

September 27, 1982

The Cedar County Board of Adjustment held a public hearing September 27, 1982, at 10:00 A.M. in the Basement Meeting Room of the Courthouse, Tipton, Iowa. Present were Petersen, Crock and Suchomel. Absent were Maurer and Bentrott. Also present was Zoning Administrator Dvorak.

Inasmuch as the Chairman and Secretary were absent, Petersen was elected Chairman pro tem and Suchomel Secretary pro tem.

Minutes of the hearing held July 26, 1982, were read and approved. There were no petitions filed in August and no meeting was held.

Zoning Administrator Dvorak then read petition of Gene Kelley, Cedar Valley requesting a hardship variance to allow Mr. Kelley to place a mobile home on a lot he is in the process of purchasing in Cedar Valley. Petitioner was present. Also present were Gene Harden and Bea Tipton of Cedar Valley. They were present only as interested spectators. There were no written protests on file.

After consideration by the Board, motion was made by Crock, seconded by Suchomel, to grant the hardship variance requested. Motion carried unanimously.

There being no further business to come before the Board, upon motion by Crock, seconded by Suchomel, the hearing adjourned at 11:00 A.M.

Mildred Suchomel
Secretary pro tem

Merle Bentrott
Chairman pro tem

7/26/82

Cedar Co. Board of Adjustment met in the meeting room of the Cedar Co. Courthouse, Tipton, Iowa, on 7/26/82 at 10:00 a.m., with the following present: Bentrott, Maurer, Petersen and Suchomel. Crock was absent. Rick Dvorak, Z oning Administrator, was also present. Bentrott Chaired the meeting.

Minutes of previous meeting were read and approved.

Dvorak read a letter from Allen Hubler of Buchanan requesting a variance allowing him to replace an existing mobile home with a newer model on his property. Hubler explai ned problems with old trailer and improvements which would result if allowed the newer trailer. Letters were sent to Darrel Hubler, Arnold Swan, John Behrle and Verlon Weaver and there were no protests. Maurer moved variance be granted. Suchomel 2d the motion. Variance granted.

The next petition was from Mr. and Ms. Matt Herring, R 1, Olin, who request a variance allowing them to place a 2d mobile home on their property to enable them to care for their parents. Letters were sent to Wm Hess, Elmer Bixler, Robt. Bequeaith and Herb Crock. Bixler was present at meeting as an interested spectator, not an objector, if trailer were in good condition. Ms. Herring explained they wanted the trailer for the time needed to care for her mother who is ill. Her father in law will be moving out west after her mother is no longer here. A discussion persued and it was agreed this would be a permit rather than a variance inasmuch as this is a temporary situation. Petersen moved we allow the temporary permit for this variance and permit is good only for the time the trailer home is needed to care for Ms. Herring's mother. After the intended use, the trailer will be removed. Suchomel 2d the motion. Motion carried. Dvorak commented about the junk cars and junk and this is not permitted in rural Cedar County and that too much junk reduces value of properties, especially on a highway. Comment was made that this had been cleaned up.

There being no further business, Maurer moved meeting adjourn. Suchomel 2d. Carried. Meeting adjourned.

Walter Petersen
Merle Bentrott, chairman pro-tem
Vir Petersen

Wilfred Suchomel
LaVonne Maurer, Secretary Pro-Tem

5/17/82

Cedar Co. Board of Adjustment met in the meeting room of the Cedar Co. Courthouse, Tipton, Ia., on May 17, 1982 at 10:30 a.m., with the following members present: Bentrott, Crock, Maurer and Suchomel. Petersen was absent. Rick Dvorak, Zoning Administrator, was also present.

Minutes of previous meeting were read and approved.

Dvorak read a letter regarding Ms. Lyle McQuillen, RR, Bennett, Ia. who is ~~kp~~petitioning for a variance of the front and side yard requirements to allow them to construct a garage on their property.

Ms. McQuillen explained her position and a discussion ensued. Following the discussion, and there being no objections from adjoining property owners, Suchomel moved we approve the request for variance. Crock 2d the motion. All voted aye. Petition granted. Water will run on own property.

Allen Hubler, Buchanan, who had filed a petition for variance regarding a mobile home, withdrew his petition so this matter was not heard.

Following the adjournment of the regular meeting, the Board went over the Articles and By-Laws and some slight changes were made and new copies will be forthcoming to members of the Board. Meeting adjourned.

Respectfully submitted,

Merle Bentrott
Merle Bentrott, Chairman

LaVonne Maurer
LaVonne H. Maurer, Secretary

4/30/82

The Cedar County Board of Adjustment met in the meeting room of the basement of the Cedar Co. Courthouse on 4/30/82 at 10:00 am. Present were Bentrott, Maurer, Petersen, Suchomel and Richard Dvorak, Zoning Administrator. Suchomel was appointed to act as chairman inasmuch as Bentrott was absent at the outset of the meeting.

Minutes of previous meeting were read and approved.

The Board discussed three petitions...1. James and Margaret Graves; Eloise Resberg and Charles Martin.

Dvorak read a letter from Ms. James Graves dated 4/22/82 requesting a variance to allow them to replace their present mobile home with a new one. Letters were sent to McCray and Kotmann, neighbors of Graves and there were no objections to letters sent. Inasmuch as there were no objections and this would be upgrading the property, Maurer moved we grant the variance. Bentrott 2d the motion. All approved. Carried. Variance granted.

Dvorak next read a letter from Eloise Resberg, RR, Moscow, requesting a variance in the rear yard setback requirement, which currently requires a back-yard depth of not less than 30 feet. Ms. Resberg is petitioning for a variance from this 30' requirement to 5' to allow her to remove 2 existing bldgs. and place a new 13' x 18' shed on her property. Letter was sent to Albert Whitmer, who farms on the back side (this ground is now sold to Triple R Farms/Marolf's) and there were no ~~major~~ objections. Correction was made in letter requesting variance from 5' to 14'. Following discussion, Bentrott moved the variance be granted to 4', with the stipulation Resberg take care of water runoff and make sure it does not run onto other property. Petersen 2d the motion. All approved.

Next petition was a continuation of Chas. Martin, Cedar Valley, who previously requested a front yard variance from 25' to 2' so that his ~~existing~~ building would be legal and he could obtain the required building permit. Sweetings and Holdemann's were present. They are ~~adjacent~~ property owners across the street. Dvorak read a letter from Lee W. Beine, Co. Attorney giving an opinion on this matter. Another letter was read from Norman Kroemer, Chm. of Cedar Co. Board of Supervisors. Both letters were of opinion variance should be denied. Following a lengthy discussion, Maurer moved variance be denied. Petersen 2d the motion. All voted aye. Variance denied.

Time did not permit discussion of new rules and by-laws by the Cedar Co. Board of Adjustment and this was tabled until the next meeting.

Meeting adjourned.

Respectfully submitted,

Mildred Suchomel
Mildred Suchomel, Chairman

LaVonne Maurer
LaVonne Maurer, Secretary

March 10, 1982

The Cedar County Board of Adjustment met in the basement meeting room of the Cedar County Courthouse, Tipton, Iowa on 3/10/82 at 10:00 am with the following ~~k~~present: Bentrott, Crock, Petersen and Maurer. Richard Dvorak, Zoning Administrator, was also present. Minutes of previous mtg. read & approved.

Letter from Charles Martin, R. 1, West Branch, Iowa was read. Martin is requesting a front yard variance from the 25' requirement to 2' so that his existing building is legal and he can obtain the required building permit.

A drawing ~~k~~of existing property, along with letter from Roy E. Ellerhoff, Cedar Co. Engineer dated 2/26/82 were submitted as evidende.

Steve Sweeting who lives east of Martin said he talked with Supervisor Davis this a.m. and Davis stated there was no permit to put building up but there was an ok for fence on back side of ditch. Maintenance and snow removal were discussed, with counties' position being they would push the snow to each side and county is concerned with liability regarding weight of snow on bldg. Sweeting stated building was put up approximately 7/1/81. Sweeting did not object to building per se being there if it did not cause snowdrifts. Martin stated the 1st complaint was 8/81 (no bldg. permit); 10/81 (in county right of way); 3/82 (co. engineer said bldg. was in right of way). Tom Behrle was also present and commented that Davis should be present inasmuch as he had been quoted several times. He also stated the maintenance of road was a joint effort of Martin, Sweetings and Holdeman, all residents of same street.

Follwing a quite lengthy discussion, the panel questioned their authority to make a decision and grant a variance. Petersen moved we check into the matter further. Crock 2d. Motion carried. Dvorak said he would contact the county attorney for advice and matter was tabled until a future date.

Next matter to be heard was a follow up of a special use permit granted on 2/13/81 to Quaker Oats Co., renter and Byers & Happel Realtors, owner, for purpose of stockpiling corncobs on 1 1/3 acres in the NW $\frac{1}{4}$, NW $\frac{1}{4}$, of Sec. 33, T82N, R1W in Massillon Twp. After review of the matter, Maurer moved that inasmuch as there had been no complaints, variance be extended for 3 yrs., and if at end of 3 year period there were no complaints, permanent variance be granted. Petersen 2d. All voted aye. Variance granted. Dvorak commented Quaker Oats be aware of time limit. Election of officers resulted in Bentrott, gchairman; V. Chm., Suchomel; Secretary, Maurer. Dvorak advised we would have a meeting to review by-laws.

Meeting adjourned.

OFFICE OF
COUNTY ENGINEER
CEDAR COUNTY

TELEPHONE 886-6102

COURTHOUSE
TIPTON, IOWA



February 26, 1982

Mr. Charles Martin
Rt. 1
West Branch, Iowa 52358

Dear Mr. Martin:

The existing road in Cedar Valley that lies along the north side of your property has no recorded right of way width that our department can ascertain.

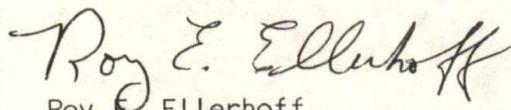
The present road top width of approximately 16 feet with small ditches on either side is apparently adequate for the access of the two property owners that use it to the East of your property. Since it is a dead end situation terminating in a private driveway, our department can see no need at this time to demand any greater right of way width than that which has apparently been sufficient for some long period of time past.

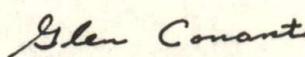
As you recall, when the adjacent property owners requested this short piece of road to be reopened by the Supervisors, February 21, 1980, it was understood and agreed to by all affected property owners that only very minimal county maintenance would be done. This meant blading would not be possible because of the unimproved nature of this road segment.

Your existing fence, which cannot be called the right of way line since we do not have a recorded right of way width, is located generally on top of the back slope and approximately in line with an older fence lying west of your property.

The above information reflects the current situation as our department records and observations are aware of at this point in time.

Very truly yours


Roy E. Ellerhoff
Cedar County Engineer


Glen Conant
Assistant County Engineer

