

September 26, 1990

The Cedar County Board of Adjustment held a Public Hearing on September 26, 1990, at 10:00 a.m., in the Basement Meeting Room of the Courthouse, Tipton, Iowa. Present were Bentrrott, Armstrong, Johnson, Sharon Pruess and Zoning Administrator La Rue.

Minutes of the hearing held on September 5, 1990, were read and approved.

The Board then took up the petition from Virgil Hamdorf, RR, Lowden, requesting a variance for front and rear yard setback requirements in a "Ra" Urban Residential district. The purpose of his request was to allow construction of a 40 x 24 foot garage on his property located in Lot 1, Block 7, Section 14, T-82N, R-1W, in the unincorporated town of Massillon.

The Board members questioned Mr. Hamdorf regarding the construction of the garage which began prior to a variance or a building permit issuance. Mr. Hamdorf stated that he was not trying to deceive anyone. He had filled out a building permit application and sent it to the Zoning Office. In the meantime, the building contractor began construction of the garage while he was out of town.

Mr. Hamdorf stated that there were no problems with the side yard requirements. He informed the Board that the garage is 64 feet from the front yard line which does not include the 30 foot road right-of-way. He is also only 10 feet from the rear yard line on his property. No objectors were present, nor were there any written objections on file. Zoning Administrator La Rue stated he had no problem with the request. After further discussion, a motion was made by Johnson, seconded by Armstrong, that the variances be granted which would allow the constructed building to remain on the property. Motion carried unanimously. Mr. Hamdorf was informed that he follow the proper procedure in the future.

La Rue then questioned the problem with the sewer system on the property. Mr. Hamdorf stated that he would deal with that problem when it arises.

With no further business to be discussed at this time, the hearing adjourned at 10:20 a.m.


Sharon Pruess, Secretary Pro-tem


Merle Bentrrott, Chairman

September 5, 1990

The Cedar County Board of Adjustment held a Public Hearing on September 5, 1990, at 10:00 a.m., in the Basement Meeting Room of the Courthouse, Tipton, Iowa. Present were Johnson, Bentratt, Armstrong, Suchomel and Zoning Administrator La Rue.

Minutes of the hearing held on August 29, 1990, were read, corrected and approved as corrected.

The Board then took up petition of Kathleen Reichert, RFD #1, West Branch, requesting a variance to place a 1968 mobile home on her property located in the SW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 14, T-80N, R-4W, in Gower Township. Petitioner was represented at the hearing by her daughter, Kelly Greer. Variance was requested in order that a temporary home for the daughter, Kelly Greer, her husband and two children, might be placed on her mother's property so that the daughter could take care of the property in the absence of her mother. Mrs. Reichart is a semi-driver and is absent from home for lengthy periods. Petitioner stated in her application that the mobile home would be temporary, two or three years, not more than five years. No objectors were present nor were there any written objections. Motion was made by Armstrong, seconded by Johnson, that a variance from the provisions of the Cedar County Zoning Ordinance be granted. Motion carried unanimously.

Zoning Administrator La Rue then reported on his meeting with the Cedar County Board of Supervisors regarding amendment to Article II of the Zoning Ordinance -- Utilities Exempt. Although the Supervisors suggested the Board prepare an amendment in this regard, the Board felt that in order to be in compliance with the State Code of Iowa, they should work through the County Attorney's Office and asked Zoning Administrator La Rue to proceed in this direction.

Upon motion by Suchomel, seconded by Armstrong, the hearing adjourned at 11:00 a.m.


Secretary


Chairman

August 29, 1990

The Cedar County Board of Adjustment held a Public Hearing on August 29, 1990, at 10:00 a.m., in the Basement Meeting Room of the Courthouse, Tipton, Iowa. Present were Bentrutt, Johnson, Armstrong, Anderson, Suchomel and Zoning Administrator La Rue.

Minutes of the hearing held on June 14, 1990, were read and approved as read.

The Board then took up petition of Steve Edinger requesting a variance to retain a mobile home on his property located in the SE $\frac{1}{4}$, NW $\frac{1}{4}$, Section 18, T-82N, R-4W, in Pioneer Township. A letter of opposition was on file from Rita F. Wendler, RR, Box 349, Lisbon, Iowa. Also present and objecting were Jack and Diane O'Connell, neighbors to the petitioner. Mr. Edinger has not been in compliance for some time with the variance granted him earlier for the purpose of building a home on his property. He was to remove the mobile home upon completion of his building project. He has been asked to do so several times but has failed to comply. Zoning Administrator La Rue then read a letter just received from Mr. Edinger stating that the mobile home had been sold to David Johnson and would be moved by September 15, 1990. Motion was made by Suchomel, seconded by Anderson, to request Zoning Administrator La Rue to follow up on the matter and, if the mobile home was still on the property on September 15th, to turn the matter over to the Cedar County Attorney for his further handling. Motion carried unanimously.

Next to come before the Board was a petition from Gary Kline, Tipton, and Iowa East Cellular Telephone Company, Mission, Kansas, requesting a Special Use Permit to place a 280 foot communication tower in the NW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 24, T-80N, R-3W, in Center West Township. The property is presently owned by Gary Kline and Mr. Kline was present to answer questions and outline plans for the projected tower. There were no written objections on file. Present, however, were Ruth Cigledly and Catherine Johnson, property owners north of Gary Kline, who voiced concern about the project. After considerable discussion, motion was made by Anderson, seconded by Johnson, to grant the Special Use Permit but that

the Supervisors take a look at the present zoning ordinance dealing with utilities, towers, their placement throughout Cedar County and the regulation thereof, and to have Zoning Administrator La Rue contact the Supervisors regarding same. Motion carried unanimously.

The Board then took up Annual Review of Special Use Permit granted to Byers & Happel and Quaker Oats Company of Cedar Rapids, Iowa. This Special Use Permit enabled them to stockpile corn cobs on property located in the NW $\frac{1}{4}$ of Section 33, T-82N, R-1W, in Massillon Township. Bentrrott stated he had received complaints of spillage on private property and streets when the cobs were being moved by truckers. Armstrong moved, seconded by Anderson, that Special Use Permit be renewed for another year but that the Sheriff's Department be informed by Zoning Administrator La Rue of this matter so that steps could be taken by their department to prevent spillage and littering on public roads and private property. Motion carried unanimously.

Next on the agenda was Annual Review of Conditional Use Permit of Folkman Feed and Grain, Inc., located in the SE $\frac{1}{4}$ of Section 33, T-82N, R-2W, and the NE $\frac{1}{4}$ of Section 4, T-81N, R-2W, Cedar County. There were no complaints, either written or oral. Anderson moved, seconded by Armstrong, to continue Special Use Permit for another year. Motion carried unanimously.

Upon motion by Anderson, seconded by Suchomel, the hearing adjourned at 11:00 a.m.

Mildred Suchomel
Secretary

Merle Bentrrott
Chairman

June 14, 1990

The Cedar County Board of Adjustment held a Public Hearing on June 14, 1990, at 10:00 AM in the Basement Meeting Room of the Courthouse, Tipton, Iowa. Present were Bentrott, Armstrong, Johnson, Suchomel and Zoning Administrator Phil La Rue. Absent was Anderson.

Minutes of the hearing held May 31, 1989, were read and approved as read.

The Board then took up petition of Clifford P. Krutsinger, Tipton, Iowa, requesting a Special Use Permit for the purpose of starting an experimental yard waste composting business on property owned by Oscar Nebergall, Betty Anderson, Trustee, located on the Old Muscatine Road in the NE $\frac{1}{4}$ of Section 33, T-80N, R-2W, in Center Township.

Petitioner was present and stated the purpose of his request was to be experimental for one year. He would accept yard waste from municipalities and rural communities in the surrounding area and process the same into compost with the idea in mind of marketing the product eventually. He also would be shredding newspaper at this site for marketing to area livestock producers for bedding. The compost process would be regulated by the Department of Natural Resources under the Low Technology Composting Requirements which Mr. Krutsinger has stated he is and will abide with. The land involved in this experiment is not owned by petitioner but a Land Lease Agreement has been signed by petitioner and Betty Anderson, Trustee, said Lease to terminate July 1, 1991, with a 90 day grace period.

Present and speaking for themselves individually were Supervisors Crock and Campion. Both felt this was a worthy project and should be encouraged. The Board also felt it to be a project that would benefit the community if successful but wanted to be sure problems would not develop to the detriment of the area. There were no objectors present nor any written objections on file. After considerable discussion motion was made by Johnson, seconded by Armstrong, to grant Special Use Permit as requested for one year. Motion carried unanimously.

Upon motion by Armstrong, seconded by Suchomel, the Hearing adjourned at 11:00 AM.

Mildred Suchomel
Secretary

Merle Bentrott
Chairman