

# Storey County Code Enforcement

PO Drawer D  
Virginia City, NV 89440

Phone (775) 847-0969  
Fax (775) 847-0921

Code Enforcement Complaint Form

Hearing Office, Vanessa A. Dixon

## Complaint Issued By

Name: Buddy R Morton  
Mailing Address: 690 Panamint Rd VCH  
Physical Address: Same  
Phone: 847-7968 Email: NA

## Complaint Issued Against

Name: Tom Taormina  
Mailing Address (If Known): NA  
Physical Address: 320 Panamint Rd  
Physical Location is street address not available: \_\_\_\_\_

## Legal Owner (If Different From Resident)

Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_

## Description of Complaint or Alleged Violation

Mr. Taormina has what he calls an antenna farm. He is in violation of ST co ordinance concerning height restrictions + High land cells

See attached.

Buddy R Morton \_\_\_\_\_ 6-24-08 \_\_\_\_\_  
Signature of person filing complaint Date

## Office Use Only

Date Complaint Received: 06-24-08  
Received By: Vandixon  
Notes: \_\_\_\_\_

Taormina Group.

June 24, 2008

To Whom It May Concern:

I am filing a nuisance complaint against Tom Taormina who lives at 370 Panamint Road, in the VC Highlands.

Mr. Taormina has erected 8 radio towers and is in violation of at least one county ordinance.

Storey County ordinance 17.12.044 limits the size of towers to 45 feet above grade.

Mr. Taormina sent an e-mail to Michelle Adkins stating all of his towers have been up for 11 years, which makes this fall under the CCR's that were in effect in the Highlands at that time. At that time antennas were limited to 15 feet above the roof of the house.

See attached e-mail.

Also in effect at that time was a restriction on the colors allowed on all structures; stainless steel structures were not allowed.

Regardless of these violations he has destroyed the view of the skyline with his towers and any semblance of living in a rural country setting is gone.

Some of these towers can be seen from State Route 341.

He has 2 more towers lying on the ground on his property on Panamint that are like large water pipes, approximately 12 to 16 inches in diameter, and has indicated he intends to erect those towers this summer. Those towers are going to be almost 200 feet tall.

I would like an immediate stop work order on any more construction and I want all of the towers removed.

Mr. Taormina likes to quote one tiny FCC regulation that says he can erect those towers, but FCC guidelines clearly indicate he cannot erect an "eyesore".

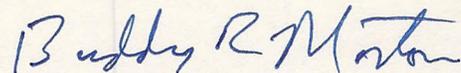
It is possible to put many antennas on one tower and if Mr. Taormina wanted to have 1 tower 45 feet tall I do not believe many residents of the Highlands would object.

The problem with various organizations and county agencies letting him do this lies in the fact that they haven't done their homework.

Nevada Revised Statutes have several sections relating to this problem, one of which specifically defines what a "temporary structure" is. It does not include towers that have been up for 11 years.

County building inspector Dean Haymore has reportedly said he can't do anything about the towers because they are temporary structures. He needs to refer to what the NRS says.

Thank you,



Buddy R. Morton  
630 Panamint Road  
VC Highlands, NV  
89521  
847-7968



Print - Close Window

**To:** VCH@yahoogroups.com  
**From:** "Tom Taormina" <tt@taorminagroup.com>  
**Date:** Sat, 7 Jun 2008 07:45:39 -0700  
**Subject:** RE: [VCH] Re: Antenna's??

Thanks to my neighbors who accommodate each other's passions.

A few facts for Michelle:

- When we bought our houses we agreed to the CC&R's. At one time, the HRPOA "Building Guidelines" contained a reference to antenna height. I did not build my house; I bought it and never saw any "building guidelines." When we revised the CCR's we got rid of unenforceable "guidelines" not contained in the CC&R's.
- The towers have been up for more than 11 years. Any County statutes were written after they were up
- FCC Statute PRB-1 for licensed radio stations is preeminent over any local regulations for radio antennae
- I am the appointed Storey County Emergency Communications officer and a long-time member of the County Local Emergency Planning Commission. In the event of major disasters, Amateur Radio communications is often the only communications.
- Yes, there are two more towers going up this summer. In part they will be used for backup in the County emergency communications system and I am currently in dialogue with Dave Ballard, the County Communications Director and have offered space for primary police and fire communications antennas to better serve the Highlands.

The good news, Michelle, is that I have no more room to add any more towers. By the way, my wife and I think the utility poles are the ugliest artificial structures in the Highlands.

Tom on Panamint

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**New Members** 4  
 Visit Your Group

**Yahoo! Finance**  
 It's Now Personal  
**Guides, news, advice & more.**

**Food Lovers**  
 Real Food Group  
**on Yahoo! Groups find out more.**

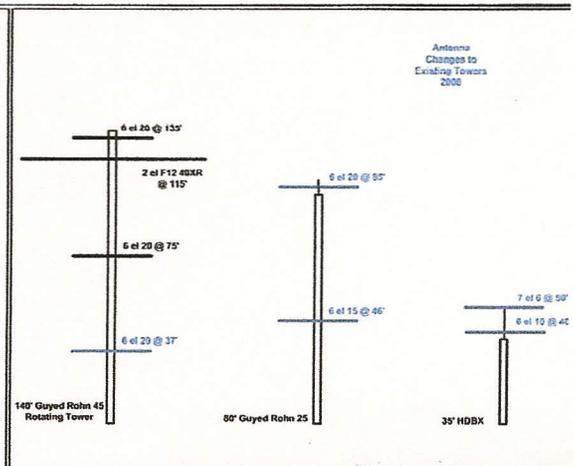
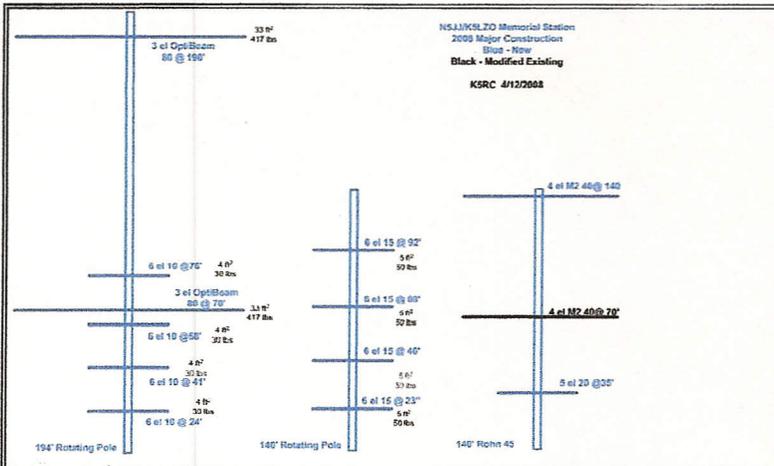
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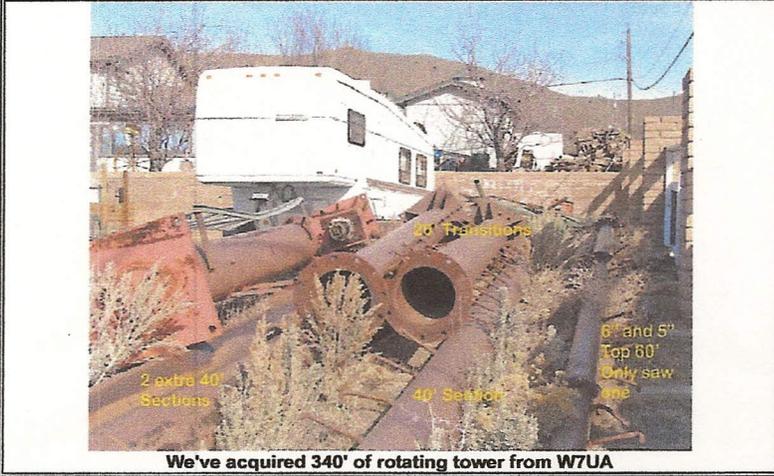
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 To read and search old messages, go to:  
<http://www.eGroups.com/group/VCH/messages>

### 2008 PHASE III CONSTRUCTION PLANS AND PHOTOS

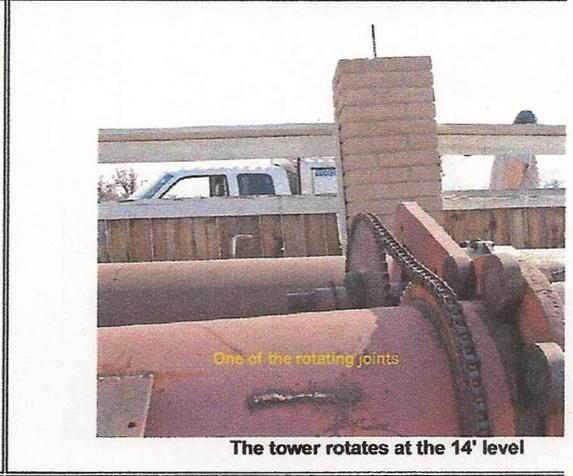


Very ambitious construction schedule includes stacked 80 M beams, a first we think

With no more need for tribanders, we are placing multiple antennas for each band on different towers



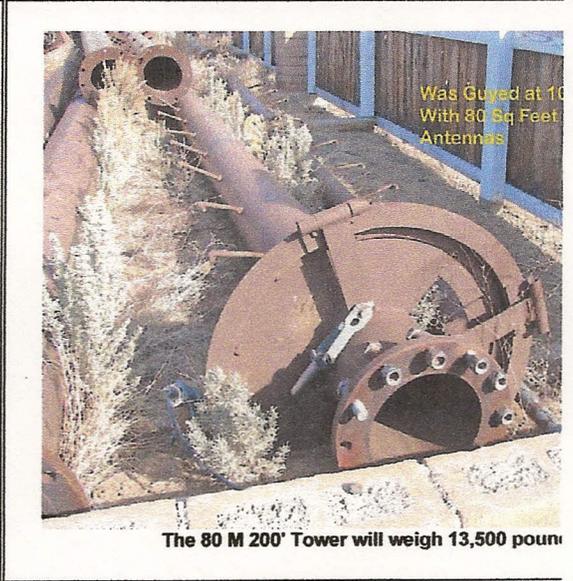
We've acquired 340' of rotating tower from W7UA



The tower rotates at the 14' level



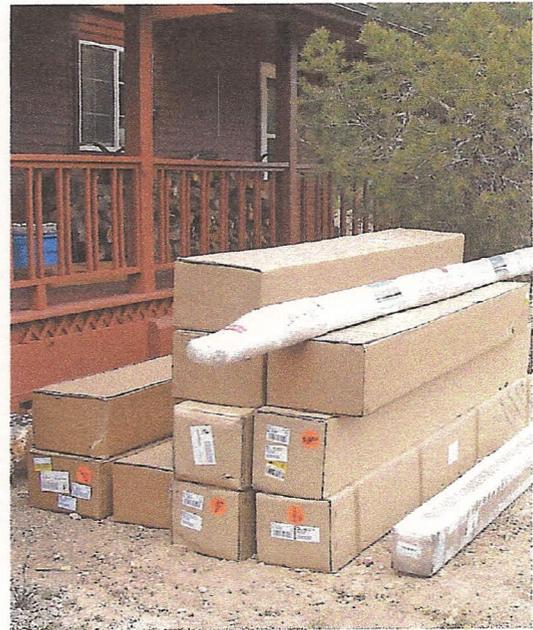
Tower arrived at the paint shop 4/25. That is a 40' trailer.



The 80 M 200' Tower will weigh 13,500 pounds



Brackets that hold the booms to the rotating pole



Two 3 element 80M Optibeams arrived from Gerr  
5/2. Shipping weight was 1,252 lbs. Also in the pi  
second M2 4el 40.



May 21, 2008.

Someday we will get started building antennas and digging bases!



While we had a record 7 days of rain and snow i  
We took time out for CQ WPX CW

I2UIY, K6KR, N0AX, K5RC



Visit the Painter on June 2



Inspection of the pillow blocks in the bottom of the two ba entire weight of the tower showed they had to be r



Inspect the towers being painted



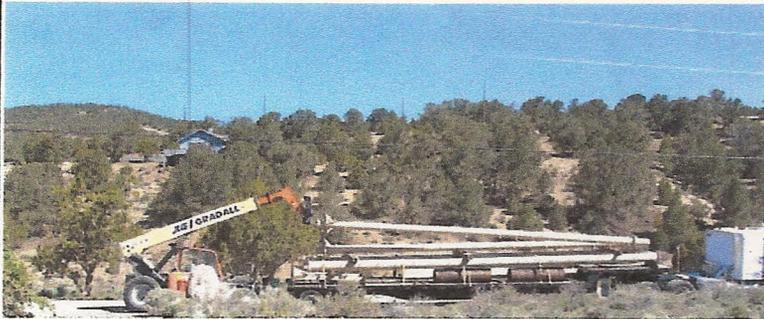
Surveying tower base and guy anchor locations has gotten a since the days of a compass and string.



For some reason, they could not get a good GPS Lock



So they had to set up a base station and layout Cartesian co



Tower is delivered on June 7. First he tried to pick up a 40' joint with the forklift blades.



When that approach did not work, he resorted to



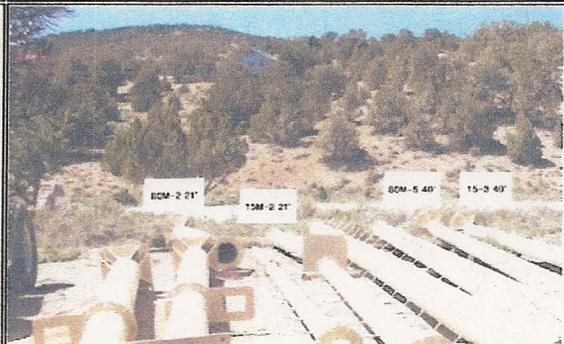
The bases for the 140' and 200' rotating monopoles are 20" OD, 19" ID Pipe 7.5' long. They will be placed in a 5' hole with rebar and concrete inside and out.



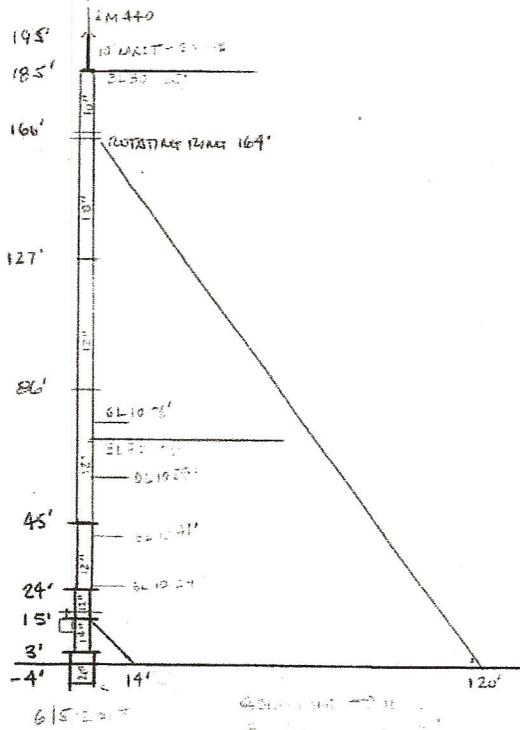
These stanchions are 8' long made of 6" Box Tubing. They elevated guy posts.



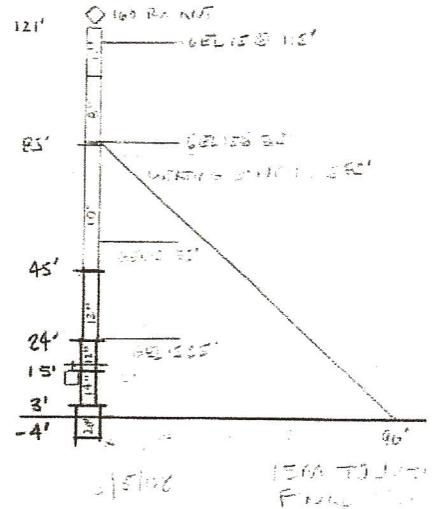
Detail of the rotating joints at the base sections



Tower unloaded and inventoried



Quick calculations after taking inventory to make sure it all works - 80/10M Monopole



Quick calculations after taking inventory to make sure it Monopole

Last Update June 5, 2008

From the Nevada Revised Statues:

NRS 278.02085 Amateur radio: Limitations on restrictions on amateur service communications; limitations on regulation of station antenna structures; exception.

1. A governing body shall not adopt an ordinance, regulation or plan or take any other action that precludes amateur service communications or that in any other manner does not conform to the provisions of 47 C.F.R. § 97.15 and the limited preemption entitled "Amateur Radio Preemption, 101 F.C.C. 2d 952 (1985)" as issued by the Federal Communications Commission.

2. If a governing body adopts an ordinance, regulation or plan or takes any other action that regulates the placement, screening or height of a station antenna structure based on health, safety or aesthetic considerations, the ordinance, regulation, plan or action must:

(a) Reasonably accommodate amateur service communications; and  
(b) Constitute the minimum level of regulation practicable to carry out the legitimate purpose of the governing body.

3. The provisions of this section do not apply to any district organized pursuant to federal, state or local law for the purpose of historic or architectural preservation.

4. Any ordinance, regulation or plan adopted by or other action taken by a governing body in violation of the provisions of this section is void.

5. As used in this section:

(a) "Amateur radio services" has the meaning ascribed to it in 47 C.F.R. § 97.3.

(b) "Amateur service communications" means communications carried out by one or more of the amateur radio services.

(c) "Amateur station" has the meaning ascribed to it in 47 C.F.R. § 97.3.

(d) "Station antenna structure" means the antenna that serves an amateur station, including such appurtenances and other structures as may be necessary to support, stabilize, raise, lower or otherwise adjust the antenna.

(Added to NRS by 2001, 596)



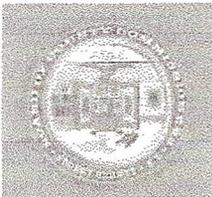
STOREY COUNTY CODE

HOME

STOREY COUNTY

SEARCH CODE

STOREY COUNTY HOME



# STOREY COUNTY CODE

## Chapter 17.12 GENERAL PROVISIONS

### SectionNo(17.12.044)

#### Height of buildings.

In the R-1, R-2, E, A, PUD, and F zones, no building, manufactured building or manufactured home shall exceed a height of three stories or thirty-five feet, whichever is higher, except as may be allowed by special use permit. The requirements of this section shall not apply to church spires, belfries, cupolas, domes, chimneys or flagpoles. Radio, television and other communication masts may extend not more than forty-five feet above grade level, provided that the same may be safely erected and maintained at such height in view of surrounding conditions and circumstances. (Ord. 159 § 2(part), 1999)

[Back](#)

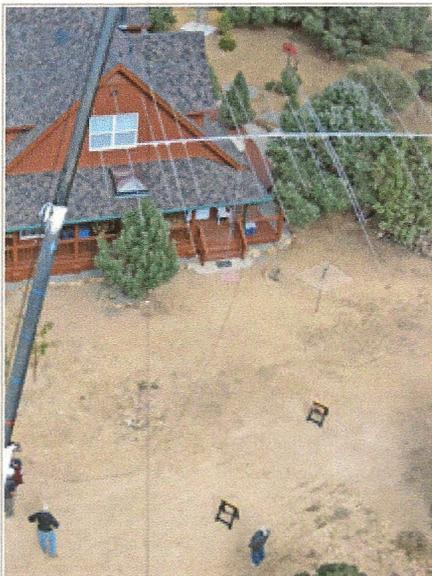
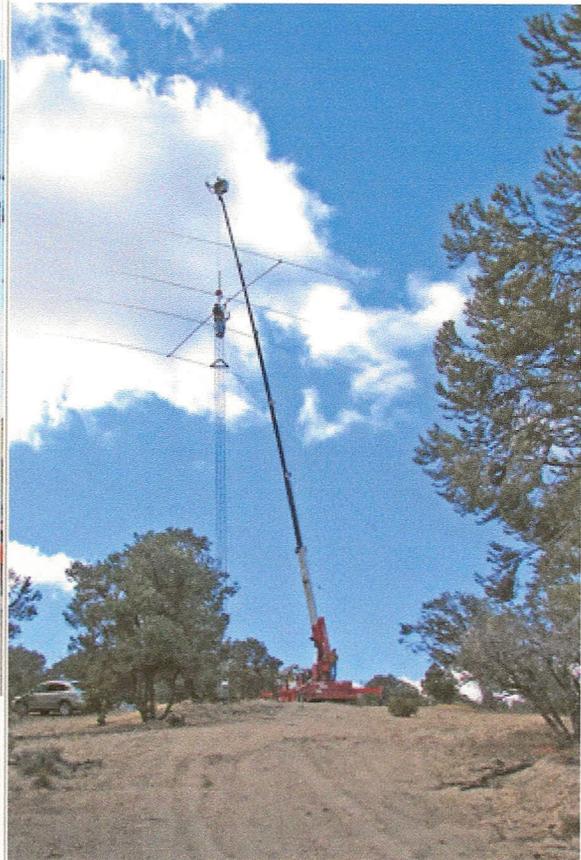
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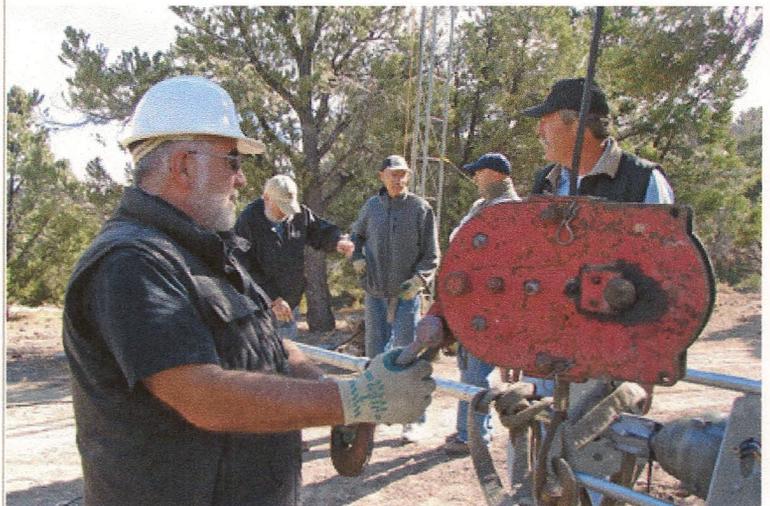
## Antenna Erections



Erecting the 4 element M2 40, October 2006



Installing the C31XR, October 2006



The Crew (L to R) W7VI, K7AO, N7XM, KL2A, K7NV



117' Crane removing the old stack to make room for the C39XRN, July 2004



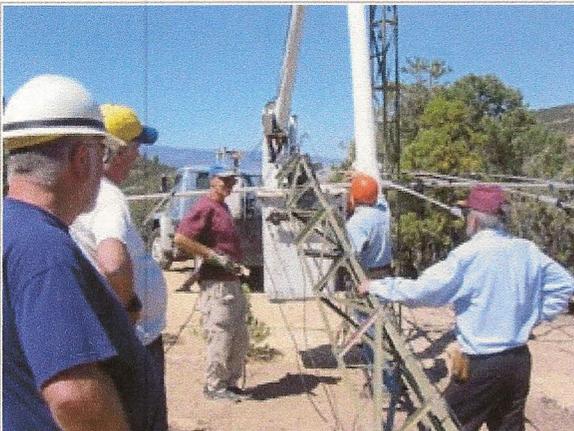
Installing the 6 element 15, July 2004



Installing the T12 Log, July 2003



Raising the 4 element 20, June 2003



Tower Erection, June 2003



Tower Erection, June 2003

## *Storey County Code Enforcement*

PO Box 603  
Virginia City, NV 89440

Tracy Curtis  
Hearing Officer

Phone (775-847-0954  
Fax (775) 847-0987

September 22, 2008

In June of 2008. A complaint was filed by Buddy Morton against Tom Taormina at 370 Panamint road in the Virginia City Highlands. The subject of the complaint was regarding the many radio towers Mr. Taormina has installed on the property.

7/3/08

A second complaint was filed with the Clerks office on 7/3/08. The nature of the complaint is the same as above.

Since then, the Assistant District Attorney has been working with the Building Inspector and County Manager to find a solution to this problem. A third complaint was received on July 11th and was placed in the file.

9/23/08

Met with Laura today and the issue seems to be that NRS and County Ordinance do not mesh and makes it hard to enforce anything regarding these radio towers. The only teeth we would have at this point is through Special use permits and building permits for moving towers off of adjacent property.

A second issue is that the County ordinance needs to be amended to be in line with NRS.

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