

## OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR

Cedar County Courthouse

:-:

Tipton, Iowa 52772

December 21, 1977

The Cedar County Planning and Zoning Commission held a public hearing in the Courthouse, Tipton, Iowa, on December 21, 1977, at 10:00 a.m. Present were Commission members Chambliss, Loeffler, Davidson, Millett and Zoning Administrator Dvorak. Absent were Commission members Bixler and Suchomel.

The hearing was called to order by Chairman Loeffler. Les Chambliss acted as secretary for Mildred Suchomel who was absent. Sharon Pruess was appointed by Less Chambliss as recorder. Minutes of the public hearing held November 16, 1977, were read and approved.

First petition to be considered for rezoning was that of Herbert D. Ford, File # 1777, a request to rezone approximately 10 acres from "Aa" to "Rs", said tract being located in the NE $\frac{1}{4}$ , NW $\frac{1}{4}$  of Section 2 in Rochester Township. After discussion, motion was made by Chambliss, seconded by Davidson, to approve this request. Motion carried unanimously.

The next petition to be considered was for Pat Gibson, Solon, File # 1677, a request for a change in zoning from "Aa" to "Rs" for approximately 10 acres. Her plans are to develop the 10 acres into approximately 1 acre lots. The soil map was read by Zoning Administrator Dvorak. Sloping problems of the area were discussed. Davidson moved and Chambliss seconded that the request for rezoning be granted if sewer and water specifications are met. Motion carried with Millett voting nay.

Next order of business was to consider the Final Plat of Yankee Grove, Part 1, Martin Burgess. After considerable discussion and reports from Zoning Administrator Dvorak and the County Engineer, Davidson moved and Millett seconded to approve the Final Plat. Motion carried unanimously and the Final Plat will be forwarded to the Board of Supervisors.

The Commission members next reviewed the Preliminary Plat of Charles Hubler, D-Del Subdivision, File #277SD. Reports were submitted by the Zoning Administrator and County Engineer. After discussion, Davidson moved and Chambliss seconded to approve said Preliminary Plat.

The next order of business was to discuss the Preliminary Plat of Wayne Schoff. The County Engineer requested that more information be obtained before the Preliminary Plat could be filed.

There being no further business to come before the Commission, upon motion by Davidson, seconded by Chambliss, the hearing adjourned at 11:45 a.m.

Mildred Suchomel  
Secretary

Albert Loeffler  
Chairman

## ROTA DE TERRIMOS COMO UMA OPÇÃO PARA INVESTIMENTO

ROBERTO MELLO

### RESUMO

Este artigo tem o objetivo de apresentar a opção de investimento em terras rurais, que é uma alternativa para investir seu dinheiro. Afinal, é comum que as pessoas busquem alternativas para investir seu dinheiro, e a compra de terras rurais é uma opção que pode ser considerada. A compra de terras rurais pode ser uma forma de investimento, uma vez que elas podem ser vendidas mais tarde, ou podem ser usadas para agricultura, pecuária ou outras atividades. No entanto, é importante considerar os riscos envolvidos na compra de terras rurais, como a volatilidade dos preços, a disponibilidade de água e a legislação local. Além disso, é importante ter uma boa negociação com o vendedor e entender os direitos e deveres da compra. No final, é importante lembrar que a compra de terras rurais é uma opção de investimento, mas é importante considerar os riscos envolvidos e ter uma boa negociação com o vendedor.

Palavras-chave: investimento, terras rurais, opção de investimento.

November 16, 1977  
Courthouse  
Tipton, Iowa

The Cedar County Planning and Zoning Commission held a public hearing in the Courthouse, Tipton, Iowa, on November 16, 1977, at 10:00 AM.

Present were Commission members Millett, Davidson, Bixler, Suchomel and Zoning Administrator Dvorak. Absent were Commission members Chambliss, Voss and Loeffler.

The hearing was opened by Don Davidson who presided as Temporary Chairman in the absence of both the Chairman and Vice-Chairman. Minutes of the regular hearing held October 19, 1977, were read by the Secretary and approved as read.

First order of business was to consider petition of Mrs. Pat Gibson, File #1677, a request to rezone a 10-acre tract of land from "Aa" to "Rs", said tract being located in Section 19 of Cass Township. Petitioner was not present. During the ensuing discussion, it was ascertained that several tracts of adjoining property have changed ownership and that these owners might not have received notice of the requested change in zoning. Therefore, motion was made by Bixler, seconded by Millett, to delay action on this petition until the next regular hearing in order that another attempt might be made to notify the present adjoining property owners.

Motion carried unanimously.

Next order of business was to review Preliminary Plat and Grading Plan of Charles Hubler, File #2775D. Mrs. Hubler was present, as was the Hubler's planning developer, Larry Schnittjer. Plans call for the development at this time of but five lots, and approval was requested for only the area encompassing the five lots. A report was submitted by the Zoning Administrator finding said plat to be basically in conformity with the requirements of the Cedar County Subdivision Ordinance but lacking fence liability information and public utilities approval. Also submitted was report of the Cedar County Engineer generally approving plat as presented but recommending the use of a larger culvert size and a grading slope change. Motion was made by Millett, seconded by Bixler, to approve said plat subject to the incorporation of a fence liability agreement, public utilities approval and the two changes recommended by the County Engineer, all to be finalized before presentation to the Board of Supervisors.

Motion carried unanimously.

There being no further business to come before the Commission, upon

November 16, 1977

motion by Bixler, seconded by Suchomel, the hearing adjourned  
at 10:30 AM.

Wilked Suchomel  
Secretary

Albert Loeffler  
Chairman

THE CEDAR COUNTY PLANNING AND ZONING COMMISSION HELD A PUBLIC HEARING IN THE TIPTON COURTHOUSE ON NOVEMBER 16, 1977, AT 10:00 AM. PRESENT WERE COMMISSION MEMBERS MILLETT, SUCHOMEL, DAVIDSON, BIXLER AND ZONING ADMINISTRATOR DVORAK.

SUBMITTED FOR CONSIDERATION WAS PRELIMINARY PLAT AND GRADING PLAN FOR A PORTION OF THE CHARLES HUBLER SUBDIVISION ENTITLED D-DEL AND LEGALLY DESCRIBED AS FOLLOWS:

SW Corner of Section 19-Township 82 North, Range 4 West of the 5th P.M.

MOTION WAS MADE BY MILLETT, SECONDED BY BIXLER, TO APPROVE PRELIMINARY PLAT AND GRADING PLAN OF CHARLES HUBLER AS PRESENTED, SUBJECT TO, AND THE INCORPORATION OF, A FENCE LIABILITY AGREEMENT, PUBLIC UTILITIES APPROVAL AND TWO CHANGES RECOMMENDED BY THE COUNTY ENGINEER -- AN INCREASE IN THE DIAMETER OF ANY CULVERT USED AND A CHANGE IN GRADING SLOPE -- ALL TO BE FINALIZED BEFORE PRESENTATION TO THE BOARD OF SUPERVISORS.

AYES: ALL

MAYS: \_\_\_\_\_

Mildred Suchomel  
Secretary



October 19, 1977

Courthouse

Tipton, Iowa

The Cedar County Planning and Zoning Commission held a public hearing in the Courthouse, Tipton, Iowa, on October 19, 1977, at 10:00 AM. Present were Chairman Loeffler, Chambliss, Suchomel, Bixler, Millett, Davidson and Zoning Administrator Dvorak. Absent was Commission member Voss.

The hearing was called to order by Chairman Loeffler. Minutes of the public hearing held September 21, 1977, were read by the Secretary and approved.

First order of business was to consider a request from Joe Grobin, file #1577, for a change of zoning from "Aa" to "Ch" for a 3.06 tract of land located in Section 11 of Springdale Township, said 3.06 acres being part of a larger tract of 77 acres. Petitioner was present and stated he was the owner of this property and was requesting a change of zoning for the 3.06 acres for the purpose of expanding his present business of lawn care and maintenance, the retail selling of lawn mowers and snowmobiles plus the addition of a new lawn and garden center. There were no objectors present nor any written objections on file. Motion was made by Davidson, seconded by Millett, to approve this request. Motion carried unanimously.

The Commission members next discussed the progress of several subdivision area in Cedar County. It was agreed by the members that no decision be made at this time but that a review of all existing subdivisions be made in July of 1978 to determine what progress has taken place and whether any of the area should revert back to their original classification.

There being no further business to come before the Commission, upon motion by Suchomel, seconded by Bixler, the hearing adjourned at 10:50 AM.

Mildred Suchomel  
Secretary

John Dvorak  
Chairman  
acting



September 21, 1977  
Courthouse  
Tipton, Iowa

The Cedar County Planning and Zoning Commission held a public hearing in the Courthouse, Tipton, Iowa, on September 21, 1977, at 10:00 AM. Present were Chairman Loeffler, Suchomel, Millett, Chambliss, Davidson and Zoning Administrator Dvorak. Absent were Commission members Voss and Bixler.

The meeting was called to order by Chairman Loeffler. Minutes of the public hearing held July 20, 1977, were read by the Secretary, corrected and approved.

First petition to be considered for rezoning was that of John J. Beecher, file #1377, a request to rezone approximately 2.84 acres from "Aa" to "Ch", said tract being located in Section 7 of Springdale Township. Petitioner was present and stated he was the present owner of approximately 17 acres in this area, all now zoned "highway commercial", with the exception of 2.84 acres adjoining 10 acres of this parcel to the south. Petitioner also stated he was interested in selling the 17 acres and had a prospective buyer providing the 2.84 acres could be rezoned as petitioned. Don Thompson, adjoining property owner, was present and brought up the possibility of drainage problems in the area but stated he was not opposed to the rezoning proposed. There were no objectors present nor any written objections on file. Motion was made by Chambliss, seconded by Davidson, to approve said petition. Motion carried unanimously.

Next to come before the Commission was petition of Rainbow Valley Estates, file #1477, a request for a change of zoning from "Aa" to "Ar" for approximately 8 acres located in Section 34 of Iowa Township. Mary Marner was present and stated her husband and two other persons had purchased this property and rezoning was being sought for the purpose of bringing this area into a conforming use as set forth by the Cedar County Zoning Ordinance so that permanent improvements could be made. There were no objectors present nor any written objections on file although Charles Mullendore, representing Scattergood School, owner of property adjacent, was present and spoke as an interested party only, questioning accessibility of their property. Motion was made by Millett, seconded by Suchomel, to approve said petition providing that (1) any and all interior roads remain the responsibility of the landowners and continue to be maintained by them (2) that any and all permanent changes or improvements made conform to the Cedar County Zoning Ordinance and the Cedar County Health Department regulations. Motion

September 21, 1977

carried unanimously.

There being no further business to come before the Commission, upon motion by Davidson, seconded by Chambliss, the hearing adjourned at 11:25 AM.

Mildred S. Gordon  
Secretary

Albert G. Coffman  
Chairman

WELL, I TALKED WITH

THE POLICE OFFICE

AND THEY TOLD ME THAT THEY HAD RECEIVED A TELEGRAM FROM THE STATE

AT THE END OF THE DAY AND IT TALKED ABOUT A PERSON WHO HAD BEEN KILLED

AT 7:30 PM

CLERK

WITNESS

## OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR

Cedar County Courthouse

-:-

Tipton, Iowa 52772

August 11, 1977

TO: Cedar County Zoning  
Commission Members

FROM: Richard J. Dvorak  
Cedar Co. Zoning Administrator

This is to inform you that we will have a meeting with the Board of Supervisors and A.A.U.W. on August 18 in the Board Room at 10:00 a.m. to discuss landuse, etc.

There will not be a regular meeting of the Cedar County Zoning Commission this month unless the chairman requests it.

## OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR

Cedar County Courthouse

:-:

Tipton, Iowa 52772

July 25, 1977

The Cedar County Zoning Commission conducted a hearing on July 20, 1977, at 10:00 a.m. in the Courthouse, Tipton, Iowa.

At this time Mr. Lee Schoon, P.E., Schoon Planning and Engineering, Marion, Iowa, presented us with changes in the Cedar County Subdivision Ordinance. After a considerable discussion we approved the changes and forwarded same to the Cedar County Board of Supervisors for the final hearing.

Mildred Suchomel  
Mildred Suchomel  
Secretary

Albert Loeffler  
Albert Loeffler  
Chairman

THE CEDAR COUNTY PLANNING AND ZONING COMMISSION HELD A PUBLIC HEARING IN THE TIPTON COURTHOUSE ON JULY 20, 1977, AT 10:00 AM. PRESENT WERE COMMISSION MEMBERS LOEFFLER, SUCHOMEL, DAVIDSON, BIXLER AND ZONING ADMINISTRATOR DVORAK.

PRESENTED FOR CONSIDERATION WAS PRELIMINARY PLAT AND GRADING PLAN OF MARTIN BURGESS, TITLED "YANKEE GROVE" AND LEGALLY DESCRIBED AS FOLLOWS:

NE 1/4 of S.W. NW 1/4 of SE and N 20 acres of the SE 1/4 SW 1/4. Section 18-82-4. For exact description refer to survey of the same.

MOTION WAS MADE BY SUCHOMEL, SECONDED BY DAVIDSON, TO APPROVE PRELIMINARY PLAT AND GRADING PLAN OF MARTIN BURGESS AS SUBMITTED, CONTINGENT TO AND ADOPTION OF PROPOSED AMENDMENT TO THE CEDAR COUNTY SUBDIVISION REGULATION COVERING PERMANENT ROAD SURFACING USING McADAM BASE.

AYES: All

NAYS: \_\_\_\_\_

Millie Suchomel  
Secretary

NEADA, SHIVA, and the MIAN, of the SWI

July 20, 1977

Courthouse

Tipton, Iowa

The Cedar County Planning and Zoning Commission held a public hearing in the Courthouse, Tipton, Iowa, on July 20, 1977, at 10:00 AM. Present were Chairman Loeffler, Suchomel, Davidson, Bixler and Zoning Administrator Dvorak. Absent were Commission members Chambliss, Millett and Voss.

The hearing was called to order by Chairman Loeffler. Minutes of the public hearing held June 15, 1977, were read by the Secretary and approved as read.

First petition to be considered for rezoning was that of Lee Johnson, file #1177, a request to rezone approximately 2 acres from "Aa" to "Rs", said tract being located in Section 14 of Center Township. Petitioner was present and stated it was his intention to build a single family residence thereon for his own occupancy. There were no objectors present nor any written objections on file. Motion was made by Davidson, seconded by Bixler, to approve said petition. Motion carried unanimously.

Next petition to be considered by the Commission was that of Neva Danson and David Metzger, file #1077. Request was for a change of zoning from "Aa" to "Rs" for approximately 1.55 acres located in Section 12 of Springfield Township. The Commission was informed by the Zoning Administrator that the general description of the area contained in the "notice of public hearing" was in error but that the legal description contained therein was correct. Also brought up was the question of ownership of an adjoining property. It was determined that Robert Bachus and not Keith Lange should have received notice of the rezoning request. Zoning Administrator Dvorak stated that Mr. Bachus would be notified prior to any action by the Board of Supervisors. Parties to the petition were both present, along with Harold Walther, representing both the seller, Neva Danson, and the buyer, David Metzger. Mr. Metzger stated it was his intention to build a single family residence for his own use on this property. Crop suitability rating for the area indicate a rating of 28. Also indicated were severe limitations on a sceptic tank or lagoon-type sewage disposal unit. Petitioners were informed that an alternate type system might have to be used. There were no objectors present nor any written objections on file. Motion was made by Bixler, seconded by Davidson, to approve the rezoning requested. Motion carried unanimously.

Next order of business was to consider petition of Wayne Schoff and Alice Young, file #1277, a request to rezone approximately 40 acres located in Section 19 of Pioneer Township. Requested was a change of



July 20, 1977

zoning from "Aa" to "Rs" for the purpose of subdividing the area into single family dwelling sites. A letter from Mr. Schoff to the Zoning Administrator and Board of Supervisors was read by the Secretary. Mr. Schoff stated he was unable to attend the hearing inasmuch as he was to report for jury duty on this date, July 20, 1977, but hoped every effort would be taken to rezone said property. The area is indicated as very rough in nature, wooded, severe sloping, thin topsoil and very erosive, but unsuitable for farming. Noted was the fact that the Williams Pipeline runs through this area. Extreme care would have to be used during construction and an approved sewage disposal system installed. If a lagoon type, then an impermeable substance would be necessary. There were no objectors present nor any written objections on file. Motion was made by Davidson, seconded by Bixler, to approve said petition. Motion carried unanimously.

The Commission then reviewed Preliminary Plat and Grading Plan of Martin Burgess, file #2676SD. Mr. Burgess was present and stated that, inasmuch as an amendment to the Subdivision Regulations for Cedar County is now under consideration, he was submitting his Preliminary Plat and Grading Plan to incorporate one of the proposed changes, namely, a permanent road surface made of McAdam base which would be suitable for acceptance by Cedar County when completed. A letter from the Cedar County Engineer indicated acceptance of the street section as set forth, contingent on this type of construction being adopted as an amendment to the Cedar County Subdivision Code. Motion was made by Suchomel, seconded by Davidson, to approve Preliminary Plat and Grading Plan as submitted, contingent upon approval and implementation of said proposed amendment to the Cedar County Subdivision Regulations. Motion carried unanimously.

The Commission next met with Lee Schoon to discuss amending the Subdivision Code. It was agreed to proceed with the matter and the Zoning Administrator is to so inform the Board of Supervisors.

The Commission also agreed to a meeting with the ~~AA~~ The Zoning Administrator is to set the date and advise the members of the time and place.

Upon motion by Suchomel, seconded by Davidson the hearing adjourned at 12:00 noon.

Wilbur Suchomel  
Secretary

Albert G. Loeffler  
Chairman

June 15, 1977

Courthouse

Tipton, Iowa

The regular public hearing of the Cedar County Zoning Commission was held in the Courthouse, Tipton, Iowa, on June 15, 1977, at 10:00 AM. Present were Chairman Loeffler, Davidson, Chambliss, Suchomel, Voss, Bixler, Millett and Zoning Administrator Dvorak.

The hearing was called to order by Chairman Loeffler. Minutes of the public hearing held May 18, 1977, were read by the Secretary and approved as read.

First petition to be considered for rezoning was that of Marjorie Harmel, file #777, a request to rezone approximately 6.6 acres from "Aa" to "Ch", said tract being located in Section 14 of Inland Township. Petitioner was represented by her son, Jerry Harmel. Zoning change was requested for the purpose of bringing an existing operation classified as "non-conforming use of the district in which located" into compliance with the Cedar County Zoning Ordinance as now set forth. There were no objectors present nor any written objections on file. Motion was made by Millett, seconded by Voss, to approve the requested change. Motion carried unanimously.

Next petition to be considered by the Commission was that of Edna Schafnit, file #877, a request to rezone approximately 1.5 acres located in Section 25 of Sugar Creek Township. Request was for a change of zoning from "Aa" to "Rs". Petitioner was present and stated she was the owner of 64 acres in this area, that the tract involved was triangular in nature, separated from the balance of her property by a road, difficult to farm, and that she would like to dispose of the property for residential usage to Mr. and Mrs. Jim Whiteford, subject to rezoning by the Commission. There were no objectors present nor any written objections on file. Crop suitability report for the area indicated a high rating. Commission members felt, however, this was overshadowed by its separation, size and make-up. Motion was made by Davidson, seconded by Chambliss, to approve said petition. Motion carried unanimously.

The Commission then took up petition of Louis Miller, file #977, a request to rezone approximately 35 acres, from "Aa" to "Rs", located in Section 11 of Springfield Township. Petitioner was present and stated it was his intention to subdivide the area for residential purposes. Soil Conservation report and evaluation indicates the area to be unsuitable for farming but also indicates an existing forest as a natural habitat for wildlife, the possibility of water contamination and severe slopes to be contended with. There were no objectors present nor any written objections

June 15, 1977

on file. Motion was made by Chambliss, seconded by Davidson, to approve said petition. A roll call vote followed. Voting "aye" were Davidson, Chambliss, Voss and Millett. Voting "nay" was Suchomel. Motion carried.

There being no further business to come before the Commission, upon motion by Voss, seconded by Millett, the hearing adjourned at 10:55 AM.

Wesley Suchomel Albert G Loeffler  
Secretary Chairman



May 18, 1977

Courthouse

Tipton, Iowa

The regular public hearing of the Cedar County Zoning Commission was held in the Courthouse, Tipton, Iowa, on May 18, 1977, at 10:00 AM.

Present were Chairman Loeffler, Suchomel, Bixler, Voss, Davidson, Millett and Zoning Administrator Dvorak.

The hearing was called to order by Chairman Loeffler. Minutes of the public hearing held April 20, 1977, were read by the Secretary and approved as read.

The Commission next took up petition of Randy L. Marolf, file #577, a request to rezone a one-acre tract of land from "Aa" to "Rs", said tract being located in Section 31 of Rochester Township. Petitioner was present and stated it was his intention to build a single family dwelling for his own use on this property. Cedar County Soil Survey Report indicates a corn suitability rating of 21 for this tract. There were no written objections on file nor any objectors present. Motion was made by Chambliss, seconded by Suchomel, to approve said petition. Motion carried unanimously.

The Commission then proceeded to review the following subdivisions in an effort to determine whether or not they should revert back to an "Aa" classification:

#5575 - Delmar Kohl

#1075 - Dr. Richard Reid

#5375 - Charles Hubler

#2374 - Melvin Thumma

#1174 - Donald Dollar

Present were Mr. and Mrs. Charles Hubler, Mr. and Mrs. Don Dollar and Jack Reeve, representing Melvin Thumma. Also present were Supervisors Irey, Penningroth and Davis. Mr. Hubler stated he was also representing Delmar Kohl who was unable to be present. A general discussion followed. The Commission and the Supervisors were concerned with the present status of these subdivisions, whether any effort has been made to develop them, when and if they might be available for residency. All of the property owners present stated it was still their intention to develop the areas but that the high costs of doing so were making it necessary for them to act slowly. Motion was made by Davidson, seconded by Chambliss, to require a "letter of intent" from each of the developers of an existing subdivision, and from each developer of any future area rezoned for subdivision, by the first day of July each year, commencing with the year 1977. The Commission would thereafter review the status of these subdivisions to determine



May 18, 1977

what action, if any, would be taken on them. Motion carried unanimously.

A letter from Dr. Reid requesting that the 55 acres he recently purchased from Hy-Gro remain residential for the time being, or until he had the opportunity to reach a decision with regard to its use, was read by the Zoning Administrator. Request for additional time was then granted by the Commission.

There being no further business to come before the Commission, upon motion by Davidson, seconded by Bixler, the hearing adjourned at 11:45 AM.

Mildred Suckow  
Secretary

Albert G. Leffler  
Chairman

April 20, 1977  
Courthouse  
Tipton, Iowa

The regular public hearing of the Cedar County Zoning Commission was held in the Courthouse, Tipton, Iowa, on April 20, 1977, at 10:00 AM. Present were Chairman Loeffler, Suchomel, Chambliss, Voss, Millett, Bixler, Davidson and Zoning Administrator Dvorak.

The hearing was called to order by Chairman Loeffler. Minutes of the public hearing held March 16, 1977, were read by the Secretary and approved as read.

Zoning Administrator Dvorak then informed the Commission members that the 55 acres referred to in the minutes of the public hearing of March 16, 1977, which was to be rescheduled for review, has now been sold by Donald Dollar to Dr. Richard Reid.

The Commission next took up petition of Howard Ihns, file #277, a request to rezone a 7-acre tract of land from "Aa" to "Rs", said tract being located in Section 12 of Massillon Township. Petitioner was present and stated it was his intention to build a single family dwelling for his own use on this property. There were no written objections filed nor any oral objections voiced. Motion was made by Chambliss, seconded by Davidson, to approve said petition. Motion carried unanimously.

Next order of business to come before the Commission was petition of Paul G. Coulter, file #377, a request to rezone approximately 3 acres of a  $7\frac{1}{2}$ -acre tract of land located in Section 16 of Gower Township from "Aa" to "Rs". Petitioner is in the process of selling this tract of land to Jennifer Hix and Jeff Giles who were present. Contemplated useage of the area is to build a single-family residence thereon. There were no objectors present nor any written objections on file. Motion was made by Voss, seconded by Bixler, to approve said petition. Voting "aye" were Davidson, Chambliss, Voss and Bixler. Voting "nay" were Millett and Suchomel. Motion carried.

The Commission then took up petition of William G. Tripp, file #477, a request to rezone a portion of a 13.64 acres tract of land located in Section 19 of Gower Township from "Aa" to "Rs". Petitioner was present and requested rezoning of "actual building site only", said site to be for a single family residence for his own use. There were no objectors present nor any written objections on file. Motion was made by Davidson, seconded by Chambliss, to approve said petition. Motion carried unanimously.

Next order of business was to take up petition of Ray and Elaine Silver, file #177, presented to the Commission on March 16, 1977, but deferred for action until the next regularly scheduled hearing. Petitioners were present,

April 20, 1977

and Mrs. Silver read a prepared statement to the Commission members reiterating their reasons for requesting this rezoning. Also present were several objectors who had attended the hearing of March 16, 1977, and who again voiced their opposition to the rezoning requested. Upon review, and after considerable discussion, motion was made by Davidson, seconded by Chambliss, to approve said petition. A roll call vote was taken with the following results: "aye" - Davidson and Chambliss, "nay" - Bixler, Suchomel, Voss and Millett. Motion was denied.

The Commission then reviewed Final Plat for Donald Rathjen, Spring Valley Estates, file #1777SD. Mr. Rathjen was present along with his land surveyor, Mr. Harold Dillon. Final plat was found to be in compliance with the Cedar County Subdivision Ordinance and in substantial compliance with the Preliminary Plat and Grading Plan previously submitted. Motion was made by Suchomel, seconded by Millett, to approve Final Plat. Motion carried unanimously.

There being no further business to come before the Commission, upon motion by Davidson, seconded by Suchomel, the hearing adjourned at 12:00 Noon.

*Mildred Suchomel*  
Secretary

*Alt G Laffler*  
Chairman

CEDAR COUNTY  
SOIL CONSERVATION DISTRICT FILED

TIPTON, IOWA 52772

MAR - 2 1977

March 1, 1977

RICHARD L. KEMMANN  
CEDAR COUNTY AUDITOR

Cedar County Board of Supervisors  
Tipton, Iowa

The Cedar County District Commissioners had a special meeting February 22, 1977, because we are concerned about the rapid increase in new housing, housing developments and industry in the county. We would like to see Cedar County remain agricultural and we have made a list of recommendations the Cedar County Board of Supervisors should consider in up-grading their zoning ordinance.

1. Land with a crop suitability of 50 or above should remain agricultural.
2. There should be a buffer zone of 1 mile around present towns prohibiting livestock confinement systems in this zone. This will encourage building in towns as more homes are built on a given area in town than a rural area.
3. Encourage building (housing) in present subdivision areas before further re-zoning.
4. Maintain no more than 4 subdivisions in the county at one time.
5. If no building has taken place 2 years after an area is re-zoned, cancel the permit.
6. Re-zone only land that is within 1/4 mile of hard surfaced maintained road.
7. Have a environmental impact statement filed with each re-zoning request stating whether trees will be removed and/or replanted, etc.
8. Before an area can be re-zoned there must be no danger of contamination of either underground or surface water.
9. Erosion must be controlled both during and after construction.
10. Do not re-zone areas of good pasture or woodland.
11. No re-zoning within 1/2 mile of an existing feedlot.

DAVIS	<input checked="" type="checkbox"/>
IREY	<input checked="" type="checkbox"/>
PENNINGROTH	<input checked="" type="checkbox"/>
SUCHOMEL	<input checked="" type="checkbox"/>
WIESE	<input checked="" type="checkbox"/>

Cedar Co. District Commissioners  
*Elmer Wilke*  
 Elmer Wilke, Chairman  
 Darrell Brown  
 Jim Bowie  
 Kenneth Mather  
 Bill Davidson, II

SOIL CONSERVATION ON EVERY FARM

March 16, 1977  
Courthouse  
Tipton, Iowa

The regular public hearing of the Cedar County Zoning Commission was held in the Courthouse, Tipton, Iowa, on March 16, 1977, at 10:00 AM. Present were Chairman Loeffler, Bixler, Chambliss, Suchomel, Millett, Davidson and Zoning Administrator Dvorak. Absent was Commission member Voss.

The hearing was called to order by Chairman Loeffler. Minutes of the public hearing held February 9, 1977, were read by the Secretary and approved as read.

The Commission then took up petition of Ray and Elaine Silvers, file #177, a request to rezone from "Aa" to "Rs" approximately 31 acres located about four miles southwest of Tipton in Section 23 of Center Township for the purpose of subdividing the area. Petitioners were present along with their Planning Consultant, Mr. Brian Gutheinze, who presented proposed plans for the development of the area into low density single-family building sites. There were no written objections on file, however, a number of objectors and interested persons were present. Jerry Klauer, a resident of the area, voiced concern with regard to his farming operation and questioned whether the present road could withstand the additional traffic that would be involved. Another area farmer, John Achey, represented by his daughter, voiced similar concern. Caroline Marsh questioned the destruction of hard-wood trees that would have to be removed for some of the building sites and Jolene Brown questioned trash handling, law enforcement, the extra cost of new services and suggested that since this area was now being used for food producing, with grazing potential, that perhaps it might best serve the people of Cedar County if left unchanged. The Cedar County Historical Society, represented by its chairman, and heirs to 119 acres nearby, also voiced objection to the proposed change fearful that a development would destroy the serenity and innate naturalness of the area. Objection was also raised by Victor Palpant, property owner nearby. All interested parties were given an opportunity to be heard. Motion was then made by Suchomel, seconded by Bixler, to defer action on this petition until the next regularly scheduled hearing of the Commission. Motion carried unanimously.

Next order of business was a meeting with several members of the Tipton Branch of American Association of University Women. The group presented each of the Commission members with a composite of their cumulative ideas evolving out of their concern of land use in Cedar County. The Commission members were asked to read the information submitted in the hope it might be beneficial to them in arriving at land use decisions. A future meeting

March 16, 1977

of the two groups was discussed but not scheduled at this time.

The Commission then postponed scheduled review of two subdivision projects, 55 acres, more or less, owned by Hygro, Inc., and 31 acres, more or less, owned by Donald Dollar. Mr. Dollar, according to a written letter from his attorney, was out of the country and not available.

The projects are to be rescheduled for review at a later date.

There being no further business to come before the Commission, upon motion by Davidson, seconded by Chambliss, the hearing adjourned at 11:30 AM.

Mildred Suddon  
Secretary

Albert G. Loeffler  
Chairman

11:00 AM - 12:00 PM  
12:00 PM - 1:00 PM  
1:00 PM - 2:00 PM  
2:00 PM - 3:00 PM  
3:00 PM - 4:00 PM  
4:00 PM - 5:00 PM  
5:00 PM - 6:00 PM  
6:00 PM - 7:00 PM  
7:00 PM - 8:00 PM  
8:00 PM - 9:00 PM  
9:00 PM - 10:00 PM  
10:00 PM - 11:00 PM  
11:00 PM - 12:00 AM

TERRENCE L. MEALY  
ATTORNEY AT LAW  
112½ EAST SECOND STREET  
MUSCATINE, IOWA 52761  
(319) 263-0804

March 9, 1977



Mr. Richard Dvorak  
Cedar County Zoning Administrator  
Cedar County Courthouse  
Tipton, Iowa 52772

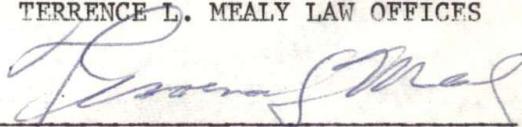
Dear Mr. Dvorak:

As my client, Mr. Dollar, indicated to you on the telephone, he will be out of the country for approximately 45 days as of March 12, 1977. He will be pleased to review with the Zoning Commission the status of the two tracks in question upon his return.

If there are any problems during his absence please feel free to contact this office.

Very truly yours,

TERRENCE L. MEALY LAW OFFICES

By   
Terrence L. Mealy

TLM:cf

## OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR

Cedar County Courthouse

--

Tipton, Iowa 52772

February 24, 1977

### MINUTES -- CEDAR COUNTY BOARD OF ADJUSTMENT

The Cedar County Board of Adjustment met at 10:00 a.m. on February 23, 1977, in the Basement Meeting Room of the Cedar County Courthouse, Tipton, Iowa. Members present: O'Mara, Peterson, Chambliss and Sauer. Absent: Maurer.

Minutes of the previous meeting were read and approved.

New officers for 1977 were elected. They are as follows: O'Mara, Chairman; Chambliss, Vice-Chairman; Maurer, Secretary.

Richard Dvorak asked the board members for their definition of a farmstead. The reason being, if a person owned less than 35 acres, should he be allowed to rebuild a house or add another building without rezoning? Also, if a new house is built, should the old one be torn down?

It was decided to declare an existing rural homesite residence the same as "Rs" and abide by the "Rs" zoning requirements if the house is pre-existing. We would recommend in the case of building a new house that the old one be torn down. It was debated if there should be a time limit. However, it was decided not to put a time limitation on the existing home. Sauer moved that the new understanding be accepted. Peterson seconded the motion. Motion carried, with the understanding that a written explanation is to be sent to each board member for approval.

A discussion was also held on what rules a consignment business and/or auction house must follow. It was decided that they must obtain a special permit which would be reviewed as set up by the Board of Adjustment. Therefore, they will have to follow the requirements of the Cedar County Zoning Ordinance. Chambliss moved that this new proposal be accepted. Sauer seconded the motion. Motion approved.

There being no further business, the meeting adjourned.

Respectfully submitted,

Lorraine Maurer  
Secretary

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

February 9, 1977  
Courthouse  
Tipton, Iowa

The Cedar County Zoning Commission held a public hearing in the Courthouse, Tipton, Iowa, on February 9, 1977, at 10:00 A.M. Present were Chairman Loeffler, Davidson, Suchomel, Chambliss, Millett and Zoning Administrator Dvorak. Absent were Commission members Voss and Bixler.

The hearing was called to order by the Chairman. The Secretary then read the minutes of the January 19 and January 20, 1977, hearings. The minutes were approved as read.

The Commission members next discussed the process used in rezoning land at this time and what additional criteria might be used, or more strongly emphasized, if any, to develop a consistent and compatible course to follow with regard to the complexities of rezoning. A questionnaire was presented by the Zoning Administrator for study and discussion. Upon evaluation, a motion was made by Davidson, seconded by Millett, to adopt said questionnaire, along with current data now being used, for use with each petition submitted to the Commission for rezoning. Motion carried unanimously. A copy of the questionnaire is attached hereto, to become a part of the minutes of this hearing.

Next order of business was acknowledgment of a letter from the Board of Supervisors, signed by Chairperson Jean Penningroth, dated January 10, 1977, asking the Commission to review 5 areas previously rezoned for subdivision by both the Commission and the Board of Supervisors but where no action has been taken for more than a year to develop the areas. Upon review, the Commission members unanimously agreed to hold public hearings as soon as feasible to determine if the areas involved should be rezoned from their present listing back to their original classification. The projects and the date of their approval by the Commission are:

Donald Dollar, file #1174 - approved June 19, 1974.

Melvin Thumma, file #2374 - approved August 21, 1974.

Hy-Gro, Inc., file #1075 - approved April 16, 1975, and Preliminary Plat approved August 27, 1975.

Delmar Kohl, file #5575 - approved September 17, 1975.

Charles Hubler, file #5375 - approved September 17, 1975.

Upon motion by Davidson, seconded by Suchomel, the hearing adjourned at 11:35 A.M.

*Milt Suchomel*  
Secretary

*Albert Loeffler*  
Chairman



## OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR

Cedar County Courthouse

:-:

Tipton, Iowa 52772

January 10, 1977

To: Members of the Cedar County Zoning Commission

The Cedar County Board of Supervisors has decided, since reviewing existing zoning changes, to ask you, the Zoning Commission, to review the (5) five rezoning cases.

These rezonings have been done over a year ago and there has not yet been any action taken on the development of the area.

In reviewing these areas we would like your recommendations to see if these areas should be left residential or revert back to the rural agricultural zoning classification. The zoning areas are as follows:

1. Delmar Kohl - October 15, 1975 - A tract of land located in Section 19, T82N, R4W, consisting of 29.60 acres.
2. Charles Bryant - Hy-Gro Inc. - May 12, 1975 - A tract of land located 5 miles west of Tipton in Section 8 of Center Township consisting of 55 acres.
3. Charles Hubler - October 21, 1975 - A tract of land located in the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$ , Section 19, T82-4, consisting of 30.25 acres.
4. Melvin Thumma - September 30, 1974 - A tract of land located in the NW $\frac{1}{4}$  of Section 1, T80-3, Center Township consisting of 68.9 acres.
5. Donald Dollars - November, 1974 - A tract of land located in Section 34, T79N, R2W, Sugar Creek Township, consisting of 31 acres.

If you have any questions feel free to contact me.

*Jean Penningroth*  
Cedar County Board of Supervisors  
Jean Penningroth, Chairperson

/sp

January 20, 1977  
Courthouse  
Tipton, Iowa

The Cedar County Zoning Commission held a public hearing in the courthouse, Tipton, Iowa, on January 20, 1977, at 1:00 PM. Commission members present were Voss, Loeffler, Chambliss, Bixler, Suchomel and Zoning Administrator Dvorak. Absent was Commission member Davidson.

The hearing was called to order by Chairman Loeffler. The Secretary then read the minutes of the public hearing held on December 15, 1976. The minutes were approved as read.

The Commission next proceeded to review Preliminary Plat submitted by Donald Rathjen, file #1777 SD, for subdivision of 67 acres in Section 12, Township 79 North, Range 3 West of the 5th Principal Meridian.

Upon study of the Preliminary Plat, the Commission found it to be in compliance with the requirements of the Subdivision Ordinance for Cedar County but did suggest that perhaps several of the access roads leading into the subdivision might possibly be combined in an effort to reduce their number. A motion was made by Chambliss, seconded by Voss, to recommend approval of said Preliminary Plat. Motion carried unanimously.

Next order of business was the election of officers for the year 1977. Motion was made by Chambliss, seconded by Voss, to waive election procedure and retain all officers in their present capacity. Motion carried unanimously.

There being no further business to come before the Commission, upon motion by Suchomel, seconded by Chambliss, the hearing adjourned at 1:30 PM.

Michael Suchomel  
Secretary

W. F. A. Loeffler  
Chairman

1. **GENERAL INFORMATION** (10 points)

2. **EDUCATION** (10 points)

3. **WORK HISTORY** (10 points)

4. **INTERESTS** (10 points)

5. **HOBBIES** (10 points)

6. **EXTRACURRICULAR ACTIVITIES** (10 points)

7. **PERSONAL INFORMATION** (10 points)

8. **REFERENCES** (10 points)

9. **APPLICANT SIGNATURE** (10 points)

10. **APPLICANT SIGNATURE** (10 points)

January 19, 1977  
Courthouse  
Tipton, Iowa

Members of the Cedar County Zoning Commission met in the Courthouse, Tipton, Iowa, on January 19, 1977, for the purpose of holding a public hearing to review Preliminary Plat of Donald Rathjen, file #1777 SD. Commission members present were Suchomel, Loeffler, Chambliss and Zoning Administrator Dvorak. Inasmuch as there were insufficient members present to constitute a quorum, Chairman Loeffler set 1:00 PM on January 20, 1977, in the Courthouse, as the time and place of the next hearing.

Mr. Rathjen was also present together with his planning consultants who did informally review Preliminary Plat with those Commission members present although no formal action was taken.

Mildred Suchomel  
Secretary

Albert G Loeffler  
Chairman

