

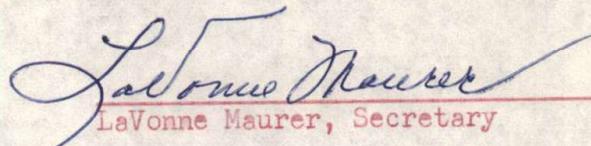
10/4/77

CEDAR CO. ZONING BOARD OF ADJUSTMENT held a meeting on 10/4/77 at 10:00 am in basement meeting room of court house. Members present: Chambliss, Maurer and Petersen. Absent were O'Mara and Sauer. Chambliss acted as chairman. Minutes of previous meeting were read and approved.

Chas. Martin, West Branch requested a variance for his front lot measurements from the regular 50' front yard + county right of way to 13' front + county right of way. Adjoining neighbors to this property (on both sides) were present: Mrs. Tom Behrle and Gary Holdeman. Following a discussion and there being no safety hazards presumably, Petersen moved we allow the variance from the 50' front to the 13' front. Maurer 2d. Motion carried and variance was allowed.

Maurer moved meeting adjourn. Petersen 2d motion. Meeting adjourned.

Respectfully submitted,


LaVonne Maurer
LaVonne Maurer, Secretary

Cornelia O'Mara
Chairman

Cedar Co. Zoning Board of Adjustment held a public hearing on May 19, 1977 at 8 pm in the basement meeting room of Cedar County Court House, Tipton, Ia., relating to a petition filed with Cedar Co. Zoning Office to clarify zoning classification needed to operate a rural grain storage area, hog confinement facility, with other related uses. Property is located on blacktop road north of city of West Branch, Sec. 20, T80N, R4W of 5th P.M., Gower Twp., Cedar County Ia.

Members present: Chambliss, Maurer, O Mara, Peterson and Sauer. Richard Dvorak, Cedar Co. Zoning Adm., was also present. Wm. Sueppel, Atty. from Iowa City, represented petitioners. Co. Atty. Edw. Kemp was also present.

Minutes of previous meeting were read and approved.

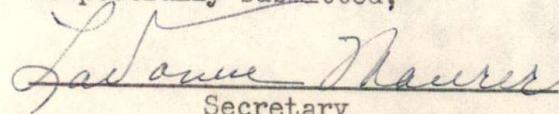
Chm. O Mara read the agenda for the evening. Peterson moved and Chambliss 2d the acceptance of same. Motion carried. Documents given to the secretary to be included in minutes are: 1. Analysis of Art. VI, Sec. 1A by staff of U of Ia. Rhetoric Dept. 2. Newspaper article from W. Branch Times marked Ex. A. in original petition. 3. Ad from " Branch Times marked Exh. B in original petition. 4. Newspaper ad appearing in W. Branch Times Thurs. 5/12/77. 5. Newspaper article from Tipton Conservative Thurs., 4/21/77. 6. Decision of Ia. Supreme Court Farmegg Products Inc. Appellant vs. Humboldt Co. Ia. et al Appellees #54287, 9/27/71, submitted by Gilbert R. Lindberg.

A letter from Richard Dvorak, Zoning Adm. of Cedar County, regarding proposed construction, was included in minutes of meeting. It was stipulated that the # of acres in paragraph 2 of same letter be changed from 660 acres to 160 acres.

A lengthy discussion pursued. Questions arose as to whether this enterprise was one corporate entry, or more than one corporate entry, and Co. Atty. Kemp recommended that the Bd. of Adjustment not act on the matter and that the meeting be postponed to give Kenneth Thomas some time to get a legal opinion regarding the corporate setup.

The next meeting date was set for 8 p.m. on 6/2/77 in the meeting room of Cedar County Court House. Chambliss so moved and Petersen 2d the motion. Motion carried. Meeting adjourned.

Respectfully submitted,


LaDonne Maurer
Secretary

6/2/77

Cedar County Zoning Board of Adjustment held a public hearing on 6/2/77 at 8 pm in basement meeting room of Cedar Co. Court House, Tipton, Ia., relating to a petition filed with the Cedar Co. Zoning Office to clarify zoning classification needed to operate a rural grain storage area, hog confinement facility, with other related uses. Property is located on blacktop road north of city of W. Branch, Sec. 20, T80N, R4W of 5th PM, Gower Twp., Cedar Co., Iowa, namely Gower Farms Inc. Meeting was a followup of previous hearing regarding same issue on 5/19/77.

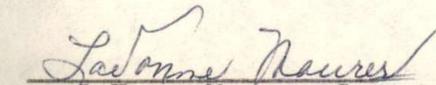
Present: Chambliss, Maurer, OMara, Peterson and Sauer. Richard Dvorak, Cedar Co. Zon'g. Adm. was also present. Wm. Sueppel, Attorney from Ia. City, represented petitioners. Co. Atty. Kemp was present. Atty. Richard C. Wenzel, Atty. from Cedar Rapids, represented Gower Farms Inc.

Minutes of previous meeting were read and approved. Document was given to secretary to include in minutes 'clarification of prior exhibit of letter from Richard Dvorak, Zoning Adm. relative to developments on this issue, starting with 3/7/77 when Kenneth Thomas, West Branch, inquired about requirements and regulations needed for installation of a new sewer and well system on his property also for grain storage, grain dryers and a somewhat large hog confinement.' Mr. Sueppel, Attorney for objectors, agreed that the document should be accepted as a clarification of the prior exhibit being letter of Richard Dvorak. Richard C. Wenzel, Atty. representing Gower Farms, Inc., explained the corporate setup, with the assistance of Greg See, Accountant for Gower Farms Inc.

The Cedar County Attorney asked the Board to rule on the appeal as if the clarification document were filed prior to the appeal by Mr. Sueppel and that Mr. Sueppel then appealed to this board.

Following a discussion pertaining to the corporate entities, Sauer moved that petition be set aside and the decision of the Cedar County Zoning Adm. stand. Chambliss 2d motion. All voted in favor. Meeting adjourned.

respectfully submitted,


LaVonne Maurer, Secretary

Chairman

MINUTES .. CEDAR COUNTY BOARD OF ADJUSTMENT

The Cedar County Board of adjustment met at 7:30 p.m. on May 5, 1977 in the meeting room of the courthouse, Tipton, Ia. Present were Maurer, O'Mara, Peterson, Sauer and Chambliss. O'Mara presided as chairman.

Minutes of the previous meeting were read and approved.

Chm. O'Mara requested Dvorak give us a briefing on the two requests for variance to be considered at this meeting. 1st on the agenda was Ron Peterson representing Wayne Ford. Ford requests variation in the yard requirements for the "Ra" zoning district in Rochester, Ia. and wants to build a 25' wide by 30' long garage on a 30' x 144' lot.

The matter was discussed by the board and inasmuch as this would enhance Chambliss moved, Sauer 2d motion variance be granted. All agreed. the property and not degrade it, Variance was granted.

Next on the agenda was request for variance from John H. and Mrs. McCleary RR 1, Moscow, who now live in a 1956 8 x 35 mobile home and ^{wish to} replace same with a 12 x 60 mobile home. Lot size is 80' x 396' long.

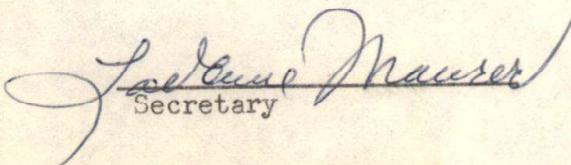
Following discussion, Sauer moved we ok the variance. Petersen 2d.

All voted in favor. Variance approved. Mr. and Mrs. McCleary stated they are familiar with the 5 year rule pertaining to trailer homes.

Meeting adjourned. Following adjournment, Dvorak brought up the Harmel property east of Bennett where the implement business is located. Board of Adjustment had no objections to Dvorak's thinking regarding this property.

The Gatens - Thompson elevator and confinement setup near W. Branch was discussed and Dvorak set up a meeting for 8 p.m. on 5/19/77 at Tipton Courthouse Meeting Room to hear the proposed issue. Meeting adjourned.

Respectfully submitted,


Leona Maurer
Secretary

Chairman

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR

Cedar County Courthouse

Tipton, Iowa 52772

August 30, 1977

MINUTES ----- CEDAR COUNTY BOARD OF ADJUSTMENT

The Cedar County Board of Adjustment met at 1:30 p.m. on August 30, 1977, in the Meeting Room of the Courthouse, Tipton, Iowa. Present were Chairman O'Mara, Chambliss, Sauer, and Petersen. Absent was Board of Adjustment member Maurer.

Chairman O'Mara called the meeting to order. Minutes of the previous meeting were read.

Ron Klinkhammer expressed his desire to move a mobile home from West Branch to Downey. The location to be used in Downey is one empty lot and Mr. Klinkhammer wants to connect into the new septic tank of his father who owns the adjacent lot. A 14' x 65' mobile home will be brought onto the lot and will house three persons. A diagram of the proposed set-up was drawn. Discussion followed. Sauer moved that the proposal be accepted if the sewer code can be met. It was seconded by Petersen. Motion carried unanimously. Also, a variance was given on the yard requirements.

Chambliss moved that in the future all adjoining property owners to the petitioner be notified of the application for variance to the Cedar County Zoning Ordinance. Sauer seconded the motion. It was approved unanimously.

Meeting adjourned at 1:55 p.m.

Respectfully submitted,

Connie Sparks
Acting Secretary

/sp

Lester Chambliss
Chairman

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR

Cedar County Courthouse

Tipton, Iowa 52772

CEDAR COUNTY BOARD OF ADJUSTMENT

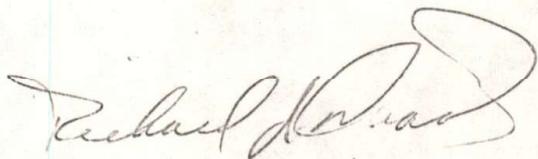
EXPLANATION OF NEW ZONING POLICY

As of the meeting on February 23, 1977, the Cedar County Zoning Office will initiate the following policy:

If a house is existing or ever has existed on an acreage under thirty-five acres, the individual owning this property would not have to rezone when he desired to build or expand his present facilities. However, all regulations under the "Rs" zoning classification must be followed.

Some examples are building a new house, adding an addition to the existing house or adding an additional building. The owner would need to obtain a building permit to expand on his property, but would not need to rezone.

In absence of a physical structure the individual will first be expected to prove that a pre-existing house had been there. He must conform to all regulations under the "Rs" zoning classification. A building permit and/or health department permits will be required where applicable. Also, the owner will only be allowed one residence on this property, irregardless of the size of the lot. No trailers or multiple family residences will be allowed.



Richard J. Dvorak
Cedar County Zoning Administrator

RD/sp



Tel. 319-886-2248

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR

Cedar County Courthouse

Tipton, Iowa 52772

MINUTES ----- CEDAR COUNTY BOARD OF ADJUSTMENT

The Cedar County Board of Adjustment met at 10:15 a.m. on August 9, 1977, in the Meeting Room of the Courthouse, Tipton, Iowa. Present were Chairman O'Mara, Petersen and Chambliss. Absent were Board of Adjustment members Sauer and Maurer.

Minutes of the previous meeting could not be read because they were at the County Attorney's Office.

Mr. and Mrs. Ed Klosterman, Springdale, requested a variance to put a mobile home on a 135' x 213' lot in Springdale. They plan to sell the house in which they presently live and intend to purchase a two bedroom mobile home because they are there only about six months out of the year. After a brief discussion, Chambliss moved that we grant the variance to the Klosterman's and Petersen seconded the motion.

Next on the agenda was a request for variance from Oscar Bismark, West Branch. Rick Dvorak read Mr. Bismark's letter of request to put a mobile home in Cedar Valley. He presently lives in an older mobile home but would like to purchase a newer one and put it on the same lot but in a new location. He stated that he will remove his present mobile home. Mr. Bismark also stated that he intended to go through the health department for a permit for his new sewer system and building permit. Following discussion, Petersen moved that we approve the variance. Chambliss seconded the motion. It was approved unanimously.

Meeting adjourned at 10:45 a.m.

Respectfully submitted,

Connelly O'Mara
Chairman

Secretary