

CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES

November 1, 1995

The Cedar County Board of Adjustment conducted a Public Hearing on November 1, 1995, at 2:00 p.m., in the Blue Room of the Courthouse, Tipton, Iowa. Present were Board members Penningroth, Johnson, Beyer, Hoy and Lenker, Zoning Administrator La Rue and Secretary Pruess.

The meeting was called to order by Chairman Johnson at 2:00 p.m. Minutes from the last meeting held on October 4, 1995, had been previously mailed to the members. Lenker made a motion, with Beyer seconding, to approve the minutes as written.

The Board then heard the petition filed by Trilby Klavemann, RFD, Bennett (Owner), who was requesting a Special Use Permit authorizing the location of a commercial dog breeder kennel, and requesting an amendment of her Special Use Permit to increase the total number of animals over 6 months of age from six to ten on property located in Tract B, NW 1/4, NE 1/4, Section 6, T-80N, R-1W, in Inland Township, consisting of 1.00 acres more or less.

Brian Fairfield, Attorney representing the Klavemann's, spoke in behalf of his clients. He stated that the Klavemann's were aware that their SUP was for 6 dogs but currently have 10 dogs in their kennel. La Rue stated that he had informed the Klavemann's of the violation of the SUP granted and informed them that they could keep the additional 4 dogs during the interim period. The Klavemann's were now requesting the Board to grant permission to expand their SUP to 10 dogs. They stated that the dogs are for breeding purposes only and they do not intend to provide a boarding service.

Durwood Dircks, Attorney representing Roger & Caroline Beuthien, stated that his clients would like to see the existing permit revoked due to the violation and that the request for expansion be rejected. The Beuthien's sold the property to the Klavemann's in 1992, and at that time, had signed an agreement stating that they had no objections to the Klavemann's intent to have the dog kennel. Attorney Dircks stated that the Beuthien's had thought there would be four dogs, and within 6 days of the closing of the property, the Klavemann's requested a SUP for 6 dogs. The Beuthien's stated their concern regarding the noise issue. Trilby Klavemann stated that the requested additional dogs would not create any more noise because they have been debarked. She also stated that they could move the birthing house, but it would be done at the Beuthien's expense.

Lee Beine, County Attorney, was present at the meeting and was asked his opinion by the Board members. Mr. Beine stated that the Klavemann's willfully violated their Special Use Permit issued to them at the Board of Adjustment meeting held in 1992. He advised the Board that they had legal footing to leave the number of dogs at six, grant the request for ten dogs or revoke the Special Use Permit.

и виноградом, а в саду он выращивал овощи и фрукты. У него было много земли, и он выращивал картофель, капусту, свеклу, морковь, лук, чеснок, помидоры, огурцы, перец, томаты, яблони, груши, сливы, вишни, а также грецкие орехи. Он был опытным садоводом и знал, как правильно ухаживать за растениями. В саду он выращивал различные сорта яблонь, груш, сливы и вишни. Он также выращивал огурцы, помидоры, перец, картофель, лук, чеснок, морковь и свеклу. Он был опытным садоводом и знал, как правильно ухаживать за растениями.

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After further discussion, Beyer made a motion to renew the Special Use Permit to the Klavemann's allowing the location of the kennel, allow them to keep a total of six dogs over six months of age on the property and allow 60 days for the removal of the excess number of dogs. Penningroth seconded the motion. Ayes all. An annual review of this SUP will be made by the Board. Durwood Dircks suggested to the Board that any future violation by the Klavemann's be grounds to revoke the SUP. Lee Beine stated that the Klavemann's would have to be offered a hearing prior to suspension or revocation. He also stated that penalties could be imposed by the Board of Adjustment regarding the Klavemann's violation.

With no further business to be discussed at this time, the meeting was adjourned at 3:00 p.m.

Sharon Bruegg
Secretary

Lorraine Johnson
Chairman



Tel. 319-886-2248

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR

Cedar County Courthouse

Tipton, Iowa 52772

October 23, 1995

PUBLIC NOTICE

The Cedar County Board of Adjustment will be conducting a Public Hearing on Wednesday, November 1, 1995, at 2:00 p.m., in the Blue Room in the basement of the Cedar County Courthouse, Tipton, Iowa.

At this time, the Board will review the following petition:

1. Trilby Klavemann, RFD, Bennett (Owner) - A Special Use Permit authorizing the location of a commercial dog breeder kennel, and requesting an amendment of her Special Permit to increase the total number of animals over six months of age from six to ten on property located in Tract B, NW 1/4, NE 1/4, Section 6, T-80N, R-1W, in Inland Township, consisting of 1.00 acres more or less.

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

CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES

October 4, 1995

The Cedar County Board of Adjustment conducted a Public Hearing on October 4, 1995, at 2:00 p.m., in the Blue Room of the Courthouse, Tipton, Iowa. Present were Board members Penningroth, Johnson, Beyer, Lenker, Zoning Administrator La Rue and Secretary Pruess. Board member Hoy was absent.

The meeting was called to order by Chairman Johnson at 2:00 p.m. Minutes from the last meeting held on August 22, 1995, had been previously mailed to the members. Beyer made a motion, with Penningroth seconding, to approve the minutes as written.

The Board then heard the petition filed by Rex & Jenny Idlewine, RFD, Olin (Owners), who were requesting a temporary variance to permit the placement of a second mobile home on their property located in the NE 1/4, SW 1/4, Section 2, T-82N, R-3W, in Fremont Township, consisting of 2.00 acres more or less. Mrs. Idlewine was present and explained to the Board that they wish to place a new double-wide mobile home on their property, and when completed, the old mobile home will be removed from the property. A letter from Bill and Doris Williams, adjourning property owners, was read to the members. The Williams' did not object to the Idlewine's request as long as the second mobile home was not intended for a second family. Mr. La Rue informed the Board that the current septic system can be used with an understanding that a new system will need to be installed for the new home. When the new system is completed, the old system is to be abandoned. After a brief discussion, Penningroth made a motion to approve the Idlewine's request with the understanding that the old mobile home be removed within sixty days after the new mobile home is in place. Lenker seconded the motion. Ayes all.

Mr. La Rue next informed the members that he had contacted Trilby Klavemann as suggested at the last meeting to determine how many dogs she currently has on her property. He stated that she now has ten dogs and that if she desires to board more dogs than the six dog limit which she was previously granted in her original permit agreement, she will need to petition the Board of Adjustment again and obtain the necessary permits. La Rue informed the members that there are several other kennels in Cedar County which have not obtained a Special Use Permit for their operation.

With no further business to be discussed at this time, the meeting was adjourned at 2:20 p.m.

Sharon Pruess
Secretary

Joseph Johnson
Chairman

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR

Cedar County Courthouse

Tipton, Iowa 52772

September 25, 1995

PUBLIC NOTICE

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Wednesday, October 4, 1995, at 2:00 p.m., in the Blue Room in the basement of the Cedar County Courthouse, Tipton, Iowa.

At this time the Board will review the following petition:

1. Rex and Jenny Idlewine, RFD, Olin (Owners) - Requesting a temporary variance to permit the placement of a second mobile home on their property located in the NE $\frac{1}{4}$, SW $\frac{1}{4}$, Section 2, T-82N, R-3W, in Fremont Township, consisting of 2.00 acres more or less.

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

CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES

August 22, 1995

The Cedar County Board of Adjustment conducted a Public Hearing on August 22, 1995, at 2:00 p.m., in the Large Meeting Room of the Courthouse, Tipton, Iowa. Present were Board members Johnson, Penningroth, Beyer, Lenker, Zoning Administrator La Rue and Secretary Pruess.

The meeting was called to order by Chairman Johnson at 2:00 p.m. Minutes from the last meeting held on June 12, 1995, had been previously mailed to the members. Lenker made a motion, with Penningroth seconding, to approve the minutes as written.

The Board then heard the petition filed by Patty Laing, RR, West Branch, who was requesting a Home Occupation Permit for the purpose of operating a beauty salon in her home, located in the SE 1/4, SW 1/4, Section 14, T-80N, R-4W, in Gower Township. There were no written or verbal objections on file for this petition. Mrs. Laing presented a picture of their residence showing a separate entrance into the basement to the 23' x 13' proposed beauty salon. The Laing's stated that there would be a maximum of 2 to 3 cars on the property at one time for the business. Discussion followed regarding a sign of advertisement for the salon. According to the current zoning ordinance, the sign must be unlighted and can not exceed 2 square feet in area. Under the new proposed ordinance, a sign for a home occupation may not exceed 8 square feet in area. After further discussion, Penningroth made a motion to grant the Home Occupation Permit, subject to annual review and grant a variance on the size of the sign but not to exceed the new proposed zoning ordinance sign requirements. Beyer seconded the motion. Ayes all. This permit will be subject to annual review by the Board of Adjustment.

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

1. Gary Anderson, RR, Tipton - A permit granted authorizing the operation of a yard waste composting business on property located in the SW 1/4, SE 1/4, Section 28, T-80N, R-2W, in Center East Township. No written or verbal objections were on file. Continuance of permit was granted.
2. Great Lakes Chemical Corporation, Omaha, Nebraska - A permit authorizing the stockpiling of corn cobs on property located in the NW 1/4, NW 1/4, Section 33, T-82N, R-1W, in Massillon Township. No objections were on file. Granted continuance of permit.
3. Jim Neuzil, J.W. Ranch, RR, Mechanicsville - A permit granted 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. No objections were on file. Extension granted on the permit.

4. Trilby Klavemann, RR, Bennett (Owner) - A permit granted authorizing the location of a commercial dog breeder kennel on her property located in Tract B, NW 1/4, NE 1/4, Section 6, T-80N, R-1W, in Inland Township, composed of 1.00 acres more or less. La Rue informed the members that he believed Mrs. Klavemann is boarding more than six dogs which was granted in her original permit agreement. The members directed La Rue to talk to Mrs. Klavemann to determine how many dogs she has currently. If she has more dogs than she received the Special Use Permit for, she will need to go back through the Board of Adjustment. La Rue will report back to the members and Mrs. Klavemann's permit will be discussed at the next meeting.
5. Galen Conrad, RR, Lowden - A permit granted authorizing the restoration of salvaged automobiles on his property located in the NE 1/4, SE 1/4, Section 1, T-81N, R-1W, in Springfield Township, composed of 0.523 acres more or less. No objections were on file. Extension of permit granted.
6. Tom Spear, RR, Tipton (Owner) - A permit granted authorizing a garage and service center for equipment used by his business, Total Lawn Care, in Lot A, NW 1/4, NE 1/4, Section 8, T-80N, R-2W, in Center East Township, consisting of 3.0 acres more or less. No objections were on file. Extension granted.
7. Loretta and Charley Martin, RR, Lowden (Owners) - A permit granted authorizing the operation of a commercial dog breeder kennel on their property located in Lot A, SW 1/4, SE 1/4, Section 19, T-82N, R-1W, in Massillon Township, composed of approximately 3.13 acres. No objections were on file. The Martin's are currently complying with the number restriction of dogs at their operation. Extension granted.
8. Donald and Scheryl Grant, RR, Bennett (Owners) - A permit granted authorizing the operation of a commercial dog breeder kennel on their property located in Lot E, SE 1/4, Section 33, T-81N, R-1W, in Springfield Township, consisting of 10.00 acres more or less. No objections were on file. Mrs. Grant may want an amendment to her permit to allow for a dog training facility (i.e. hunting retrievers, etc.) Extension granted on the original permit.
9. Folkman Feed and Grain, Inc., RR, Clarence - A Conditional Use Permit authorizing their commercial hog operation on their property located in the SE 1/4 of Section 33, T-82N, R-2W, and the NE 1/4 of Section 4, T-81N, R-2W, Cedar County, Iowa. No objections were on file. Extension granted.
10. Duffe Grain, Inc., Wilton (Owner) - A permit granted 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. It was noted that complaints had been received regarding road dust. No traffic problems have been noted. Extension granted.

With no further business to be discussed at this time, Lenker made a motion to adjourn the meeting. Penningroth seconded the motion. Meeting was adjourned at 2:35 p.m.

Sharon Brues
Secretary

Lowell Johnson
Chairman

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR

Cedar County Courthouse

Tipton, Iowa 52772

September 22, 1995

Chuck Hoy
606 E. Oak Street
Mechanicsville, Iowa 52306

Dear Mr. Hoy:

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 the 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.

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR

Cedar County Courthouse

Tipton, Iowa 52772

September 18, 1995

TO: Cedar County Board of Adjustment Members

Enclosed please find a copy of the Revised Zoning Ordinance and a copy of the agenda for the Planning and Zoning Commission Public Hearing scheduled for Wednesday, September 20, 1995, at 6:30 p.m., in the Large Meeting Room in the Basement of the Courthouse, Tipton, Iowa. You are invited to attend.

If you have any questions, please feel free to contact me at your convenience.

Sincerely,

Phil La Rue
Zoning Administrator

PL:sp

Encl.



E#2

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

COPY

August 21, 1995

Chuck Hoy
606 E Oak ST
Mechanicsville IA 52306

Dear Chuck:

Please be advised that by motion of this Board on August 21, 1995, you have been appointed to fill the term of Larry Quinn on the Zoning Board of Adjustment. The term expires 12-31-97.

Your willingness to serve is greatly appreciated.

Sincerely,



Edward Compton, Chairperson

ED:bjp

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR

Cedar County Courthouse

Tipton, Iowa 52772

August 14, 1995

PUBLIC NOTICE

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Tuesday, August 22, 1995, at 2:00 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa.

At this time the Board will review the following petition:

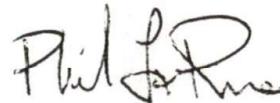
1. Patty Laing, RFD, West Branch (Owner) - Requesting a Home Occupation Permit for the purpose of operating a beauty salon in her home. The property is located in the SE $\frac{1}{4}$, SW $\frac{1}{4}$, Section 14, T-80N, R-4W, in Gower Township.

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

1. Gary Anderson, RR, Tipton - A Special Use Permit for the purpose of operating a yard waste composting business on property located in the SW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 28, T-80N, R-2W, in Center East Township.
2. Great Lakes Chemical Corporation, Omaha, Nebraska - A Special Use Permit authorizing the stockpiling of corn cobs on property located in the NW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 33, T-82N, R-1W, in Massillon Township.
3. Jim Neuzil, J.W. Ranch, RR, Mechanicsville - 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.
4. 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.

5. 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.
6. 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.
7. Loretta and Charley Martin, RR, Lowden (Owners) - 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.
8. Donald and Scheryl Grant, RR, Bennett (Owners) - A Special Use Permit authorizing the operation of a commercial dog breeder kennel in Lot E, SE $\frac{1}{4}$, Section 33, T-81N, R-1W, in Springfield Township, consisting of 10.00 acres more or less.
9. 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.
10. Duffe Grain, Inc., Wilton (Owner) - 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.

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

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR

Cedar County Courthouse

Tipton, Iowa 52772

July 17, 1995

PUBLIC NOTICE

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, July 27, 1995, at 2:00 p.m., in the Blue Room in the Basement of the Cedar County Courthouse, Tipton, Iowa.

At this time the Board will review the following petition:

1. Patty Laing, RFD, West Branch (Owner) - Requesting a Home Occupation Permit for the purpose of operating a beauty salon in her home. The property is located in the SE $\frac{1}{4}$, SW $\frac{1}{4}$, Section 14, T-80N, R-4W, in Gower Township.

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3. Jim Neuzil, J.W. Ranch, RR, Mechanicsville - 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.
4. 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.

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR

Cedar County Courthouse

Tipton, Iowa 52772

July 17, 1995

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4. 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.

5. 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.
6. 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.
7. Loretta and Charley Martin, RR, Lowden (Owners) - 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.
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9. 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.
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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

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR

Cedar County Courthouse

Tipton, Iowa 52772

August 14, 1995

PUBLIC NOTICE

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Tuesday, August 22, 1995, at 2:00 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa.

At this time the Board will review the following petition:

1. Patty Laing, RFD, West Branch (Owner) - Requesting a Home Occupation Permit for the purpose of operating a beauty salon in her home. The property is located in the SE $\frac{1}{4}$, SW $\frac{1}{4}$, Section 14, T-80N, R-4W, in Gower Township.

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

1. Gary Anderson, RR, Tipton - A Special Use Permit for the purpose of operating a yard waste composting business on property located in the SW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 28, T-80N, R-2W, in Center East Township.
2. Great Lakes Chemical Corporation, Omaha, Nebraska - A Special Use Permit authorizing the stockpiling of corn cobs on property located in the NW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 33, T-82N, R-1W, in Massillon Township.
3. Jim Neuzil, J.W. Ranch, RR, Mechanicsville - 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.
4. 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.

5. 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.
6. 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.
7. Loretta and Charley Martin, RR, Lowden (Owners) - 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.
8. Donald and Scheryl Grant, RR, Bennett (Owners) - A Special Use Permit authorizing the operation of a commercial dog breeder kennel in Lot E, SE $\frac{1}{4}$, Section 33, T-81N, R-1W, in Springfield Township, consisting of 10.00 acres more or less.
9. 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.
10. Duffe Grain, Inc., Wilton (Owner) - 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.

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

CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES

June 12, 1995

The Cedar County Board of Adjustment conducted a Public Hearing on June 12, 1995, at 1:05 p.m., in the basement of the Cedar County Courthouse, Tipton, Iowa. Present were Board members Beyer, Johnson, Lenker, Penningroth, Zoning Administrator La Rue and Secretary Pruess.

The meeting was called to order by Chairman Johnson at 1:05 p.m. Minutes from the last meeting held on March 30, 1995, were approved as written and previously sent to the members.

The Board then heard the petition filed by Robert Wolfe, Mt. Vernon, who was requesting a variance on the 50 foot front yard setback requirement of the Suburban Residential District for Lots 14 and 15 in the Yankee Grove Subdivision, Part III, located in the NW 1/4, SE 1/4, Section 18, T-82N, R-4W, in Pioneer Township. La Rue read a letter of approval on file by Joan Svatosch and also a letter of disapproval on file from Barb Shelton. Mr. Wolfe was present and requested that a variance be granted from the 50 foot setback requirement to 25 feet on Lot 14. This would allow for the proposed house to be well out of the wetland area with room for adequate drainage and septic. The structure can be no closer than 25 feet from the edge of the county right-of-way or 65 feet from the center of the road. After further discussion, Penningroth made a motion that the request to grant a variance from 50 feet to 25 feet from the edge of the right-of-way be granted. Lenker seconded the motion. Ayes all.

The Board did not take action on the request for a variance on Lot #15 at this time since there is not an interested buyer for the lot and the Board felt that they needed more specific information before making a decision.

The next petition to be heard was filed by Dennis & Diana Hodgden, RR, Tipton. The Hodgden's were requesting a Special Use Permit to authorize the commercial extraction of limestone on their property located in the NE 1/4, NE 1/4, Section 22, T-80N, R-3W, in Center West Township, consisting approximately 5 acres. A letter of objection was read which was filed by Kevin Kelly. Mark Nahra, Cedar County Engineer, was present and informed the Board and petitioners that Cedar County has no plans to upgrade the road system surrounding the quarry. The roads which would be used are Snaggy Ridge Road and Stone Mill Roads. Mr. Nahra also wanted it clearly stated that the Secondary Road Department will not get involved with dust control. It was also suggested that River Products, the contracted mining company, should assist in the cost of dust control for the property owners who are along the route.

There are currently six homeowners on the gravel road between Snaggy Ridge and Stone Mill Roads. Other points of concern mentioned were noise, vibration and speed limit. The representative from River Products stated the noise and vibration are more than a surprise rather than a danger. Discussion was held regarding a possible engineering study be done to determine if the speed limit should be changed. After further discussion, Beyer made a motion that a Special Use Permit be granted to authorize the extraction of limestone, subject to a requirement that the lessee contribute 50% of the cost of dust control if so requested. Lenker seconded the motion. Ayes all. An annual review will be held on this Special Use Permit.

With no further business to be discussed at this time, the meeting was adjoined at 2:15 p.m.

Louise W. Johnson
Chairman

Sharon Brueess
Secretary

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR

Cedar County Courthouse

Tipton, Iowa 52772

June 5, 1995

TO: Cedar County Board of Adjustment Members

Enclosed please find a legal notice for petitions to be heard on June 12, 1995, at 1:00 p.m.

It would probably be a good idea that you contact this office and make a site survey of the site, either by yourself or arrange for a trip to the site with me prior to the meeting.

If you have any questions regarding this matter, please feel free to contact me at your convenience.

If you will be unable to attend this meeting, please notify this office as soon as possible. This meeting has been rescheduled since we did not have a quorum on May 31st.

Sincerely,



Phil La Rue
Zoning Administrator

PL:sp

Encl.

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR

Cedar County Courthouse

Tipton, Iowa 52772

May 22, 1995

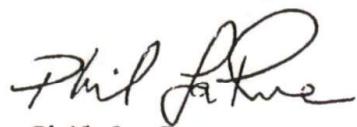
LEGAL NOTICE

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Wednesday, May 31, 1995, at 2:00 p.m., in the Blue Meeting Room in the Basement of the Courthouse, Tipton, Iowa.

At this time the Board will review the following petitions:

1. Robert Wolfe, Mt. Vernon (Owner) - Requesting a variance on the 50 foot front yard setback requirement of the Suburban Residential District for Lots 14 and 15 in the Yankee Grove Subdivision Part III, located in the NW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 18, T-82N, R-4W, in Pioneer Township.
2. Dennis and Dianna Hodgden, RR, Tipton (Owners) - Requesting a Special Use Permit authorizing the commercial extraction of limestone on property located in the NE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 22, T-80N, R-3W, in Center West Township, consisting of 5.00 acres more or less.

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

CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES

March 30, 1995

The Cedar County Board of Adjustment conducted a Public Hearing on March 30, 1995, in the basement of the Cedar County Courthouse, Tipton, Iowa. Present were Board members Beyer, Johnson, Lenker, Penningroth, Zoning Administrator La Rue and Secretary Pruess. Absent was Quinn.

The meeting was called to order by Chairman Johnson at 1:30 p.m. Minutes from the last meeting held on November 4, 1994, were approved as written and previously sent to the members.

The Board then heard the petition filed by Don Paul, RR, West Branch. Mr. Paul was present and explained that his request was for a variance to permit the placement of a second mobile home on his property in Springdale, for the purpose of being close to care for his mother who lives in the first mobile home. La Rue explained to the Board members the zoning ordinance pertaining to the number of dwellings allowed per lot, mobile home regulations and well and sewer regulations.

Mrs. Ethel Worrall and Donald & Lois Laughlin, adjoining property owners, were also in attendance and expressed their concern regarding possible water and sewer runoff from the property. It was explained that the new mobile home will have its own septic system and well which will be installed according to Cedar County's rules and regulations.

After a brief discussion, Penningroth made a motion to grant the variance to place a second mobile home on the property with the stipulation that when the existing mobile home is no longer needed, it be removed from the premises within 90 days and that the existing septic system be properly abandoned. Beyer seconded the motion. Ayes all.

With no further business to be discussed at this time, the meeting was adjourned.

Joseph W. Johnson
Chairman

Sharon Pruess
Secretary

5/5/95

Mr. Cedar County Board of Supervisors

Bill La Rue

Please accept my resignation from
the Cedar County Board of Supervisors.
My office is in C.R. Range & travel
back & forth to Nevada & not always
available.

I have enjoyed the experience

Very truly
Bill La Rue

CREAM COUNTY
RECEIVED

MAY 05 1995

MR. & MRS. ZOMING

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR

Cedar County Courthouse

Tipton, Iowa 52772

March 20, 1995

LEGAL NOTICE

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, March 30, 1995, at 1:30 p.m., in the Blue Room in the Basement of the Cedar County Courthouse, Tipton, Iowa.

At this time the Board will review the following petition:

1. Donald Paul, RFD, West Branch (Owner) - Requesting a variance to permit the placement of a second mobile home on his property located in Lot F, in the SW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 1, T-79N, R-4W, in the unincorporated town of Springdale, Springdale Township, consisting of 0.499 acres more or less.

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