

Tel: 563-886-2248

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR
Cedar County Courthouse
Tipton, Iowa 52772

December 5, 2005

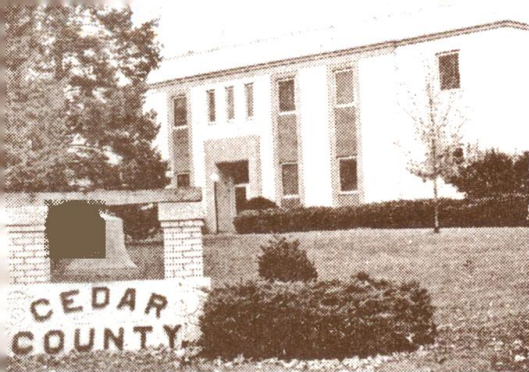
TO: CEDAR COUNTY BOARD OF ADJUSTMENT MEMBERS

I am writing to inform you that there will not be a meeting of the Board of Adjustment during the month of December because no petitions have been received. Have a great holiday season and we'll see you next year!

Sincerely,

Phil La Rue
Zoning Administrator

PL:sl



Tel: 563-886-2248

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR
Cedar County Courthouse Tipton, Iowa 52772

November 7, 2005

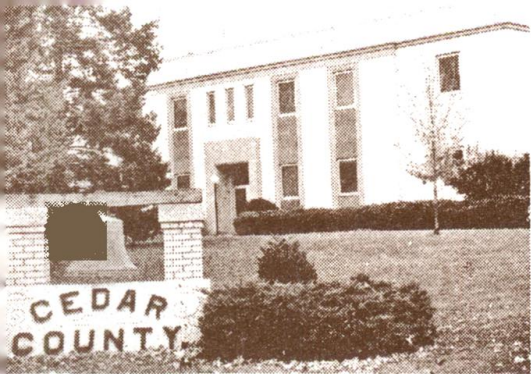
TO: CEDAR COUNTY BOARD OF ADJUSTMENT MEMBERS

I am writing to inform you that there will not be a meeting of the Board of Adjustment during the month of November because no petitions have been received.

Sincerely,

Phil La Rue
Zoning Administrator

PL:sl



Tel: 563-886-2248

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR
Cedar County Courthouse
Tipton, Iowa 52772

October 13, 2005

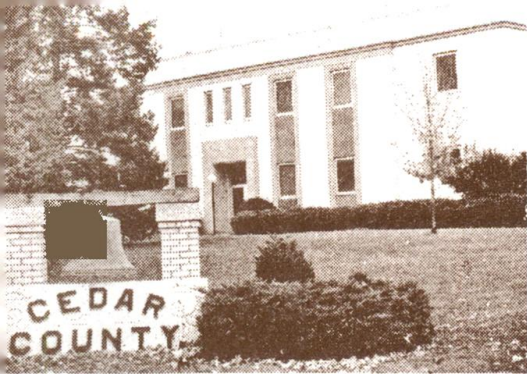
TO: CEDAR COUNTY BOARD OF ADJUSTMENT MEMBERS

I am writing to inform you that there will not be a meeting of the Board of Adjustment during the month of October because no petitions have been received.

Sincerely,

Phil La Rue
Zoning Administrator

PL:sl



Tel: 563-886-2248

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR
Cedar County Courthouse Tipton, Iowa 52772

September 9, 2005

TO: CEDAR COUNTY BOARD OF ADJUSTMENT MEMBERS

I am writing to inform you that there will not be a meeting of the Board of Adjustment during the month of September because no petitions have been received.

Sincerely,

Phil La Rue
Zoning Administrator

PL:sl



Tel: 563-886-2248

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR
Cedar County Courthouse Tipton, Iowa 52772

AGENDA

Cedar County Board of Adjustment

Basement, Cedar County Courthouse, Tipton, Iowa

Thursday, August 25, 2005 – 3:00 p.m.

- I. Introduction
- II. Review of the following request:
 - A. Kent and Peggy Graham, Wilton (Owners) –
Requesting approval of a Special Use Permit to
allow an Agricultural Service Business, a machine
and fabrication shop
- III. Conclusion

CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES

August 25, 2005

The Cedar County Board of Adjustment conducted a Public Hearing on Thursday, August 25, 2005, at 3:00 p.m., in the Large Meeting Room of the Courthouse, Tipton, Iowa. Members present were Beyer, Penningroth, Johnson and Lenker. Member absent was Hoy.

Chairperson Beyer called the meeting to order at 3:00 p.m. Minutes from the last meeting held on July 28, 2005, were previously sent to the members. They were approved as presented.

The Board members then considered the following petition:

1. **Kent and Peggy Graham, Wilton (Owners)** – Requesting approval of a Special Use Permit to allow an Agriculture Service Business, a machine and fabrication shop, at 1888 250th Street, Bennett, Iowa, in accordance with Chapter 5, Section D(1). Said property is located in the NE ¼ of the NE ¼, Section 19, T-80N, R-1W, in Inland Township. Said property is currently zoned A-1 Agricultural.

Zoning Administrator La Rue informed the members there were no written or verbal objections on file and advised the members to consider this petition in accordance with Chapter 17.18(2) of the Zoning Ordinance. He stated the Planning & Zoning Commission made a recommendation to approve the Special Use Permit at their meeting held on August 17th.

Mr. Graham was present and informed the members he would like to move his machine and fabrication shop from Wilton to his residence at 1188 250th Street, Bennett. He stated this location would be more accessible to the agricultural community in this area. Mr. Graham informed the members he intends to add a pole building to an existing metal sided pole building for his business. He stated all work will be done inside the building and there will be enough room to store everything inside. There will be one full-time employee, and on occasion, they may have a temporary part-time person. La Rue stated an accessory structure can not occupy more than 30% of either the rear or side yard in the A-1 District. This is not a problem because of the large lot size. La Rue informed the members that the Planning and Zoning Commission and the County Engineer had no objections. He also stated the County Engineer recommended one route from Y-14 to 250th. There will be no parking on the road. The letter from the Bennett Fire Department stated they could provide rescue service. La Rue stated the P & Z members suggested possible dust control if needed, especially for the neighbor

to the east. La Rue informed the members it was his recommendation to have Mr. Graham apply for the S.U.P. instead of requesting a change in zoning. Signage for the business was discussed and widening the access for semi traffic was suggested.

After a brief discussion, Penningroth made a motion to grant the Special Use Permit for an agricultural service business, subject to annual review. Lenker seconded the motion. Ayes all.

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



Chairperson



Secretary



Tel: 563-886-2248

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR
Cedar County Courthouse
Tipton, Iowa 52772

August 8, 2005

LEGAL NOTICE

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, August 25, 2005, at 3:00 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa.

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

1. **Kent and Peggy Graham, Wilton (Owners)** – Requesting approval of a Special Use Permit to allow an Agriculture Service Business, a machine and fabrication shop, at 1888 250th Street, Bennett, Iowa, in accordance with Chapter 5, Section D(1). Said property is located in the NE ¼ of the NE ¼, Section 19, T-80N, R-1W, in Inland Township. Said property is currently zoned A-1 Agricultural.

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:sl

Copies sent out on 8/10/05 to the following:

1. Kent & Peggy Graham - 803 Parkview Street, Wilton, Iowa 52778 - Certified
2. Merton & Carol Burnett - 1865 250th Street, Bennett, Iowa 52721
3. Venita Rorick - 1476 Taylor Avenue, Bennett, Iowa 52721
4. Jeffery Graves Rev. Trust - P.O. Box 70, Durant, Iowa 52747
5. Richard & Celeste Homrighausen - 1595 Taylor Avenue, Bennett, Iowa 52721
6. Larry Myers & Karen Driscoll - P.O. Box 269, Bennett, Iowa 52721

Copy to Tipton Conservative on 8/8/05

5 Board of Adjustment members

2 file copies

Bulletin Board Copy

STATE OF IOWA, CEDAR COUNTY, ss:

I, Stuart S. Clark, publisher of The Tipton Conservative and Advertiser, a weekly newspaper of general circulation, published in said county, being duly sworn do declare and say that a notice, of which one hereto attached is a copy, was published in the said

The Tipton Conservative and Advertiser Time

to wit on July 6, 2005

Stuart S. Clark

Subscribed and sworn to before me this 2

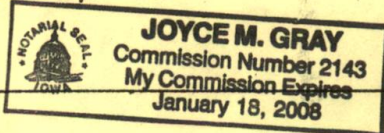
day of Aug A.D. 20 05

Joyce M. Gray
Notary Public in and for Cedar County, Iowa

Received of _____

_____ Dollars

Printer's fee \$ 290.86



CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES

July 28, 2005

The Cedar County Board of Adjustment conducted a Public Hearing on Thursday, July 28, 2005, at 3:00 p.m., in the Large Meeting Room of the Courthouse, Tipton, Iowa. Members present were Hoy, Penningroth, Beyer, Johnson and Lenker.

Chairperson Beyer called the meeting to order at 3:00 p.m. Minutes from the last meeting held on June 23, 2005, were previously sent to the members. They were approved as presented.

The Board members then considered the following petition:

1. **Tim & Kelly Studer, 2351 230th Street, Bennett, Iowa (Owner)** – Requesting a variance to temporarily allow two dwellings on property located in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 12, T-80N, R-1W, in Inland Township, consisting of 1.88 acres more or less, and a variance on the required front yard setback on property zoned A-1 Agricultural.

Zoning Administrator La Rue informed the members that there is one verbal objection on file from John King who stated if this request was approved, he would like a time period in which the variance for the second house would be allowed, with the understanding that as soon as the Studer's move into the new home, the existing home is to be torn down and not to be occupied. La Rue informed the members that he has not received the survey for the flood elevation from Mr. Kordick. He informed the members that he met with Kelly at the site on July 8th for a site survey. He stated the existing dwelling is 38 feet behind the fence line from the edge of the road right-of-way. He explained the map to the members. He stated Mr. Kordick stated that if she wanted a walkout basement, the ground would have to be raised to keep the lowest occupied floor of the home one foot above the 100 year flood plain. La Rue stated at the time of issuing a building permit, it must be known what the maximum height of the lowest floor has to be above the flood plain in order to get the flood plain development permit. Once the building permit has been issued, Mr. Kordick will need to go back out to the site, once the floor has been poured, to certify that based upon his engineering drawing, that the contractor has complied and the lowest floor is 1 foot above the 100 year flood plain. La Rue explained to the members that Mr. Kordick is taking the base elevation of the creek, starting at the bridge, and is building it up in 1 foot increments to calculate where the 100 foot flood plain is shown on the flood rate insurance maps.

If it is determined that Mrs. Studer is not in the flood plain, this information can be filed with an application to FEMA to remove the area from the flood plain. La Rue stated Mr. Kordick was unaware that Mrs. Studer wanted a walk-out basement. It was stated that Mrs. Studer may, or may not, need a 12' variance. Mrs. Studer stated she would like to be granted the variance in case she needed it. La Rue again informed the members that the county engineer stated he had no road concerns and the existing entrance can serve as the entrance to the property.

Discussion was next held regarding the Studer's living in the existing house during the construction of the new home. Mrs. Studer stated after the new home is constructed, they will remove windows, etc. and then knock it down or have it burned down and shoved in. La Rue stated a soil evaluation will be made for the septic system. It was noted that an alternate septic system may be needed. Discussion was held regarding the time period needed to remove the old house after moving into the new home. Mrs. Studer felt that 90 days would be very fair.

After further discussion, Lenker made a motion to grant the 12' variance setback and a temporary variance to allow two dwellings on the property until 90 days of moving into the new home. Penningroth seconded the motion. Ayes all.

The Board members next conducted their annual review of the Home Occupation/ Industry and Special Use Permits which had been previously granted to the following:

1. Dennis and Dianna Hodgden, RR, Tipton (Owners) – A Special Use Permit authorizing the commercial extraction of limestone on property located in the NE ¼ of the NE ¼, Section 22, T-80N, R-3W, in Center West Township, consisting of 5.00 acres more or less. La Rue informed the members that the company has not yet started removing the limestone from the site but wish to keep the permit for the future.
2. Joe and Carolyn Kilburg, RR, Lisbon (Owners) – A Home Occupation Permit for the purpose of operating a photography studio in their home on property located in Lot 6, in the NE ¼ of the NW ¼, Section 18, T-82N, R-4W, in Pioneer Township. Lot 6 is currently zoned R-1 Suburban Residential and consists of 1.615 acres more or less. La Rue stated he has no objection with continuing this permit.

3. Ward Skinner Estate, RR, Wheatland (Owner) and Wendling Quarries, Inc., De Witt – A Special Use Permit authorizing the commercial extraction of sand and gravel on property located in the S $\frac{1}{2}$ of the SW $\frac{1}{4}$, Section 11, T-82N, R-1W, in Massillon Township, consisting of 103 acres more or less. La Rue stated Wendling Quarries only periodically extract sand and gravel and appear to be good neighbors and following the requirements of the Board with regard to dust control.
4. Patty Laing, RFD, West Branch (Owner) – A permit authorizing a Home Occupation Permit for the purpose of operating a beauty salon in her home located in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 14, T-80N, R-4W, in Gower Township. La Rue stated no objections.
5. Great Lakes Chemical Corporation, Omaha, Nebraska – A permit authorizing the stockpiling of corn cobs on property located in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 33, T-82N, R-1W, in Massillon Township. La Rue stated he has received no input from them regarding whether they wish to continue their permit. He stated they have not stockpiled for the last couple years.
6. Jim Neuzil, J.W. Ranch, RR, Mechanicsville – A permit authorizing the location of seasonal rodeo activities on his property located in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 14, T-81N, R-4W, in Linn Township, consisting of 47.77 acres more or less. La Rue stated Mr. Neuzil wishes to keep his seasonal rodeo activities but he has not done so in the last four years.
7. Galen Conrad, RR, Lowden – A permit authorizing the restoration of salvaged automobiles on his property located in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 1, T-81N, R-1W, in Springfield Township, composed of 0.523 acres more or less. La Rue stated no objections.
8. Tom Spear, RR, Tipton (Owner) – A permit authorizing a garage and service center for equipment used by his business, Total Lawn Care, in Lot A, in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 8, T-80N, R-2W, in Center East Township, consisting of 3.00 acres more or less. La Rue informed the members that Mr. Spear has sold the business but does not not wish to give up the permit.
9. Loretta Martin, RR, Lowden (Owner) – A permit authorizing the operation of a commercial dog breeder kennel on her property located in Lot A, in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 19, T-82N,

R-1W, in Massillon Township, consisting of approximately 3.13 acres. La Rue stated no objections.

10. Donald and Scheryl Grant, RR, Bennett (Owners) – A permit authorizing the operation of a commercial dog breeder kennel on their property located in Lot E, in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 33, T-81N, R-1W, in Springfield Township, consisting of 10.00 acres more or less. La Rue stated no objections.
11. Elaine Berry, RR, Clarence (Owner) – A Special Use Permit authorizing the location of a commercial dog breeding kennel on property located in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 4, T-81N, R-2W, in Fairfield Township, consisting of 2.179 acres more or less. La Rue stated no objections.
12. Cedar County Cooperative, Tipton (Owner) – A Special Use Permit authorizing the expansion of the Agricultural Business. The property is located in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 20, T-80N, R-4W, in Gower Township, consisting of 20.00 acres more or less. La Rue stated no objections.
13. Sandra Langenberg, RR, West Branch (Owner) – A Home Occupation Permit for the purpose of operating a Day Care Home on property located in Lot 2, in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 32, T-80N, R-4W, in Gower Township, consisting of 1.84 acres more or less. Lot 2 is currently zoned R-1 Suburban Residential. La Rue stated no objections.
14. Duffee Grain, Inc., Wilton (Owner) – A permit authorizing the storage and drying of grain on their property located in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 27, T-79N, R-4W, in Springdale Township, consisting of 8.43 acres more or less. La Rue stated they continue in operation.
15. Mike and Debra Bedford, RFD, Stanwood (Owners) – A Special Use Permit for the purpose of operating a dog boarding and breeding kennel on property located in Parcel A in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 21, T-82N, R-2W, in Dayton Township, consisting of 2.13 acres more or less. La Rue stated no objections. Chairperson Beyer informed the Board that Mr. Bedford passed away so his name will be removed from the S.U.P.
16. United States Cellular Communications, Davenport, Iowa – A Special Use Permit authorizing the location of a cellular communication tower on property located in the

SE ¼ of the SW ¼, Section 12, T-79N, R-2W, in Sugar Creek Township, consisting of 5.65 acres more or less. La Rue stated no objections.

17. Sherry Smahaj, RFD, Lowden (Owner) – A Home Industry Permit for the purpose of operating a floral design business on her property located in the NW ¼ of the NE ¼. Section 10, T-81N, R-1W, in Springfield Township, consisting of 10.00 acres more or less. La Rue stated she is not presently operating her business but wants to retain her permit.
18. Robert Menke, RFD, Wilton (Owner) – A Special Use Permit authorizing the location of an agricultural trailer sales and display area on property located in the NE ¼ of the SE ¼, Section 33, T-79N, R-1W, in Farmington Township. This parcel consists of 38.00 acres more or less. La Rue stated no objections.
19. Brown Farms, Inc., RR, Mechanicsville (Owner) – A Special Use Permit authorizing the location of a third dwelling on a farm on property located in the NW ¼ of the NW ¼, Section 22, T-82N, R-4W, in Pioneer Township. La Rue stated they still have the third dwelling on the property.
20. River Valley Cooperative, RR, Wilton (Owner) A Special Use Permit authorizing the location of a bulk anhydrous ammonia storage site and chemical mixing site on property located in the S ½ of the SW ¼, Section 2, T-79N, R-1W, in Farmington Township, in the unincorporated town of Sunbury. La Rue stated no objections.
21. Mike and Gail Yates, RR, Olin (Owners) – A Home Occupation Permit authorizing the operation of a used book store and a Home Industry Permit authorizing a welding and fabrication shop on their property located in Parcel A in the E ½ of the SW ¼, Section 11, T-82N, R-3W, in Fremont Township, consisting of 6.00 acres more or less. La Rue stated no objections and informed the Board that the permit for the book store was rescinded.
22. Iowa Wireless, Des Moines, Iowa – A Special Use Permit authorizing the location of a 195 foot personal communication services (P.C.S.) tower on property located in the NE ¼ of the NE ¼, Section 23, T-79N, R-2W, in Sugar Creek Township, consisting of 29.78 acres more or less. La Rue stated no objections.

23. Iowa Wireless, Des Moines, Iowa – A Special Use Permit authorizing the location of a 199 foot personal communication services (P.C.S.) tower on property located in the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 2, T-79N, R-4W, in Springdale Township, consisting of 74.50 acres more or less. La Rue stated no objections.
24. Nextel West Corporation, Bloomingdale, MN – A Special Use Permit authorizing the location of a cellular communication tower on property located in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 17, T-79N, R-2W, in Rochester Township, consisting of 2.774 acres more or less. La Rue stated no objections.
25. Nextel West Corporation, Bloomingdale, MN – A Special Use Permit authorizing the location of a cellular communication tower on property located in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 9, T-79N, R-4W, in Springdale Township, consisting of 2.774 acres more or less. La Rue stated no objections.
26. Northern Border Pipeline Company, Omaha, Nebraska – A Special Use Permit authorizing the location of a communication tower on property located in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 30, T-79N, R-1W, in Farmington Township, consisting of 6.16 acres more or less. La Rue stated no objections.
27. Debra Nash, RFD, West Branch – A Home Occupation Permit for the purpose of operating a massage therapy business in her home on property located in Lot A, in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 31, T-80N, R-3W, in Iowa Township, on property consisting of 6.37 acres more or less. La Rue stated no objections.
28. Larry and Evelyn Beaver, RFD, West Liberty – A Special Use Permit authorizing the location of a third dwelling on a farm in accordance with Chapter 5, A-1 Agricultural District, Section C(2) of the Cedar County Zoning Ordinance. This dwelling is located in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 19, T-79N, R-3W, in Iowa Township. La Rue stated the third dwelling is still on the farm.
29. John Moffit, RR, Mechanicsville (Owner) – A Special Use Permit authorizing the location of a third dwelling on a farm in accordance with Chapter 5, A-1 Agricultural District, Section C(2) of the Cedar County Zoning Ordinance. This dwelling is located in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 14, T-82N, R-4W, in Pioneer Township. La Rue stated the third

dwelling is still on the farm.

30. Kun Chae Bae Trust and KM Communications, Skokie, IL (Contract Buyer) – A Special Use Permit authorizing the location of a 1,459 foot communication tower and broadcast station on property located in the S $\frac{1}{2}$ of the NE $\frac{1}{4}$, Section 19, T-80N, R-4W, in Gower Township, on a parcel consisting of 68.83 acres more or less. La Rue informed the members they temporarily placed mobile home structures to do the business out of them and have never built a permanent structure. He will look into charging them for a permit.
31. Cedar County P.C.S., Clarence, Iowa – A Special Use Permit authorizing the location of a 190 foot personal communication services (P.C.S.) tower on property located in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 19, T-82N, R-3W, in Fremont Township, consisting of 60.00 acres more or less. La Rue stated no objections.
32. James and Adrienne Mills, RFD, Tipton – A Special Use Permit authorizing the location of a dog kennel on property located in Lot 1 in the N $\frac{1}{2}$ of the SW $\frac{1}{4}$, Section 26, T-81N, R-2W, in Fairfield Township, consisting of 4.12 acres more or less. Said Lot 1 is presently zoned A-1 Agricultural. La Rue stated no objections.
33. Lois Hanser, RFD, Tipton (Owner) – A Special Use Permit authorizing the location of a third dwelling on a farm in accordance with Chapter 5, A-1 Agricultural District, Section C(2) of the Cedar County Zoning Ordinance. This manufactured home is located in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 2, T-79N, R-3W, in Rochester Township, on a 90.00 acres more or less farm. La Rue stated no objections.
34. Donald and Sharon Stiff, RFD, Tipton (Owners) – A Home Occupation Permit authorizing the operation of a wood crafts shop in their home on property located in Lots 6, 7 and 8, Block 19, in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 2, T-79N, R-3W, Rochester Township, in the unincorporated town of Rochester, consisting of 0.54 acres more or less. Said property is currently zoned R-2 Urban Residential. La Rue stated no objections.
35. Eastern Iowa Drainage Services, RFD, Lowden (Owner) – A Special Use Permit granted for the purpose of conducting a farm service and tiling business in accordance with

Chapter 5, A-1 Agricultural District, Section D1 of the Cedar County Zoning Ordinance, on property located in Parcel A, NW ¼ of the NW ¼, Section 11, T-81N, R-1W, in Springfield Township. Said parcel of land consists of 6.989 acres more or less. La Rue stated no objections.

36. Mike Moore, Tipton (Contract Buyer) – A Special Use Permit granted authorizing the location of a storage rental facility on property located in the NW ¼ of the NW ¼, Section 12, T-80N, R-3W, in Center West Township, consisting of 1.00 acres more or less. Said property is currently zoned A-1 Agricultural. La Rue stated no objections.
37. Richard Kordick, Kordick Surveying and Engineering, RFD, Tipton (Owner) – A Home Occupation Permit granted for the purpose of operating a surveying and civil engineering business in his home on property located in the SE ¼ of the NE ¼ and the NE ¼ of the SE ¼, Section 18, T-81N, R-3W, in Red Oak Township, consisting of 11.87 acres more or less. Said property is currently zoned A-1 Agricultural. La Rue stated no objections.
38. Frankie Lovell, RFD, Tipton (Owner) – A Home Occupation Permit granted for the purpose of operating a vinyl graphics business in his home on property located in the northwesterly 46 feet of Lot 3 and Lot 4, Block 33, in the unincorporated town of Rochester, in the SE ¼ of the SE ¼, Section 2, T-79N, R-3W, in Rochester Township, consisting of 0.39 acres more or less. Said property is presently zoned R-2 Urban Residential. La Rue stated no objections.
39. Frankie Lovell, RFD, Tipton (Owner) – A Home Industry Permit granted for the purpose of operating a snowmobile parts and repair service in an accessory structure located on Lot 5, Block 33, in the unincorporated town of Rochester, in the SE ¼ of the SE ¼, Section 2, T-79N, R-3W, in Rochester Township, consisting of 0.19 acres more or less. Said property is currently zoned R-2 Urban Residential. La Rue stated no objections.
40. Donovan and LeAnn Trana, RFD, Wilton (Owners) – A Special Use Permit authorizing the location of a Bed and Breakfast Home on property located in the SW ¼ of the SW ¼, Section 21, T-79N, R-1W, in Farmington Township, consisting of 3.20 acres more or less. Said property is presently zoned A-1 Agricultural. La Rue stated their business is doing very well.

41. David Frederick, DBA "The Wood Haus", RFD, West Branch – A Home Industry Permit for the purpose of operating a woodworking shop on property located in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 12, T-79N, R-4W, in Springdale Township, consisting of 2.07 acres more or less. Said property is presently zoned A-1 Agricultural. La Rue stated no objections.
42. Wireless Facilities, Inc., Urbandale, Iowa – A Special Use Permit authorizing the location of a 195 foot tall Personal Communication Services (PCS) tower on property located in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 22, T-79N, R-1W, in Farmington Township, on a tract of land consisting of 35.59 acres more or less. Said property will be leased and is currently zoned A-1 Agricultural. La Rue stated no objections.
43. Patricia Juchter, RFD, Bennett (Owner) – A Home Occupation Permit for the purpose of operating a massage therapy business in her home on property located in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 10, T-80N, R-1W, in Inland Township, on a tract of land consisting of 38.00 acres more or less. Said property is presently zoned A-1 Agricultural. La Rue stated no objections.
44. Trinity Wireless Towers, Inc., Irving, Texas (Previously IPCS Wireless, Inc.) – A Special Use Permit authorizing the location of a 190 foot tall Personal Communication Services (P.C.S.) tower on property located in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 9, T-79N, R-3W, in Iowa Township, consisting of 1.00 acres more or less. Said property will be leased and is currently zoned A-1 Agricultural. La Rue stated no objections.
45. Trinity Wireless Towers, Inc., Irving, Texas (Previously IPCS Wireless, Inc.) – A Special Use Permit authorizing the location of a 190 foot tall Personal Communication Services (P.C.S.) tower on property located in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 7, T-79N, R-4W, in Springdale Township, consisting of 1.00 acres more or less. Said property will be leased and is currently zoned A-1 Agricultural. La Rue stated no objections.
46. Vicki Reynolds, RFD, West Branch (Owner) – A Special Use Permit for the purpose of operating a dog grooming shop and kennel on property located in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 32,

T-79N, R-4W, in Springdale Township, consisting of 0.71 acres more or less. Said property is currently zoned A-1 Agricultural. La Rue stated no objections.

47. Wendling Quarries, Inc., DeWitt, Iowa – A Special Use Permit for the purpose of expanding their existing limestone quarry operation on property located in Lot 1 of Lot B, in the NE $\frac{1}{4}$, Section 23, T-80N, R-3W, in Center West Township, consisting of 27.105 acres more or less. Said property is presently zoned A-1 Agricultural. La Rue stated they have not gotten into the area yet and stated no problems.
48. Joanna Reichert, RFD, Tipton (Owner) – A Home Occupation Permit for the purpose of operating a massage therapy business in her home on property located in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 16, T-80N, R-3W, in Center West Township, consisting of 365 acres more or less. Said property is currently zoned A-1 Agricultural. La Rue stated no objections.
49. Robert and Judy Wright, RFD, West Branch (Owners) – A Special Use Permit authorizing the location of a third dwelling on a farm in accordance with Chapter 5, A-1 Agricultural District, Section C(2) of the Cedar County Zoning Ordinance, and a variance of the front yard setback requirements in the A-1 Agricultural District. This dwelling will be located at the site of a mobile home which was removed in 1999, in the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 15, T-80N, R-4W, in Gower Township. La Rue stated the third dwelling is still there.
50. UNIsite, Inc., Burr Ridge, Illinois (Leasee) and Robert and Sherry Pearson (Leaser and Owners), 575 290th Street, West Branch, Iowa – A Special Use Permit authorizing the location of a 315 foot tall wireless communication tower on property located on Lots 13, 14 and 15 in the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 1, T-79N, R-4W, in Springdale Township. Said property is zoned A-1 Agricultural. La Rue stated this petition was the one which was controversial in Springdale. La Rue quoted Page 80, Section 2, Chapter 17.18(2) under Special Permits regarding the time limit restriction. He stated he will contact the County Attorney's Office since no construction has begun and their permit has lapsed.
51. UNIsite, Inc., Burr Ridge, Illinois (Leasee) and Ronald and Nancy Allmandinger (Leaser and Owners), 2196 Taylor Avenue,

Wilton, Iowa – A Special Use Permit authorizing the location of a 315 foot tall wireless communication tower on property located in the S ½ of the SW ¼ of the SW ¼, Section 20, T-79N, R-1W, in Farmington Township. Said property is zoned A-1 Agricultural. La Rue stated same as #50.

52. Wendling Quarries, Inc., DeWitt, Iowa – A Special Use Permit for the purpose of expanding their existing limestone quarry operation on property located in the NE ¼ of the NE ¼, Section 23 and the NW ¼ of the NW ¼, Section 24, T-80N, R-3W, in Center West Township, consisting of 31.00 acres more or less. Said property is currently zoned A-1 Agricultural. La Rue stated no objections.
53. U.S. Cellular, Cedar Rapids, Iowa (Leasee) and Weets Farms, Inc. (Leaser and Owner), 350 Franklin Avenue, Mechanicsville, Iowa – A Special Use Permit authorizing the location of a 330 foot tall wireless communication tower on property located in the NE ¼ of the NE ¼, Section 23, T-82N, R-4W, in Pioneer Township, consisting of 4.34 acres more or less. Said property is zoned A-1 Agricultural. La Rue stated no objections. La Rue stated no objections.
54. U.S. Cellular, Cedar Rapids, Iowa (Leasee) and Pam Farms, Inc. (Leaser and Owner), 300th Street, West Branch, Iowa – A Special Use Permit authorizing the location of a 280 foot tall wireless communication tower on property located in the NW ¼ of the NW ¼, Section 18, T-79N, R-4W, in Springdale Township, consisting of 4.42 acres more or less. Said property is zoned A-1 Agricultural. La Rue stated no objections.
55. Joseph and Mary Goodlove, RFD, Lowden (Owners) – A Special Use Permit authorizing the location of a Bed and Breakfast Home on property located in the NW ¼ of the SW ¼, Section 12, T-82N, R-1W, in Massillon Township, consisting of 25.17 acres more or less. Said property is currently zoned A-1 Agricultural. La Rue stated the business is still in operation.
56. U.S. Cellular, Cedar Rapids, Iowa (Leasee) and David Litscher (Lessor and Owner) – A Special Use Permit authorizing the location of a 250 foot tall cellular communication tower on property located in the NE ¼ of the NE ¼ of the NE ¼, Section 27, T-82N, R-3W, in Fremont Township, consisting of 5.74 acres more or less. Said property is currently zoned A-1 Agricultural. La Rue stated no objections.

57. Harry and Denise Wethington, RFD, Tipton (Owners) – A Special Use Permit authorizing the location of a yard waste composting facility on property located in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 32, T-81N, R-2W, in Fairfield Township, consisting of 0.5 acres more or less. Said property is currently zoned A-1 Agricultural. La Rue stated no objections.
58. Wendling Quarries, Inc., DeWitt, Iowa – A Special Use Permit for the purpose of expanding their existing limestone quarry operation on property located in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and a portion of the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, all in Section 4, T-81N, R-1W, in Springfield Township, consisting of 44.65 acres more or less. Said property is currently zoned A-1 Agricultural. La Rue stated no objections.
59. Michelle Kennedy, RFD, West Liberty (Owner) – A Special Use Permit for the purpose of operating a dog boarding kennel on property located in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 35, T-79N, R-4W, in Springdale Township, consisting of 5.25 acres more or less. Said property is currently zoned A-1 Agricultural. La Rue stated he does not believe she is utilizing the permit yet. He will find out what her intent is.
60. Kathryn Trump, RFD, Mechanicsville (Owner) – A Special Use Permit authorizing the location of a third dwelling on a farm in accordance with Chapter 5,C(2) of the Cedar County Zoning Ordinance. The building site is located in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 26, T-82N, R-4W, in Pioneer Township. Said property consists of 59.15 acres and is zoned A-1 Agricultural. La Rue stated no objections.
61. Jordan Pettus, 61 Solon Road, Solon (Owner) – A Home Occupation Permit for the purpose of operating a residential design and consultation service in his home on property located in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 19, T-81N, R-4W, in Cass Township, consisting of 6.70 acres more or less. Said property is zoned R-1 Suburban Residential and A-1 Agricultural. La Rue stated no objections and informed the members that Mr. Pettus has not put up his advertising sign yet.
62. Christopher Doherty, RFD, Tipton – A Home Industry Permit authorizing the location of a landscaping business at 1872 3rd St., Tipton, Iowa. Said property is described as Parcel "B" in the

NW ¼ of the SE ¼, Section 2, T-79N, R-3W, in Rochester Township, in the unincorporated town of Rochester. Said Parcel "B" consists of 2.88 acres more or less. Total property is 4.00 acres more or less and is zoned both R-2 Urban Residential and A-1 Agricultural. La Rue stated no objections.

63. Deanna Schroeder, RFD, Oxford Junction (Owner) – A Special Use Permit authorizing the location of a dog grooming and boarding facility on property located in the SE ¼ of the NE ¼, Section 9, T-82N, R-1W, in Massillon Township, consisting of 2.76 acres more or less. Said property is currently zoned A-1 Agricultural. La Rue stated no objections.
64. Tina Keil, RFD, Clarence (Owner) – A Special Use Permit authorizing the location of a dog boarding kennel on property located in the S ½ of the NW ¼, Section 23, T-81N, R-2W, in Fairfield Township, consisting of 5.00 acres more or less. Said property is currently zoned A-1 Agricultural. La Rue stated no objections.
65. Duane and Sybil Brockmeyer, RFD, Lowden (Owners) – A Home Occupation Permit for "Sybil's General Store", a natural food store. The establishment is located on Lot 3, Block 7, town of Massillon, in the SE ¼ of the NE ¼, Section 14, T-82N, R-1W, consisting of 0.27 acres. Said property is presently zoned R-2 Urban Residential. La Rue stated no objections.
66. David Fulwider, 1112 235th Street, Tipton (Owner) – A Home Industry Permit for the purpose of operating a small engine repair business on his property located in the NE ¼ of the NW ¼ of the SW ¼, Section 12, T-80N, R-3W, in Center West Township, consisting of 0.78 acres more or less. Said property is currently zoned A-1 Agricultural. La Rue stated no objections.
67. Lisa Morey, 2051 Highway 927, Wilton (Owner) – A Special Use Permit for a dog boarding kennel on property located in the NE ¼ of the SW ¼ and the NW ¼ of the SE ¼, Section 23, T-79N, R-1W, in Farmington Township, consisting of 5.00 acres more or less. Said property is currently zoned both A-1 Agricultural and R-1 Suburban Residential. La Rue stated no objections.

La Rue then stated he had received correspondence from Cecil & JoAnne Williams, regarding Permit #999 approved on April 22, 1999, for a bait shop in Rochester. He informed the members he received a letter, dated May 23, 2005, from the Williams' stating they were no longer open and did not have any further need for the Home Occupation Permit. He then read a letter received from Trilby Klaveman stating they

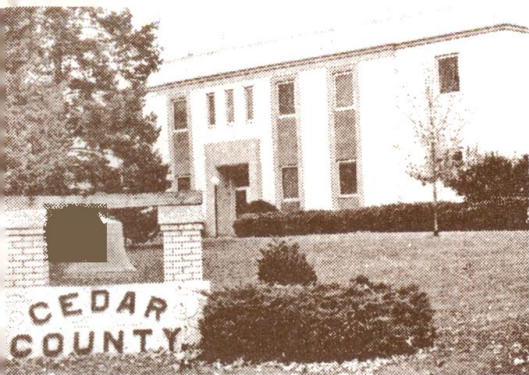
would be closing their dog kennel business as of June 1, 2004. Therefore, she would like to rescind their Special Use Permit at 1858 Highway 130. Penningroth made a motion, and Hoy seconded, to rescind the Home Occupation Permit for Cecil & JoAnne Williams. Ayes all. Hoy made a motion, with Lenker seconding, to rescind the Special Use Permit for Trilby Klaveman. Ayes all. After a brief discussion, Hoy made a motion to continue all permits for another year. Lenker seconded the motion. Ayes all.

La Rue then requested input from the Board members regarding handling wind generating towers in the future. After discussion, he stated he will check with other counties regarding any regulations.

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

Claudia Benz
Chairperson

Sharon Laucamp
Secretary



Tel: 563-886-2248

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR
Cedar County Courthouse Tipton, Iowa 52772

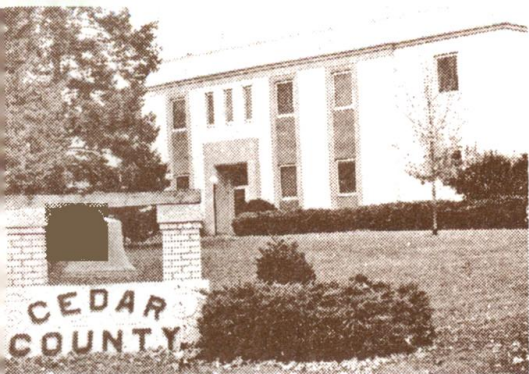
AGENDA

Cedar County Board of Adjustment

Basement, Cedar County Courthouse, Tipton, Iowa

Thursday, July 28, 2005 – 3:00 p.m.

- I. Introduction
- II. Review of the following request:
 - A. Tim & Kelly Studer, 2351 230th St., Bennett (Owners) – Requesting a variance to temporarily allow two dwellings on their property and a variance on the front yard setback requirement
- III. Annual review of the Home Occupation/Industry and Special Use Permits previously granted by the Board
- IV. Conclusion



Tel: 563-886-2248

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR
Cedar County Courthouse Tipton, Iowa 52772

July 1, 2005

LEGAL NOTICE

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, July 28, 2005, at 3:00 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa.

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

1. **Tim & Kelly Studer, 2351 230th Street, Bennett, Iowa (Owner)** – Requesting a variance to temporarily allow two dwellings on property located in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 12, T-80N, R-1W, in Inland Township, consisting of 1.88 acres more or less, and a variance on the required front yard setback on property zoned A-1 Agricultural.

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:sl

Copies sent out on 7/5/05 to the following:

1. Tim & Kelly Studer - 2351 230th Street, Bennett, Iowa 52721 - Certified
2. Robert & Karen Schneider - 1397 225th Street, Wheatland, Iowa 52777
3. Chad & Wendy Petersen - 2367 230th Street, Bennett, Iowa 52721
4. Brian & Denise Timmerman - 2351 Yankee Avenue, New Liberty, Iowa 52765
5. John & Barbara King - 2330 230th Street, Bennett, Iowa 52721

1 Copy to Tipton Conservative on 7/1/05

2 File Copies

Bulletin Board

Board of Adjustment members on 7/7/05



OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR
Cedar County Courthouse Tipton, Iowa 52772

July 1, 2005

LEGAL NOTICE

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, July 28, 2005, at 3:00 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa.

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

1. **Tim and Kelly Studer, 2351 230th Street, Bennett, Iowa (Owner)** – Requesting a variance to temporarily allow two dwellings on property located in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 12, T-80N, R-1W, in Inland Township, consisting of 1.88 acres more or less, and a variance on the required front yard setback on property zoned A-1 Agricultural.

At this time, the Board shall also consider the annual review of the following Home Occupation/Industry and Special Use Permits which have been granted to the following:

1. Dennis and Dianna Hodgden, RR, Tipton (Owners) – A Special Use Permit authorizing the commercial extraction of limestone on property located in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 22, T-80N, R-3W, in Center West Township, consisting of 5.00 acres more or less.
2. Joe and Carolyn Kilburg, RR, Lisbon (Owners) – A Home Occupation Permit for the purpose of operating a photography studio in their home on property located in Lot 6, in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 18, T-82N, R-4W, in Pioneer Township. Lot 6 is currently zoned R-1 Suburban Residential and consists of 1.615 acres more or less.
3. Ward Skinner Estate, RR, Wheatland (Owner) and Wendling Quarries, Inc., De Witt – A Special Use Permit authorizing the commercial extraction of sand and gravel on property located in the S $\frac{1}{2}$ of the SW $\frac{1}{4}$, Section 11, T-82N, R-1W, in Massillon Township, consisting of 103 acres more or less.

4. Patty Laing, RFD, West Branch (Owner) – A permit authorizing a Home Occupation Permit for the purpose of operating a beauty salon in her home located in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 14, T-80N, R-4W, in Gower Township.
5. Great Lakes Chemical Corporation, Omaha, Nebraska – A permit authorizing the stockpiling of corn cobs on property located in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 33, T-82N, R-1W, in Massillon Township.
6. Jim Neuzil, J.W. Ranch, RR, Mechanicsville – A permit authorizing the location of seasonal rodeo activities on his property located in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 14, T-81N, R-4W, in Linn Township, consisting of 47.77 acres more or less.
7. Galen Conrad, RR, Lowden – A permit authorizing the restoration of salvaged automobiles on his property located in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 1, T-81N, R-1W, in Springfield Township, composed of 0.523 acres more or less.
8. Tom Spear, RR, Tipton (Owner) – A permit authorizing a garage and service center for equipment used by his business, Total Lawn Care, in Lot A, in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 8, T-80N, R-2W, in Center East Township, consisting of 3.00 acres more or less.
9. Loretta Martin, RR, Lowden (Owner) – A permit authorizing the operation of a commercial dog breeder kennel on her property located in Lot A, in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 19, T-82N, R-1W, in Massillon Township, consisting of approximately 3.13 acres.
10. Donald and Scheryl Grant, RR, Bennett (Owners) – A permit authorizing the operation of a commercial dog breeder kennel on their property located in Lot E, in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 33, T-81N, R-1W, in Springfield Township, consisting of 10.00 acres more or less.
11. Elaine Berry, RR, Clarence (Owner) – A Special Use Permit authorizing the location of a commercial dog breeding kennel on property located in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 4, T-81N, R-2W, in Fairfield Township, consisting of 2.179 acres more or less.

12. Cedar County Cooperative, Tipton (Owner) – A Special Use Permit authorizing the expansion of the Agricultural Business. The property is located in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 20, T-80N, R-4W, in Gower Township, consisting of 20.00 acres more or less.
13. Sandra Langenberg, RR, West Branch (Owner) – A Home Occupation Permit for the purpose of operating a Day Care Home on property located in Lot 2, in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 32, T-80N, R-4W, in Gower Township, consisting of 1.84 acres more or less. Lot 2 is currently zoned R-1 Suburban Residential.
14. Duffee Grain, Inc., Wilton (Owner) – A permit authorizing the storage and drying of grain on their property located in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 27, T-79N, R-4W, in Springdale Township, consisting of 8.43 acres more or less.
15. Mike and Debra Bedford, RFD, Stanwood (Owners) – A Special Use Permit for the purpose of operating a dog boarding and breeding kennel on property located in Parcel A in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 21, T-82N, R-2W, in Dayton Township, consisting of 2.13 acres more or less.
16. United States Cellular Communications, Davenport, Iowa – A Special Use Permit authorizing the location of a cellular communication tower on property located in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 12, T-79N, R-2W, in Sugar Creek Township, consisting of 5.65 acres more or less.
17. Sherry Smahaj, RFD, Lowden (Owner) – A Home Industry Permit for the purpose of operating a floral design business on her property located in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 10, T-81N, R-1W, in Springfield Township, consisting of 10.00 acres more or less.
18. Robert Menke, RFD, Wilton (Owner) – A Special Use Permit authorizing the location of an agricultural trailer sales and display area on property located in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 33, T-79N, R-1W, in Farmington Township. This parcel consists of 38.00 acres more or less.

19. Brown Farms, Inc., RR, Mechanicsville (Owner) – A Special Use Permit authorizing the location of a third dwelling on a farm on property located in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 22, T-82N, R-4W, in Pioneer Township.
20. River Valley Cooperative, RR, Wilton (Owner) A Special Use Permit authorizing the location of a bulk anhydrous ammonia storage site and chemical mixing site on property located in the S $\frac{1}{2}$ of the SW $\frac{1}{4}$, Section 2, T-79N, R-1W, in Farmington Township, in the unincorporated town of Sunbury.
21. Mike and Gail Yates, RR, Olin (Owners) – A Home Occupation Permit authorizing the operation of a used book store and a Home Industry Permit authorizing a welding and fabrication shop on their property located in Parcel A in the E $\frac{1}{2}$ of the SW $\frac{1}{4}$, Section 11, T-82N, R-3W, in Fremont Township, consisting of 6.00 acres more or less.
22. Iowa Wireless, Des Moines, Iowa – A Special Use Permit authorizing the location of a 195 foot personal communication services (P.C.S.) tower on property located in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 23, T-79N, R-2W, in Sugar Creek Township, consisting of 29.78 acres more or less.
23. Iowa Wireless, Des Moines, Iowa – A Special Use Permit authorizing the location of a 199 foot personal communication services (P.C.S.) tower on property located in the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 2, T-79N, R-4W, in Springdale Township, consisting of 74.50 acres more or less.
24. Nextel West Corporation, Bloomingdale, MN – A Special Use Permit authorizing the location of a cellular communication tower on property located in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 17, T-79N, R-2W, in Rochester Township, consisting of 2.774 acres more or less.
25. Nextel West Corporation, Bloomingdale, MN – A Special Use Permit authorizing the location of a cellular communication tower on property located in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 9, T-79N, R-4W, in Springdale Township, consisting of 2.774 acres more or less.

26. Northern Border Pipeline Company, Omaha, Nebraska – A Special Use Permit authorizing the location of a communication tower on property located in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 30, T-79N, R-1W, in Farmington Township, consisting of 6.16 acres more or less.
27. Debra Nash, RFD, West Branch – A Home Occupation Permit for the purpose of operating a massage therapy business in her home on property located in Lot A, in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 31, T-80N, R-3W, in Iowa Township, on property consisting of 6.37 acres more or less.
28. Larry and Evelyn Beaver, RFD, West Liberty – A Special Use Permit authorizing the location of a third dwelling on a farm in accordance with Chapter 5, A-1 Agricultural District, Section C(2) of the Cedar County Zoning Ordinance. This dwelling is located in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 19, T-79N, R-3W, in Iowa Township.
29. John Moffit, RR, Mechanicsville (Owner) – A Special Use Permit authorizing the location of a third dwelling on a farm in accordance with Chapter 5, A-1 Agricultural District, Section C(2) of the Cedar County Zoning Ordinance. This dwelling is located in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 14, T-82N, R-4W, in Pioneer Township.
30. Kun Chae Bae Trust and KM Communications, Skokie, IL (Contract Buyer) – A Special Use Permit authorizing the location of a 1,459 foot communication tower and broadcast station on property located in the S $\frac{1}{2}$ of the NE $\frac{1}{4}$, Section 19, T-80N, R-4W, in Gower Township, on a parcel consisting of 68.83 acres more or less.
31. Cedar County P.C.S., Clarence, Iowa – A Special Use Permit authorizing the location of a 190 foot personal communication services (P.C.S.) tower on property located in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 19, T-82N, R-3W, in Fremont Township, consisting of 60.00 acres more or less.
32. James and Adrienne Mills, RFD, Tipton – A Special Use Permit authorizing the location of a dog kennel on property located in Lot 1 in the N $\frac{1}{2}$ of the SW $\frac{1}{4}$, Section 26, T-81N, R-2W, in Fairfield Township, consisting of 4.12 acres more or less. Said Lot 1 is presently zoned A-1 Agricultural.

33. Lois Hanser, RFD, Tipton (Owner) – A Special Use Permit authorizing the location of a third dwelling on a farm in accordance with Chapter 5, A-1 Agricultural District, Section C(2) of the Cedar County Zoning Ordinance. This manufactured home is located in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 2, T-79N, R-3W, in Rochester Township, on a 90.00 acres more or less farm.
34. Donald and Sharon Stiff, RFD, Tipton (Owners) – A Home Occupation Permit authorizing the operation of a wood crafts shop in their home on property located in Lots 6, 7 and 8, Block 19, in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 2, T-79N, R-3W, Rochester Township, in the unincorporated town of Rochester, consisting of 0.54 acres more or less. Said property is currently zoned R-2 Urban Residential.
35. Eastern Iowa Drainage Services, RFD, Lowden (Owner) – A Special Use Permit granted for the purpose of conducting a farm service and tiling business in accordance with Chapter 5, A-1 Agricultural District, Section D1 of the Cedar County Zoning Ordinance, on property located in Parcel A, NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 11, T-81N, R-1W, in Springfield Township. Said parcel of land consists of 6.989 acres more or less.
36. Mike Moore, Tipton (Contract Buyer) – A Special Use Permit granted authorizing the location of a storage rental facility on property located in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 12, T-80N, R-3W, in Center West Township, consisting of 1.00 acres more or less. Said property is currently zoned A-1 Agricultural.
37. Richard Kordick, Kordick Surveying and Engineering, RFD, Tipton (Owner) – A Home Occupation Permit granted for the purpose of operating a surveying and civil engineering business in his home on property located in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 18, T-81N, R-3W, in Red Oak Township, consisting of 11.87 acres more or less. Said property is currently zoned A-1 Agricultural.
38. Frankie Lovell, RFD, Tipton (Owner) – A Home Occupation Permit granted for the purpose of operating a vinyl graphics business in his home on property located in the northwesterly 46 feet of Lot 3 and Lot 4, Block 33, in the unincorporated town of Rochester, in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 2, T-79N, R-3W, in Rochester Township, consisting of 0.39 acres more or less. Said property is presently zoned R-2 Urban Residential.

39. Frankie Lovell, RFD, Tipton (Owner) – A Home Industry Permit granted for the purpose of operating a snowmobile parts and repair service in an accessory structure located on Lot 5, Block 33, in the unincorporated town of Rochester, in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 2, T-79N, R-3W, in Rochester Township, consisting of 0.19 acres more or less. Said property is currently zoned R-2 Urban Residential.
40. Donovan and LeAnn Trana, RFD, Wilton (Owners) – A Special Use Permit authorizing the location of a Bed and Breakfast Home on property located in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 21, T-79N, R-1W, in Farmington Township, consisting of 3.20 acres more or less. Said property is presently zoned A-1 Agricultural.
41. David Frederick, DBA “The Wood Haus”, RFD, West Branch – A Home Industry Permit for the purpose of operating a woodworking shop on property located in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 12, T-79N, R-4W, in Springdale Township, consisting of 2.07 acres more or less. Said property is presently zoned A-1 Agricultural.
42. Wireless Facilities, Inc., Urbandale, Iowa – A Special Use Permit authorizing the location of a 195 foot tall Personal Communication Services (PCS) tower on property located in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 22, T-79N, R-1W, in Farmington Township, on a tract of land consisting of 35.59 acres more or less. Said property will be leased and is currently zoned A-1 Agricultural.
43. Patricia Juchter, RFD, Bennett (Owner) – A Home Occupation Permit for the purpose of operating a massage therapy business in her home on property located in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 10, T-80N, R-1W, in Inland Township, on a tract of land consisting of 38.00 acres more or less. Said property is presently zoned A-1 Agricultural.
44. Trinity Wireless Towers, Inc., Irving, Texas (Previously IPCS Wireless, Inc.) – A Special Use Permit authorizing the location of a 190 foot tall Personal Communication Services (P.C.S.) tower on property located in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 9, T-79N, R-3W, in Iowa Township, consisting of 1.00 acres more or less. Said property will be leased and is currently zoned A-1 Agricultural.

45. Trinity Wireless Towers, Inc., Irving, Texas (Previously IPCS Wireless, Inc.) – A Special Use Permit authorizing the location of a 190 foot tall Personal Communication Services (P.C.S.) tower on property located in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 7, T-79N, R-4W, in Springdale Township, consisting of 1.00 acres more or less. Said property will be leased and is currently zoned A-1 Agricultural.
46. Vicki Reynolds, RFD, West Branch (Owner) – A Special Use Permit for the purpose of operating a dog grooming shop and kennel on property located in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 32, T-79N, R-4W, in Springdale Township, consisting of 0.71 acres more or less. Said property is currently zoned A-1 Agricultural.
47. Wendling Quarries, Inc., DeWitt, Iowa – A Special Use Permit for the purpose of expanding their existing limestone quarry operation on property located in Lot 1 of Lot B, in the NE $\frac{1}{4}$, Section 23, T-80N, R-3W, in Center West Township, consisting of 27.105 acres more or less. Said property is presently zoned A-1 Agricultural.
48. Joanna Reichert, RFD, Tipton (Owner) – A Home Occupation Permit for the purpose of operating a massage therapy business in her home on property located in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 16, T-80N, R-3W, in Center West Township, consisting of 365 acres more or less. Said property is currently zoned A-1 Agricultural.
49. Robert and Judy Wright, RFD, West Branch (Owners) – A Special Use Permit authorizing the location of a third dwelling on a farm in accordance with Chapter 5, A-1 Agricultural District, Section C(2) of the Cedar County Zoning Ordinance, and a variance of the front yard setback requirements in the A-1 Agricultural District. This dwelling will be located at the site of a mobile home which was removed in 1999, in the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 15, T-80N, R-4W, in Gower Township.
50. UNIsite, Inc., Burr Ridge, Illinois (Leasee) and Robert and Sherry Pearson (Leaser and Owners), 575 290th Street, West Branch, Iowa – A Special Use Permit authorizing the location of a 315 foot tall wireless communication tower on property located on Lots 13, 14 and 15 in the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 1, T-79N, R-4W, in Springdale Township. Said property is zoned A-1 Agricultural.

51. UNIsite, Inc., Burr Ridge, Illinois (Leasee) and Ronald and Nancy Allmandinger (Leaser and Owners), 2196 Taylor Avenue, Wilton, Iowa – A Special Use Permit authorizing the location of a 315 foot tall wireless communication tower on property located in the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 20, T-79N, R-1W, in Farmington Township. Said property is zoned A-1 Agricultural.
52. Wendling Quarries, Inc., DeWitt, Iowa – A Special Use Permit for the purpose of expanding their existing limestone quarry operation on property located in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 23 and the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 24, T-80N, R-3W, in Center West Township, consisting of 31.00 acres more or less. Said property is currently zoned A-1 Agricultural.
53. U.S. Cellular, Cedar Rapids, Iowa (Leasee) and Weets Farms, Inc. (Leaser and Owner), 350 Franklin Avenue, Mechanicsville, Iowa – A Special Use Permit authorizing the location of a 330 foot tall wireless communication tower on property located in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 23, T-82N, R-4W, in Pioneer Township, consisting of 4.34 acres more or less. Said property is zoned A-1 Agricultural.
54. U.S. Cellular, Cedar Rapids, Iowa (Leasee) and Pam Farms, Inc. (Leaser and Owner), 300th Street, West Branch, Iowa – A Special Use Permit authorizing the location of a 280 foot tall wireless communication tower on property located in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 18, T-79N, R-4W, in Springdale Township, consisting of 4.42 acres more or less. Said property is zoned A-1 Agricultural.
55. Joseph and Mary Goodlove, RFD, Lowden (Owners) – A Special Use Permit authorizing the location of a Bed and Breakfast Home on property located in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 12, T-82N, R-1W, in Massillon Township, consisting of 25.17 acres more or less. Said property is currently zoned A-1 Agricultural.
56. U.S. Cellular, Cedar Rapids, Iowa (Leasee) and David Litscher (Lessor and Owner) – A Special Use Permit authorizing the location of a 250 foot tall cellular communication tower on property located in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 27, T-82N, R-3W, in Fremont Township, consisting of 5.74 acres more or less. Said property is currently zoned A-1 Agricultural.

57. Harry and Denise Wethington, RFD, Tipton (Owners) – A Special Use Permit authorizing the location of a yard waste composting facility on property located in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 32, T-81N, R-2W, in Fairfield Township, consisting of 0.5 acres more or less. Said property is currently zoned A-1 Agricultural.
58. Wendling Quarries, Inc., DeWitt, Iowa – A Special Use Permit for the purpose of expanding their existing limestone quarry operation on property located in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and a portion of the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, all in Section 4, T-81N, R-1W, in Springfield Township, consisting of 44.65 acres more or less. Said property is currently zoned A-1 Agricultural.
59. Michelle Kennedy, RFD, West Liberty (Owner) – A Special Use Permit for the purpose of operating a dog boarding kennel on property located in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 35, T-79N, R-4W, in Springdale Township, consisting of 5.25 acres more or less. Said property is currently zoned A-1 Agricultural.
60. Kathryn Trump, RFD, Mechanicsville (Owner) – A Special Use Permit authorizing the location of a third dwelling on a farm in accordance with Chapter 5,C(2) of the Cedar County Zoning Ordinance. The building site is located in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 26, T-82N, R-4W, in Pioneer Township. Said property consists of 59.15 acres and is zoned A-1 Agricultural.
61. Jordan Pettus, 61 Solon Road, Solon (Owner) – A Home Occupation Permit for the purpose of operating a residential design and consultation service in his home on property located in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 19, T-81N, R-4W, in Cass Township, consisting of 6.70 acres more or less. Said property is zoned R-1 Suburban Residential and A-1 Agricultural.
62. Christopher Doherty, RFD, Tipton – A Home Industry Permit authorizing the location of a landscaping business at 1872 3rd St., Tipton, Iowa. Said property is described as Parcel “B” in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 2, T-79N, R-3W, in Rochester Township, in the unincorporated town of Rochester. Said Parcel “B” consists of 2.88 acres more or less. Total property is 4.00 acres more or less and is zoned both R-2 Urban Residential and A-1 Agricultural.

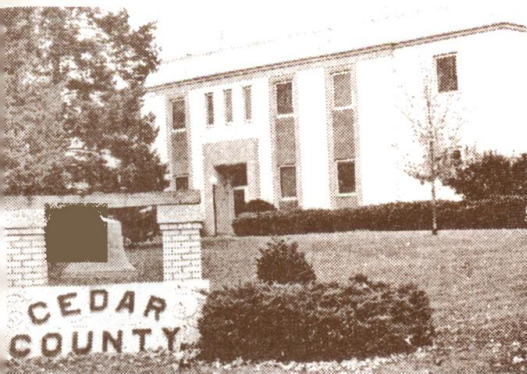
63. Deanna Schroeder, RFD, Oxford Junction (Owner) – A Special Use Permit authorizing the location of a dog grooming and boarding facility on property located in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 9, T-82N, R-1W, in Massillon Township, consisting of 2.76 acres more or less. Said property is currently zoned A-1 Agricultural.
64. Tina Keil, RFD, Clarence (Owner) – A Special Use Permit authorizing the location of a dog boarding kennel on property located in the S $\frac{1}{2}$ of the NW $\frac{1}{4}$, Section 23, T-81N, R-2W, in Fairfield Township, consisting of 5.00 acres more or less. Said property is currently zoned A-1 Agricultural.
65. Duane and Sybil Brockmeyer, RFD, Lowden (Owners) – A Home Occupation Permit for “Sybil’s General Store”, a natural food store. The establishment is located on Lot 3, Block 7, town of Massillon, in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 14, T-82N, R-1W, consisting of 0.27 acres. Said property is presently zoned R-2 Urban Residential.
66. David Fulwider, 1112 235th Street, Tipton (Owner) – A Home Industry Permit for the purpose of operating a small engine repair business on his property located in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 12, T-80N, R-3W, in Center West Township, consisting of 0.78 acres more or less. Said property is currently zoned A-1 Agricultural.
67. Lisa Morey, 2051 Highway 927, Wilton (Owner) – A Special Use Permit for a dog boarding kennel on property located in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 23, T-79N, R-1W, in Farmington Township, consisting of 5.00 acres more or less. Said property is currently zoned both A-1 Agricultural and R-1 Suburban Residential.

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:sl



Tel: 563-886-2248

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR
Cedar County Courthouse Tipton, Iowa 52772

June 6, 2005

LEGAL NOTICE

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, June 23, 2005, at 3:00 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa.

At this time, the Board will consider the following petitions:

1. **Amy Reif and Ron Benhart, 1772 140th Street, Lowden, Iowa (Owners)** – Requesting approval of a Home Industry Permit to allow automotive repair on property located in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 25, T-82N, R-2W, in Dayton Township, consisting of 3.97 acres more or less. Said property is currently zoned A-1 Agricultural.
2. **Kelly Studer, 2351 230th Street, Bennett, Iowa (Owner)** – Requesting a variance to temporarily allow two dwellings on property located in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 12, T-80N, R-1W, in Inland Township, consisting of 1.88 acres more or less, and a variance on the required front yard setback on property zoned A-1 Agricultural.

At said Public Hearing, any person present, and so wishing, will be given the opportunity to be heard, for or against, said petitions. Any persons 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:sl

Copies sent out on 6/9/05 to the following:

1. Ron Benhart & Amy Reif - 1772 140th Street, Lowden, Iowa 52255 - Certified
 2. Russell Dircks - 202 6th Avenue, Box 387, Clarence, Iowa 52216
 3. Lawrence & Elda Licht - 407 8th Avenue, P.O. Box 267, Clarence, Iowa 52216
 4. Mike & Sherri Telsrow - 1803 140th Street, Lowden, Iowa 52255
-

1. Kelly Studer - 2351 230th Street, Bennett, Iowa 52721 - Certified
 2. Robert & Karen Schneider - 1397 225th Street, Wheatland, Iowa 52777
 3. Chad & Wendy Petersen - 2367 230th Street, Bennett, Iowa 52721
 4. Brian & Denise Timmerman - 2351 Yankee Avenue, New Liberty, Iowa 52765
 5. John & Barbara King - 2330 230th Street, Bennett, Iowa 52721
-

Copy to Tipton Conservative & Sun News on 6/6/05

2 File Copies

Bulletin Board Copy

5 Board of Adjustment members

CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES

June 23, 2005

The Cedar County Board of Adjustment conducted a Public Hearing on Thursday, June 23, 2005, at 3:00 p.m., in the Large Meeting Room of the Courthouse, Tipton, Iowa. Members present were Lenker, Beyer, Penningroth, Hoy and Johnson.

Chairperson Beyer called the meeting to order at 3:00 p.m. Minutes from the last meeting held on May 26, 2005, were previously sent to the members. They were approved as presented.

The Board members then considered the following petitions:

- 1. Amy Reif and Ron Benhart, 1772 140th Street, Lowden, Iowa (Owners)** – Requesting approval of a Home Industry Permit to allow automotive repair on property located in the NW ¼ of the NE ¼, Section 25, T-82N, R-2W, in Dayton Township, consisting of 3.97 acres more or less. Said property is currently zoned A-1 Agricultural.

Zoning Administrator La Rue informed the members there were no written or verbal objections on file and advised the members to consider this petition in accordance with Chapter 15 of the Zoning Ordinance.

Mr. Benhart then informed the members he currently has a 100'x40' building on his property. He would like to open a part-time, one employee, auto repair shop in the west 40'x40' of the existing building. He stated he will probably place an advertising sign on the building. He informed the members all work will be done inside the building and no motor vehicles will be stored outside. The letter received from the County Engineer stated an existing entrance is suitable for the proposed use. The letter also stated at no time shall any customers park within the County's right-of-way. Michael and Sherry Telsrow, adjoining property owners, were present and stated they were in attendance because they were not sure what Mr. Benhart's plans were and were concerned about visual problems. Mr. Telsrow stated if there were not going to be a lot of cars parked on the property, he had no problem with the request.

After a brief discussion, Hoy made a motion to grant the Home Industry Permit, subject to annual review. Penningroth seconded the motion. Ayes all.

- 2. Kelly Studer, 2351 230th Street, Bennett, Iowa (Owner)** – Requesting a variance to temporarily allow two dwellings on property located in the NW ¼ of the NW ¼ of the NE ¼, Section 12, T-80N, R-1W, in Inland Township, consisting of 1.88 acres more or less, and a variance on the required front yard setback on property zoned A-1 Agricultural.

Zoning Administrator La Rue informed the members no written or verbal objections were on file and advised the Board members it does appear that a good portion of the Studer's property does lie in Zone A of the Flood Insurance Rate Maps. He stated the proposed lowest part of the home must have an elevation certificate showing that it is one foot above the 100 year flood level for flood insurance purposes.

Tim Studer was present and informed the members they want to put up a new home and the time frame depends on financing. He stated they plan to put up a modular home and acknowledged the septic system will need to be upgraded. The letter received from the County Engineer stated there should not be any road concerns and an existing entrance can serve as access to the property. Mr. Studer stated they have two accesses to the area.

The front yard setback requirements were next discussed. The Studer's have requested to be 45' back from the edge of the road right-of-way. The present home is 25' to 30' from the edge of the road right-of-way. The new home will be no closer than the present house to the edge of the road right-of-way. The side and rear yard requirements are not an issue. Kelly Studer then stated the survey for the flood elevation is not done yet. The final elevation of the basement will depend on what the survey determines. She also stated she can petition F.E.M.A. to check if they are in a flood plain. F.E.M.A. can be petitioned to consider an amendment to the FIRM, removing property from Zone A, if the survey work determines it is not located within the boundary of Zone A.

John and Barb King, adjoining property owners, were present and expressed their concern regarding the appearance of the Studer's property. They also expressed concern regarding the Studer's livestock getting out and inquired how long the old home will be remaining on the property.

After further discussion, the Board members felt they need the results of the survey report from the engineer before they can make their decision. Zoning Administrator La Rue will make a site survey and make an interpretation after he has seen the information. Penningroth then made a motion to continue this petition at the July meeting. Lenker seconded the motion. Ayes all.

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

Claudia Beyr

Chairperson

Sharon Laucamp

Secretary



Tel: 563-886-2248

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR
Cedar County Courthouse Tipton, Iowa 52772

AGENDA

Cedar County Board of Adjustment

Basement, Cedar County Courthouse, Tipton, Iowa

Thursday, June 23, 2005 – 3:00 p.m.

- I. Introduction
- II. Review of the following requests:
 - A. Amy Reif and Ron Benhart, RR, Lowden (Owners) – Requesting a Home Industry Permit to allow automotive repair on their property
 - B. Kelly Studer, RR, Bennett (Owner) – Requesting a variance to temporarily allow two dwellings on her property and a variance on the front yard setback requirement
- III. Conclusion

CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES

May 26, 2005

The Cedar County Board of Adjustment conducted a Public Hearing on Thursday, May 26, 2005, at 3:00 p.m., in the Large Meeting Room of the Courthouse, Tipton, Iowa. Members present were Hoy, Johnson, Penningroth and Lenker. Member absent was Beyer.

Chairperson Pro-tem Penningroth called the meeting to order at 3:00 p.m. Minutes from the last meeting held on January 27, 2005, were previously sent to the members. They were approved as presented.

The Board members then considered the following petitions:

1. **Amy Reif and Ron Benhart, 1772 140th Street, Lowden, Iowa (Owners)** – Requesting approval of a Home Industry Permit to allow automotive repair on property located in the NW ¼ of the NE ¼, Section 25, T-82N, R-2W, in Dayton Township, consisting of 3.97 acres more or less. Said property is currently zoned A-1 Agricultural.

Petitioners were not present so the members continued with the remaining petitions:

2. **Roger Schroeder, 2036 280th Street, Wilton, Iowa (Owner) and Wayne Schroeder and Kristi Hill, 2153 280th Street, Wilton, Iowa (Contract Buyers)** – Requesting a variance to allow the temporary placement of a second dwelling on property located in the SW ¼ of the SE ¼, Section 34, T-80N, R-1W, in Inland Township. Said property is currently zoned A-1 Agricultural.

Zoning Administrator La Rue informed the members that there were no written or verbal objections on file and advised the members to consider this petition in accordance with Chapter 17.18(3) of the Zoning Ordinance.

Kristi Hill was present and explained to the members their plans of moving a mobile home into the residence, tear down the old residence and build a new home. She stated they plan to take down the old house fairly shortly and they will not be utilizing both residences at the same time. The Schroeder's wish to live in the mobile home while they tear down the old home and replace it. La Rue stated he has in the past, with the Board's permission, allowed mobile homes to be used as temporary construction type dwellings, with the understanding that the removal of the house be prosecuted immediately and construction of the new home be completed within one year. He stated because the Schroeder's

are wanting to wait until approximately 2006 before starting with the project, he requested that Kristi & Wayne go before the Board. Kristi stated they will be building the new home themselves. The Board members stated that in the past they have put a time table on the removal of the temporary housing, once the new one is completed, and inquired what time frame Kristi felt was reasonable. Ms. Hill stated they hope to have the new home completed by next summer. La Rue recommended to Ms. Hill that the new house be completed by the end of the one year expiration date of the building permit which will be issued this summer or fall and the mobile home removed. The mobile home will have to meet the setback requirements and will have a new septic system. When the new home is built, the mobile home will be disconnected and the new home be connected to the system.

After further discussion, Lenker made a motion to allow the variance with the one year expiration date of the construction permit. Johnson seconded the motion. Ayes all.

- 3. Larry Slocum, 5430 Fairview Cemetary Road NE, West Branch, Iowa (Owner)** – Requesting a variance of the minimum lot width in the R-2 Urban Residential District, and a variance of the required side yard setback for a corner lot in a R-2 district. Said property is located at the corner of Fox Avenue and 290th Street, and is described as Lots B, C and D, Section 1, T-79N, R-4W, in Springdale Township, in the unincorporated town of Springdale.

La Rue informed the members there were no written or verbal objections on file and advised the members to consider the petition in accordance with Chapter 17.18(3) of the Zoning Ordinance. He informed the members the letter from the County Engineer stated the property is located at the corner of 290th and Fox Avenue and should not cause any road concerns. Parking is restricted along 290th Street to a 24 hour limit in Springdale. La Rue stated the R-2 Urban Residential District requires a front yard of 25 feet, a rear yard of 30 feet, side yards of 10 feet and on street side corner lots, for which the variance is requested, is 15 feet. La Rue stated the variance request is for 5 feet on the street side corner lot, making the setback 10 feet off Fox Avenue. He stated that the problem regarding the lot size is that Cedar County now requires a minimum of 15,000 square feet in the R-2 District, with a width of 100 feet. He stated the lots are non-conforming. He also stated he was in agreement to re-plat the lots to eliminate the old boundary lines and re-establish them, but stated there would still be a problem acquiring the 100 foot width for one or both lots. Mr. Slocum then informed the members he had the three small lots re-surveyed and platted into two bigger lots, but stated he still did not have enough room to meet the requirements. After the three lots were re-platted into two, one lot will be 63' wide and the other will be 56.59' wide. He stated he wants to put a new house on the west lot and would like

a variance granted to make the home fit. La Rue stated there can only be one home on each lot. There already is an existing home on the east lot (Lot D). La Rue informed the members that re-platting the two lots is simply a boundary line adjustment covered under the county subdivision ordinance.

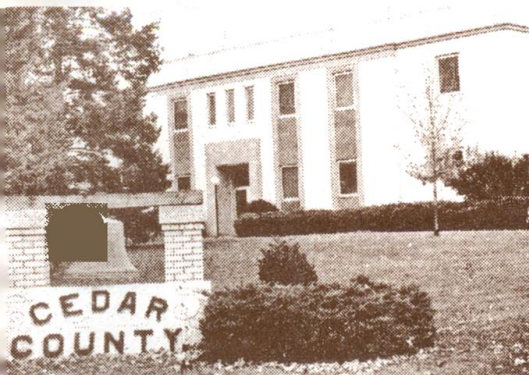
Clara Olson, adjoining property owner, was present and stated she lives on Fox Avenue to the north. She stated she has a concern about site distance when she is driving to the intersection. She feels the lot has been a problem lot in the neighborhood. She also stated there is presently a pickup truck on the corner with no wheels which makes the site going around difficult. Ms. Olson questioned what Mr. Slocum's intentions were regarding the two lots. He stated he will be building a spec home on the west lot, and if it sells, he will tear down the house on the other lot. She again stated she feels it is a difficult corner and does not want a safety problem. Mr. Slocum stated he will inform his tenant to remove the truck at the corner. County Engineer, Rob Fangmann, was present and stated the property is in a 35 m.p.h. zone and felt that if the house had the proper setback, he does not feel it will be a problem. Fox Avenue is not heavily traveled and is a Level B road. Engineer Fangmann stated he felt the site distance would be adequate if the variance was for only 5 feet. La Rue then stated a sub-surface sand filter will be proposed for a septic system. He stated there is also a possibility that a pond or swimming pool liner may be needed. Measurements will have to be taken from water wells. La Rue stated the members are looking at the re-platting of the lots and a variance request of 5 feet to allow a 10 foot side yard. Lori Paul, another adjoining property owner, then questioned if her commercially zoned lot hinders Mr. Slocum. La Rue stated this is not a problem. He also stated the north boundary, running east and west between Ms. Paul's and Mr. Slocum's property, will not change. Mr. Slocum stated after he obtained a building permit, the house would be built within 90 to 120 days.

After further discussion, Hoy made a motion to allow the variance request and the re-platting of the lots. Lenker seconded the motion. Ayes all.

With no further business to be discussed at this time, the meeting adjourned at 3:45 p.m.


Chairperson Pro-tem


Secretary



OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR
Cedar County Courthouse Tipton, Iowa 52772

May 9, 2005

LEGAL NOTICE

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, May 26, 2005, at 3:00 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa.

At this time, the Board will consider the following petitions:

1. **Amy Reif and Ron Benhart, 1772 140th Street, Lowden, Iowa (Owners)** – Requesting approval of a Home Industry Permit to allow automotive repair on property located in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 25, T-82N, R-2W, in Dayton Township, consisting of 3.97 acres more or less. Said property is currently zoned A-1 Agricultural.
2. **Roger Schroeder, 2036 280th Street, Wilton, Iowa (Owner) and Wayne Schroeder and Kristi Hill, 2153 280th Street, Wilton, Iowa (Contract Buyers)** – Requesting a variance to allow the temporary placement of a second dwelling on property located in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 34, T-80N, R-1W, in Inland Township. Said property is currently zoned A-1 Agricultural.
3. **Larry Slocum, 5430 Fairview Cemetary Road NE, West Branch, Iowa (Owner)** – Requesting a variance of the minimum lot width in the R-2 Urban Residential District, and a variance of the required side yard setback for a corner lot in a R-2 district. Said property is located at the corner of Fox Avenue and 290th Street, and is described as Lots B, C and D, Section 1, T-79N, R-4W, in Springdale Township, in the unincorporated town of Springdale.

At said Public Hearing, any person present, and so wishing, will be given the opportunity to be heard, for or against, said petitions. Any persons 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

Copies sent out on 5/11/05 to the following:

1. Ron Benhart & Amy Reif - 1772 140th Street, Lowden, Iowa 52255 - Certified
 2. Russell Dircks - 202 6th Avenue, Box 387, Clarence, Iowa 52216
 3. Lawrence & Elca Licht - 407 8th Avenue, P.O. Box 267, Clarence, Iowa 52216
 4. Mike & Sherri Telsrow - 1803 140th Street, Lowden, Iowa 52255
-

1. Wayne R. Schroeder & Kristi J. Hill - 2153 280th Street, Wilton, Iowa 52778 - Certified
 2. Roger R. Schroeder - 2036 280th Street, Wilton, Iowa 52778
 3. Ronald & Joyce Weih - 2176 270th Street, Bennett, Iowa 52721
 4. James & Kim Semsch - 2195 280th Street, Wilton, Iowa 52778
 5. Charles & Shirley Wulf - 2166 280th Street, Wilton, Iowa 52778
 6. Nola Garrels - 2180 280th Street, Wilton, Iowa 52778
 7. David Offerman - 12375 148th Street, Wapello, Iowa 52653
-

1. Larry Slocum - 5430 Fairview Cemetery Rd. NE, West Branch, Iowa 52358 - Certified
 2. Lori Paul - 1890 Fox Avenue, West Branch, Iowa 52358
 3. Clara Oleson - 1888 Fox Avenue, West Branch, Iowa 52358
 4. Herman Paulsen - 569 290th Street, West Branch, Iowa 52358
 5. Kenneth & Diane Phillips - 555 290th Street, West Branch, Iowa 52358
 6. Kenneth & Diane Phillips & Jennifer Lacina - 555 290th Street, West Branch, Iowa 52358
 7. Robert & Reta Gruwell - 563 290th Street, West Branch, Iowa 52358
 8. Linnia Campbell - 1897 Fox Avenue, West Branch, Iowa 52358
 9. Richard & Tana Sabourin - 541 290th Street, West Branch, Iowa 52358
 10. Joe McMath - 48 Greenview Drive, West Branch, Iowa 52358
 11. Dan & Penny Gafeller - 1885 Fox Avenue, West Branch, Iowa 52358
 12. Donald & Lois Laughlin - 1881 Fox Avenue, West Branch, Iowa 52358
 13. Timothy & Lisa Kilburg - 548 290th Street, West Branch, Iowa 52358
 14. Robert & Sheryl Bergmann - 544 290th Street, West Branch, Iowa 52358
 15. Russell & Mary Jo Leighty - 540 290th Street, West Branch, Iowa 52358
 16. Lindsay Schultz & Randy Seydel - 538 290th Street, West Branch, Iowa 52358
 17. Anders V Mather Trust - % Kenneth Mather, 799 290th Street, West Liberty, Iowa 52776
 18. Richard & Carolyn Hinty - 552 290th Street, West Branch, Iowa 52358
 19. Springdale Methodist Church - 554 290th Street, West Branch, Iowa 52358
 20. Jim & Ruth Farmer - 556 290th Street, West Branch, Iowa 52358
 21. Christan & Renee Hogan - 558 290th Street, West Branch, Iowa 52358
 22. Reta Gruwell - 563 290th Street, West Branch, Iowa 52358
 23. Ellen Liebergen - P.O. Box 244, West Branch, Iowa 52358
-

5 Board of Adjustment members

1 copy to Tipton Conservative, Durant, Wilton Advocate & Sun News on 5/9/05 & West Branch Times

2 File Copies

Bulletin Board Copy

PROOF OF PUBLICATION

LEGAL NOTICE

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, May 26, 2005, at 3:00 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa.

At this time, the Board will consider the following petitions:

1. Amy Reif and Ron Benhart, 1772 140th Street, Lowden, Iowa (Owners) - Requesting approval of a Home Industry Permit to allow automotive repair on property located in the NW 1/4 of the NE 1/4, Section 25, T-82N, R-2W, in Dayton Township, consisting of 3.97 acres more or less. Said property is currently zoned A-1 Agricultural.

2. Roger Schroeder, 2036 280th Street, Wilton, Iowa (Owner) and Wayne Schroeder and Kristi Hill, 2153 280th Street, Wilton, Iowa (Contract Buyers) - Requesting a variance to allow the temporary placement of a second dwelling on property located in the SW 1/4 of the SE 1/4, Section 34, T-80N, R-1W, in Inland Township. Said property is currently zoned A-1 Agricultural.

3. Larry Slocums, 5430 Fairview Cemetery Road NE, West Branch, Iowa (Owner) - Requesting a variance of the minimum lot width in the R-2 Urban Residential District, and a variance of the required side yard setback for a corner lot in a R-2 district. Said property is located at the corner of Fox Avenue and 290th Street, and is described as Lots B, C and D, Section 1, T-79N, R-4W, in Springdale Township, in the unincorporated town of Springdale.

At said Public Hearing, any person present, and so wishing, will be given the opportunity to be heard, for or against, said petitions. Any persons 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

State of Iowa, Cedar County, ss:

I, Rob Poggenklass, Editor of the West Branch Times, a weekly newspaper of general circulation published at West Branch, in said county, and being duly sworn, do declare and say that a Notice, of which one hereto attached is a copy, was published in said West Branch Times respectively:

May 12, 2005
Rob Poggenklass

Fee: \$ 18.70

Sworn to by said Rob Poggenklass before me and signed by

him in my presence this _____

day of _____, _____

Notary Public

Received of _____

_____ Dollars

in full on above publication.

PROOF OF PUBLICATION

STATE OF IOWA,
Muscatine County } ss.

I, Paulette Theobald, being first duly sworn on oath
depose and say; that I am the office manager of Advocate
News, a newspaper published weekly in the City of Wilton,
Muscatine County, State of Iowa, and that notice of Cedar
County Board of Adjustment Public Hearing 5/26/2005

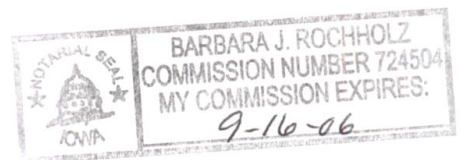
hereto attached and made a part hereof, was published
once each week for 1 week(s) in succession, in said
newspaper, and that the dates of publication were
05/12/2005

and that the copy of said printed notice, hereto attached,
was cut from one of said publications.

Paulette Theobald

Subscribed and sworn to before me this 12th
day of May 2005

Barbara J. Rochholz
Notary Public



LEGAL NOTICE

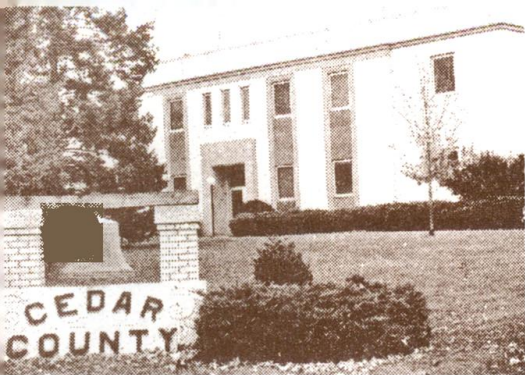
The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, May 26, 2005, at 3:00 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa.

At this time, the board will consider the following petitions:

1. Amy Reif and Ron Benhart, 1772 140th St., Lowden, Iowa, (Owners) - Requesting approval of a Home Industry Permit to allow automotive repair on property located in the NW 1/4 of the NE 1/4, Section 25, T-82N, R-2W, in Dayton Township, consisting of 3.97 acres more or less. Said property is currently zoned A-1 Agricultural.
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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 persons 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



Tel: 563-886-2248

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR
Cedar County Courthouse Tipton, Iowa 52772

AGENDA

Cedar County Board of Adjustment

Basement, Cedar County Courthouse, Tipton, Iowa

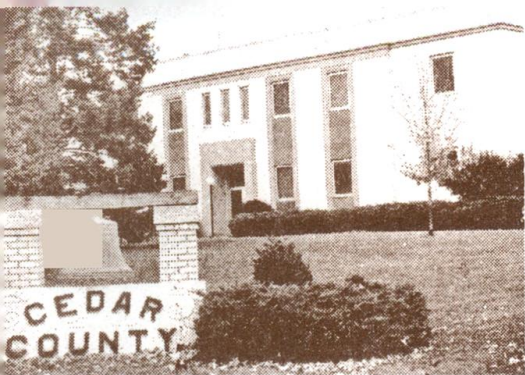
Thursday, May 26, 2005 – 3:00 p.m.

I. Introduction

II. Review of the following requests:

- A. Amy Reif and Ron Benhart, RR, Lowden (Owners) –
Requesting a Home Industry Permit to allow auto-motive repair on their property
- B. Roger Schroeder, RR, Wilton (Owner) and Wayne Schroeder & Kristi Hill, RR, Wilton (Contract Buyers) –
Requesting a variance to allow the temporary placement of a second dwelling on their property
- C. Larry Slocum, unincorporated town of Springdale (Owner) –
Requesting a variance of the minimum lot width and a variance of the required side yard setback for a corner lot in a R-2 district

III. Conclusion



Tel: 563-886-2248

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR
Cedar County Courthouse
Tipton, Iowa 52772

April 5, 2005

TO: CEDAR COUNTY BOARD OF ADJUSTMENT MEMBERS

I am writing to inform you that there will not be a meeting of the Board of Adjustment during the month of April because no petitions have been received.

Sincerely,

Phil La Rue
Zoning Administrator

PL:sl



Tel: 563-886-2248

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR
Cedar County Courthouse
Tipton, Iowa 52772

March 7, 2005

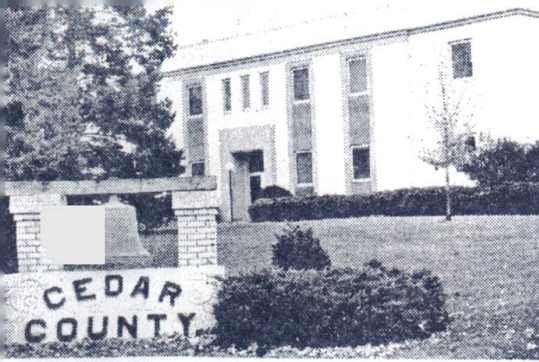
TO: CEDAR COUNTY BOARD OF ADJUSTMENT MEMBERS

I am writing to inform you that there will not be a meeting of the Board of Adjustment during the month of March because no petitions have been received.

Sincerely,

Phil La Rue
Zoning Administrator

PL:sl



Tel: 563-886-2248

OFFICE OF THE CEDAR COUNTY HEALTH DEPARTMENT
Cedar County Courthouse
Tipton, Iowa 52772

February 11, 2005

TO: CEDAR COUNTY BOARD OF ADJUSTMENT MEMBERS

I am writing to inform you that there will not be a meeting of the Board of Adjustment during the month of February because no petitions have been received.

Sincerely,

Phil La Rue
Zoning Administrator

PL:sl

CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES

January 27, 2005

The Cedar County Board of Adjustment conducted a Public Hearing on Thursday, January 27, 2005, at 3:00 p.m., in the Large Meeting Room of the Courthouse, Tipton, Iowa. Members present were Lenker, Beyer, Penningroth and Hoy. Member absent was Johnson.

Chairperson Beyer called the meeting to order at 3:00 p.m. Minutes from the last meeting held on December 23, 2004, were previously sent to the members. They were approved as presented.

The Board members then considered the following petitions:

1. **Lois Massey, RFD, West Branch (Owner)** – Requesting approval of a Home Occupation Permit for the purpose of operating a home decorating business on property located at 570 290th Street, West Branch, in the NW ¼ of the NE ¼, Section 12, T-79N, R-4W, in the unincorporated town of Springdale. Said property is currently zoned R-2 Urban Residential.

Zoning Administrator La Rue informed the members that there were no written or verbal objections on file and advised the members to consider this petition in accordance with Chapter 15 of the Zoning Ordinance.

Mrs. Massey was present and informed the Board members that she is planning on having a building built which will be approximately the size of a double car garage for her proposed business. She stated that her business will consist of antiques, home decorations, Mexican iron, Mexican pottery, etc. It was noted that the setback requirements will be met. The R-2 district has a 25' requirement to the edge of the county road right-of-way. The letter from the County Engineer stated that an existing entrance is suitable for the proposed use and that at no time shall any customers park within the County's right-of-way. Mrs. Massey stated that there is plenty of room for customers to park in the driveway and there will be no parking on Hoover Highway. She stated that she will not have any employees. Sign requirements were then discussed. Mrs. Massey stated that she would like to place an advertising sign closer to the road. She does not feel that the sign could be seen too well from the road if it were placed on the side of the building. Zoning Administrator La Rue stated that he would have no objection to having the sign placed closer to the road to the east of the driveway. Mrs. Massey was informed of the 8 square feet maximum size of the sign and that there will be a charge for the sign.

After further discussion, Penningroth made a motion to approve the Home Occupation Permit request with the stipulation that the sign be placed 25 feet from the edge of the county road right-of-way easement. Lenker seconded the motion. Ayes all. La Rue suggested that since there is a historic marker in the area that she check with the township trustees.

2. **Brad and Jeanette Kirkpatrick, RFD, Tipton (Owners)** – Requesting a variance of the street side corner lot setback requirement of 40 feet on property located in Lot 1, Clark's 1st Subdivision, in the NW ¼ of the NE ¼, Section 5, T-80N, R-2W, in Center East Township, consisting of 5.36 acres more or less. Said property is currently zoned R-1 Suburban Residential.

Zoning Administrator La Rue informed the members that there were no written or verbal objections on file for this petition.

Brad Kirkpatrick was present, along with his contractor, Al Paustian, and explained his plans to build a detached garage facing the existing garage. He stated that he would like the proposed garage to be placed 10 feet farther back on his property. He informed the members that a variance would allow them to leave their existing driveway and they would have extra space to back cars out of the existing attached garage. The entrance would still be from the existing 30 foot driveway. The R-1 district requires a 40 foot setback from the street side corner lot. It was noted that the proposed garage would not obstruct any view from Newton Avenue. Zoning Administrator La Rue stated that he did not have any objection to the request. The letter from the County Engineer stated that the 150' sight triangle must be maintained. This will not be a problem in granting the variance.

After a brief discussion, Hoy made a motion to grant a 10 foot side yard variance making a 30 foot setback. Lenker seconded the motion. Ayes all.

3. **Benjamin and Tanya Sterner, RFD, Tipton (Owners)** – Requesting approval of a home occupation permit to allow a dog grooming business, and a request that an existing home industry permit allowing a meat smoking business be rescinded on property located in the NW ¼ of the NW ¼, and the SW ¼ of the NW ¼, Section 6, T-79N, R-2W, in Rochester Township, consisting of 10.00 acres more or less. Said property is zoned both R-1 Suburban Residential and A-1 Agricultural.

Zoning Administrator La Rue informed the members that there were no written or verbal objections on file and advised the Board to consider this petition in accordance with Chapter 15 of the Zoning Ordinance.

Tanya Sterner was present and explained to the Board members her plan to operate a dog grooming business on their property. She informed the members that a building will be constructed and will be attached to the pole barn. She stated that she has looked into licensing with the state. There will be no boarding on the premises. The closest neighbors, Witmer's and Thumma's, are further away than 750 feet. When a home is constructed on the property, it will be built to the east of the building. The letter from the County Engineer stated that Cedar County has no jurisdiction on the entrance to the property and appropriate permits must be obtained from the I.D.O.T. Mrs. Sterner stated that the driveway will be coming straight north of the building and will curve to the west. She will check with the I.D.O.T. for any permits and regulations. The building will be more than 50 feet from the fence line. Signage requirements were then discussed. Mrs. Sterner stated that she will place an advertising sign on the front of the building.

After further discussion, Penningroth made a motion to rescind her existing Home Industry Permit for a meat smoking business and approve a Home Occupation Permit to allow a dog grooming business as long as she abides by the I.D.O.T. regulations. Lenker seconded the motion. Ayes all.

With no further business to be discussed at this time, Penningroth made a motion for adjournment at 3:25 p.m. Hoy seconded the motion. Ayes all.

Chairperson

Secretary



Tel: 563-886-2248

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR
Cedar County Courthouse Tipton, Iowa 52772

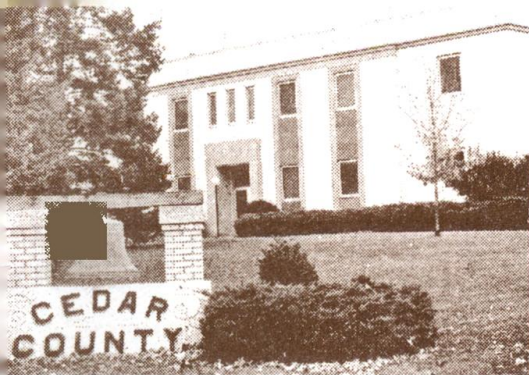
AGENDA

Cedar County Board of Adjustment

Basement, Cedar County Courthouse, Tipton, Iowa

Thursday, January 27, 2005 – 3:00 p.m.

- I. Introduction
- II. Review of the following requests:
 - A. Lois Massey, RFD, West Branch (Owner) –
Requesting a Home Occupation Permit for the
purpose of operating a home decorating business
on her property
 - B. Brad and Jeannette Kirkpatrick, RFD, Tipton (Owners) –
Requesting a variance of the street side corner lot
setback requirement of 40 feet for a garage
 - C. Benjamin and Tanya Sterner, RFD, Tipton (Owners) –
Requesting approval of a Home Occupation Permit to
allow a dog grooming business on their property and a
request to rescind their previously granted Home Industry
Permit allowing a meat smoking business
- III. Conclusion



OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR
Cedar County Courthouse Tipton, Iowa 52772

January 10, 2005

LEGAL NOTICE

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, January 27, 2005, at 3:00 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa.

1. **Lois Massey, RFD, West Branch (Owner)** – Requesting approval of a Home Occupation Permit for the purpose of operating a home decorating business on property located at 570 290th Street, West Branch, in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 12, T-79N, R-4W, in the unincorporated town of Springdale. Said property is currently zoned R-2 Urban Residential.
2. **Brad and Jeanette Kirkpatrick, RFD, Tipton (Owners)** – Requesting a variance of the street side corner lot setback requirement of 40 feet on property located in Lot 1, Clark's 1st Subdivision, in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 5, T-80N, R-2W, in Center East Township, consisting of 5.36 acres more or less. Said property is currently zoned R-1 Suburban Residential.
3. **Benjamin and Tanya Sterner, RFD, Tipton (Owners)** – Requesting approval of a home occupation permit to allow a dog grooming business, and a request that an existing home industry permit allowing a meat smoking business be rescinded on property located in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, and the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 6, T-79N, R-2W, in Rochester Township, consisting of 10.00 acres more or less. Said property is zoned both R-1 Suburban Residential and A-1 Agricultural.

At said Public Hearing, any person present, and so wishing, will be given the opportunity to be heard, for or against, said petition. Any persons 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

Copies sent out on 1/12/05 to the following:

1. Lois Massey - 570 290th Street, West Branch, Iowa 52358 - Certified
 2. Cynthia Green & Jan Luchini - 576 290th Street, West Branch, Iowa 52358
 3. Anders V Mather Trust - % Kenneth Mather, 799 290th Street, West Liberty, Iowa 52776
 4. Roscoe & Helen Millett - 1722 Grant Avenue, West Branch, Iowa 52358
 5. Randy & Norma Rood - 566 290th Street, West Branch, Iowa 52358
 6. Ellen K. Liebergen - P.O. Box 244, West Branch, Iowa 52358
 7. Robert & Reta Gruwell - 563 290th Street, West Branch, Iowa 52358
 8. Christian & Renee Hogan - 558 290th Street, West Branch, Iowa 52358
 9. Jim & Ruth Farmer - 556 290th Street, West Branch, Iowa 52358
 10. Herman Paulsen - 569 290th Street, West Branch, Iowa 52358
 11. Stephanie Knoedel - 567 290th Street, West Branch, Iowa 52358
 12. Cheryl S. Turner - 3624 Terrace Hill Dr. NE, Cedar Rapids, Iowa 52402
 13. Warren Hayslett - 559 290th Street, West Branch, Iowa 52358
 14. Kenneth & Diane Phillips & Jennifer Lacina - 555 290th Street, West Branch, Iowa 52358
 15. Robert & Barbara Helmer - 557 290th Street, West Branch, Iowa 52358
 16. Larry Slocum - 5430 Fairview Cem. Rd. NE, West Branch, Iowa 52358
-

1. Brad & Jeanette Kirkpatrick - 1355 Red Star Road, Tipton, Iowa 52772 - Certified
 2. Cedar County Cooperative - % Robert Young, P.O. Box 192, Tipton, Iowa 52772
 3. Harry & Denice Wethington - 1347 Highway 130, Tipton, Iowa 52772
 4. Stuart & Sharon Clark - 1353 Red Star Road, Tipton, Iowa 52772
 5. Mark & Sharon Niles - 1349 Red Star Road, Tipton, Iowa 52772
 6. Robert & Rebecca Young - 1340 Highway 130, Tipton, Iowa 52772
 7. Don Lamp - P.O. Box 422, Tipton, Iowa 52772
-

1. Benjamin & Tanya Sterner - 1001 Plum Street, Tipton, Iowa 52772 - Certified
 2. Gary & Margaret Witmer - 1808 Highway 38, Tipton, Iowa 52772
 3. Larry Ballenger - 2098 220th Street, Bennett, Iowa 52721
 4. Robert & Betty Jane Thumma - 1833 Highway 38, Tipton, Iowa 52772
-

Copy to Tipton Conservative & West Branch Times on 1/10/05

5 Board of Adjustment Members

2 File Copies

Bulletin Board Copy

CEDAR COUNTY BOARD OF SUPERVISORS

Cedar County Courthouse

400 Cedar Street

Tipton, Iowa 52772-1750

Telephone: 563-886-3168

Fax: 563-886-3339

E-Mail: bos@cedarcountry.org

COPY

January 3, 2005

Claudia Beyer
547 N Oliphant
West Branch, Iowa 52358

Dear Mrs. Beyer:

Please be advised, that by motion of this Board on January 3, 2005, you were appointed to another five-year term on the Zoning Board of Adjustment. The term will expire 12-31-2009. Your willingness to serve on this Board is greatly appreciated.

Sincerely,



Dennis Boedeker, Chairperson

DB:bjp