

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR

Cedar County Courthouse

Tipton, Iowa 52772

November 15, 1993

Raymond Penningroth
RFD #2
Tipton, Iowa 52772

Dear Mr. Penningroth:

I wish to thank you for your willingness to serve on the Cedar County Board of Adjustment. Enclosed please find copies of the Zoning Ordinance and a copy of the By-Laws for the Board of Adjustment.

Please note Article XXI, Pages 56-59, Article XIX, pages 51-54, and all amendments to the Ordinance beginning on page 75. The only changes to the By-Laws are that the Board does not usually meet on a monthly basis and meetings are not always scheduled for the fourth Monday of each month. Generally, meetings have been held on a Wednesday with at least seven days written notification of a Public Hearing and publication in a published periodical.

If you have any questions about the Zoning Ordinance or questions about the Board of Adjustment, please feel free to contact me at your convenience. Again, I wish to thank you for your willingness to serve on the Board of Adjustment.

Sincerely,



Phil La Rue
Zoning Administrator

PL:sp

Encls.



COPY
Cedar County
BOARD OF SUPERVISORS
TIPTON, IOWA 52772
TELEPHONE (319) 886-3168

November 8, 1993

Raymond Penningroth
R.R. # 2
Tipton, IA 52772

Dear Mr. Penningroth:

Please be advised that by motion of this Board, November 4, 1993, you were named to replace Don Armstrong, Jr., on the Cedar County Zoning Board of Adjustment. Your term will expire December 31, 1995. Your willingness to serve on this Board is greatly appreciated. We will advise Phil La Rue, Zoning Director, of this appointment and ask that he send you any information regarding this position so you may better acquaint yourself with the duties and responsibilities.

Please contact us or the Environmental & Zoning office, if you have any questions regarding this position.

Sincerely,

Judy Hartig

Judy Hartig, Chairman
Cedar County Board of Supervisors

JH:be

CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES
October 7, 1993 - 10:00 a.m.

The Cedar County Board of Adjustment conducted a Public Hearing on October 7, 1993, at 10:00 a.m., in the Basement Meeting Room of the Courthouse, Tipton, Iowa. Present were Board members Armstrong, Johnson, Quinn, Beyer, Zoning Administrator La Rue and Secretary Pro-tem Pruess. Member absent was Schlapkohl.

Minutes from the last meeting held on September 2, 1993, were read. Armstrong made a motion with Beyer seconding the motion to approve the minutes as read. Ayes all.

The Board then took up the petition filed by Bud & Diana Tigrett, RR, Atalissa, requesting a variance to temporarily place a second mobile home on their property during the construction of a permanent single family dwelling. The property is located in the SE 1/4, NE 1/4, and the NE 1/4, SE 1/4, Section 22, T-79N, R-3W, in Iowa Township, consisting of 80.00 acres more or less. Zoning Administrator La Rue stated that he had no written or verbal objections on file in his office.

Bud Tigrett was present and informed the Board that he had stopped construction on the house he had contracted to be built by Myatt, Inc. out of Ice Block due to the poor construction. He informed the Board that he had filed a suit with an attorney against the company but the process would take time before the house could be removed from the property. Therefore, he requested permission from the Board to temporarily place a second mobile home on the property until a conventional home can be constructed on the site. Zoning Administrator La Rue stated that the current septic system on the property is sufficient to handle both of the mobile homes. He also recommended that if the request was granted, the second mobile home be removed within six months after construction of the new home. After a brief discussion, Quinn made a motion that Mr. Tigrett be granted two years to construct a home on the property and the mobile home be removed within six months after construction is completed on the new home. Armstrong seconded the motion. Ayes all.

With no further business to be discussed by the Board at this time, Quinn made a motion for adjournment. Armstrong seconded the motion. Meeting was adjourned.

Sharon Pruess
Secretary Pro-tem

Joseph W. Johnson
Chairman

CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES
September 2, 1993 - 10:00 a.m.

The Cedar County Board of Adjustment conducted a Public Hearing on September 2, 1993, at 10:00 a.m., in the Jury Room of the Courthouse, Tipton, Iowa. Present were Board members Armstrong, Johnson, Quinn, Beyer, Zoning Administrator La Rue and Secretary Pro-tem Pruess. Member absent was Schlapkohl.

Minutes from the Public Hearing held on August 8, 1993, were read and approved with one correction suggested by Larry Quinn. He requested that it be noted that feed trucks, as well as livestock trucks, are traveling the roads to and from Folkman Feed and Grain.

The Board then took up the petition filed by Ron Duffe, Duffe Grain, Inc., Wilton, requesting a Special Use Permit authorizing the storage and drying of grain on their property located in the SW 1/4, NW 1/4, Section 27, T-79N, R-4W, in Springdale Township, consisting of 8.43 acres more or less. This property had previously been rezoned in 1981 to Agricultural Business by Gates Grain. Zoning Administrator La Rue stated that he had received complaints in the past regarding dust control. Gene Vincent, an adjoining property owner, was present and stated that there definitely was a dust problem and presented several newspaper clippings stating that the county would provide the dust control. County Engineer Mark Nahra was present and stated that it was up to individual property owners to provide dust control. He stated that after October 15th, the blade men can begin tearing up the dust control areas to prepare the roads for winter conditions. Regarding the dust control, Mr. Duffe agreed to provide dust control for his lot, eliminate grain dust drift and, if necessary, provide dust control in front of his business. He also agreed to post a sign informing grain customers not to block road accesses of neighbors. He requested that if problems occur, the neighbors inform him of same, and he would address the problem. It was also discussed that designated roads be used and Mark Nahra suggested there be better communication between Mr. Duffe and his neighbors. He also stated that the Secondary Road Department plans to improve the road to the south of the business next spring. Prior to approval, Chairman Johnson requested input from the neighbors regarding any other foreseen problems based on what was discussed. No objections were stated at this time. After further discussion, a motion was made by Quinn to grant approval of the Special Use Permit for Duffe Grain which will come under an annual review by the Board. Armstrong seconded the motion. Ayes all. Motion carried. The Board suggested to the property owners that they keep good lines of communication between themselves and Mr. Duffe.

The next petition to be heard before the Board was from Mark Armstrong, RR, West Liberty, requesting a hardship variance to permit him to place his mobile home up to the county right-of-way line. He was requesting a variance on the setback requirements in a "Ca" Local Commercial District to permit allowance of the placement of his mobile home on property he is purchasing located in Lots 5-10, Block 3, in Buchanan in the SW 1/4, NW 1/4, Section 6, T-80N, R-3W, in Cass Township. County Engineer Mark Nahra stated that he did not have

any objection on Mr. Armstrong's proposed placement of the mobile home as long as he stayed outside of the county road right-of-way. After a brief discussion, Armstrong made a motion to approve Mr. Armstrong's request. Beyer seconded the motion. Ayes all. Variance was granted.

With no further business to be discussed at this time, Quinn made a motion for adjournment. Armstrong seconded the motion. Meeting was adjourned.

Sharon Brues
Secretary Pro-tem

Joseph Johnson
Chairman

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September 14, 1993

Cedar County Board of Supervisors

Tipton, Iowa 52772

Dear Board members,

I would like to be excused
from the Zoning Board of Adjustment
and the Airport Zoning Board.

I have enjoyed the years that
I spent on these boards.

Sincerely,

Donald C. Armstrong Jr.

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OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR

Cedar County Courthouse

Tipton, Iowa 52772

August 23, 1993

PUBLIC NOTICE

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, September 2, 1993, at 10:00 a.m., in the Basement Meeting Room of the Courthouse, Tipton, Iowa.

At this time the Board will review the following petitions:

1. Duffe Grain, Inc., Wilton (Owner) - Requesting a Special Use Permit authorizing the storage and drying of grain on their property located in the SW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 27, T-79N, R-4W, in Springdale Township, consisting of 8.43 acres more or less.
2. Mark Armstrong, RR, West Liberty - Requesting a variance on the setback requirements in a "Ca" Local Commercial District. The purpose of this request is to allow the placement of a mobile home on property he is purchasing located in Lots 5-10, Block 3, in Buchanan in the SW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 6, T-80N, R-3W, in Cass Township.

At said Public Hearing, any person present, and so wishing, will be given the opportunity to be heard, for or against, said petitions. Any person so wishing may file a document with the Cedar County Zoning Administrator prior to the time of the hearing, should the person wish the document to be read for them at the time of the hearing.



Phil La Rue
Zoning Administrator

PL:sp

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RESOLUTION

1993, 11, 10, 11:54
Whereas, it has come to the attention of the Cedar County Board of Supervisors that real estate in Cedar County, Iowa, which is zoned "Aa" Rural Agricultural, is being used, or has been used in the past, in some cases, for purposes requiring special permits authorized by the Cedar County Board of Adjustment; and,

Whereas, it has come to the attention of the Cedar County Board of Supervisors that such permits have not been obtained in all such cases;

Now therefore be it resolved:

From this date hence, in all cases where real estate, located in Cedar County, Iowa and zoned "Aa" Rural Agricultural, is to be used for purposes not permitted under that classification in the Cedar County Zoning Ordinance, the person(s) seeking to make such use of said real estate shall apply for and obtain a special permit from the Cedar County Board of Adjustment for such use before such use is made of the affected real estate. Any person who neglects or refuses to apply for and obtain such permit and to otherwise comply with the Cedar County Zoning Ordinance shall be subject to the remedies provided for therein.

Attest:

Betty Ellerhoff, Deputy
Patricia Meixner
Cedar County Auditor

Billy Thompson, Pro Tem.
Judy Hartig, Chair
Cedar County Board of Supervisors

CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES
August 4, 1993

The Cedar County Board of Adjustment conducted a Public Hearing on August 8, 1993, at 10:00 a.m., in the Basement Meeting Room of the Courthouse, Tipton, Iowa. Present were Board members Armstrong, Johnson, Quinn, Zoning Administrator La Rue and Secretary Pro-tem Pruess. Members absent were Schlapkohl and Beyer.

Minutes from the Public Hearing held on March 24, 1993, were read and approved.

The Board then took up the petition filed by Jim Neuzil, J.W. Ranch, RR, Mechanicsville. In Mr. Neuzil's petition he requested a Special Use Permit authorizing the location of seasonal rodeo activities on his property located in the NW 1/4, SE 1/4, Section 14, T-81N, R-4W, in Linn Township, consisting of 47.77 acres more or less. Zoning Administrator La Rue stated that he did not have any written or verbal objections on file. Mr. Neuzil was present and stated that he has not had any problems with his operation since he began seven years ago. La Rue informed the members that he makes an annual inspection at the site and would recommend approval of Mr. Neuzil's request. After a brief discussion, Johnson made a motion to approve the request. Quinn seconded the motion. Ayes all. A Special Use Permit will be granted with an annual review by the Board.

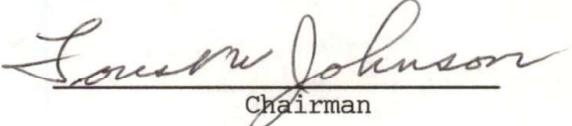
The Board next conducted an annual review of the Special Use Permits which had been previously granted to the following:

1. Trilby Klavemann, RR, Bennett - A permit granted for the location of a commercial dog breeder kennel. No objections were on file. A motion was made by Quinn and seconded by Armstrong to grant an extension on the permit. Ayes all.
2. Galen Conrad, RR, Lowden - A permit granted authorizing the restoration of salvaged automobiles on his property. No objections were on file. Motion was made by Quinn and seconded by Armstrong to grant an extension of the permit. Ayes all.
3. Tom Spear, RR, Tipton - A permit granted authorizing a garage and service center for equipment used by his business, Total Lawn Care. No objections were on file. Motion was made by Armstrong and seconded by Quinn to grant an extension of the permit. Ayes all.
4. Clifford L. Krutsinger, Tipton - A permit granted authorizing the operation of a yard waste composting business. La Rue informed the Board that the operation had closed for a while but is now open again. No objections were on file. Motion was made by Armstrong and seconded by Quinn to grant extension of the permit. Ayes all.

5. Loretta and Charley Martin, RR, Lowden - A permit granted authorizing the opeation of a commercial dog breeder kennel. No objections were on file. Motion was made by Quinn and seconded by Armstrong to grant extension of the permit. Ayes all.
6. Byers and Happel and Quaker Oats Company, Cedar Rapids - A permit granted authorizing the stockpiling of corn cobs on their property in Massillon Township. No objections were on file. Motion was made by Armstrong and seconded by Quinn to grant extension of the permit. Ayes all.
7. Folkman Feed and Grain, Inc. - A Conditional Use Permit granted for their grain and livestock business. No objections were on file other than from the Board of Supervisors regarding the condition of the gravel road due to the feed trucks. Paul Crock, Supervisor, suggested that the trucks come in from the north instead of the south. It would mean further distance for the trucks to travel but less inconvenience for the neighbors. Verne Folkman was present and stated that he has rented out the operation to Lewis Dryfuss Corp. He stated that he has no control over what roads the businesses use. Todd from West Branch Elevator was also present and stated that they only have livestock trucks on the roads occassionally. He stated that he will talk to the drivers and suggest going the longer route which would mean using mostly hard surface roads. After further discussion, Quinn recommended approval of the extended use permit since the businesses are willing to cooperate. Armstrong seconded the motion. Ayes all. If the Board of Supervisors continue to receive complaints, the Board will pursue this issue further.

There being no further business to come before the Board at this time, the meeting was adjourned.

Secretary Pro-tem


Chairman

CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES
March 24, 1993

The Cedar County Board of Adjustment conducted a Public Hearing on March 24, 1993, at 10:00 a.m. in the basement meeting room of the Cedar County Courthouse, Tipton, Iowa. Present were Board members Quinn, Johnson, Armstrong, Schlapkohl, Zoning Administrator La Rue and Secretary Pro-tem Pruess.

Minutes of the Public Hearing held on November 18, 1992, were read and approved.

The Board then took up the petition of Malcom Kimble, Mt. Vernon, requesting a variance to temporarily place a mobile home on his property until a single family dwelling has been constructed. The property is located in Lot 2 in the SW 1/4, SW 1/4, Section 18, T-82N, R-4W, in Pioneer Township. Mr. Kimble was present at the hearing and presented the plans for his proposed 3,000 square feet berm house to the Board members. Zoning Administrator La Rue stated the access to the property will remain private and there is a maximum of 3 lots unless the property is further subdivided. La Rue then read two letters of objection on file to the Board members. Don and Mary Sievers, adjoining property owners, were present and expressed their concern regarding the amount of time that the mobile home would be allowed to remain on the property.

Mr. Kimble stated that he intends to begin construction in the spring as soon as the road is finished and the sewer and well systems are completed. The road will be completed by July 1, 1993. He also informed the members that his house will be strictly a residence. He stated that since his wife has allergies to wood dust, they did not intend to live in the house during construction. Mr. and Mrs. Sievers suggested that Mr. Kimble place his mobile home in a mobile home park. Mr. Kimble stated that because of vandalism and theft at building sites in his area, he would like the mobile home placed on his property during construction of the new home. Mrs. Sievers questioned if this allowance would set a precedence of more mobile homes being placed in the area. Chairman Johnson stated that the Board of Adjustment would have to review each case. Zoning Administrator La Rue then stated that the Zoning Ordinance could not deny a mobile home to be placed in a properly zoned district if it is converted to real estate. Mr. Kimble informed the Board that he would not allow any other mobile homes to be placed on property owned by him. Larry Quinn suggested that the Board of Adjustment could revoke the mobile home request if Mr. Kimble is not in compliance with his plan in a year's time. He stated he was attempting to give assurance to the adjoining property owners. Zoning Administrator La Rue will report back to the Board of Adjustment of the progress being made at the end of one year. After further consideration, a motion was made by Quinn, seconded by Armstrong, that Mr. Kimble be allowed to proceed with his request as stated with the stipulation that he will have to be in compliance with his building permit application after one year. The time will start upon placement of the mobile home and the mobile home

will be removed at the end of two years or after Mr. Kimble is occupying the new home. Mr. Kimble stated that he would notify in writing the Zoning Administrator just prior to moving in the mobile home. Motion carried.

There being no further business to come before the Board at this time, a motion was made by Quinn, seconded by Armstrong, to adjourn. Motion carried.

Sharon Brueess
Secretary Pro-tem

Forest W. Johnson
Chairman

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR

Cedar County Courthouse

Tipton, Iowa 52772

March 15, 1993

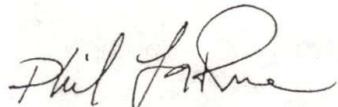
PUBLIC NOTICE

The Cedar County Board of Adjustment will be conducting a Public Hearing on March 24, 1993, at 10:00 a.m., in the Basement Meeting Room of the Courthouse, Tipton, Iowa.

At this time the Board will review the following petition:

1. Malcom Kimble, Mt. Vernon (Owner) - Requesting a variance to temporarily place a mobile home on his property until a single family dwelling has been constructed. The property is located in Lot 2 in the SW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 18, T-82N, R-4W, in Pioneer Township.

At said Public Hearing, any person present, and so wishing, will be given the opportunity to be heard, for or against, said petition. Any person so wishing may file a document with the Cedar County Zoning Administrator prior to the time of the hearing, should the person wish the document to be read for them at the time of the hearing.



Phil La Rue
Zoning Administrator

PL:sp

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR

Cedar County Courthouse

Tipton, Iowa 52772

July 26, 1993

PUBLIC NOTICE

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on August 4, 1993, at 10:00 a.m., in the Basement Meeting Room of the Courthouse, Tipton, Iowa.

At this time the Board will review the following petition:

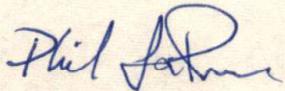
1. Jim Neuzil, J.W. Ranch, RR, Mechanicsville - Requesting a Special Use Permit authorizing the location of seasonal rodeo activities on his property located in the NW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 14, T-81N, R-4W, in Linn Township, consisting of 47.77 acres more or less.

The Board will also conduct an annual review of the Special Use Permits previously granted to the following:

1. Trilby Klavemann, RR, Bennett (Owner) - A Special Use Permit authorizing the location of a commercial dog breeder kennel located in Tract B, NW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 6, T-80N, R-1W, in Inland Township, composed of 1.00 acres more or less.
2. Galen Conrad, RR, Lowden (Owner) - A Special Use Permit authorizing the restoration of salvaged automobiles on his property located in the NE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 1, T-81N, R-1W, in Springfield Township, composed of 0.523 acres more or less.
3. Tom Spear, RR, Tipton (Owner) - A Special Use Permit authorizing a garage and service center for equipment used by his business, Total Lawn Care, in Lot A, NW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 8, T-80N, R-2W, in Center East Township, consisting of 3.0 acres more or less.
4. Clifford L. Krutsinger, Tipton - A Special Use Permit authorizing the operation of a yard waste composting business located in the NE $\frac{1}{4}$, Section 33, T-80N, R-2W, in Center East Township.
5. Loretta and Charley Martin, RR, Lowden - A Special Use Permit authorizing the operation of a commercial dog breeder kennel in Lot A, SW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 19, T-82N, R-1W, in Massillon Township, composed of approximately 3.13 acres.

6. Byers and Happel and Quaker Oats Company, Cedar Rapids - A Special Use Permit authorizing the stockpiling of corn cobs on property located in the NW $\frac{1}{4}$, Section 33, T-82N, R-1W, in Massillon Township.
7. Conditional Use Permit issued to 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, Iowa.

At said Public Hearing, any person present, and so wishing, will be given the opportunity to be heard, for or against, said petitions. Any person so wishing may file a document with the Cedar County Zoning Administrator prior to the time of the hearing, should the person wish the document to be read for them at the time of the hearing.



Phil La Rue
Zoning Administrator

PL:sp

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR

Cedar County Courthouse

Tipton, Iowa 52772

January 29, 1993

Don Schlapkohl
806 9th Street
Durant, Iowa 52747

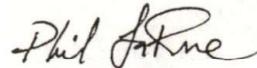
Dear Don:

I wish to thank you for your willingness to serve on the Cedar County Board of Adjustment. Enclosed please find copies of the Cedar County Zoning Ordinance and Subdivision Ordinances, a copy of the Zoning News and a copy of the By-laws for the Board of Adjustment.

Please note Article XXI, page 56-59, Article XIX, page 51-54, and all amendments to the ordinance beginning on page 75. The only changes to the By-laws are that the Board does not usually meet on a monthly basis and meetings are not always scheduled for the fourth Monday of each month. Generally, meetings have been held on a Wednesday with at least seven day written notification of a Public Hearing and publication in a published periodical.

If you have any questions about the Zoning and Subdivision Ordinances or questions about the Board of Adjustment, please feel free to contact me at your convenience. Again, I wish to thank you for your willingness to serve on the Board of Adjustment.

Sincerely,



Phil La Rue
Zoning Administrator

PL:sp

Encl.



COPY

Cedar County
BOARD OF SUPERVISORS
TIPTON, IOWA 52772
TELEPHONE (319) 886-3168

January 25, 1993

Don Schlapkohl
806 9th St.
Durant, Iowa 52747

Dear Don,

Please be advised that by motion of this Board today, you have been named to replace Mildred Suchomel on the Zoning Board of Adjustment. Your term will expire December 31, 1993. Your willingness to serve on this Board is greatly appreciated. We will advise Phil La Rue, Director, of this appointment and ask that he send you any information regarding this position so you may better acquaint yourself with the duties and responsibilities.

Please contact us or the Environmental & Zoning Office if you have any questions regarding this position.

Sincerely,

Judy Hartig

Judy Hartig, Chairman
Cedar County Board of Supervisors

JH:be