

**OFFICE OF THE CEDAR COUNTY ENVIRONMENTAL & ZONING DEPARTMENT**  
Cedar County Courthouse

Tipton, Iowa 52772

October 5, 2009

**LEGAL NOTICE**

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, October 22, 2009, 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. AgVantage Farm Service, P.O. Box 828, Waverly, IA (Contract Buyer) and Alberta Svoboda, 109 Country View Drive, Mechanicsville, IA (Owner) –**  
Requesting a Special Use Permit authorizing an Agricultural Service Business and bulk farm chemical station on property located in the W ½, SW ¼, NE ¼, Section 24, T-82N, R-4W, in Pioneer Township, consisting of 10.00 acres more or less. Said property is currently zoned A-1 Agricultural.
  
- 2. AgVantage Farm Service, P.O. Box 828, Waverly, IA (Contract Buyer) and Jeff Graves, P.O. Box 70, Durant, IA (Owner) –** Requesting a Special Use Permit authorizing an Agricultural Service Business and bulk farm chemical station on property located in the W ½, SW ¼, NW ¼, Section 25, T-79N, R-1W, in Farmington Township, consisting of 5.00 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 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

Copies sent out on 10/07/09 to the following:

1. Gaylan Brunssen – AgVantage FS, 1600 8<sup>th</sup> Street SW, P.O. Box 828, Waverly, IA 50677 – Certified
2. Alberta Svoboda – 109 Country View Drive, Mechanicsville, Iowa 52306-9784
3. Alan Dale Weets Residuary Trust – 4105 180<sup>th</sup> Avenue, Anamosa, Iowa 52205-7728
4. Allan D. Kane – 2055 1<sup>st</sup> Ave SE, Cedar Rapids, Iowa 52402-6344
5. William A. Weber – P.O. Box 205, Mechanicsville, Iowa 52306-0205
6. Bridge Community Bank – P.O. Box 129, Mechanicsville, Iowa 52306-0129
7. James Dale Studer – P.O. Box 142, Mechanicsville, Iowa 52306-0142
8. Burl J. and Sally K. Hunt – 398 Badger Road, Mechanicsville, Iowa 52306
9. Tim J. Kohl – 209 Highway 30 West, Mechanicsville, Iowa 52306-7533
10. Steven W. & Teresa M. Weets – 612 160<sup>th</sup> Street, Mechanicsville, Iowa 52306-7605
11. Andrew J. Oberbreckling – 101 East Highway 30, Mechanicsville, Iowa 52306-7730
12. Gordon C. & Virginia McDowell – P.O. Box 247, Mechanicsville, Iowa 52306-0247
13. Star Brite Investments, Inc. – 2871 Highway 61, Muscatine, Iowa 52761-9728
14. Cleo Conner – 2115 1<sup>st</sup> Avenue SE #1212, Cedar Rapids, Iowa 52402-6382

---

1. Gaylan Brunssen – AgVantage FS, 1600 8<sup>th</sup> St. SW, P.O. Box 828, Waverly, IA 50677 – Certified
2. Jeffrey A. Graves – P.O. Box 70, Durant, Iowa 52747
3. Glen L. & Judith A. Swanson – 800 6<sup>th</sup> Avenue, Durant, Iowa 52747-9522
4. George W. Bruhn – 2281 325<sup>th</sup> Street, Durant, Iowa 52747-9548
5. Michael H. Hogan – 2163 332<sup>nd</sup> Street, Durant, Iowa 52747-9555
6. Pioneer Hi-Bred – Attn: Ryan White, 2208 Yankee Avenue, Durant, Iowa 52747

---

Copy to Tipton Conservative, Sun News and Durant/Wilton Advocate News on 10/5/09  
E-mailed copy to Rob Fangmann on 10/6/09  
5 Board of Adjustment members on 10/6/09  
2 File Copies  
Bulletin Board Copy



Tel: 563-886-2248

**OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR**  
Cedar County Courthouse

Tipton, Iowa 52772

September 9, 2009

**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.

Sincerely,

Phil La Rue  
Zoning Administrator

PL:sl

## CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES

August 27, 2009

The Cedar County Board of Adjustment conducted a Public Hearing on Thursday, August 27, 2009, in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa. Members present were Beyer, Johnson, Penningroth, Lenker and Hoy.

Chairperson Beyer called the meeting to order at 3:00 p.m. Minutes from the last meeting held on July 23, 2009, were previously sent to the members. Member Johnson noticed a correction to be made regarding the radio station that Sara Sinnard works at be changed from KGRG to KCRG. The minutes were then approved as corrected. The Board members then considered the following petitions:

- 1. Steve and Betty Elder, 2279 Garfield Ave., West Liberty (Owners)** – Requesting a variance to temporarily allow a second dwelling on property located at 2279 Garfield Avenue, West Liberty, Iowa, in the NE ¼, SE ¼, SE ¼, Section 25, T-79N, R-4W, in Springdale Township, consisting of 8.71 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.

Mr. & Mrs. Elder were present and explained to the members of their intent to build a new home 10 to 15 feet west of the existing home. Mr. Elder stated that when the new home is done they will tear the old home down. The letter from the County Engineer was reviewed. His letter stated this property is located on paved route X40 (Garfield Avenue) and should not cause any road concerns. The access has adequate sight distance to facilitate a single family dwelling. Since the current residents will only occupy one dwelling at a time, the trips generated will be comparable to that of a single family dwelling. He recommended approval with the stipulation that the current dwelling be removed from the site when the new home is complete. Mr. Elder informed the members he thought the new home would be finished this winter and then they will start tearing down the old house as soon as possible. The Elder's stated they will be doing some of the work themselves and it would be much handier if they could reside in the old home during the construction of the new home. Mr. Elder informed the members that he hoped to have the old house down before August 1, 2010.

After a brief discussion, Penningroth made a motion to grant the temporary variance to allow a second dwelling, subject to removal of the old house by August 1, 2010. Lenker seconded the motion. Ayes all.

**2. Verizon Wireless, 3619 Flagstone Circle, Middleton, Wisconsin (Leasee) and Steve Maurer, P.O. Box 460, Clarence (Leasor & Owner)** – Requesting a Special Use Permit authorizing the location of a 195 foot tall wireless communication tower on property located in the NE ¼, SE ¼, SE ¼, Section 31, T-81N, R-2W, in Center Township, consisting of 1.00 acres more or less. Said property is currently zoned A-1 Agricultural.

Zoning Administrator La Rue informed the members that on August 19, 2009, the Cedar County Planning and Zoning Commission made a recommendation to approve the S.U.P. He stated it appears that the petition is in accordance with Chapter 17.18(2) of the Zoning Ordinance and in compliance with the Telecommunication Ordinance. La Rue stated the County Engineer has no road concerns which will be dealt with by Sheila Lee, Iowa Department of Transportation. Ms. Lee's letter stated it does not appear that the use of the existing entrance will change and, therefore, no permits will be required by her.

Steve Maurer, land owner, and Tom Reece, representing Verizon Wireless, were present. La Rue informed the members the site lies north of the existing Iowa Wireless tower off Highway 130. Mr. Reece stated Verizon Wireless could not co-locate on the Iowa Wireless tower because it has failed structurally and is currently at its maximum load capacity. La Rue stated he is receipt of the foundation drawings which were not yet available at the Planning and Zoning Commission meeting. La Rue informed the members the CSR is over 75 points and Mr. Maurer stated that only one-tenth of an acre will be taken out of production. Chairperson Beyer stated the impact will be negligible because the footprint will be very small. Mr. Reece stated they are anticipating at least two additional carriers on the tower. He then explained the drawings which were provided. He stated that for a digital signal, with Verizon's radio frequency, they are only going to go about 2 ½ to 3 miles. He also stated there is a lot more traffic now with everyone using cell phones which eats up capacities so distances are shrinking. He stated the long term goal is that everyone would have cell phone coverage inside buildings. Mr. Reece informed the members that the existing tower at the Cedar County Sheriff's Dept. would probably not be strong enough to support telecommunications and there also could be interference concerns. He stated there will be T-1 microwave dishes on the tower for receiving and sending of T-1 dedicated telephone signals. He also stated Verizon is responsible for maintenance of the tower and site. He then informed the members that since the tower will be under 200 feet, it will not be lit.

After further discussion, Johnson made a motion to grant the Special Use Permit authorizing the location of a 195 foot wireless telecommunication tower, subject to annual review and appropriate maintenance of the site. Lenker seconded the motion. Ayes all.

With no further business to be discussed at this time, Penningroth made a motion to adjourn. Hoy seconded the motion. The meeting adjourned at 3:30 p.m.

---

Chairperson  
Claudia Beyer

*Sharon Laucamp*

Secretary  
Sharon Laucamp

**OFFICE OF THE CEDAR COUNTY ENVIRONMENTAL & ZONING DEPARTMENT**  
Cedar County Courthouse  
Tipton, Iowa 52772

August 10, 2009

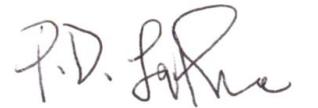
**LEGAL NOTICE**

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, August 27, 2009, 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. **Steve and Betty Elder, 2279 Garfield Ave., West Liberty (Owners)** – Requesting a variance to temporarily allow a second dwelling on property located at 2279 Garfield Avenue, West Liberty, Iowa, in the NE ¼, SE ¼, SE ¼, Section 25, T-79N, R-4W, in Springdale Township, consisting of 8.71 acres more or less. Said property is currently zoned A-1 Agricultural.
2. **Verizon Wireless, 3619 Flagstone Circle, Middleton, Wisconsin (Leasee) and Steve Maurer, P.O. Box 460, Clarence (Leasor & Owner)** – Requesting a Special Use Permit authorizing the location of a 195 foot tall wireless communication tower on property located in the NE ¼, SE ¼, SE ¼, Section 31, T-81N, R-2W, in Center Township, consisting of 1.00 acres more or less. Said property is currently zoned A-1 Agricultural.

At said Public Hearing, any person present, as 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 8/12/09 to the following:

1. Steve & Betty Elder – 2279 Garfield Avenue, West Liberty, Iowa 52776 – Certified
2. Stanley & Betty Elder – 2253 Garfield Avenue, West Liberty, Iowa 52776
3. Jonathan & Ronda Meade – 2274 Garfield Avenue, West Liberty, Iowa 52776
4. Myron J. Walker Trust – P.O. Box 1460, Iowa City, Iowa 52244

---

1. Steve Maurer – P.O. Box 460, Clarence, Iowa 52216 – Certified
2. Rex Maurer – P.O. Box 331, Hobart, Washington 98025
3. City of Tipton – Attn: Doug Boldt, 407 Lynn Street, Tipton, Iowa 52772
4. Cedar County Cooperative – 906 E. 7<sup>th</sup> Street, Tipton, Iowa 52772
5. Jack & June Reeve – 1012 E. 7<sup>th</sup> Street, Tipton, Iowa 52772
6. Cedar County PCS, LLC – 608 Lombard Street, Clarence, Iowa 52216
7. Murry & Renee Mente – 1309 Highway 130, Tipton, Iowa 52772
8. Scott Steeno – Verizon Wireless, 3619 Flagstone Circle, Middleton, WI 53562 - Certified

---

Copy to Tipton Conservative & West Liberty Index on 8/10/09

E-mailed copy to Rob Fangmann on 8/10/09

5 Board of Adjustment members on 8/12/09

2 File Copies

Bulletin Board Copy

## CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES

July 23, 2009

The Cedar County Board of Adjustment conducted a Public Hearing on Thursday, July 23, 2009, in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa. Members present were Beyer, Hoy, Johnson, Penningroth and Lenker.

Chairperson Beyer called the meeting to order at 3:00 p.m. Minutes from the last meeting held on June 25, 2009, were previously sent to the members. They were approved as presented. The Board members then considered the following petitions:

1. **Sara Sinnard, 1112 265<sup>th</sup> Street, Tipton (Owner)** – Requesting a Special Use Permit authorizing a Bed and Breakfast Home at 1112 265<sup>th</sup> Street, located in the N ½, NE ¼, SE ¼, Section 26, T-80N, R-3W, in Rochester Township. Said property is currently zoned R-1 Suburban Residential and A-1 Agricultural.

This petition was a continuation of the hearing held on June 25, 2009. Zoning Administrator La Rue informed the members there were no written or verbal objections on file and advised them to consider this petition in accordance with Chapter 17.18(2) of the Cedar County Zoning Ordinance dealing with Special Exceptions. He stated that bed and breakfasts are allowed in both the A-1 and R-1 districts. The location where Ms. Sinnard wants to have her business is in the R-1 district.

Sara Sinnard was present and informed the member she moved back to Iowa last February and purchased a three year old A frame home which is set in timber with hiking trails. She informed the members she has always wanted to have a bed and breakfast business. She explained she works full time in Cedar Rapids as a marketing director for KCRG and the Gazette so the B & B business will have limited availability and will be seasonal. She plans to serve breakfasts immediately and perhaps box lunches eventually. She stated she can accommodate one to two bedrooms. She may eventually remodel the basement to add another bedroom and great room. She does plan to have a small advertisement sign which will be placed at her driveway. La Rue informed the members that the home is served by a sandfilter septic system designed for three bedrooms. He stated she can use her kitchen because it is below the threshold of having to provide a hotel/motel license for a food service license. La Rue then read sections from Chapter 18 of the Zoning Ordinance regarding the Board of Adjustment's responsibilities in granting special exceptions. The letter received from the Cedar County Engineer was reviewed. It stated this property is located on gravel route 265<sup>th</sup> Street and should not cause any road concerns. An existing entrance has sufficient sight distance to facilitate a minor subdivision. The petitioner stated that the bed and breakfast would accommodate two

units which he treated as two households. This would generate less traffic than a minor subdivision, hence why a minor subdivision criteria was utilized for sight distance.

After further discussion, Hoy made a motion to approve the Special Use Permit, subject to annual review. Lenker seconded the motion. Ayes all.

2. **Croell Redi-Mix, 2010 Kenwood Avenue, New Hampton (Owner)** – Requesting a Special Use Permit authorizing a sand and gravel open pit mining operation on property located in the SE  $\frac{1}{4}$ , NE  $\frac{1}{4}$ , and NE  $\frac{1}{4}$ , SE  $\frac{1}{4}$ , Section 29, and the SW  $\frac{1}{4}$ , NW  $\frac{1}{4}$  and NW  $\frac{1}{4}$ , SW  $\frac{1}{4}$ , Section 28, T-81N, R-4W, in Cass Township, consisting of 86.00 acres more or less. Said property is currently zoned A-1 Agricultural.

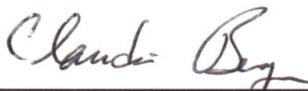
Zoning Administrator La Rue informed the members there were no written or verbal objections on file and informed the members the Planning & Zoning Commission recommended approval at their meeting. There is a utility access easement coming onto 290<sup>th</sup>. The letter received from County Engineer, Rob Fangamnn, stated the property is located on paved route 210<sup>th</sup> Street and should not cause any road concerns. The petitioner has acquired an easement to gain access onto the paved road 210<sup>th</sup> St. at his request to minimize the traffic on Solon Road. All trucks must adhere to load limits as outlined by the State of Iowa. Therefore, he does not have any road concerns regarding this petition. He informed the members to do their review in accordance with Chapter 17.18(2) of the Zoning Ordinance.

Bill Croell was present and informed the members he was one of the owners of the family owned business. He stated his father started the business in 1968. He also informed the members they are primarily a redi-mix company hauling concrete and have branched out into sand and gravel production in order to be more competitive. They are mostly centered in Iowa. Mr. Croell stated this particular piece of property came up for public auction last November which they purchased. They cored the ground and found that there is roughly 50 feet of sand there. He stated there is also coarse gravel which is ideal for the redi-mix operation. He then explained the booklet he had provided to the members. He pointed out the access is onto 210<sup>th</sup> St. and is on a farm to market road. He stated they talked to the neighbors and came to an agreement to have the entrance onto the concrete road. There is plenty of sight distance. As far as truck traffic volume, he stated he took a 5 year average of the Iowa City and West Branch plants and it averaged out at the high end of approximately 42,000 tons per year. He estimates 7 to 8 loads of sand per day will be taken out of the pit that they will use. They will be hauling approximately 25 tons per load. Mr. Croell stated the operation will also be open to the public. He also informed the members the lifespan of the operation is roughly 50 years. He stated when they leave, it has to be cleaned up according to state laws. He also informed the members when they are done using the site they will get rid of it because of the liability. He then briefly discussed the drawdown issue. He informed the members he went to the state hydrologist in Iowa City who

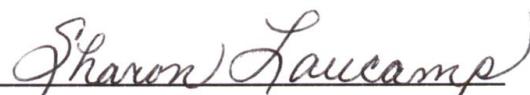
told him what the water quality is going to do and if there is any possible drawdown. He explained the drawdown procedure. The state hydrologist told Mr. Croell that his operation might draw the water down by one foot when they are dredging. The hydrologist considered it negligible. He stated the dredge simply recycles the water. The flood plain was then discussed. Mr. Croell stated he got in touch with the Flood Plain Management and discussed the new FEMA flood plain map. He stated that FEMA does not have a problem with taking sand out of a flood plain and are more concerned about filling it in. He stated he has taken all of his sand piles out of the 100 year flood plain. Therefore, he does not need a Flood Plain permit. He explained the flood plain exhibits he had in the booklet he had provided. He then explained the reclamation process. He stated they are required by law to submit a reclamation plan, a bond has to be posted, they have to follow certain slopes and it is inspected. He then stated the CSR rating is below 75 points. The rest of the farm will remain farm ground which will be rented out. They will not take any good farm ground out of production. The letter from the West Branch Volunteer Fire and Rescue Department stated they are willing and able to provide emergency fire and rescue response to the proposed sand plant. La Rue then stated that on the south side of the future pond site there is a farmstead which is the Netolicky property. He informed the members that the Netolicky property is currently enrolled in the hazard litigation grant program. He stated he received an e-mail on July 20<sup>th</sup> stating that FEMA has approved Cedar County's hazard litigation grant program application. Mr. Croell informed the members there will be no explosives or blasting. Larry Glick was present and informed the members that the access is going to be on his property because the Netolicky's did not want them on their lane. Mr. Glick stated he has an easement agreement with Croell Redi-Mix. John Tuthill, representing Wendling Quarries, questioned if Mr. Croell would need to obtain a flood plain permit for the access road. La Rue stated he will contact Kelly Stone with IDNR Flood Plain Management and review the letter received from Mr. Stone. Mr. Croell stated they will have to be in compliance. La Rue then read from Chapter 17.18(2) of the Zoning Ordinance pertaining to the Board of Adjustment in making their findings.

After further discussion Johnson made a motion to approve the Special Use Permit authorizing a sand and gravel open pit mining operation subject to annual review. Penningroth seconded the motion. Ayes all.

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



Chairperson  
Claudia Beyer



Secretary  
Sharon Laucamp



Tel: 563-886-2248

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

July 6, 2009

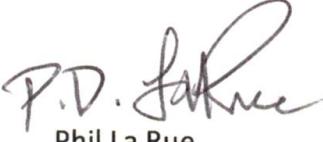
**LEGAL NOTICE**

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, July 23, 2009, 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. **Sara Sinnard, 1112 265<sup>th</sup> Street, Tipton (Owner)** – Requesting a Special Use Permit authorizing a Bed and Breakfast Home at 1112 265<sup>th</sup> Street, located in the N ½, NE ¼, SE ¼, Section 26, T-80N, R-3W, in Rochester Township. Said property is currently zoned R-1 Suburban Residential and A-1 Agricultural. This petition was continued from the June 25, 2009, hearing.
2. **Croell Redi-Mix, 2010 Kenwood Avenue, New Hampton (Owner)** – Requesting a Special Use Permit authorizing a sand and gravel open pit mining operation on property located in the SE ¼, NE ¼, and NE ¼, SE ¼, Section 29, and the SW ¼, NW ¼ and NW ¼, SW ¼, Section 28, T-81N, R-4W, in Cass Township, consisting of 86.00 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 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

Copies sent out on 7/8/09 to the following:

1. Sara Sinnard – 1112 265<sup>th</sup> Street, Tipton, Iowa 52772 – Certified
2. Larry & Sharon Hodgden – 1645 ‘D’ Ave., NE, Cedar Rapids, Iowa 52402
3. Rick & Darlene Ehlers – 1692 Snaggy Ridge Road, Tipton, Iowa 52772
4. Dan D. & Lori Dawson Revocable Trust – 1102 265<sup>th</sup> Street, Tipton, Iowa 52772
5. Heidi Carr- 1114 265<sup>th</sup> Street, Tipton, Iowa 52772

---

1. Croell Redi-Mix – William R. Croell, 2010 Kenwood Avenue, P.O. Box 430, New Hampton, IA 50659
2. Emilie Suchomel – 151 Solon Road, Solon, Iowa 52333
3. Larry & Berrie Glick – 190 Solon Road, Solon, Iowa 52333
4. Joseph & John Netolicky & Mary Meggers & Jane Pike, 5434 D Avenue NW, Cedar Rapids, IA 52405
5. Glick Family Farms LLC – 879 195<sup>th</sup> Street, Mechanicsville, Iowa 52306
6. Jane Pike – 5434 D Ave. NW, Cedar Rapids, Iowa 52405

---

Copy to Tipton Conservative on 7/6/09  
5 Board of Adjustment members on 7/8/09  
Copy e-mailed to County Engineer on 7/8/09  
2 File Copies  
Bulletin Board Copy



Tel: 563-886-2248

**OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR**  
Cedar County Courthouse

Tipton, Iowa 52772

June 8, 2009

**LEGAL NOTICE**

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, June 25, 2009, 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. **Sara Sinnard, 1112 265<sup>th</sup> Street, Tipton (Owner)** – Requesting a Special Use Permit authorizing a Bed and Breakfast Home at 1112 265<sup>th</sup> Street, located in the N ½, NE ¼, SE ¼, Section 26, T-80N, R-3W, in Rochester Township. Said property is currently zoned 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 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 6/10/09 to the following:

1. Sara Sinnard – 1112 265<sup>th</sup> Street, Tipton, Iowa 52772 – Certified
2. Larry & Sharon Hodgden – 1645 'D' Ave., NE, Cedar Rapids, Iowa 52402
3. Rick & Darlene Ehlers – 1692 Snaggy Ridge Road, Tipton, Iowa 52772
4. Dan D. & Lori A. Dawson Revocable Trust – 1102 265<sup>th</sup> Street, Tipton, Iowa 52772
5. Heidi Carr – 1114 265<sup>th</sup> Street, Tipton, Iowa 52772

5 Board of Adjustment Members on 6/10/09

Copy to Tipton Conservative on 6/8/09

Copy e-mailed to Cedar County Engineer on 6/10/09

2 File Copies

Bulletin Board Copy

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

June 25, 2009

The Cedar County Board of Adjustment conducted a Public Hearing on Thursday, June 25, 2009, in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa. Members present were Beyer, Johnson, Penningroth, Lenker and Hoy.

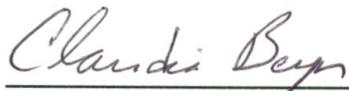
Chairperson Beyer called the meeting to order at 3:15 p.m. It was noted that all members were present. The members were scheduled to consider the following petition:

1. **Sara Sinnard, 1112 265<sup>th</sup> Street, Tipton (Owner)** – Requesting a Special Use Permit authorizing a Bed and Breakfast Home at 1112 265<sup>th</sup> Street, located in the N ½, NE ¼, SE ¼, Section 26, T-80N, R-3W, in Rochester Township. Said property is currently zoned R-1 Suburban Residential and A-1 Agricultural.

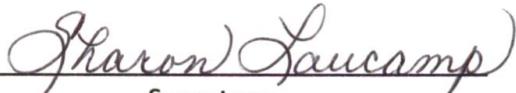
The petitioner was not present so the petition will be put on July's agenda.

Minutes from the last meeting held on May 28, 2009, were previously sent to the members. They were approved as presented.

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



Chairperson  
Claudia Beyer



Secretary  
Sharon Laucamp

## CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES

May 28, 2009

The Cedar County Board of Adjustment conducted a Public Hearing on Thursday, May 28, 2009, in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa. Members present were Beyer, Johnson, Penningroth 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 March 26, 2009, were previously sent to the members. They were approved as presented. The Board members then considered the following petitions:

1. **Michael and Brandi King, 2352 Old Lincoln Highway, Lowden (Owners)** – Requesting approval of a Special Use Permit to allow a dog breeding kennel at 2352 Old Lincoln Highway, Lowden, located in Parcel A, SW ¼, SW ¼, NE ¼, Section 1, T-81N, R-1W, in Springfield Township, consisting of 3.02 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 them to consider this petition in accordance with Chapter 17.18(2) of the Cedar County Zoning Ordinance. He also informed them that the Planning and Zoning Commission recommended approval of the S.U.P. at their meeting held on May 20, 2009.

Michael and Brandi King were present and informed the members they plan to raise and breed miniature dachshunds and sell them. They are requesting the S.U.P. be for a maximum of 20 dogs for breeding. Mr. King stated they have complied with all of the Department of Agriculture rules and have already been inspected. They currently have 13 dogs. Mrs. King stated they spay and neuter the dogs after they are no longer breeders and they remain with them as pets. The King's stated they plan to add on to the current facility. They are located just outside of the city limits on the east side. La Rue stated he had contacted the Lowden City Clerk and there were no objections. He also stated that he had not received any comments from the neighbors within 750 feet. The King's informed the members that they are not planning on any signs for advertisement at this time. They were informed they could place a maximum of a 32 square feet sign as long as it is outside of the road right-of-way. La Rue then read sections from the Zoning Ordinance pertaining to special permits. The letter received from the County Engineer stated he had no concerns. It was noted that the off-street parking is sufficient. It was also noted that they are complying with all the requirements.

After a brief discussion, Penningroth made a motion to grant the S.U.P. for a maximum of 20 breeding dogs and will be subject to annual review. Johnson seconded the motion. Ayes all.

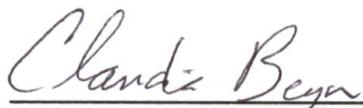
2. **Todd Pruess, 717 Union Avenue, Lowden (Owner)** – Requesting a variance to temporarily allow a second dwelling on property located at 716 Hoover Highway, Lowden, Iowa, in the SW ¼, NW ¼, NE ¼, Section 11, T-81N, R-1W, in Springfield Township, consisting of 20.00 acres more or less. Said property is currently zoned A-1 Agricultural.

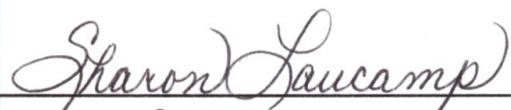
La Rue informed the members there were no written or verbal objections on file and advised them to consider this petition in accordance with Chapter 17.18(3) of the Zoning Ordinance. The letter from the County Engineer was reviewed which stated the property is located on Hoover Highway and should not cause any road concerns. It also stated that adequate sight distance exists for multiple dwellings on the property.

Mr. Pruess was present and informed the members he bought property with an existing dwelling. He stated he plans to build a new home on the property and move the existing home which is in good shape. He plans to re-locate the home after he purchases a lot to move it onto. He stated the new house will be east of the present house. He stated he would like to request 18 months to get the existing home moved to another site. He plans to start building right away. Marnell Scheeper, an adjoining property owner, was present and stated his concern about possible water runoff onto his property. His concern is where Mr. Pruess will be building. He stated he had visited with Mr. Pruess prior to the meeting. La Rue stated Mr. Pruess will be required to provide erosion control.

After further discussion, Johnson made a motion to approve the temporary variance of 18 months to allow the placement of a second dwelling on the property. Lenker seconded the motion. Penningroth then stated he would like an amendment to the motion that Mr. Pruess be required to provide erosion control to protect Mr. Scheeper's property. Ayes all.

With no further business to be discussed at this time, Penningroth made a motion to adjourn. Lenker seconded the motion. The meeting adjourned at 3:20 p.m.

  
\_\_\_\_\_  
Chairperson  
Claudia Beyer

  
\_\_\_\_\_  
Secretary  
Sharon Laucamp



Tel: 563-886-2248

**OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR**  
Cedar County Courthouse

Tipton, Iowa 52772

May 4, 2009

**LEGAL NOTICE**

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, May 28, 2009, 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. **Michael and Brandi King, 2352 Old Lincoln Highway, Lowden (Owners)** – Requesting approval of a Special Use Permit to allow a dog breeding kennel at 2352 Old Lincoln Highway, Lowden, located in Parcel A, SW ¼, SW ¼, NE ¼, Section 1, T-81N, R-1W, in Springfield Township, consisting of 3.02 acres more or less. Said property is currently zoned A-1 Agricultural.
2. **Todd Pruess, 717 Union Avenue, Lowden (Owner)** – Requesting a variance to temporarily allow a second dwelling on property located at 716 Hoover Highway, Lowden, Iowa, in the SW ¼, NW ¼, NE ¼, Section 11, T-81N, R-1W, in Springfield Township, consisting of 20.00 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 5/5/09 to the following:

1. Mike & Brandi King – 2352 Old Lincoln Highway, Lowden, Iowa 52255 – Certified
2. Brent Kreinbring – 2184 160<sup>th</sup> Street, Lowden, Iowa 52255
3. Robert Witte – 26658 US Highway 70, Wilson, OK 73463-6737
4. Larre & Joyce Petersen – 2330 Old Lincoln Highway, Lowden, Iowa 52255
5. City of Lowden – P.O. Box 310, Lowden, Iowa 52255

---

1. Todd Pruess – 717 Union Avenue, Lowden, Iowa 52255 – Certified
2. Gerhart Scheeper & Marnell Scheeper Living Trust – 119 Grant Ave., Lowden, Iowa 52255
3. Darrell & Jody Yutesler – 2217 Hoover Highway, Lowden, Iowa 52255
4. Patricia Severin - % 1<sup>st</sup> Trust & Savings Bank, P.O. Box 220, ~~Lowden, Iowa 52255~~ *Wheatland* 52777
5. Dian Lynn & Richard Dooley – P.O. Box 386, Lowden, Iowa 52255
6. Three Way Farms, Inc. – 824 Taylor Avenue, Lowden, Iowa 52255

---

Copy to Tipton Conservative and Sun News on 5/4/09

5 Board of Adjustment members on 5/5/09

2 File Copies

Copy e-mailed to Rob Fangmann on 5/5/09

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, May 28, 2009 – 3:00 p.m.

- I. Introduction
- II. Review of the following requests:
  - A. Michael and Brandi King, 2352 Old Lincoln Highway, Lowden (Owners) – Requesting a Special Use Permit to allow a dog breeding kennel. Said property is currently zoned A-1 Agricultural.
  - B. Todd Pruess, 717 Union Avenue, Lowden (Owner) – Requesting a variance to temporarily allow a second dwelling on property located at 716 Hoover Highway, Lowden, Iowa. Said property is currently zoned A-1 Agricultural.
- III. Discussion
- IV. Conclusion



Tel: 563-886-2248

**OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR**  
Cedar County Courthouse

Tipton, Iowa 52772

April 8, 2009

**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

## CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES

March 26, 2009

The Cedar County Board of Adjustment conducted a Public Hearing on Thursday, March 26, 2009, in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa. Members present were Hoy, Lenker, Beyer, Penningroth and Johnson.

Chairperson Beyer called the meeting to order at 3:00 p.m. Minutes from the previous meeting held on February 26, 2009 were previously sent to the members. They were approved as presented.

The members then discussed the Special Use Permit previously granted to Michelle Kennedy for a dog boarding kennel. Zoning Administrator La Rue informed the members that he had sent a certified letter to Ms. Kennedy regarding the status of her S.U.P. He asked Ms. Kennedy if she currently has a license from the State Department of Agriculture. She stated that she does not at this time but she may again in the future. La Rue then stated that a complaint was received on February 4, 2009, regarding a dead dog on her property. La Rue requested his assistant, Tod Swick, to do a site survey at the property on February 5<sup>th</sup>. La Rue also stated there had been problems regarding dogs on her property in the past. Ms. Kennedy stated the dog did not die of neglect. La Rue then read the report received from the Cedar County Sheriff's Dept. He stated he is not looking at any criminal neglect and asked Tod Swick what he saw when he did the site survey. Mr. Swick stated he had taken photos and noticed that the water bowl was frozen solid. The dog was frozen solid to the ground. He stated he was standing southeast of the dog house and southwest of the home. He noted a lot of debris in the yard but did not look in any of the buildings. Ms. Kennedy was very distraught over the death of her dog. She stated Digger, a Saint Bernard, was born on January 1, 2002. La Rue questioned the care given to a senior dog. Ms. Kennedy stated that Digger was the kind of dog she could not take with her due to his personality. She stated again that she did not neglect the dog and she loves animals. She stated she wishes to continue with a rescue service for dogs. She informed the members her kennel will be for her own use and rescue. She stated she does not intend on boarding dogs. Chairperson Beyer then stated her S.U.P. is for dog boarding and there would not be any purpose in keeping the S.U.P. if she is not planning to board dogs. Ms. Kennedy stated she thinks it is under the state guidelines and what the B of A follows. La Rue stated Cedar County does not have an animal control ordinance or any regulation restricting the number of animals an individual can own. Chairperson Beyer asked Jeff Renander, Assistant County Attorney, where rescue for animal shelters would come in place under the ordinance. He stated he feels that animal rescue would involve boarding. La Rue stated if she is taking care of dogs, and trying to find homes for them, he would consider it to be inclusive and would ask for an interpretation from the Iowa Department of Agriculture. Ms. Kennedy stated that when she goes back to her property this summer she does not plan to provide boarding services. She will only have her own dogs and will provide rescue services at her residence. Again, Chairperson Beyer questioned if there is a need to keep this S.U.P.

in place. Ms. Kennedy stated she could not take more than two dogs at a time and stated she does not see a need to keep the S.U.P. in place at this time. Mr. Renander stated that if Ms. Kennedy keeps the dogs in her home, he does not see a need for the permit. However, if in the future she wishes to expand, she will need to repeat the Board. Therefore, Chairperson Beyer suggested the S.U.P. be rescinded and, if the business grows, she will need to obtain a S.U.P. and state license.

After further discussion, Penningroth made a motion to rescind the S.U.P. because it is not being used at this point in time. Lenker seconded the motion. Ayes all. Motion carried.

The Board members then discussed rescinding permits previously granted to Galen Conrad and Kathryn Trump. La Rue stated that Galen Conrad had a S.U.P. authorizing restoration of salvaged automobiles on his property. This is Item #7 on the list for review. He stated he received a letter in January 2008 from Mr. Conrad stating he no longer needed the S.U.P. and requested that his permit be rescinded. Hoy made a motion to rescind the S.U.P. Lenker seconded the motion. Ayes all. Motion carried. La Rue then stated that he had received an e-mail from Ms. Trump requesting that her S.U.P. for a third dwelling on her farm be rescinded. This is Item #57 on the list for review. Penningroth made a motion to rescind the S.U.P. Hoy seconded the motion. Ayes all. Motion carried.

La Rue then informed the members that Joel Brown had requested that the S.U.P., Item #18 on the review list, allowing a third residence on a farm, be rescinded. He read the letter received from Brown Farms requesting the rescindment. The letter requested that the Brown's have until August 30, 2009, to complete the removal of the manufactured home and take care of the well and septic system requirements. Hoy made a motion to rescind the S.U.P., effective August 31, 2009. Penningroth seconded the motion. Ayes all. Motion carried. La Rue also informed the members he had received a letter from Virginia McGinn, Virginia Creek Farms, from Johnston, Iowa, regarding rescinding the permit issued to Great Lakes Chemical Corporation, Omaha, Nebraska, for stockpiling corn cobs on her family's property. This is Item #5 on the review list. Ms. McGinn wrote in her letter that there has been no compensation and no stockpiling on the property since her family has owned the property. Penningroth made a motion to rescind the S.U.P. Hoy seconded the motion. Ayes all. Motion carried.

La Rue then reported on the status of the following Home Occupation/Industry and Special Use Permits which had been previously granted by the Board:

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. **(Rescinded)**
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. **(Rescinded)**
8. 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.
9. 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.

10. 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.
11. Cedar County Cooperative, Tipton (Owner) – A Special Use Permit authorizing an 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. An amendment to their S.U.P. was granted on September 27, 2007, to allow for the placement of a 30,000 gallon anhydrous ammonia storage tank directly south of their two existing 12,000 gallon tanks. The property is currently zoned Ab Agricultural Business.
12. 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.
13. 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.
14. 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.
15. 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.

16. 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.
17. 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.
18. 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. **(Rescinded)**
19. 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.
20. 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.
21. 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.
22. 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.

23. Nextel West Corporation, Bloomingdale, MN – A Special Use Permit authorizing the location of a cellular communication tower on property located in the NW ¼ of the SE ¼, Section 17, T-79N, R-2W, in Rochester Township, consisting of 2.774 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 SE ¼ of the SE ¼, Section 9, T-79N, R-4W, in Springdale Township, consisting of 2.774 acres more or less.
25. Northern Border Pipeline Company, Omaha, Nebraska – A Special Use Permit authorizing the location of a communication tower on property located in the NE ¼ of the NE 1/4 of the SW ¼, Section 30, T-79N, R-1W, in Farmington Township, consisting of 6.16 acres more or less.
26. 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 ¼ of the SW ¼, Section 31, T-80N, R-3W, in Iowa Township, on property consisting of 6.37 acres more or less.
27. 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 ¼ of the NE ¼, Section 19, T-79N, R-3W, in Iowa Township.
28. 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 ¼ of the SE ¼, Section 14, T-82N, R-4W, in Pioneer Township.
29. 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 ½ of the NE ¼, Section 19, T-80N, R-4W, in Gower Township, on a parcel consisting of 68.83 acres more or less.

30. 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.
31. 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.
32. 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.
33. 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.
34. 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.
35. 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.

36. 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 1/4 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.
37. 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.
38. 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.
39. 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.
40. 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 ¼ of the NW ¼, 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.
41. 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 ¼ of the SW ¼ of the NE ¼, 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.

42. 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.
43. 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.
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 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.
45. 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.
46. 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.
47. 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.

48. 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 is 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. An amendment was granted to their S.U.P. on August 23, 2007, authorizing the location of a fourth dwelling on their farm.
49. 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.
50. U.S. Cellular, Cedar Rapids, Iowa (Lessee) 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.
51. U.S. Cellular, Cedar Rapids, Iowa (Lessee) 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.
52. 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.

53. 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.
54. 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.
55. 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.
56. 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. **(Rescinded)**
57. 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. **(Rescinded)**
58. 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.

59. 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 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.
60. 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.
61. 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.
62. 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.
63. 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 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.
64. 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.

65. 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 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.
66. Benjamin and Tanya Sterner, RFD, Tipton (Owners) – A Home Occupation Permit to allow a dog grooming business on property located in the NW ¼ of the NW 1/4 , 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.
67. 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 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.
68. 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.
69. Stacy Craig, RR, Clarence (Owner) – 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 ¼ of the SW ¼ of the SE ¼, 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.
70. Dawn Albertson, 2951 Highway 22, Muscatine (Owner) – 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.
71. Curtis & Carla Friis, 44 280<sup>th</sup> Street, West Branch (Owners) – 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. An amendment was granted on August 23, 2007,

to allow for the expansion of their dog boarding facility by an additional fourteen (14) pens.

72. Kay Bentley, 707 West 9<sup>th</sup> Street #39, Tipton (Owner) – A Special Use Permit to allow a dog breeding kennel at 637 Rose Avenue, Clarence, Iowa, in the E ½ of the SE ¼, of the NE ¼, Section 2, T-81N, R-2W, in Fairfield Township, Consisting of 2.35 acres more or less. Said property is currently zoned A-1 Agricultural.
73. Dennis Ricke, 743 Adams Avenue, Lisbon (Owner) – A Home Occupation Permit to allow for the manufacture of custom firearms on his property located in the SW ¼ of the NW ¼ and the S ½ of the NW ¼ of the NW ¼, Section 7, T-81, R-4W, in Linn Township, consisting of 47.90 acres more or less. Said Property is currently zoned A-1 Agricultural.
74. Cedar County PCS, L.L.C., 608 Lombard St., Clarence (Leasee) & Randall & Kimberly Siders, 1086 273<sup>rd</sup> St., Tipton (Leasor & Owners) – A Special Use Permit authorizing the location of a 190 foot tall wireless communication tower on property located in the SE ¼ of the NE ¼, Section 35, T-80N, R-3W, in Rochester Township. Said property is currently zoned A-1 Agricultural.
75. John and Sherrie Falkers, 990 Cedar Valley Road, Tipton (Owners) – A Home Industry Permit to allow repair of motor vehicles as Falkers Repair and Body Shop on property located in the NE ¼ of the NE ¼, Section 15, T-80N, R-3W, in Center West Township. Said property is currently zoned A-1 Agricultural.
76. Cedar County P.C.S., L.L.C., 608 Lombard St., Clarence (Leasee) and James and Sharon Wilson, 1826 230<sup>th</sup> St., Bennett (Leasor & Owners) – A Special Use Permit authorizing the location of a 190 foot tall wireless communication tower on property located in the NE ¼ of the SE ¼, Section 7, T-80N, R-1W, in Inland Township. Said property is currently zoned A-1 Agricultural.

After comments were made by Zoning Administrator La Rue on all of the previous petitions, Chairperson Beyer noted that La Rue will check on the status of # 29 (Kun Chae Bae Trust and KM Communications), #33 (Donald and Sharon Stiff), #39 (Donovan and LeAnn Trana), #42 (Patricia Juchter), #48 (Robert and Judy Wright), #58 (Jordan Pettus), #67 (Amy Reif and Ron Benhart) & #69 (Stacy Craig). Penningroth then made a motion to approve the continuation of all the Home Occupation/Industry and Special Use Permits with the exception of #29, 33, 39, 42, 48, 58, 67 & 68 which Zoning Administrator La Rue will check the status on and report back to the members. Lenker seconded the motion. Ayes all. Motion carried.

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

Claudia Beyer

Chairperson  
Claudia Beyer

Sharon Laucamp

Secretary  
Sharon Laucamp



Tel: 563-886-2248

**OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR**  
**Cedar County Courthouse**

Tipton, Iowa 52772

March 10, 2009

Michelle Kennedy  
467 Buckeye Road  
West Liberty, Iowa 52776

**RE: Special Use Permit #0102 (Approved 2-28-02)**

Dear Ms. Kennedy:

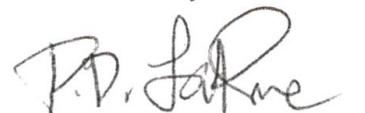
I am writing this letter at the request of the Cedar County Board of Adjustment regarding the status of your Special Use Permit allowing a boarding kennel.

Specifically, in response to the death of your dog and not maintaining a boarding kennel license with the Iowa Department of Agriculture, you are required to appear before the Board on Thursday, March 26, 2009, at 3:00 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse to answer questions pertaining to your Special Use Permit.

At this meeting, the Board of Adjustment will be considering the continuance or revocation of your Special Use Permit as part of their annual permit review process. Please be advised that failure to appear or to request a continuance in writing may result in the revocation of your Special Use Permit.

If you have any questions regarding this matter, or wish to request a continuance in writing, please feel free to contact me at your earliest convenience.

Sincerely,

  
Phil La Rue  
Zoning Administrator

PL:sl

cc: Jeff Renander, Assistant Cedar Co. Attorney  
CERTIFIED MAIL



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 26, 2009 – 3:00 p.m.

- I. Introduction
- II. Discussion regarding the Special Use Permit previously granted to Michelle Kennedy for a dog boarding kennel
- III. Discussion regarding rescinding the Special Use Permit previously granted to Galen Conrad, RR, Lowden
- IV. Discussion regarding rescinding the Special Use Permit previously granted to Kathryn Trump, RR, Mechanicsville
- V. Annual review of the Home Occupation/Industry and Special Use Permits previously granted by the Board
- VI. Discussion
- VII. Conclusion



Tel: 563-886-2248

**OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR**  
**Cedar County Courthouse**

Tipton, Iowa 52772

March 9, 2009

**LEGAL NOTICE**

The Cedar County Board of Adjustment will be meeting on Thursday, March 26, 2009, 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 be conducting 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.
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.
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 ½ of the SW ¼, 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 ¼ of the SW ¼, 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 ¼ of the NW ¼, Section 33, T-82N, R-1W, in Massillon Township.

Copies sent out on 3/10/09 to the following:

5 Board of Adjustment members

Copy to Tipton Conservative on 3/9/09

Copy e-mailed to County Engineer on 3/10/09

Bulletin Board Copy

File Copies

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. 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.
9. 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.
10. 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.
11. Cedar County Cooperative, Tipton (Owner) – A Special Use Permit authorizing an 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. An amendment to their S.U.P. was granted on September 27, 2007, to allow for the placement of a 30,000 gallon anhydrous ammonia storage tank directly south of their two existing 12,000 gallon tanks. The property is currently zoned Ab Agricultural Business.
12. 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.
13. 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.

14. 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.
15. 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.
16. 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.
17. 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.
18. 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.
19. 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.
20. 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.

21. 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.
22. 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.
23. 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.
24. 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.
25. 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.
26. 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.
27. 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.
28. 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.

29. 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 ½ of the NE ¼, Section 19, T-80N, R-4W, in Gower Township, on a parcel consisting of 68.83 acres more or less.
30. 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 ¼ of the SW ¼ of the NE ¼, Section 19, T-82N, R-3W, in Fremont Township, consisting of 60.00 acres more or less.
31. 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 ½ of the SW ¼, 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.
32. 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 ¼ of the NW ¼, Section 2, T-79N, R-3W, in Rochester Township, on a 90.00 acres more or less farm.
33. 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 ¼ of the SE ¼, 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.
34. 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.
35. 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.

36. 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 1/4 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.
37. 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.
38. 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.
39. 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.
40. 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 ¼ of the NW ¼, 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.
41. 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 ¼ of the SW ¼ of the NE ¼, 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.

42. 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.
43. 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.
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 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.
45. 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.
46. 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.
47. 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.

48. 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 is located at the site of a mobile home which was removed in 1999, in the W ½ of the NW ¼ of the SW ¼, Section 15, T-80N, R-4W, in Gower Township. An amendment was granted to their S.U.P. on August 23, 2007, authorizing the location of a fourth dwelling on their farm.
49. 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.
50. 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.
51. 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 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.
52. 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.
53. 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.

54. 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 ¼ of the SE ¼ of the SW ¼, 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.
55. 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 SW ¼ and a portion of the W ½ of the SW ¼ of the NE ¼ and the NW ¼ of the SE ¼, 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.
56. 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 ¼ of the SE ¼, 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.
57. 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 ¼ of the NE 1/4 of the SW ¼, Section 26, T-82N, R-4W, in Pioneer Township. Said property consists of 59.15 acres and is zoned A-1 Agricultural.
58. 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 ¼ of the SE ¼, 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.
59. 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 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.

60. 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.
61. 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.
62. 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.
63. 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.
64. 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.
65. 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.
66. 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.
67. 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.

68. 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  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , Section 19, T-80N, R-1W, in Inland Township. Said property is currently zoned A-1 Agricultural.
69. Stacy Craig, RR, Clarence (Owner) – 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.
70. Dawn Albertson, 2951 Highway 22, Muscatine (Owner) – 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.
71. Curtis & Carla Friis, 44 280<sup>th</sup> Street, West Branch (Owners) – 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. An amendment was granted on August 23, 2007, to allow for the expansion of their dog boarding facility by an additional fourteen (14) pens.
72. Kay Bentley, 707 West 9<sup>th</sup> Street #39, Tipton (Owner) – A Special Use Permit to allow a dog breeding kennel at 637 Rose Avenue, Clarence, Iowa, in the E  $\frac{1}{2}$  of the SE  $\frac{1}{4}$ , of the NE  $\frac{1}{4}$ , Section 2, T-81N, R-2W, in Fairfield Township, Consisting of 2.35 acres more or less. Said property is currently zoned A-1 Agricultural.
73. Dennis Ricke, 743 Adams Avenue, Lisbon (Owner) – A Home Occupation Permit to allow for the manufacture of custom firearms on his property located in the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  and the S  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ , Section 7, T-81, R-4W, in Linn Township, consisting of 47.90 acres more or less. Said Property is currently zoned A-1 Agricultural.
74. Cedar County PCS, L.L.C., 608 Lombard St., Clarence (Leasee) & Randall & Kimberly Siders, 1086 273<sup>rd</sup> St., Tipton (Leasor & Owners) – A Special Use Permit authorizing the location of a 190 foot tall wireless communication tower on property located in the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , Section 35, T-80N, R-3W, in Rochester Township. Said property is currently zoned

A-1 Agricultural.

75. John and Sherrie Falkers, 990 Cedar Valley Road, Tipton (Owners) – A Home Industry Permit to allow repair of motor vehicles as Falkers Repair and Body Shop on property located in the NE ¼ of the NE ¼, Section 15, T-80N, R-3W, in Center West Township. Said property is currently zoned A-1 Agricultural.
76. Cedar County P.C.S., L.L.C., 608 Lombard St., Clarence (Leasee) and James and Sharon Wilson, 1826 230<sup>th</sup> St., Bennett (Leasor & Owners) – A Special Use Permit authorizing the location of a 190 foot tall wireless communication tower on property located in the NE ¼ of the SE ¼, Section 7, 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.



Phil La Rue  
Zoning Administrator

PL:sl

## CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES

February 26, 2009

The Cedar County Board of Adjustment conducted a Public Hearing on Thursday, February 26, 2009, in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa. Members present were Beyer, Hoy, Lenker and Johnson. Member absent was Penningroth.

Chairperson Beyer called the meeting to order to 3:00 p.m. The Board members then considered the following petitions:

1. **Michael S. Moore, 1110 Cedar Valley Road, Tipton (Owner)** – Requesting approval of a Home Industry Permit to allow a lawn mowing, small engine and snow removal business on property located in the SW ¼, SW ¼, Section 1, T-80N, R-3W, in Center West Township. Said property is currently zoned A-1 Agricultural.

Zoning Administrator La Rue informed the members that there are no written or verbal objections on file and advised them to do their review in accordance with Chapter 15 of the Cedar County Zoning Ordinance.

Mike and Janet Moore were present and explained his plan for a lawn mowing and snow removal business, and repairs/maintenance of equipment, including small engine repair. Mr. Moore presented a photo of the property. Using a photograph of the property, he explained the existing building he will use is about 140 feet to the edge of the right-of-way.

The letter from County Engineer, Rob Fangmann, was reviewed. Mr. Fangmann was present and explained the required sight distance for residential use is 550 feet. The use of the property for commercial increases the required site distance to 850 feet. There is not enough sight distance to safely use the existing driveway. Mr. Fangmann explained the Moore's and Cedar County have worked out an agreement to relocate the driveway west along the Cedar Valley road which will improve site distance to over 1,000 feet. Mr. Fangmann recommends approval of the request contingent on the relocation of the driveway. Chairperson Beyer asked if a sign will be needed. Mr. Moore replied not at this time. Discussion followed about sign requirements for Home Industry Permits pertaining to location and square footage.

After a brief discussion, Johnson made a motion to approve the request subject to the access relocation with county approval, sign requirements and annual review. Hoy seconded the motion. Ayes all.

2. **River Valley Cooperative, 2223 290<sup>th</sup> Street, Wilton (Owner)** – Requesting an amendment to their Special Use Permit to allow the conversion of a 30,000 gallon storage tank containing liquid propane to contain anhydrous ammonia. Also, with this chemical storage conversion, the Cooperative is requesting the continuance of the 250 foot setback variance approved by the Board on April 23, 1998. Said property is located in the S ½, SW ¼, Section 2, T-79N, R-1W, in Farmington Township, in the unincorporated town of Sunbury. Said property is currently zoned M-1 Light Industrial.

Zoning Administrator La Rue informed the members that there were no written or verbal objections on file. He advised the Board to review this petition in accordance with Chapter 17.18(2) for an amendment to the existing Special Use Permit issued on September 26, 1996, and Chapter 17.18(3) for review of the current variance on separation distance. La Rue reviewed for the Board the requirement for the amendment to the S.U.P. and the nature of the approved variance allowing separation distance of 500 feet.

Chad Peterson, regional manager, and John Trenkamp, site manager, were present and explained their proposal to convert the 30,000 gallon liquid propane tank to anhydrous ammonia storage. Board member Johnson inquired about regulations pertaining to the conversion of the 30,000 gallon tank. Mr. Peterson explained that the purpose of the petition is to receive County Board of approval as required by IDALS for this tank use conversion. He then explained the regulations pertaining to chemical tank conversion. There is already another tank on site which will be used for the LP storage.

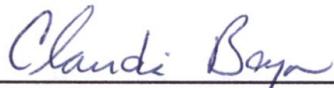
The Board then reviewed the documentation of the petition, aerial photographs and site diagrams. Rob Fangmann, County Engineer, was present and stated he has no concerns. Chairperson Beyer then summarized the petition request to allow the amendment to the current S.U.P. for the conversion of the 30,000 gallon LP tank to anhydrous ammonia following state regulations and to allow the current variance from the required 750 feet separation from any dwelling or building other than River Valley Cooperative's property to 500 feet separation.

After further discussion, Lenker made a motion to approve the request. Hoy seconded the motion. Ayes all.

The Board then briefly listened to Zoning Administrator La Rue's concerns about Michelle Kennedy's S.U.P. and the dog which died at her residence, RFD, West Liberty. Chairperson Beyer advised La Rue to schedule the annual review and request Ms. Kennedy to appear to discuss this issue with the Board.

Minutes from the last meeting held on September 26, 2008, were previously sent to the members. Hoy made a motion to approve the minutes as written. Lenker seconded the motion. Ayes all.

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



Chairperson  
Claudia Beyer



Secretary Pro-tem  
Phil La Rue



Tel: 563-886-2248

**OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR**  
Cedar County Courthouse

Tipton, Iowa 52772

February 9, 2009

**LEGAL NOTICE**

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, February 26, 2009, 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. **Michael S. Moore, 1110 Cedar Valley Road, Tipton (Owner)** – Requesting approval of a Home Industry Permit to allow a lawn mowing, small engine and snow removal business on property located in the SW ¼, SW ¼, Section 1, T-80N, R-3W, in Center West Township. Said property is currently zoned A-1 Agricultural.
2. **River Valley Cooperative, 2223 290<sup>th</sup> Street, Wilton (Owner)** – Requesting an amendment to their Special Use Permit to allow the conversion of a 30,000 gallon storage tank containing liquid propane to contain anhydrous ammonia. Also, with this chemical storage conversion, the Cooperative is requesting the continuance of the 250 foot setback variance approved by the Board on April 23, 1998. Said property is located in the S 1/2, SW ¼, Section 2, T-79N, R-1W, in Farmington Township, in the unincorporated town of Sunbury. Said property is currently zoned M-1 Light Industrial.

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 2/9/09 to the following:

1. Michael S. Moore - 604 Meridian Street, Tipton, Iowa - Hand delivered to Janet Moore
2. Patricia Siudyla - 125 Nanagansett Drive, Virginia Beach, Virginia 23462
3. Mason Cemetery - Hand delivered to Carolyn Wood
4. Jerry O'Rourke & Leo James Trust - 101 W. 3rd Street, Tipton, Iowa
5. Larry & Patricia Martens - 1091 230th Street, Tipton, Iowa

1. River Valley Cooperative - 2223 230th Street, Wilton, Iowa 52118
2. Ron & Joyce Weih - ~~2176 270th~~ Street, ~~Tipton~~ Bennett, Iowa 52721
3. Keith & Deanna Petersen - 108 Herman Street, Wilton, Iowa
4. Roger Meier - 2245 290th Street, Wilton, Iowa 52118
5. Wilbert & Shirley Spengler - 2231 290th Street, Wilton, Iowa
6. Richard & Barbara Budelier - 1881 Yankee Avenue, New Liberty, Iowa ~~52165~~ 52765
7. Leon R. Bohn - 11404 Westbury Dr. NE, Cedar Rapids, Iowa 52402
8. Robert Van Acker - 140~~½~~ North Street, Fruitland, Iowa 52149
9. Steven Hammel - 103 South Street, Wilton, Iowa 52118
10. S & A Real Estate LP - 1851 ~~270th~~ Street, Bennett, Iowa
11. Steven & Ann Ralfs - 250 Golfview Drive, Durant, Iowa
12. Richard & Shirley Toyne 2213 290th Street, Wilton, Iowa

Copy to Tipton Conservative on 2/11/09 2/9/09

2 File Copies

Copy e-mailed to County Engineer on 2/9/09

5 Board of Adjustment members



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 26, 2009 – 3:00 p.m.

- I. Introduction
- II. Review of the following requests:
  - A. Michael S. Moore, 1110 Cedar Valley Road, Tipton (Owner) – Requesting approval of a Home Industry Permit to allow a lawn mowing, small engine and snow removal business. Said property is currently zoned A-1 Agricultural.
  - B. River Valley Cooperative, 2223 290<sup>th</sup> Street, Wilton (Owner) – Requesting an amendment to their Special Use Permit to allow the conversion of a 30,000 gallon storage tank containing liquid propane to contain anhydrous ammonia. Also requesting the continuance of the 250 foot setback variance granted previously. Said property is currently zoned M-1 Light Industrial.
- III. Discussion regarding the Special Use Permit previously granted to Michelle Kennedy for a dog boarding kennel.
- IV. 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 2, 2009

Bill Lenker  
2053 – 280<sup>th</sup> ST  
Wilton, Iowa 52778

Dear Mr. Lenker:

Please be advised, that by motion of this Board on January 2, 2009, you were appointed to another five-year term on the Zoning Board of Adjustment. The term will expire 12-31-2013. Your willingness to serve on this Board is greatly appreciated.

Sincerely,

  
\_\_\_\_\_  
Jon E. Bell, Chairperson

JEB:bjp



Tel: 563-886-2248

**OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR**  
Cedar County Courthouse

Tipton, Iowa 52772

January 12, 2009

**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 January because no petitions have been received.

Sincerely,

A handwritten signature in black ink that appears to read "Phil".

Phil La Rue  
Zoning Administrator

PL:sl