

Oct. 24, 1988

The Cedar County Board of Adjustment held a Public Hearing on October 24, 1988, at 10:00 AM in the Basement Meeting Room of the Courthouse, Tipton, Iowa. Present were Bentrott, Armstrong, Anderson, Suchomel and Zoning Administrator Richard Dvorak.

Minutes of the hearing held August 15, 1988, were read and approved.

The Board next reviewed petition of Virgil Stockman, of Stockman Auto, R. R., Stanwood, requesting a variance to place a commercial building on his property located in Lot 1, NW $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 25, T-82N, R-3W, in Fremont Township. Request for variance was made for the purpose of placing a new 30' x 60' metal pole building approximately 22 feet from the right-of-way line in the front and approximately 5 feet from the rear of the property. Current ordinance requires a 50 foot front setback and a 40 foot rear setback.

Representing petitioner at the hearing and answering questions from the Board was petitioner's son, Jim Stockman. The Stockmans presently buy and sell salvage vehicles at the above location. The new building would be used for storage purposes only and is also needed to comply with requirements necessary for the licensing of such business.

Also present was Dave Waugh, adjoining property owner. Mr. Waugh was not an objector but did request that the front of the new building be in line with the front of the existing building on the property.

There were no written objections on file. However, a letter from Wayne E. Brown of Jack's Feed and Grain, Stanwood, was received by the Zoning Administrator and placed on file. Mr. Brown simply stated he felt this would be a positive addition to the area and make it more attractive.

After consideration, motion was made by Anderson, seconded by Armstrong, to grant requested variance. Motion carried unanimously.

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

Mildred Suchomel Miles Bentrott
Secretary Chairman

August 30, 1988

The Cedar County Board of Adjustment held a Public Hearing on August 29, 1988, in the Basement Meeting Room of the Courthouse, Tipton, Iowa. Chairman Bentrott called the meeting to order at 10:00 a.m. Members present were Bentrott, Johnson, Armstrong and Zoning Administrator Dvorak.

Minutes of the hearing on June 1, 1988, were read and approved.

Dvorak then read the petition received from Deeda Boll, Rochester, Iowa, requesting a hardship variance to allow her to enlarge her current living facilities by adding another mobile home onto her existing mobile home. Dvorak then stated why he had denied her request pursuant to county and state regulations. Ms. Boll informed the board members of her intentions regarding adding a 1971 mobile home unto her existing one. The sewer system and water supply were questioned by the board members. Bentrott stated that when new construction occurs, they must abide by the Code of Iowa regulations. It was also determined that Ms. Boll's lot is not large enough for a new approved sewer system to be constructed. Ms. Boll then questioned why she needed a different sewer system when there was one already there. The board members stated that the bathroom facilities must be left the way they are and not changed to the new mobile home being brought in. Dvorak also informed Ms. Boll that the residence must be one foot above the flood plain. The water supply is already existing on the property.

After further discussion, Armstrong made a motion that a hardship be granted if noted that this is an addition to the present structure. At no time can Ms. Boll move the plumbing to the addition. Johnson seconded the motion. Ayes all.

Upon motion by Johnson, seconded by Armstrong, the hearing was adjourned at 10:25 a.m.

Sharon Prue
Secretary Pro-tem

Miles Bentrott
Chairman

June 1, 1988

The Cedar County Board of Adjustment held a Public Hearing on June 1, 1988, at 10:00 AM in the Cedar County Courthouse, Tipton, Iowa; hearing transferred to the Meeting Room of the Board of Supervisors as Basement Meeting Room was then occupied. Present were Bentrott, Suchomel, Johnson, Armstrong and Zoning Administrator Dvorak.

Minutes of the hearing held May 23, 1988, were read and approved.

The Board then took up petition of Price Oil Company, Durant, Iowa, requesting authority for the installation and usage of a Petroleum Bulk Plant to be located in the NE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 35, T-79N, R-1W, of the 5th P.M., Cedar County, Iowa. Request was made pursuant to use regulations set forth in the Cedar County Zoning Regulations of Amended Article 15, Paragraph 1, #14 of Sub-Section D. Also requested was a variance of the set-back requirement of 30 feet for ~~storage~~ purposes from the street right-of-way regulated in Amended Article 15, Paragraph V, #1 of Sub-Section F of the Cedar County Zoning Regulations. Article 15 was amended as of May 12, 1986.

Petitioner, Darrol Price, was present to answer questions from the Board members. Mr. Price stated he wished to move 7 storage tanks from Durant and install a Bulk Petroleum Plant on the property under consideration, that he and his family owned the property, also the surrounding property, and that all storage tanks would be above ground. Mr. Price also stated he had received approval from the State Fire Marshall, that the D.O.T. had no objections and that he was conforming with E.P.A. regulations. He also stated that this Plant would be in accordance with his insurance carrier's specifications -- Federal Insurance Company. There were no objectors present nor any objections on file. After discussion, motion was made by Johnson, seconded by Armstrong, to permit use of this business as requested. Motion carried unanimously. Suchomel then moved, seconded by Armstrong, to grant variance as to set-back requirement from 30 feet to 25 feet. Motion carried unanimously.

Upon motion by Armstrong, seconded by Johnson, the hearing adjourned at 10:45 AM.

Mildred Suchomel
Secretary

Merle Bentrott
Chairman

May 23, 1988

The Cedar County Board of Adjustment held a Public Hearing on May 23, 1988, at 10:00 AM in the Basement Meeting Room of the Courthouse, Tipton, Iowa. Present were Bentrott, Suchomel, Armstrong, Johnson, Anderson and Zoning Adminstrator Dvorak.

Minutes of the hearing held March 28, 1988, were read and approved.

The Board then took up petition of Leroy VanRoekel, RFD 2, Wilton, requesting a variance to build a garage on his property 6 feet from the west lot line versus 10 feet and 16 feet from the north lot line versus 30 feet as the Cedar County Zoning Ordinance requires. Petitioner was present to answer questions from the Board members. No objectors were present nor were there any written objections on file. Motion was then made by Suchomel, seconded by Armstrong, to grant requested variance. Motion carried unanimously.

Next to come before the Board was petition of Gerald and Lois Lenz, RFD, Mechanicsville, requesting a variance to set a garage 3 feet from the north lot line of their property versus 15 feet as the Cedar County Zoning Ordinance requires. Mr. Lenz was also present to answer questions from the Board members. No objectors were present nor were there any written objections on file. After discussion, Johnson moved to allow requested variance recommending that an attempt be made to set the garage back as far as feasable from the 3 foot line to the north. Suchomel seconded the motion. Motion carried unanimously.

Upon motion by Suchomel, seconded by Anderson, the hearing adjourned at 10:45 AM.

Mildred Suchomel
Secretary

Merle Bentrott
Chairman

March 28, 1988

The Cedar County Board of Adjustment held a public hearing on March 28, 1988, at 10:00 AM in the Basement Meeting Room of the Courthouse, Tipton, Iowa. Present were Bentrott, Suchomel, Johnson, Zoning Administrator Dvorak and new Board member Rick Anderson. Mr. Anderson was appointed to the Board to replace Victor Petersen who resigned.

First order of business was to elect officers for the 1988 term. Motion was made by Johnson, seconded by Anderson, to retain Bentrott as Chairman. Motion carried unanimously. Anderson then moved, seconded by Johnson, to retain Suchomel as Secretary. Motion carried unanimously.

The Board then took up petition of Flambo Broadcasting, Inc., Muscatine, requesting a Special Use Permit to place a radio tower within the area described as the SW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 32, T-79N, R-1W. Mr. Leo Shuger is the owner of this real estate and tract selected within would be leased by him to Flambo Broadcasting. Steve Bridges, Vice-President of Flambo Broadcasting, was present along with Leo and Mike Shuger. Mr. Bridges stated its Station KMFN-FM is now operating under a Class "C" license for its Radio Station and in order to retain its present classification new regulations by the FCC have made it necessary for the company to erect a new tower of approximately one thousand feet. He also stated that ample insurance coverage was provided and the tower would be checked and maintained properly. Also noted is the fact that the Cedar County Zoning Commission at their hearing held March 16, 1988, had petitioned the Board of Adjustment to grant permit requested. After discussion by the Board, motion was made by Johnson, seconded by Anderson, to grant Special Use Permit as requested.

Next to come before the Board was petition of Nesper Sign Advertising, Inc. requested on behalf of Arnold and Minnie Wiese, Rt #2, Wilton, Rita Wendler and Pete Greiner, Box #331, Lisbon and the Amana Colonies, Amana, Iowa. Petition was for a variance to place a 8' x 16' sign on the property at the Lisbon and Wilton locations. Present were Phil Garland from Nesper Sign and Bill Leichsenring, Jr., Marketing Chairman of the Amana Societies Convention and Visitors Bureau. Both men stated the signs would be only directional, that Cedar County makes no provision in its ordinance for such signs they having previously been prohibited by state law. However, the ^{DOT} IDOT has recently issued rules that certain qualifying directional signs may now be installed. Discussion followed. Motion was then made by Anderson, seconded by Johnson, to grant variance requested if in accord with rules set forth by the IDOT. Motion carried unanimously.

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There were no objectors present nor were there any written objections on file in either or the two petitions heard.

Upon motion by Anderson, seconded by Johnson, the hearing adjourned at 10:50 AM.

Mildred Sneedom
Secretary

Mike Bentrott
Chairman

Off-Right of Way Private Directional Signs

Off-right of way directional signs (located on private property along interstate, freeway primary and primary highways) are intended to inform motorists of public and privately owned natural phenomena, historic, cultural, scientific, educational and religious sites, and areas of natural scenic beauty or which are naturally suited for outdoor recreation.

Interstate Highways

To qualify for a private directional sign visible from an interstate highway, an individual activity, area, or attraction must have an annual visitor count of 15,000 or more.

Freeway primary and primary highways

To qualify for a private directional sign visible from primary and freeway primary highways, an individual activity, area, or attraction must:

- a. Have an annual visitor count of 10,000 or more; or
- b. Be on the federal historic register and have an annual visitor count of 5,000 or more; or
- c. Have an annual visitor count of 2,500 or more, of which at least 25% of the visitors must reside outside the county in which the activity, attraction or area is located.

In addition to the General Prohibitions contained in "Guide to Iowa Outdoor Advertising Sign Regulations", off-right of way directional signs must conform to the following controls:

1. Permit: An approved permit must be obtained from the Iowa Department of Transportation prior to erecting the sign.
2. Location: Interstate highway private directional signs must be located within 75 air miles of the activity, attraction, or area. Primary highway private directional signs must be located within 50 air miles of the activity, attraction, or area.

No private directional sign may be located in any publicly-owned rest area, parkland or scenic area. No sign may be located within the adjacent area on either side of the highway within 2,000 feet of such facilities.

No sign may be located adjacent to the highway on either side within 2,000 feet of an interchange along any interstate or freeway primary highway (measured along the freeway from the nearest point of the beginning or ending of pavement widening at the exit from, or entrance to, the main traveled way).

3. Size: Signs shall not exceed 150 square feet, including border and trim, nor be more than 20 feet in height or length.
4. Number: Not more than three directional signs pertaining to the same activity, attraction, or area and facing the same direction of travel may be erected along any one interstate, freeway primary, or primary highway.
5. Spacing: Directional signs facing the same direction of travel shall be spaced a minimum of one mile apart.
6. Message: Messages on signs shall be limited to the identification of the activity, attraction, or area, and directional information useful to the traveler in locating it. This may include mileage, route numbers, or exit numbers. The message shall also include current and sufficient information to inform the motorist of the hours, days and months of operation.

Descriptive words or phrases, pictorial or photographic representations of the activity, attraction, or area or its environs, and advertisement of brand name goods are prohibited.

The message on signs concerning areas naturally suited for outdoor recreation shall include a list of the types of recreational opportunities that are available.

7. Lights: In general, flashing, intermittent or moving lights are prohibited.

Qualifying activities, sites, and areas may submit a Private Directional Sign Permit Application to the Iowa DOT's Office of Right of Way, 800 Lincoln Way, Ames, Iowa 50010. The applications are available upon request from the above office. Initial fees of \$25.00 per sign are to be submitted with the application. Renewal fees of \$5.00 per sign are then billed to the sign owner annually.