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

November 7, 2006

**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

## CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES

October 26, 2006

The Cedar County Board of Adjustment conducted a Public Hearing on Thursday, October 26, 2006, at 3:00 p.m., in the Large Meeting Room of the Courthouse, Tipton, Iowa. Members present were Hoy, Beyer & Lenker. Members absent were Johnson & Penningroth.

Chairperson Beyer called the meeting to order at 3:00 p.m. Minutes from the last meeting held on September 28, 2006, were previously sent to the members. Lenker made a motion to accept the minutes as presented. Hoy seconded the motion.

The Board members then considered the following petition:

1. **Curtis & Carla Friis, 44 280<sup>th</sup> Street, West Branch (Owners)** – Requesting approval of a Special Use Permit authorizing the location of a dog boarding kennel on property located in the NE ¼ of the NW ¼, Section 6, T-79N, R-4W, in Gower Township, consisting of 160 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 make their decision in accordance with Chapter 17.18(2) of the Zoning Ordinance. He also informed the members that the Planning and Zoning Commission had recommended approval of the Special Use Permit request at their meeting held on October 18, 2006.

Mr. and Mrs. Friis were present and informed the members of their plan to board and train dogs in their existing personal kennels. Mr. Friis stated they had revamped an old hog building, making it into 10 pens to board up to 20 dogs. He stated the kennels are climate controlled. They also have a 60' x 100' outdoor exercise pen with 6' high fencing. They stated they have already been approved for a State Boarding Permit. The animal welfare inspection has also been done. They informed the members that their state license covers boarding, grooming and training. The letter from the County Engineer stated visitors should be encouraged by the landowner to utilize the east drive for additional safety. Mr. & Mrs. Friis agreed. Signage was next discussed. The Friis' stated they may place an engraved boulder in their yard as their advertisement. La Rue read the sign regulations which includes that the sign can not exceed 32 square feet.

After a brief discussion, Hoy made a motion to grant the Special Use Permit authorizing the location of boarding and training dogs subject to annual review. Lenker 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  $\frac{1}{4}$  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. Debra Bedford, RFD, Stanwood (Owner) – 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 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), 575 290<sup>th</sup> 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), 300<sup>th</sup> 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 3<sup>rd</sup> 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 235<sup>th</sup> 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.
68. Lois Massey, RFD, West Branch (Owner) – A Home Occupation Permit for the purpose of operating a home decorating business on property located at 570 290<sup>th</sup> 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.
69. Benjamin and Tanya Sterner, RFD, Tipton (Owners) – A Home Occupation Permit to allow a dog grooming business 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.
70. Amy Reif and Ron Benhart, 1772 140<sup>th</sup> Street, Lowden, Iowa (Owners) – 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.



71. Kent and Peggy Graham, Wilton (Owners) – A Special Use Permit to allow an Agriculture Service Business, a machine and fabrication shop, at 1888 250<sup>th</sup> 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.

The Board members asked Zoning Administrator La Rue for his comments on these previously granted requests. Mr. La Rue stated most all petitioners were in compliance and reported his concerns on the following:

- #5 -- Great Lakes Chemical Corporation – No activity of stockpiling corn cobs has been noted. La Rue will write a letter to the petitioner.
- #7 -- Galen Conrad – He is no longer restoring salvaged automobiles on his property but Mr. Conrad will not put it in writing to rescind his permit. La Rue will look into this.
- #8 -- Tom Spear -- The Total Lawn Care business is no longer at Mr. Spear's address but Mr. Spear wishes to retain the permit. La Rue will get an update on Mr. Spear's information.
- #50 -- UNIsite, Inc. -- La Rue informed members the tower was never built and the petitioner has not responded back to him. The Board members would like a formal letter asking the petitioner of their intentions. La Rue will follow up on this granted S.U.P.
- #51 -- UNIsite, Inc. -- Same as #50. La Rue will also follow up on this S.U.P.

La Rue informed the members that changes in ownership of the tower sites has been a problem. He also informed the members that the owners of the tower sites have done all of their requirements other than #50 & #51.

After a brief discussion, Lenker made a motion to grant continuation of all the Home Occupation/Industry and Special Use Permits with the exception of #'s 5, 7, 8, 50 & 51. Hoy seconded the motion. Ayes all.

With no further business to be discussed at this time, the meeting was adjourned at 3:30 p.m.

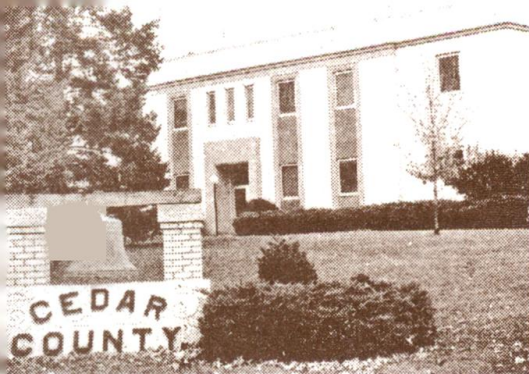
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Chairperson  
Claudia Beyer

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Secretary  
Sharon Laucamp





Tel: 563-886-2248

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

October 9, 2006

**LEGAL NOTICE**

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, October 26, 2006, 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. **Curtis & Carla Friis, 44 280<sup>th</sup> Street, West Branch (Owners)** – Requesting approval of a Special Use Permit authorizing the location of a dog boarding kennel on property located in the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ , Section 6, T-79N, R-4W, in Gower Township, consisting of 160 acres more or less. 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 10/11/06 to the following:

1. Curtis & Carla Friis - 44 280th Street, West Branch, Iowa 52358 - Certified
2. Janet Ann Friis Revocable Trust - 26 280th Street, West Branch, Iowa 52358
3. Catherine M. Chase Trust - 1401 S. Gilbert Street, Iowa City, Iowa 52240
4. Ron & Catherine Ellyson - P.O. Box 457, West Branch, Iowa 52358
5. Fox Run Inc. - 19 Greenview Lane, West Branch, Iowa 52358

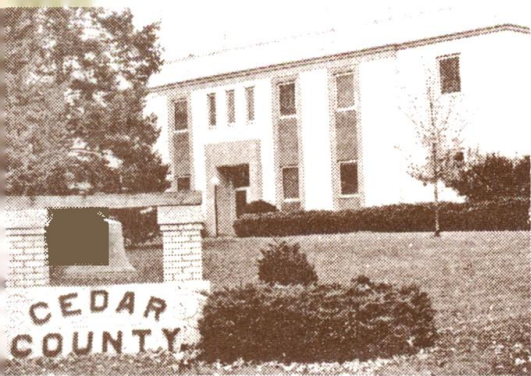
Copy to Tipton Conservative on 10/9/06

Copy e-mailed to West Branch Times on 10/9/06

Copies sent to Board of Adjustment members on 10/10/06

2 File Copies

Bulletin Board



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

October 9, 2006

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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. Debra Bedford, RFD, Stanwood (Owner) – 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 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, Bloomington, 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, Bloomington, 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), 575 290<sup>th</sup> 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), 300<sup>th</sup> 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 Denice 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.



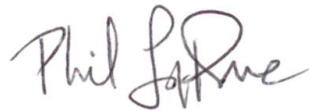
58. Wendling Quarries, Inc., DeWitt, Iowa – A Special Use Permit for the purpose of expanding their existing limestone quarry operation on property located in the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  and a portion of the W  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  and 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 3<sup>rd</sup> 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 235<sup>th</sup> 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.
68. Lois Massey, RFD, West Branch (Owner) – A Home Occupation Permit for the purpose of operating a home decorating business on property located at 570 290<sup>th</sup> 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.
69. Benjamin and Tanya Sterner, RFD, Tipton (Owners) – A Home Occupation Permit to allow a dog grooming business 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.
70. Amy Reif and Ron Benhart, 1772 140<sup>th</sup> Street, Lowden, Iowa (Owners) – 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.



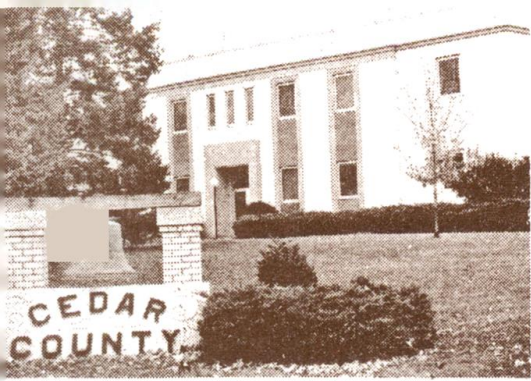
71. Kent and Peggy Graham, Wilton (Owners) – A Special Use Permit to allow an Agriculture Service Business, a machine and fabrication shop, at 1888 250<sup>th</sup> Street, Bennett, Iowa, in accordance with Chapter 5, Section D(1). Said property is located in the NE ¼ of the NE ¼, Section 19, T-80N, 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 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.

A handwritten signature in dark ink, appearing to read "Phil La Rue". The signature is fluid and cursive, with the first name "Phil" and last name "La Rue" clearly distinguishable.

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, October 25, 2006 – 3:00 p.m.

- I. Introduction
- II. Review of the following requests:
  - A. Curtis & Carla Friis, 44 280<sup>th</sup> Street, West Branch (Owners) – A Special Use Permit authorizing the location of a dog boarding kennel
- III. Annual review of the Home Occupation/Industry and Special Use Permits previously granted by the Board
- IV. Conclusion



## CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES

September 28, 2006

The Cedar County Board of Adjustment conducted a Public Hearing on Thursday, September 28, 2006, at 3:00 p.m., in the Large Meeting Room of the Courthouse, Tipton, Iowa. Members present were Johnson, Beyer, Penningroth, Lenker and Hoy.

Chairperson Beyer called the meeting to order at 3:00 p.m. Minutes from the last meeting held on March 23, 2006, were previously sent to the members. They were approved as presented.

The Board members then considered the following petitions:

1. **Dawn Albertson, 2951 Highway 22, Muscatine (Owner)** – Requesting approval of a Home Occupation Permit to allow a child day care at 1338 Highway 130, Tipton, Iowa, located in Lot 5, Clark's First Addition in the NW ¼ of the NE ¼, Section 5, T-80N, R-2W, in Center East Township, consisting of 3.55 acres more or less. Said property is currently zoned R-1 Suburban Residential.

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

Dawn Albertson was present and informed the members she has been in the day care business for approximately 11 years. She stated that after a new house is built in Clark's Subdivision, RR, Tipton, she would like to operate a day care business in her home. She plans to operate the business in the lower level of the home and there will be a fenced in yard. She stated there will be plenty of room for parking. She informed the members that her mother will assist with the day care. She also stated she is licensed with the State of Iowa. She currently has 12 full-time, 2 part-time and 2 children before and after school. There will be a walk-in basement and restroom facilities in the basement. The house will also be set up for a special needs child. She informed the members that the state inspects every two years. She does not intend to place an advertising sign on the property. The existing well will be utilized. The letter received from the County Engineer stated the access will be from State Highway 130 which will be acquired through the I.D.O.T. since the county does not have jurisdiction on the entrance.

After a brief discussion, Penningroth made a motion to grant the Home Occupation Permit, subject to annual review. Johnson seconded the motion.

2. **Mark Meier, 2245 290<sup>th</sup> Street, Wilton (Owner)** – Requesting a variance to temporarily allow a second dwelling on Lots 13, 14, 15, 16, 17 & 18, Block 5, in the unincorporated town of Sunbury. Said property is currently zoned R-2 Urban Residential.

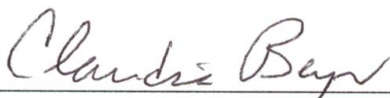
Zoning Administrator La Rue informed the members that the Cedar County Planning and Zoning Commission recently granted a change in zoning from C-1 Local Commercial to R-2 Urban Residential for the purpose of eliminating a non-conforming permitted use to allow the construction of a single family dwelling on Lots 13-18, Block 5, in the unincorporated town of Sunbury.

Mr. Meier was present and informed the members he wishes to construct a new home on his property while he continues to reside in the existing house on Lots 13 & 14. The new house will be constructed on Lots 15-18. He stated he would like to live in the existing structure until the new house is in place. He would then remove the old structure and add a garage to the new home to complete his project. The new home will have a full basement. The new house will be a manufactured house from All American Homes and will come from Dyersville. He stated it will take approximately three to four months to complete the new home once it arrives. He stated he could have the old house removed by spring. It was noted there is plenty of room for the setback requirements. The letter from the County Engineer stated an approved entrance permit is on file.

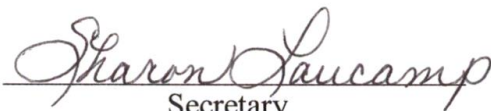
After further discussion, Lenker made a motion to temporarily allow a second dwelling on the property, with the stipulation that the old house be removed by June 1, 2007. Hoy seconded the motion. Ayes all.

The Board members then briefly discussed wind generators in the future. La Rue stated when the Zoning Ordinance is amended, it will be included.

With no further business to be discussed at this time, Penningroth made a motion for adjournment. Lenker seconded the motion. Meeting was adjourned at 3:25 p.m.

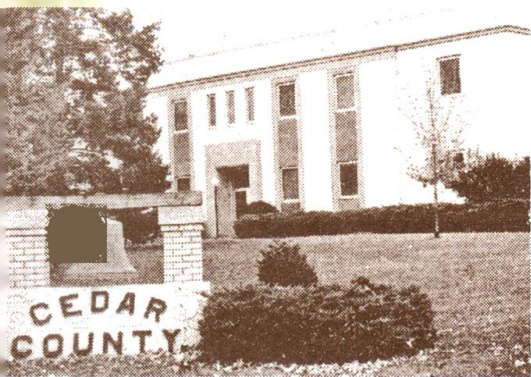


Chairperson  
Claudia Beyer



Secretary  
Sharon Laucamp





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

September 1, 2006

**LEGAL NOTICE**

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, September 28, 2006, 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. **Dawn Albertson, 2951 Highway 22, Muscatine (Owner)** – Requesting approval of a Home Occupation Permit to allow a child day care at 1338 Highway 130, Tipton, Iowa, located in Lot 5, Clark's First Addition in the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , Section 5, T-80N, R-2W, in Center East Township, consisting of 3.55 acres more or less. Said property is currently zoned R-1 Suburban Residential.
2. **Mark Meier, 2245 290<sup>th</sup> Street, Wilton (Owner)** – Requesting a variance to temporarily allow a second dwelling on Lots 13, 14, 15, 16, 17 & 18, Block 5, in the unincorporated town of Sunbury. Said property is currently zoned R-2 Urban 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

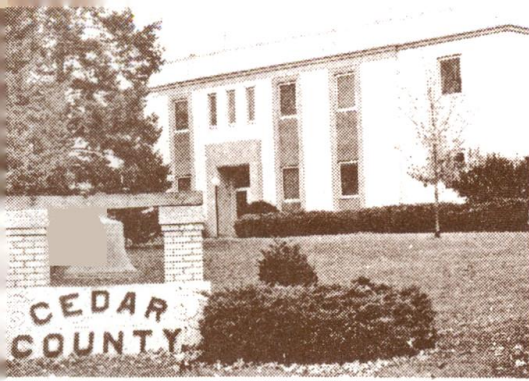
Copies sent out on 9/6/06 to the following:

1. Dawn Albertson - 2951 Highway 22, Muscatine, Iowa 52761 - Certified
  2. Conservative Publishing Co. - C/O Stuart Clark, 124 W. 5th Street, Tipton, Iowa 52772
  3. Robert & Rebecca Young - 1340 Highway 130, Tipton, Iowa 52772
  4. Mark & Sharon Niles - 1349 Red Star Road, Tipton, Iowa 52772
  5. Charles Jones - 1307 Red Star Road, Tipton, Iowa 52772
  6. Marjorie Wethington - 1327 Highway 130, Tipton, Iowa 52772
  7. Harry & Denice Wethington - 1347 Highway 130, Tipton, Iowa 52772
- 

1. Mark Meier - 2245 290th Street, Wilton, Iowa 52778-9223 - Certified
  2. Kenneth McCallister - 180 Miller Street, Wilton, Iowa 52778
  3. Martha McCallister - 292 Herman Street, Wilton, Iowa 52778
  4. Robert McCallister - 606 15th Street, Durant, Iowa 52747
  5. Michelle Chapman - 2249 290th Street, Wilton, Iowa 52778
  6. Ernest & Ellen Ledtje - 218 Herman Street, Wilton, Iowa 52778
  7. Dennis & Linda Dykstra - 2251 290th Street, Wilton, Iowa 52778
  8. Keith & DeAnna Petersen - 108 Herman Street, Wilton, Iowa 52778
  9. Wilbert & Shirley Spengler - 2231 290th Street, Wilton, Iowa 52778
  10. Richard & Barbara Budelier - 1881 Yankee Avenue, New Liberty, Iowa 52765
  11. Dennis Weih - 1895 Wilson Avenue, Wilton, Iowa 52778
  12. Ronald & Joyce Weih - 2176 270th Street, Bennett, Iowa 52721
  13. Farmers Grain & Lumber Co. - P.O. Box 340, Clarence, Iowa 52216
  14. Leon Bohn - 7404 Westbury Dr. NE, Cedar Rapids, Iowa 52402-6925
  15. Susan Milligan - 101 South Street, Wilton, Iowa 52778
  16. Steven Hammel - 103 South Street, Wilton, Iowa 52778
  17. Donald Mockmore - 200 Miller Street, Wilton, Iowa 52778
  18. Eric & Melinda Lisk - 2242 290th Street, Wilton, Iowa 52778
  19. Rebitzer Properties LLC - 1041 Carriage Place Dr., Bettendorf, Iowa 52722
  20. Richard & Ellen Bramman - 241 S. Clark Street, Apt. #2, Davenport, Iowa 52802
  21. Jane & Daryl Clark - 111 South Street, Wilton, Iowa 52778
- 

Copy to Tipton Conservative on 9/1/06  
Copy faxed to Wilton-Durant Advocate News on 9/1/06  
5 Board of Adjustment Members  
2 File Copies  
Bulletin Board Copy





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

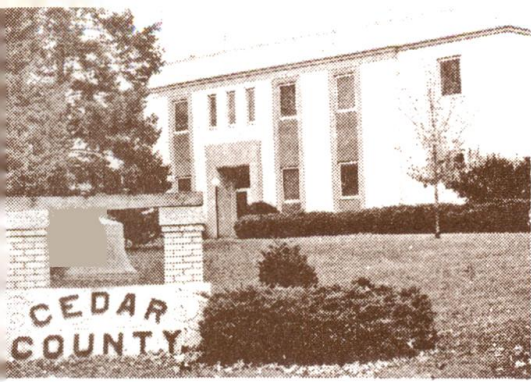
Thursday, September 28, 2006 – 3:00 p.m.

I. Introduction

II. Review of the following requests:

- A. Dawn Albertson, 2951 Highway 22, Muscatine (Owner) –  
Requesting approval of a Home Occupation Permit to  
allow a child day care
- B. Mark Meier, 2245 290<sup>th</sup> Street, Wilton (Owner) –  
Requesting a variance to temporarily allow a second  
dwelling in the town of Sunbury

III. Conclusion



Tel: 563-886-2248

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

August 10, 2006

**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 August because no petitions have been received.

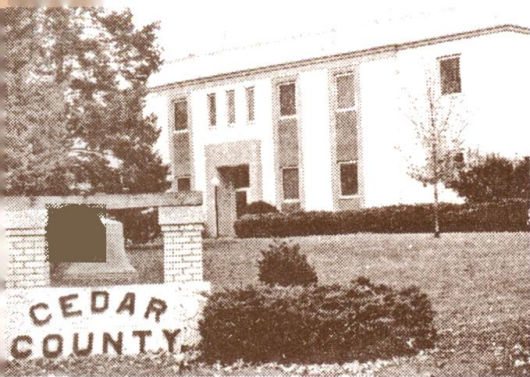
I do anticipate that there may be a meeting in September.

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

June 6, 2006

**TO: CEDAR COUNTY BOARD OF ADJUSTMENT MEMBERS**

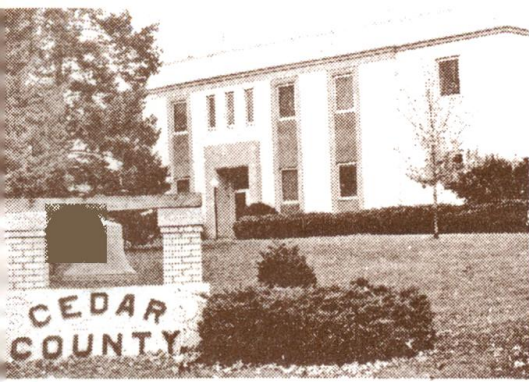
I am writing to inform you that there will not be a meeting of the Board of Adjustment during the month of June because no petitions have been received.

Sincerely,

A handwritten signature in cursive script that reads "Phil La Rue /sl".

Phil La Rue  
Zoning Administrator

PL:sl



Tel: 563-886-2248

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

May 8, 2006

**TO: CEDAR COUNTY BOARD OF ADJUSTMENT MEMBERS**

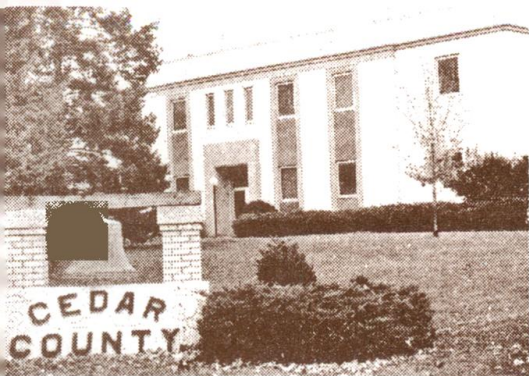
I am writing to inform you that there will not be a meeting of the Board of Adjustment during the month of May because no petitions have been received.

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

April 11, 2006

**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,

A handwritten signature in cursive script that reads "Phil LaRue" followed by the initials "SL" in a larger, more stylized font.

Phil La Rue  
Zoning Administrator

PL:sl

## CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES

March 23, 2006

The Cedar County Board of Adjustment conducted a Public Hearing on Thursday, March 23, 2006, at 3:00 p.m., in the Large Meeting Room of the Courthouse, Tipton, Iowa. Members present were Lenker, Johnson, Beyer, Penningroth & Hoy.

Chairperson Beyer called the meeting to order at 3:00 p.m. Minutes from the last meeting held on February 23, 2006, were previously sent to the members. They were approved as written.

The Board members then considered the following petitions:

- 1. Howard & Carolyn Siders, 1750 King Avenue, Tipton, IA (Owners) –**  
Requesting a setback variance to allow placement of a garage closer to the road right-of-way than the required front yard setback on property located in the SE ¼ of the NE ¼, Section 35, T-80N, R-3W, in Rochester Township, consisting of 4.5 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 for this petition and advised the members to make their decision in accordance with Chapter 17.18(3) of the Zoning Ordinance. The variance would be to allow a construction permit to be issued for a garage in the A-1 Agricultural District if approved. La Rue stated he had performed a site survey so that he could provide the members some information and pictures. He informed the members the structure is up. The garage is approximately 4 feet from the county road right-of-way. La Rue stated limitations for the full 50 foot setback would be difficult because of placement of a water well, septic system and the property does fall off. Chairperson Beyer then read the letter received from the County Engineer. La Rue informed the members he had contacted Sterling Benz, Assistant County Attorney, regarding this matter. Mr. Benz stated the Board has two directions they could go since the building is already under construction. They could require the structure to be removed and relocated or, because of limitations on the property and since there was a structure there in the past, the Board could grant the request with the construction permit fee being doubled. Mr. Siders stated the garage will be used only as a residential use and not a business use. Board member Penningroth stated Mr. Siders would need to cooperate with the County Engineer, if in the future, the county road needed to be updated. A general discussion was held regarding other possible locations for the placement of the garage.

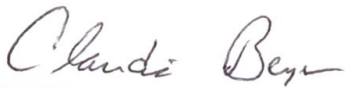


After further discussion, Johnson made a motion to grant the variance, subject to the maintenance of King Avenue at the level of which it is currently maintained and subject to the use of the garage as an accessory to the house and not as a place of business. Lenker seconded the motion. Rob Fangmann, County Engineer, was present and stated it is on a dead end, low volume road and has a traffic count of about ten vehicles per day. He stated he did not want to condone it, but because of the low volume of traffic on the road, he did not feel it would have an impact as long as everything was understood. He stated one of the reasons he does not want structures so close to the road is for road liability and sight issues. After further discussion, Chairperson Beyer restated the motion. Ayes all. A general discussion was then held by the members regarding any impact this might have for future issues.

- 2. U.S. Cellular, Cedar Rapids (Leasee)** – Requesting that the Special Use Permit, issued originally to Iowa East Cellular, be rescinded at property located at 1562 Logan Avenue, Tipton, in the NW ¼ of the SE ¼, Section 24, T-80N, R-3W, in Center West Township. Said property is currently zoned A-1 Agricultural.

La Rue informed the members the tower is down and the lease has expired and has not been renewed. The site has also been cleaned up. Penningroth made a motion to rescind the Special Use Permit granted for the tower as specified in the hearing records. Hoy seconded the motion. Ayes all. La Rue will send a copy of the minutes and a copy of the resolution rescinding the S.U.P. to U.S. Cellular.

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

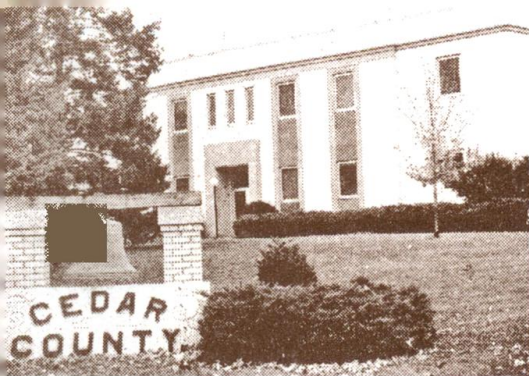


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Chairperson

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Secretary Pro-tem



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

March 6, 2006

**LEGAL NOTICE**

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, March 23, 2006, 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. Howard & Carolyn Siders, 1750 King Avenue, Tipton, IA (Owners) –** Requesting a setback variance to allow placement of a garage closer to the road right-of-way than the required front yard setback on property located in the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , Section 35, T-80N, R-3W, in Rochester Township, consisting of 4.5 acres more or less. Said property is currently zoned A-1 Agricultural.
- 2. U.S. Cellular, Cedar Rapids (Leasee) –** Requesting that the Special Use Permit, issued originally to Iowa East Cellular, be rescinded at property located at 1562 Logan Avenue, Tipton, in the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ , Section 24, T-80N, R-3W, in Center West 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 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



Copies sent out on 3/7/06 to the following:

1. Howard & Carolyn Siders - 1750 King Avenue, Tipton, Iowa 52772 - Certified
2. Morris Nelson - 932 Hall Street, Bettendorf, Iowa 52772
3. Wesley & Terri Smith - 1751 King Avenue, Tipton, Iowa 52772
4. Randall & Kimberly Siders - 1086 273rd Street, Tipton, Iowa 52772
5. Carleen Wieck - 416 E. 6th Street, Wilton, Iowa 52778

- 
1. Richard Kirby & Sylvia Larssen - 1170 250th Street, Tipton, Iowa 52772
  2. Scott A. Roekel - Project Manager, U.S. Cellular, 4201 River Center Ct. NE, Suite 101  
Cedar Rapids, Iowa 52402-7549 - Certified

5 Board of Adjustment members  
1 copy to Tipton Conservative on 3/6/06  
Bulletin Board Copy  
2 File Copies



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, March 23, 2006 – 3:00 p.m.

- I. Introduction
- II. Review of the following request:
  - A. Howard and Carolyn Siders, 1750 King Ave., Tipton (Owners) – Requesting a setback variance to allow placement of a garage closer to the road right-of-way than the required front yard setback
  - B. U.S. Cellular, Cedar Rapids (Leasee) – Requesting the Special Use Permit, issued originally to Iowa East Cellular, be rescinded
- III. Conclusion



## **CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES**

February 23, 2006

The Cedar County Board of Adjustment conducted a Public Hearing on Thursday, February 23, 2006, at 3:00 p.m., in the Large Meeting Room of the Courthouse, Tipton, Iowa. Members present were Beyer, Johnson, Penningroth, Hoy and Lenker.

Chairperson Beyer called the meeting to order at 3:00 p.m. Minutes from the last meeting held on August 25, 2005, were previously sent to the members. They were approved as written.

The Board members then considered the following petition:

- 1. Stacy Craig, RFD, Clarence** – Requesting approval of a Home Occupation Permit for the purpose of operating a canine massage business on property located at 1775 200<sup>th</sup> Street, Clarence, in the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ , Section 24, T-81N, R-2W, in Fairfield Township, consisting of 6.70 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 for this request. Stacy Craig was present and explained her plan to operate a canine massage business. Chairperson Beyer inquired about the number of customers per day to her business. Ms. Craig explained she does not expect more than eight customers per day. Clients and their pets will be visiting by appointment and no animals will be boarded overnight. Parking will be provided next to her home and will not be in the county road right-of-way. Ms. Craig explained that animal massage therapists require training and certification in Iowa to perform this service. Iowa Department of Agriculture will not require licensing unless she will be diagnosing, prescribing medication or operating a kennel. The letter from County Engineer Rob Fangmann was reviewed. Mr. Fangmann was present and explained to the Board members the sight distance limitations of Ms. Craig's driveway. Should the business expand beyond the normal residential traffic, the driveway will need to be revisited. In this case, the driveway would need to be moved to the west. This would be encouraged at this time. Chairperson Beyer questioned if approval should be tied to vehicle traffic count. The Board members were in agreement. La Rue explained that one neighbor lives closer than 750 feet from the proposed business, but with no boarding kennel, the required 750 feet separation distance required for dog kennels under Special Use Permit requirements do not appear applicable.

After a brief discussion, Johnson then made a motion to approve the Home Occupation Permit request with a requirement that there will not be more than eight customers per day. Lenker seconded the motion. Ayes all.

La Rue then advised the Board members that U.S. Cellular has removed a communication tower and requested the Special Use Permit be rescinded for their site at 1562 Logan Avenue, Tipton, located in Section 24, Center West Township.

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

*Claudia Bayn*

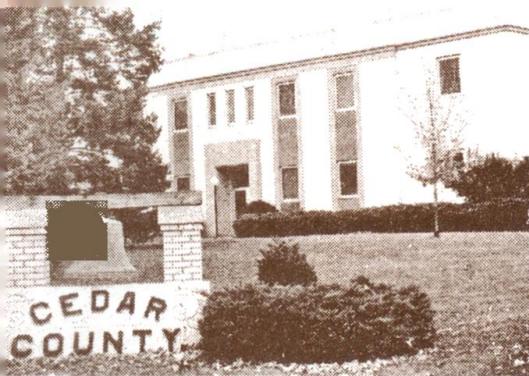
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Chairperson

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Secretary Pro-tem





Tel: 563-886-2248

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

February 6, 2006

**LEGAL NOTICE**

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, February 23, 2006, 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. **Stacy Craig, RFD, Clarence** – Requesting approval of a Home Occupation Permit for the purpose of operating a canine massage business on property located at 1775 200<sup>th</sup> Street, Clarence, in the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ , Section 24, T-81N, R-2W, in Fairfield Township, consisting of 6.70 acres more or less. 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 2/9/06 to the following:

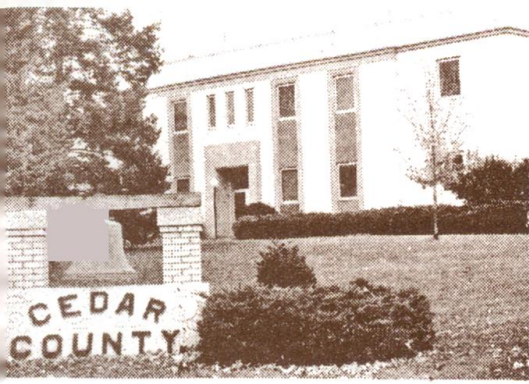
1. Stacy Craig - 1775 200th Street, Clarence, Iowa 52216 - Certified
2. Ray Geadelmann - 1754 200th Street, Clarence, Iowa 52216
3. Rhonda Steffen - 5469 290th Street, Dixon, Iowa 52745-9732

5 Board of Adjustment members

Copy to Tipton Conservative & Sun News on 2/6/06

Bulletin Board Copy

2 Copies for File



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, February 23, 2006 – 3:00 p.m.

- I. Introduction
- II. Review of the following request:
  - A. Stacy Craig, RFD, Clarence (Owner) – Requesting a Home Occupation Permit to allow operation of a canine massage business
- III. Conclusion



**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@cedarcounty.org](mailto:bos@cedarcounty.org)

**COPY**

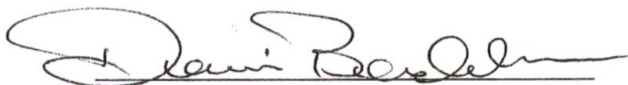
January 5, 2006

Ray Penningroth  
1423 - 200<sup>th</sup> Street  
Tipton, Iowa 52772

Dear Mr. Penningroth:

Please be advised, that by motion of this Board on January 3, 2006, you were appointed to another five-year term on the Zoning Board of Adjustment. The term will expire on 12-31-2010. Your willingness to serve on this Board is greatly appreciated.

Sincerely,



Dennis Boedeker, Chairperson

DB:bjp