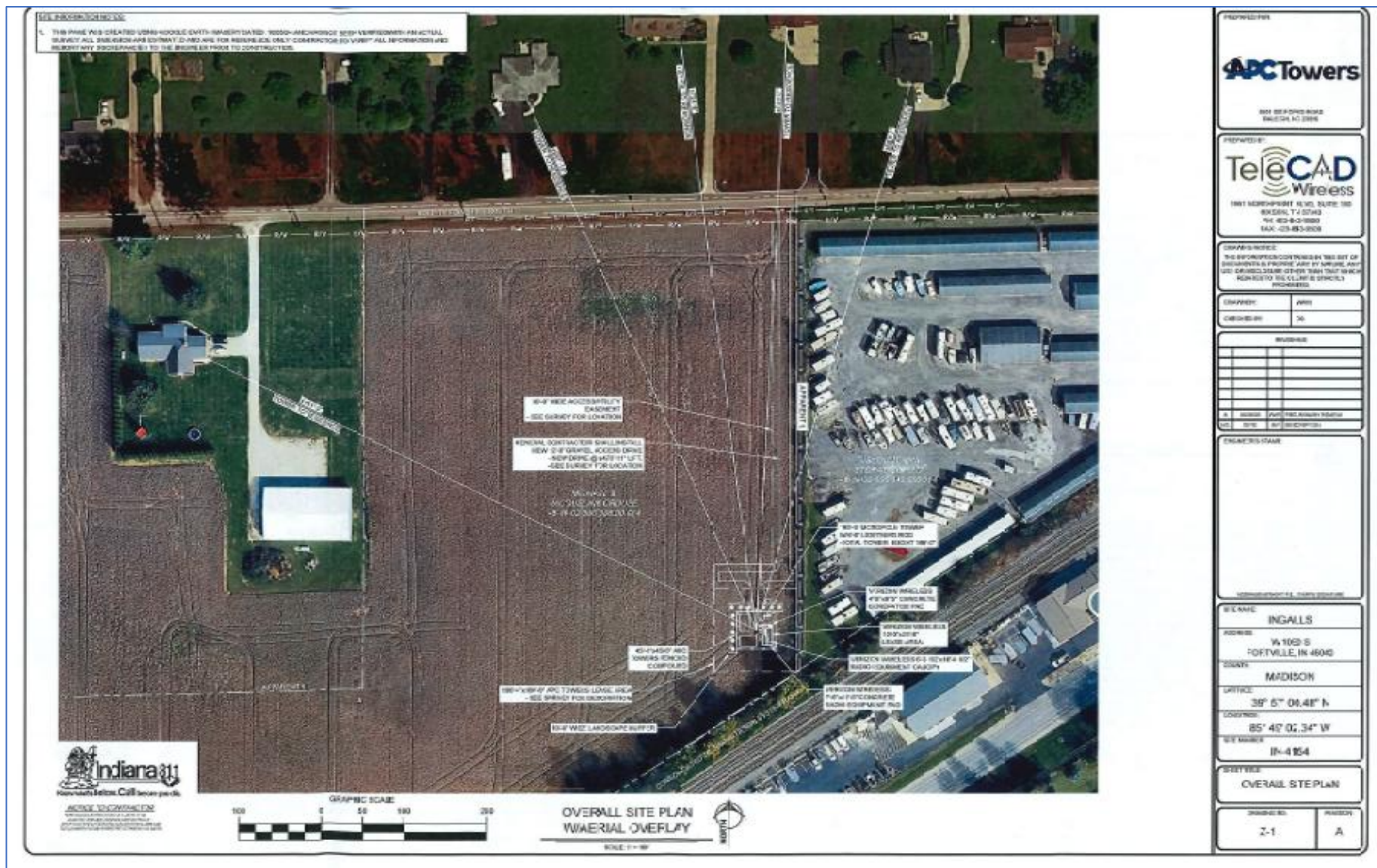
- **Emergency 911 Services:** Over 80% of emergency 911 calls originate from wireless devices. Enhancing signal coverage in this area directly improves public safety response times and location accuracy.
- **Colocation Readiness:** To minimize the proliferation of towers in Madison County, the tower structure and compound are specifically engineered for multi-tenant colocation, allowing future wireless carriers to co-

SITE INFORMATION

1. The area is zoned CR and has 16.8 acres.
2. The parcel is not located within a floodplain.
3. Land use is generally commercial/industrial with some residential, particularly south of Broadway.
4. The site fronts W 1050 S, which is a local road in the county thoroughfare plan.



Vicinity



Site Plan

ZONING REQUIREMENTS

Telecommunication Facility Standards (TF)

6.18 Telecommunication Facilities Standards (TF)

TF-01: This Telecommunication Facility Standards section applies to the following districts:



The purpose of this section is to allow for the provision of adequate reliable public and private telecommunication service and to maximize the use of any transmission tower and tower site in order to reduce the total number of towers and locations needed to serve the telecommunications needs of the area; to minimize adverse, undesirable visual effects of towers through careful design, siting, and vegetative screening. All wireless telecommunication facilities shall meet the following provisions:

- A. **Required Approvals:** The placement of telecommunications facilities shall meet the following approval requirements as detailed in this section:
- The installation of new antenna on existing towers, including legal non-conforming towers, and existing alternative structures (such as water towers, buildings, or church steeples) may be approved by the Planning Director subject to conformance with all applicable requirements of this Ordinance.
 - The installation of new accessory structures to support the installation of antenna on existing towers or alternative structures may be approved by the Planning Director subject to conformance with the applicable requirements of this Ordinance.
 - The installation of new towers shall be approved either by the Planning Director as a permitted use or by the Board of Zoning Appeals as a special use consistent with the provisions of this section.
- B. **Determination of Tower Need:** Any proposal for a new telecommunications tower shall only be approved if the applicant submits verification that the antennas planned for the proposed tower cannot be accommodated on any existing or approved towers or structures within a 3 mile radius of the proposed tower location due to one or more of the following reasons:
- The antennas would exceed the structural capacity of the existing or approved tower or structure as documented by a qualified and licensed professional engineer, and the existing or approved tower, building, or structure cannot be modified to accommodate the proposed antennas.

TF-02: This Telecommunication Facility Standards section applies to the following districts:



Wireless telecommunications facilities shall require approval as a Special Use from the Board of Zoning Appeals and shall meet all the following requirements in addition to the general requirements and all other applicable provisions of this Ordinance:

- The tower shall be a monopole design, and shall be setback from any property line a distance equal to at least 100% the height of the tower. Towers shall not be permitted in any required front yard.
- The maximum height of the tower shall be 125 feet. The maximum height of any accessory structure shall be 15 feet.
- The fence enclosing the facility shall be opaque and of wood, brick, or stone construction. Opaque, 8 foot tall wooden gates, matching any wooden fence, or painted to match a fence of another material shall be provided to access the facility.

In Indiana, the maximum height for cell towers is generally 200 feet.
Here's a more detailed breakdown:

- **General Height:** Cell towers in Indiana typically range from 50 to 200 feet in height.

- **FAA Compliance:** All towers and antennas must comply with FAA tall structure requirements.
- **Small Cell Height:** Small cells, which are low-power, short-range radio antennas, can be mounted at heights of 50 feet or less.
- **Local Regulations:** While the state has laws limiting local government's ability to regulate small cell installations, local municipalities may have their own regulations regarding cell tower height.



cancer.org | 1.800.227.2345

Cell Phone Towers

The widespread use of cell phones in recent decades has led to a large increase in the number of cell phone towers (also known as **base stations**) being placed in communities. These towers have electronic equipment and antennas that receive and transmit cell phone signals using [radiofrequency \(RF\) waves](#)¹.

- [How do cell phone towers expose people to RF waves?](#)
- [Do cell phone towers cause cancer?](#)
- [What about 5G networks?](#)

Cell phone towers are still relatively new, and many people are understandably concerned about whether the RF waves they give off might possibly have health effects.

At this time, there's no strong evidence that exposure to RF waves from cell phone towers causes any noticeable health effects. However, this does not mean that the RF waves from cell phone towers have been proven to be absolutely safe. Most expert organizations agree that more research is needed to help clarify this, especially for any possible long-term effects.

American Cancer Society, 2020

Staff also contacted the Madison County Health Department. Their response follows.

RE: [EXTERNAL] CELL PHONE TOWER - 0 W ST RD 32, ANDERSON TN



Joseph Davis

To:  Lerry Strange

Cc:  Christopher Capshaw

 Reply
  Reply All
  Forward
 

Wed 3/19/2025 2:51 PM

Tough to say whether there are health risks from RF radiation from cell towers. Some studies say there aren't, and others say there are. Long term exposure research is lacking I think. Most sources say further research is needed. FCC says RF waves emitted by cell towers are well below safety guidelines. There's a link below to FCC FAQ on RF waves. American Cancer Society also has a good read regarding the cancer part. It doesn't address the other concerns though. I probably wouldn't want one right next to my house. It could be perfectly fine, but I wouldn't want it there just in case.

<https://www.cancer.org/cancer/risk-prevention/radiation-exposure/cellular-phone-towers.html>

Joe Davis
 Deputy Administrator
 Environmental Supervisor
Madison County Health Department
 206 E 9th Street
 Anderson, IN 46016
 765-641-9537
jdavis@madisoncounty.in.gov



STAFF FINDINGS

The petitioner wishes to construct a new 199' overall monopole telecommunications tower and facility. The proposed tower will be in the southeast corner of the property. They are requesting variances for landscaping relief from the east and south boundaries, minimum setback relief, and to exceed the maximum height of 125 feet. There have also been arguments concerning the potential of cancer from exposure to cell towers. Review of American Cancer Society information and discussions with the health department do not support that argument. There has been no remonstrance.

RECOMMENDATION

Staff recommends approval of the special use.

FINDINGS of FACT for SPECIAL USE

1. ***Would the approval be injurious to the public health, safety, morals, and general welfare of the community?*** No. The operation is such that there should be no negative impact on the general welfare of the community.
2. ***Will the requirements and development standards set forth in the district for such exception be met?*** Yes. As presented, the existing improvements on the property meet the standards of the Madison County Land Use Development Code. All future improvements will be subject to the applicable development standards.
3. ***Will the proposed use subvert and permanently injure other property or uses in the same district and vicinity?*** No. As presented, and if the conditions detailed herein are met, no injury will occur to surrounding properties in the same district and vicinity.
4. ***Will the proposed use be consistent with the character of the zoning district and the Comprehensive (Comp) Plan?*** Yes. As presented, the conditions and the nature of the proposed project are consistent with the zoning code and comprehensive plan.

2026-V-025

STAFF FINDINGS

The petitioner is requesting relief from the landscaping requirements (6.18(D)(f)) on the east and south boundaries. The purpose is to allow the facility to be located to minimize agricultural disruption while minimizing any other issues. They propose to have a 10-foot landscape easement with evergreen trees as a buffer. The following is the statement from their letter of intent addressing this issue:

1. Landscaping Relief — Section 6.18(D)(f)

The Applicant will provide evergreen tree plantings within a dedicated 10-foot landscape easement along the west and north sides of the ground compound to buffer adjacent views.

320 North Meridian Street, Suite 1100 · Indianapolis, IN 46204 · ph (317) 637-1321 · fx (317) 687-2344
www.clarkquinnlaw.com

Madison County Planning Commission
RE: Zoning Letter of Intent
June 19, 2026
Page 2 of 4

Relief is specifically requested from planting perimeter evergreen trees along the east and south boundaries. The southern and eastern edges of the compound sit directly adjacent to established mature tree lines, which already provides natural ground-level screening from the south and east. Additionally, the site is bordered by a rail line to the south and an existing mini-storage facility to the east. Furthermore, planting additional trees along the active farm field margins to the south and east would interfere with agricultural tillage, drainage tiles, crop sunlight, and farm machinery access. The combination of the 100% opaque wood fence, evergreen plantings along the north and west, and the existing tree line to the east provides exceptional screening without burdening active agricultural production.

RECOMMENDATION

Staff recommends approval.

FINDINGS of FACT for VARIANCE

1. ***WILL the approval be injurious to the public health, safety, morals, and general welfare of the community?*** No. The proposed use as presented should not negatively impact the public health, safety, morals, and general welfare of the community. The proposed buffer will be sufficient given the adjoining land uses.
2. ***Will the use and value of the area adjacent to the property included in the variance be affected in a substantially adverse manner?*** There should be no negative impacts on property value.
3. ***Will the strict application of the terms of the zoning ordinance result in practical difficulty in the use of the property.*** Yes, they would not be able to construct the tower in a way that maximizes communication capacity.

2026-V-026

STAFF FINDINGS

The petitioner is requesting minimum setback relief to allow a reduced yard setback of 50' from the east property line and a rear setback of 69'4" on the south property line, where a setback equal to 100% of the overall height (199') is required. The structures are designed to collapse on themselves, so this

setback reduction will not pose a safety issue (verification letter is submitted with the file). From the letter of intent:

2. Setback Relief — Section 6.18(TF-02)(A)

The Applicant proposes a setback reduction from the required 199' 0" (100% of total height).

- **Preservation of Agricultural Land:** Placing the tower compound along the edge of the field prevents splitting or bisecting the cultivated acreage, preserving the maximum amount of contiguous, farmable land.
- **Balanced Site Geometry:** Placing the tower along the field margin allows the facility to maintain significant buffer distances from key surrounding features and residences.
- **Engineered Breakpoint:** The monopole will feature an engineered breakpoint design. In the unlikely event of structural failure, the collapse radius is engineered to yield within a 50-foot radius of the base of the tower, keeping the fall zone safely contained within the subject parcel. The applicant has included a fall zone letter in compliance with Indiana Code § 8-1-32.3-17 as evidence of this design.

RECOMMENDATION

Staff recommends approval.

FINDINGS of FACT for VARIANCE

1. ***WILL the approval be injurious to the public health, safety, morals, and general welfare of the community?*** No. The proposed use as presented should not negatively impact the public health, safety, morals, and general welfare of the community. The tower is designed to fall in on itself.
2. ***Will the use and value of the area adjacent to the property included in the variance be affected in a substantially adverse manner?*** There should be no negative impacts on property value.
3. ***Will the strict application of the terms of the zoning ordinance result in practical difficulty in the use of the property.*** Yes, they would not be able to construct the tower in a way that maximizes communication capacity.

2026-V-027

STAFF FINDINGS

The petitioner is requesting a tower higher than the county's maximum of 125'. The proposed tower height and design is within the parameters of other towers in Indiana. The petitioner is requesting a 199' tower. The RF engineering studies provided demonstrate the need. The following is from their letter of intent:

3. Height Increase Relief — Section 6.18(TF-02)(B)

The Applicant requests an overall facility height of 199 feet (195-foot monopole plus 4-foot lightning arrestor) instead of the standard 125-foot limit in the CR district.

- **Overcoming Local Tree Canopy & Topography:** RF engineering studies confirm that a 125-foot tower cannot clear the tall, mature tree canopy present in the immediate area, which causes severe signal attenuation in this area of Madison County.
- **Co-Location for Multiple Carriers:** A 199-foot structure provides sufficient vertical clearance for up to three (3) total wireless providers as well as emergency service communications, preventing the need for additional towers in neighboring areas.

RECOMMENDATION

Staff recommends approval.

FINDINGS of FACT for VARIANCE

1. ***WILL the approval be injurious to the public health, safety, morals, and general welfare of the community?*** No. The proposed use as presented should not negatively impact the public health, safety, morals, and general welfare of the community.
2. ***Will the use and value of the area adjacent to the property included in the variance be affected in a substantially adverse manner?*** There should be no negative impacts on property value.
3. ***Will the strict application of the terms of the zoning ordinance result in practical difficulty in the use of the property.*** Yes, they would not be able to construct the tower in a way that maximizes communication capacity.

Verification Letters



June 7th, 2026

TO: Larry Strange
Executive Director
Madison County Board of Zoning Appeals
16 East 9th Street
Anderson, IN 46016

RE: Proposed Verizon Communications Facility
Site Name: GN3 Ingalls
Type of Tower: New APC Towers Monopole 195ft
Nearest Address: 7749 W 1050 S, Fortville, IN 46040.

To whom it may concern:

As a radio frequency engineer for Verizon, I am providing this letter to state the need for the proposed Verizon site called GN3 Ingalls ("Proposed Site") in Fortville, Indiana at the total requested height of 195 feet. The Proposed Site is necessary to improve coverage and offload 4G and 5G data and voice capacity in and around Fortville, Indiana ("Gap Area"). The Proposed Site will offload excess data traffic from the following nearby sites that are currently operating near or at capacity: GN3 Fortville Dt (located at 714 E. Broadway, Fortville, IN, 46040), GN3 I69 and IN 13 (located at 9528 W 800 S, Ingalls, IN, 46068) and GN Pendleton (7832 S CR 650 W, Pendleton, IN, 46064). The Proposed Site will allow Verizon to address an area that is currently experiencing high demand for wireless high-speed data. Growth forecasts in and around the Gap Area have triggered the need for an additional site in order to allow Verizon to provide its customers in the area with the best experience on their existing 4G wireless devices and new 5G mobile and fixed home services. By addressing this need, customers will experience improved access to mobile voice services, enhanced 911 for public safety, and high-speed broadband 4G/5G wireless data services.

The requested overall tower height of 195 feet is the minimum height necessary to provide continuous coverage to the Gap Area and to ensure that the proposed site works well with other existing network sites in the surrounding areas. The proposed 195-foot tower will give Verizon the opportunity for growth on a structurally sound facility and allow for the possibility of new future collocators. A tower with a height less than 199 feet will not provide the coverage and capacity needed, and another new tower would be needed to provide additional coverage and capacity in the near future.

Verizon cares about the communities it serves and prefers to collocate on existing structures when feasible. Here, there are no existing towers in the search area that can provide Verizon the coverage and capacity needed in the Gap Area. The Proposed Site has been designed, and will be constructed and operated in a manner that satisfies regulations and requirements of all applicable governmental agencies that have been charged with regulating tower specifications, operation, construction, and placement, including the FAA and FCC.

RF emission readings at the Proposed Site in the accessible areas would be well below the applicable limits for FCC Uncontrolled/General Population and FCC Controlled/Occupational environments as outlined in 47 CFR 1.1301 through 1.1319. The site would carry appropriate RF emission signage to the public entering the site area.

This Proposed Site would transmit frequencies within the licensed frequency bands and the power limitations set by FCC regulatory authority. The Proposed Site will go through a complete rigorous regulatory process before it comes on-air to provide service to our customers.

Verizon currently holds multiple FCC licenses in Madison County in order to provide multiple forms of wireless services to its current and prospective customers.

Sincerely,

A handwritten signature in black ink that reads "Jessica Maldonado". The signature is written in a cursive style with a horizontal line underneath the name.

Jessica Maldonado

RF Engineer, Verizon

July 22, 2026

Jonathan Greene
APC Tower's
8601 Six Forks Road, Suite 250,
Raleigh, NC 27615



B+T Group
1717 S. Boulder, Suite 300
Tulsa, OK 74119
(918) 587-4630
btwo@btgrp.com

Subject:	Fall Certification Letter		
Arcosa Designation:	Arcosa Project Number:	C602	
	Arcosa Site Name:	GN Ingalls (IN-4154)	
Engineering Firm Designation:	B+T Group Project Number:	26-003988	
	Site Data:		
	GN Ingalls (IN-4154)		
	195' Monopole		

To Whom it May Concern:

As Requested by Arcosa Telecom Structures on behalf of APC Tower's, B+T Group is pleased to submit this "Fall Certification Letter" for the 195' Monopole to be constructed at the **GN Ingalls (IN-4154)** site.

This pole will be designed in accordance with the TIA 222-H standard for Madison County, IN. The pole will be designed to support antennas and transmission lines for three wireless carriers. The design criteria are more particularly described as follows:

Design Wind Speed: 106 mph 3-sec gust (no ice), 40 mph 3-sec gust (1.5" ice)
Structure Class: II
Exposure Category: C
Topographic Category: 1

190'—Wireless Carrier 1 (CaAa= 42,000 sq in w/ (18) 1 5/8" transmission lines
175'—Wireless Carrier 2 (CaAa= 30,000 sq in w/ (12) 1 5/8" transmission lines
160'—Wireless Carrier 3 (CaAa= 30,000 sq in w/ (12) 1 5/8" transmission lines

It is our understanding that this Monopole structure will be designed such that, if a failure were to occur due to a significant storm or other event, the pole would fall within a radius of 50' from the base of the structure. Although the pole would not be designed to fail, stronger sections that required by analysis would be provided in the lower sections of the pole, resulting in an increased safety factor in the lower sections. In the highly unlikely event that this pole were to experience operational failure due to catastrophic wind loading, the design would enable the pole to fail through compression buckling. Failure in this manner would result in the upper portion of the pole buckling and folding over the lower portion, resulting in a fall radius of 50' from the base of the pole. This opinion does not consider unpredictable extreme catastrophic events for which the structure is not designed. However, any damage to surrounding property caused by the pole failing during such an event would be relatively insignificant when compared to the damage caused to the surrounding property by the event itself. Please contact us should you have any questions concerning the safety and design of the monopole.

Letter prepared by: Clint Coody

Submitted by: B+T Group

Chad E. Tuttle, P.E.



[Handwritten signature]
7/22/26

Site Photos



View from site looking north



View from site looking east



View from site looking south



View from site looking west