



Tel: 563-886-2248

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

Tipton, Iowa 52772

December 11, 2012

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

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

**MERRY CHRISTMAS AND HAPPY NEW YEAR!!**

Sincerely,



Phil La Rue  
Zoning Administrator

PL:sl



Tel: 563-886-2248

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

November 14, 2012

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

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

Sincerely,



*Phil La Rue /sl*

Phil La Rue  
Zoning Administrator

PL:sl

## CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES

October 25, 2012

The Cedar County Board of Adjustment conducted a Public Hearing on Thursday, October 25, 2012, at 3:00 p.m., 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.

The Board members then considered the following petition:

1. **JMD Oil, Inc. 1957 Garfield Avenue, West Liberty, IA (Owner)** - Requesting a variance of the permitted height and square footage of permitted signs in the C-2, Highway Commercial District to allow placement of a 110 foot tall sign with an area of 924. 25 square feet on property located at the above address. Said property is located in the NE ¼, SE ¼, Section 12, T-79N, R-4W, in Springdale Township consisting of 5.80 acres more or less.

Zoning Administrator La Rue informed the members there were no written or verbal objections on file for this petition. The letter received from County Engineer Rob Fangmann stated that the property is located on paved route X40 (Garfield Avenue) and should have minimal impact on the existing infrastructure. As per policy, the sign shall be located on private property including any overhang from the support. It was noted that the Iowa Department of Transportation does not require a permit since it is an advertising sign for an on-premise business and will not be located in their right-of-way. Pat McAllister, representative of Nesper Sign Advertising, Inc., was present and read the letter he had received from Brent Christian, Department of Transportation, regarding the proposed sign. The letter stated the sign will need to meet the following for an unrestricted on-premise sign: 1) The sign must be located on the same parcel of land as the identified business; 2) The parcel of land must be zoned commercial or industrial as part of the county's comprehensive zoning plan; 3) The existing advertised activity must be listed as a principle permitted use in the commercial or industrial classification. The letter also stated if JMD Oil can meet the above three items, their proposed sign would be a legal on-premise sign, provided the LED sign messages meet the definition of an On-Premise Sign. Mr. McAllister informed the members that Jai Parkash, JMD Oil, Inc., had contracted with Conrad Crane Service out of Cedar Rapids to display the area baskets at different heights which was shown on the submitted pictures. The purpose of the pictures was to show at 80 feet and 120 feet what you can and can not see from about a mile and half on into the business. He stated the current sign at 80 feet tall can not be seen from a mile away. He also stated Mr. Parkash wants better visibility for the business. Mr. Parkash was present and stated the major problem is that the tree line has grown so high that it is obstructing visibility of the current sign. Zoning Administrator La Rue then read the permitted signs section from Chapter 11 for the C-2

Highway Commercial District. He also read from Chapter 17.18(3) regarding variances. La Rue then read parts of Chapter 17.18(3) of the Zoning Ordinance pertaining to variances. Mr. McAllister informed the members there will be three components to the sign. The top portion will be the BP identification sign, the second portion will be the truck stop sign which will be internally illuminated and have an electronic price changer and the lower portion is the food advertising sign. La Rue informed the members that a variance was granted in 2007 to Kum & Go for an advertising sign of 860 square feet and 80 feet tall. Chairperson Beyer stated she is reluctant to go beyond what has been authorized in the past. She stated she would also like to suggest that if a variance is granted, and in the event that the use ceases, the sign be removed and the variance not be allowed to continue. Mr. Parkash stated that his business is located low in the hill. He informed the members that he took over the business on January 1, 2005. The trees planted by the IDOT have grown high enough to create a visibility problem of the current sign. Chairperson Beyer stated that there are signs already posted on I-80. Mr. Parkash stated he feels those signs are inadequate for customers to decide if they want to exit the interstate or not. Penningroth questioned if a site survey would be appropriate. La Rue asked Mr. Parkash if a height of 80 feet would be better than the current 40 feet height. Mr. Parkash stated an 80 foot sign could only be seen within one-quarter mile. He also stated that customers take the exit at the last minute. He thinks his gas traffic business would increase by 40% if the sign variance was granted. Mr. McAllister stated if the square footage was reduced, it would make reading the sign harder with a speed limit of 70 mph. He felt there was a need for bigger letter height for visibility. The Board questioned the size of the BP sign. It was noted that all BP signs are the same size. The Board then discussed the fact that because they previously granted an 80 feet tall sign request does not, in any way, imply that they could not grant this variance request because every situation is different. Mr. Parkash informed the members that the current signs will come down and the new signs will be installed on the same site. Discussion followed regarding the square footage of the signs. It was also questioned by the Board regarding the need for the pizza sign. Chairperson Beyer stated two decisions need to be made by the Board regarding the height and total square footage. After further discussion, Hoy made a motion to grant the variance to allow a total height of 110 feet and square feet of 860, and in the event the use shall cease, the sign will be removed. Penningroth seconded the motion. The final vote was four ayes with Johnson voting nay.

The Board members next discussed the rescission of the following Home Occupation Permits, Home Industry Permit & Special Use Permits:

A. Frankie Lovell – H.O.P. #24-00 & H.I.P. #25-00

La Rue told the members that when he talked with Mr. Lovell he was informed that he lost the properties in foreclosure, was no longer doing any business and gave permission to rescind the permits.

B. Pat Juchter – H.O.P. #57-00

La Rue stated he had received a letter from Ms. Juchter on July 3, 2012, stating she has sold the property and gave the Board permission to rescind the H.O.P.

✓ C. Donovan & LeAnn Trana – S.U.P. #01-00

La Rue stated that the Trana's had told him they would get a letter to them when they sold the property but they never did. They sold the property in 2008. The current owner stated he has no intention of operating a Bed & Breakfast on the property and therefore, without anyone's permission, the Board can rescind the the S.U.P.

✓ D. Tina Keil – S.U.P. #84-03

La Rue informed the members that Ms. Keil never recorded her S.U.P. for her dog breeding and boarding kennel. He contacted her via e-mail and she responded that she no longer needs the permit, is not running the kennel and will not in the future. She, therefore, requested that the permit be rescinded.

✓ E. Lois Massey – H.O.P. #85-04

La Rue informed the members that Ms. Massey sold the property and the current owners have never submitted a letter and are only using the building as a garage.

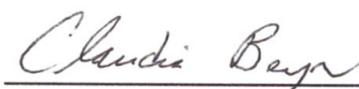
✓ F. Ken & Peggy Graham – S.U.P. #73-05

La Rue informed the members that the Graham's lost their property in foreclosure and Lee Burmeister, the current owner, stated he wants the S.U.P. removed.

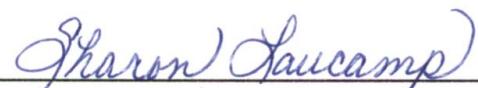
Penningroth made a motion to rescind the above listed H.O.P.'s, H.I.P. and S.U.P.'s. Lenker seconded the motion. Ayes all.

With no further business to be discussed at this time, Penningroth made a motion to adjourn. Hoy seconded the motion.

Forest Johnson, current member on the Board, informed the members that he would like to resign his membership.



Chairperson  
Claudia Beyer



Secretary  
Sharon Laucamp

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

## **AGENDA**

### **Cedar County Board of Adjustment**

Basement, Cedar County Courthouse, Tipton, Iowa

Thursday, October 25, 2012 – 3:00 p.m.

- I. Introduction
- II. Approval of minutes from July 19, 2012 Public Hearing
- III. Review of the following request:
  - A. JMD Oil, Inc., 1957 Garfield Ave., West Liberty, IA (Owner) – Requesting a variance of the permitted height & square footage of permitted signs in the C-2 District to allow placement of a 110 foot tall sign with an area of 924.25 square feet on property located at the above address.
- IV. Rescission of the following Home Occupation Permits, Home Industry Permit & Special Use Permits:
  - A. Frankie Lovell – H.O.P #24-00 & H.I.P. #25-00
  - B. Pat Juchter – H.O.P #57-00
  - C. Donovan & LeAnn Trana – S.U.P. #01-00
  - D. Tina Keil – S.U.P. #84-03
  - E. Lois Massey – H.O.P. #85-04
  - F. Ken & Peggy Graham – S.U.P. #73-05
- V. Discussion
- VI. Conclusion

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

October 8, 2012

**LEGAL NOTICE**

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, October 25, 2012, 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. JMD Oil, Inc. 1957 Garfield Avenue, West Liberty, IA (Owner)** - Requesting a variance of the permitted height and square footage of permitted signs in the C-2, Highway Commercial District to allow placement of a 110 foot tall sign with an area of 924.25 square feet on property located at the above address. Said property is located in the NE ¼, SE ¼, Section 12, T-79N, R-4W, in Springdale Township consisting of 5.80 acres more or less.

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



Phil LaRue  
Zoning Administrator

Copies sent out on 10/9/12 to the following:

1. Jai Parkash – JMD Oil, Inc., 1957 Garfield Avenue, West Liberty, Iowa 52776 – **Certified**
2. Pat McAllister – Nesper Sign Advertising, Inc., 4620 J St. SW, Cedar Rapids, IA 52404-4928
3. Iowa Dept. of Transportation – Attn: Steve Westrold, 800 Lincoln Way, Ames, Iowa 50010
4. Gulmoher, Inc. – 1943 Garfield Avenue, West Liberty, Iowa 52776-9034
5. Brian & Angela Brennan – 1450 Indian Avenue, Tipton, Iowa 52772
6. Vernon & Evelyn Smith – 2309 Franklin Street, West Liberty, Iowa 52776-9004
7. Nebraska Iowa Supply Co. – 1160 Lincoln Street, Blair, NE 68008-0368
8. Walter & Shirley Lehman – 102 E. 14<sup>th</sup> Street, West Liberty, Iowa 52776-1019

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Copy e-mailed to Tipton Conservative on 10/8/12

Copy e-mailed to West Liberty Index on 10/8/12

5 Board of Adjustment members on 10/9/12

Copy e-mailed to County Engineer on 10/9/12

2 File Copies

1 Bulletin Board Copy



Tel: 563-886-2248

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

September 11, 2012

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

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

Sincerely,



*Phil La Rue /sl*

Phil La Rue  
Zoning Administrator

PL:sl



Tel: 563-886-2248

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

August 13, 2012

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

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

Sincerely,



Phil La Rue  
Zoning Administrator

PL:sl

## CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES

July 19, 2012

The Cedar County Board of Adjustment conducted a Public Hearing on Thursday, July 19, 2012, at 3:00 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa. Members present were Hoy, Penningroth, Johnson and Lenker. Member absent was Beyer.

Chairperson Pro-tem Penningroth called the meeting to order at 3:00 p.m.

The Board members then considered the following petitions:

1. **Roger and Carolyn Gritton, 1876 1<sup>st</sup> St., Tipton, IA (Owners)** – Requesting approval of a temporary variance to allow two (2) dwellings on property located at 1137 Garfield Avenue, Tipton, IA, located in the SE ¼, NE ¼, Section 36, T-81N, R-4W, in Cass Township, consisting of 3.03 acres more or less. Said property is currently zoned A-1 Agricultural District.

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(3) of the Cedar County Zoning Ordinance in making their decision.

Roger Gritton was present and informed the members that he and his wife are going to build a new house. He stated they recently sold their house in Rochester. They own approximately 3 acres at 1137 Garfield Avenue which has an existing house on it. They want to live in the existing house until they have their new house built. Mr. Gritton stated they hope to be in the new house by the end of October and plan to have the old house removed by the end of the year. La Rue informed the members that the septic system was redone in 2001 which appears to be adequate for the new home. There is also a well on the property.

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

2. **Sue Faith, 525 290<sup>th</sup> St., West Branch, IA (Owners)** – Requesting approval of a Home Industry Permit authorizing the location of a tool sharpening business and a variance on the required business sign setback at the above address in Lot Q, in the SE ¼, SW ¼, Section 1, T-79N, R-4W, in Springdale Township, consisting of 2.51 acres more or less. Said property is currently zoned A-1 Agricultural District.

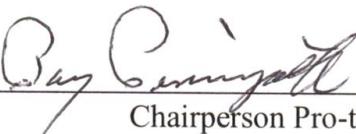
Zoning Administrator La Rue informed the members there were no written or verbal objections on file. He stated this property is currently zoned A-1 Agricultural and is located just west of Springdale. He advised the members to do their review in accordance with Chapter 15 of the Zoning Ordinance.

Sue Faith was present and stated that she feels their business is an important one since a sharpening business located in West Branch has moved. She stated they do various sharpening services such as kitchen knives, lawn mower blades, chain saw blades, etc. She also informed the members the sign variance is requested because often times her neighbor plants corn which would make the sign invisible. La Rue stated the ordinance states that the advertising sign can not be larger than 8 square feet. Mrs. Faith was asked how tall the sign would be since the sign will be a blade mounted into a log. She stated it would be about 4 feet high. La Rue stated the advertising sign is supposed to be placed flat against a building, posted within 2 feet parallel to the building or posted no closer than 50 feet of the road right-of-way. Sue Faith stated she would like to be 15 feet from the property line/right-of-way. Therefore, a setback variance of 35 feet would be needed. La Rue stated he does not have a problem with this request and the letter received from the County Engineer stated this property is located on paved route F44 (290<sup>th</sup> Street) and should have minimal impact on the existing infrastructure. There is adequate sight distance for the existing entrance to the property.

After further discussion, Hoy made a motion to approve the Home Industry Permit request and to allow a variance of 35 feet on the required setback for the advertising sign. Lenker seconded the motion. Ayes all. This H.I.P. will be subject to annual review.

Minutes from the last meeting held on June 28, 2012, were previously sent to the members. Lenker made a motion to approve the minutes as presented. Hoy seconded the motion. Ayes all. La Rue informed the members that he had received a letter from Lee Burmeister with regard to Kent Grahm's Special Use Permit to allow an Agriculture Service Business for steam engine repair on property located at 1888 250<sup>th</sup> Street, Bennett, Iowa. He stated the letter received from Mr. Burmeister, who is now the current owner of the property, has requested to have the S.U.P. rescinded. A public hearing will need to be held to rescind the S.U.P. because it is a recorded document with the abstract.

With no further business to be discussed at this time, Lenker made a motion for adjournment. Hoy seconded the motion. The meeting adjourned at 3:17 p.m.



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Chairperson Pro-tem  
Ray Penningroth



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Secretary  
Sharon Laucamp

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

July 2, 2012

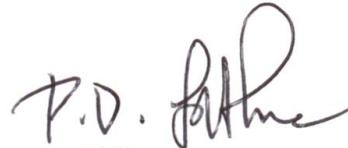
**LEGAL NOTICE**

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, July 19, 2012, 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. **Roger and Carolyn Gritton, 1876 1<sup>st</sup> St., Tipton, IA (Owners)** – Requesting approval of a temporary variance to allow two (2) dwellings on property located at 1137 Garfield Avenue, Tipton, IA, located in the SE ¼, NE ¼, Section 36, T-81N, R-4W, in Cass Township, consisting of 3.03 acres more or less. Said property is currently zoned A-1 Agricultural District.
2. **Sue Faith, 525 290<sup>th</sup> St., West Branch, IA (Owners)** – Requesting approval of a Home Industry Permit authorizing the location of a tool sharpening business and a variance on the required business sign setback at the above address in Lot Q, in the SE ¼, SW ¼, Section 1, T-79N, R-4W, in Springdale Township, consisting of 2.51 acres more or less. Said property is currently zoned A-1 Agricultural District.

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 LaRue  
Zoning Administrator

Copies sent out on 7/3/12 to the following:

1. Roger & Carolyn Gritton – 1876 1<sup>st</sup> Street, Tipton, Iowa 52772 – **Certified**
2. Carolyn Kohl – 605 Inland Road, Tipton, Iowa 52772
3. David Swan – 622 220<sup>th</sup> Street, Tipton, Iowa 52772
4. Geneva Wood – 219 S. Cedar Street, Apt. 304, Tipton, Iowa 52772

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1. Sue Faith – 525 290<sup>th</sup> Street, West Branch, Iowa 52358 – **Certified**
2. Randy & Tammy Mather – 789 290<sup>th</sup> Street, West Liberty, Iowa 52776
3. David Frederick – 510 290<sup>th</sup> Street, West Branch, Iowa 52358
4. Tana Sabourin & Joe McMath – 541 290<sup>th</sup> Street, West Branch, Iowa 52358
5. Kevin & Jacqueline Callahan – 534 290<sup>th</sup> Street, West Branch, Iowa 52358

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5 Board of Adjustment members on 7/3/12

Copy e-mailed to Tipton Conservative & West Branch Times on June 29, 2012

Copy e-mailed to County Engineer on 6/29/12

File Copy

Copy for Bulletin Board

## CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES

June 28, 2012

The Cedar County Board of Adjustment conducted a Public Hearing on Thursday, June 28, 2012, at 3:00 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa. Members present were Beyer, Hoy, Lenker and Penningroth. Member absent was Johnson.

Chairperson Beyer called the meeting to order at 3:00 p.m. Minutes from the last meeting held on April 26, 2012, were previously sent to the members. They were approved as presented. The members then held their annual review of the Home Occupation, Home Industry and Special Use Permits which had been previously granted to the following:

1. Dennis and Dianna Hodgden, RR, Tipton (Owners) – A Special Use Permit authorizing the commercial extraction of limestone on property located in the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , Section 22, T-80N, R-3W, in Center West Township, consisting of 5.00 acres more or less. **La Rue stated there is still nothing going on at this site.**
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. Jim Neuzil, J.W. Ranch, RR, Mechanicsville – A permit authorizing the location of seasonal rodeo activities on his property located in the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ , Section 14, T-81N, R-4W, in Linn Township, consisting of 47.77 acres more or less. **La Rue stated he had talked with Mr. Neuzil and although there has not been any activity, Mr. Neuzil wants to keep his permit.**

6. Loretta Martin, RR, Lowden (Owner) – A permit authorizing the operation of a commercial dog breeder kennel on her property located in Lot A, in the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ , Section 19, T-82N, R-1W, in Massillon Township, consisting of approximately 3.13 acres.  
**La Rue informed the members that Loretta's last name is now Frana.**
7. 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.
8. 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.
9. 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. Another amendment to their Special Use Permit was granted on August 25, 2011, to allow for the placement of an additional 30,000 gallon anhydrous ammonia storage tank.
10. 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.
11. 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.

12. 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.
13. 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.  
**La Rue stated that a number of communication towers  
have had a change in ownership which he will check.**
14. 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. **La Rue stated Mrs. Smahaj's  
business is not operating at this time but she wishes to  
retain her permit.**
15. 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.
16. River Valley Cooperative, 2223 290<sup>th</sup> St., 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. An amendment to their S.U.P. was granted on  
February 26, 2009, 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 requested and was granted the continuance of the  
250 foot setback variance approved by the Board on April 23, 1998.  
Another amendment to their Special Use Permit was granted on  
April 22, 2010, authorizing the location of a livestock feed mill  
on their property.
17. 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 ½ of the SW ¼, Section 11, T-82N, R-3W, in Fremont Township, consisting of 6.00 acres more or less.

18. Iowa Wireless, Des Moines, Iowa – A Special Use Permit authorizing the location of a 195 foot personal communication services (P.C.S.) tower on property located in the NE ¼ of the NE ¼, Section 23, T-79N, R-2W, in Sugar Creek Township, consisting of 29.78 acres more or less.
19. 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 ½ of the SE ¼ of the SE ¼, Section 2, T-79N, R-4W, in Springdale Township, consisting of 74.50 acres more or less.
20. 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.
21. 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.
22. 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.
23. 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.
24. 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.

25. 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.
26. Kun Chae Bae Trust and KM Communications, Skokie, IL (Contract Buyer) – A Special Use Permit authorizing the location of a 1,459 foot communication tower and broadcast station on property located in the S  $\frac{1}{2}$  of the NE  $\frac{1}{4}$ , Section 19, T-80N, R-4W, in Gower Township, on a parcel consisting of 68.83 acres more or less. **La Rue informed the members that this communication tower has been sold to EEC Limited out of New York. He also stated it is being used as a relay station and not a broadcasting station.**
27. 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.
28. 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.
29. 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.
30. Sharon Stiff, RFD, Tipton (Owner) – A Home Occupation Permit authorizing the operation of a wood crafts shop in her home on property located in Lots 6, 7 and 8, Block 19, in the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ , Section 2, T-79N, R-3W, Rochester Township, in the unincorporated town of Rochester, consisting of 0.54 acres more or less. Said property is currently zoned R-2 Urban Residential. **La Rue stated that Mrs. Stiff wants to retain her H.O.P.**

31. 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.
32. 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.
33. 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.
34. Frankie Lovell, RFD, Tipton (Owner) – A Home Occupation Permit granted for the purpose of operating a vinyl graphics business in his home on property located in the northwesterly 46 feet of Lot 3 and Lot 4, Block 33, in the unincorporated town of Rochester, in the SE ¼ of the SE ¼, Section 2, T-79N, R-3W, in Rochester Township, consisting of 0.39 acres more or less. Said property is presently zoned R-2 Urban Residential.  
**La Rue informed the members that Mr. Lovell has lost his property to bank foreclosure. Therefore, the Board of Adjustment can rescind this permit without holding a Public Hearing.**
35. 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. **Again, due to bank foreclosure, this permit can be rescinded.**

36. Donovan and LeAnn Trana, RFD, Wilton (Owners) – A Special Use Permit authorizing the location of a Bed and Breakfast Home on property located in the SW ¼ of the SW ¼, Section 21, T-79N, R-1W, in Farmington Township, consisting of 3.20 acres more or less. Said property is presently zoned A-1 Agricultural. **La Rue stated this property has a new owner. Therefore, this S.U.P can be rescinded at a Public Hearing.**
37. 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.
38. 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.
39. 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 ¼ of the NE ¼, Section 10, T-80N, R-1W, in Inland Township, on a tract of land consisting of 38.00 acres more or less. Said property is presently zoned A-1 Agricultural. **La Rue stated that Mrs. Juchter now lives in Wilton. He will contact her. \*\* On June 29, 2012, Mrs. Juchter called the Zoning Office and stated she is no longer operating her business at this location and wishes to rescind her permit. She will send a letter stating same.**
40. 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 ¼ of the NW ¼ of the SE ¼, 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.

41. 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.
42. 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.
43. 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.
44. 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.
45. 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. **La Rue informed the members that a fourth dwelling has never been constructed. He will check on this one.**
46. 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.

47. 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.
48. 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.
49. 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.
50. U.S. Cellular, Cedar Rapids, Iowa (Lessee) 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.
51. 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.
52. Wendling Quarries, Inc., DeWitt, Iowa – A Special Use Permit for the purpose of expanding their existing limestone

quarry operation on property located in the NE  $\frac{1}{4}$  of the 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.

53. Jordan Pettus, 61 Solon Road, Solon (Owner) – A Home Occupation Permit for the purpose of operating a residential design and consultation service in his home on property located in the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ , Section 19, T-81N, R-4W, in Cass Township, consisting of 6.70 acres more or less. Said property is zoned R-1 Suburban Residential and A-1 Agricultural.

**La Rue reported that Mr. Pettus is still in business and has seen his advertising signs.**

54. Christopher Doherty, RFD, Tipton – A Home Industry Permit authorizing the location of a landscaping business at 1872 3<sup>rd</sup> St., Tipton, Iowa. Said property is described as Parcel “B” in the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ , Section 2, T-79N, R-3W, in Rochester Township, in the unincorporated town of Rochester. Said Parcel “B” consists of 2.88 acres more or less. Total property is 4.00 acres more or less and is zoned both R-2 Urban Residential and A-1 Agricultural.

**La Rue informed the members that Mr. Doherty is not in business any longer. He will check on this one also.**

55. 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.

56. 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. **La Rue informed the members he had received an e-mail from Ms. Keil requesting to withdraw her S.U.P.**

57. 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.

58. 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.
59. 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.  
**La Rue informed the members that Ms. Massey has sold the property. Therefore, this H.O.P. can be rescinded.**
60. 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 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.
61. 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. **La Rue stated Amy and Ron are not currently operating the business but they want to keep the H.I.P.**
62. 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. **La Rue informed the members that the Graham's lost the property in foreclosure. Therefore, this S.U.P. will need to be rescinded at a Public Hearing.**
63. 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. **La Rue stated he has not seen any evidence of business at the property. He will look into this one.**

64. 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. **La Rue informed the members that Ms. Albertson never bought the property. Therefore, this H.O.P. can be rescinded without holding a Public Hearing.**
65. 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.
66. 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.
67. 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.
68. Cedar County PCS, L.L.C., 608 Lombard St., Clarence (Lessee) & 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.
69. 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  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , Section 15, T-80N, R-3W, in Center West Township. Said property is currently zoned A-1 Agricultural. **La Rue stated the advertising sign is a little big but he does not see a problem with it.**
70. Cedar County P.C.S., L.L.C., 608 Lombard St., Clarence (Lessee) 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  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ , Section 7, T-80N, R-1W, in Inland Township. Said property is currently zoned A-1 Agricultural.

71. Al and Melany Reinboldt, 809 Hill Ridge Dr., Lisbon (Owners) – A Special Use Permit authorizing a private horse barn on Lot 11, Buffalo Ridge Second Addition, located in the NW  $\frac{1}{4}$ , NW  $\frac{1}{4}$  and SW  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , Section 19, T-82N, R-4W, in Pioneer Township, consisting of 20.52 acres more or less. Said property is currently zoned R-1 Suburban Residential.
72. Jason Smith, 1051 Garfield Avenue, Tipton (Owner) – A Special Use Permit authorizing an Agricultural Service Business, a communication cable installation business at 1051 Garfield Avenue, Tipton, on property located in the SE  $\frac{1}{4}$ , NE  $\frac{1}{4}$ , Section 25, T-81N, R-4W, in Cass Township, consisting of 5.9 acres more or less. Said property is currently zoned A-1 Agricultural.
73. Michael S. Moore, 1110 Cedar Valley Road, Tipton (Owner) – A Home Industry Permit allowing a lawn mowing, small engine and snow removal business on property located in the SW  $\frac{1}{4}$ , SW  $\frac{1}{4}$ , Section 1, T-80N, R-3W, in Center West Township. Said property is currently zoned A-1 Agricultural.
74. Michael and Brandi King, 2352 Old Lincoln Highway, Lowden (Owners) – A Special Use Permit authorizing a dog breeding kennel at 2352 Old Lincoln Highway, Lowden, located in Parcel A, SW  $\frac{1}{4}$ , SW  $\frac{1}{4}$ , NE  $\frac{1}{4}$ , 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.
75. Marty Moylan, 1003 Cedar Valley Road, Tipton, IA (Owner) – A Special Use Permit authorizing the location of a private horse barn on Lot 1, Nebergall's Second Addition, located in the SW  $\frac{1}{4}$ , SW  $\frac{1}{4}$ , Section 11, T-80N, R-3W, Center West Township, consisting of 3.62 acres more or less. **La Rue stated Mr. Moylan has not yet built the horse barn.**
76. James Lilenthal and Kraig Timmerman, 26865 1<sup>st</sup> Avenue, New Liberty (Contract Buyers) and Jeffrey Graves, P.O. Box 70, Durant, Iowa (Owner) – A Special Use Permit authorizing the location of an Agricultural Service Business for the sale of seed grains on property located in the NW  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , Section 24, T-79N, R-1W, in Farmington Township, consisting of 5.00 acres more or less. Said property is currently zoned C-2 Highway Commercial and A-1 Agricultural District.
77. Cedar County P.C.S., LLC, 608 Lombard St., Clarence, IA (Leasee) and Ron and Daisy Wingert, 1389 Highway 130, Tipton, IA (Leaser and Owners) – A Special Use Permit authorizing the location of a 190 foot tall wireless communication tower on property located in the SE  $\frac{1}{4}$ , SW  $\frac{1}{4}$ , SW  $\frac{1}{4}$ ,

Section 27, T-81N, R-4W, in Cass Township.

78. William Heister, 2186 177<sup>th</sup> St., Lowden, IA (Owner) – A Home Occupation/Industry Permit for the purpose of allowing a gun shop business on property located at Lot 1, Pruess Second Addition, in the NE ¼, SE ¼, Section 10, T-81N, R-1W, in Springfield Township, consisting of 8.44 acres more or less. **La Rue stated Mr. Heister is still in business but no longer has a sign.**
79. Rob and Andrea Schmidt, 1944 Spicer Avenue, Wilton, IA (Owners) – A Home Occupation/Industry Permit for the purpose of allowing a photography studio on property located in the SW ¼, NW ¼, Section 7, T-79N, R-1W, in Farmington Township, consisting of 4.74 acres more or less. **Board member Lenker stated this property has been sold. La Rue will look into this one.**
80. Acciona, 601 Fawcett Drive, West Branch, IA (Leasee) and Steve and Teresa Weets, 612 160<sup>th</sup> Street, Mechanicsville, IA (Leasor & Owners) – A Special Use Permit authorizing the location of a 507 foot tall wind turbine: Commercial Wind Energy Conversion System (C.W.E.C.S.) on property located in the N ½, NE ¼, SE ¼, Section 6, T-81N, R-3W, in Red Oak Township. **La Rue stated that Acciona is moving forward on this project.**
81. Acciona, 601 Fawcett Drive, West Branch, IA (Leasee) and Steve and Teresa Weets. 612 160<sup>th</sup> Street, Mechanicsville, IA (Leasor & Owners) – A Special Use Permit authorizing the location of a 507 foot tall wind turbine: Commercial Wind Energy Conversion System (C.W.E.C.S.) on property located in the S ½, SE ¼, NE ¼, Section 6, T-81N, R-3W, in Red Oak Township. **La Rue again stated that Acciona is moving forward on this project.**
82. Steve and Sheryl Yerington, 1050 Stonemill Road, Tipton, IA (Owners) A Special Use Permit authorizing the location of a commercial dog kennel on property located on Parcel D, in the NW ¼, SE ¼, Section 14, T-80N, R-3W, in Center West Township, consisting of 5.19 acres more or less.
83. Craig and Trudy Pearson, 1033 210<sup>th</sup> Street, Tipton, IA (Owners) – A Home Industry Permit to allow a tool sharpening business on property located on Lots A and B, in the SE ¼, NW ¼, Section 35, T-81N, R-3W, in Center West Township, consisting of 3.14 acres more or less.
84. Scott and Lisa Mosier, d.b.a., Mosier Seed Supply, Inc. 110 Meadow Lane, Tipton, IA (Contract Buyers) and Donn and Karoline Kleppe, 1253 150<sup>th</sup> Street, Stanwood, IA (Owners) – A Special Use Permit authorizing the location of an Agricultural Service Business for the sale of seed grains on property located at 462 Highway 38, Stanwood, IA, in the NW ¼, SW ¼, Section 30, T-82N, R-2W, in Dayton Township, consisting of 4.00 acres more or less.

85. Jerrad Pelzer, 1539 240<sup>th</sup> St., Tipton, IA (Renter) and Ed & Molly Pelzer, 1531 240<sup>th</sup> St., Tipton, IA (Owners) – A Home Industry Permit to allow a firearms business on the 1539 240<sup>th</sup> St. property located in the S ½, SE ¼, SW ¼, except Parcel A in Section 10, T-80N, R-2W, in Center East Township, consisting of 18.97 acres more or less.

After comments were made by Zoning Administrator La Rue on the above petitions which have highlighted comments, Hoy made a motion to rescind the Home Occupation Permits issued to #34 (Frankie Lovell, #59 (Lois Masey) and #64 (Dawn Albertson) and also the Home Industry Permit issued to #35 (Frankie Lovell). Penningroth seconded the motion. Ayes all. It was noted that Zoning Administrator La Rue will confirm the status on the permits issued to #36 (Donovan and LeAnn Trana), #39 (Patricia Juchter), #45 (Robert & Judy Wright), #54 (Christopher Doherty), #62 (Kent and Peggy Graham), #63 (Stacy Craig) and #79 (Rob and Andrea Schmidt).

After further discussion, Penningroth made a motion to grant continuance of the remaining Home Occupation Permits, Home Industry Permits and Special Use Permits previously granted with the exception of the petitions listed above. Lenker seconded the motion. Ayes all.

The Board members then discussed their Public Hearing date for the month of July. Since three members are unable to attend the meeting which is scheduled for July 26<sup>th</sup>, they set the hearing date for Thursday, July 19, 2012, at 3:00 p.m.

With no other business to be discussed at this time, Lenker made a motion to adjourn. Penningroth seconded the motion. Ayes all. Meeting was adjourned at 3:45 p.m.

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

June 4, 2012

**LEGAL NOTICE**

The Cedar County Board of Adjustment will be holding a Public Hearing on Thursday, June 28, 2012, 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 following Home Occupation/Industry and Special Use Permits which have previously been granted to the following:

1. Dennis and Dianna Hodgden, RR, Tipton (Owners) – A Special Use Permit authorizing the commercial extraction of limestone on property located in the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , Section 22, T-80N, R-3W, in Center West Township, consisting of 5.00 acres more or less.
2. Joe and Carolyn Kilburg, RR, Lisbon (Owners) – A Home Occupation Permit for the purpose of operating a photography studio in their home on property located in Lot 6, in the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ , Section 18, T-82N, R-4W, in Pioneer Township. Lot 6 is currently zoned R-1 Suburban Residential and consists of 1.615 acres more or less.
3. Ward Skinner Estate, RR, Wheatland (Owner) and Wendling Quarries, Inc., De Witt – A Special Use Permit authorizing the commercial extraction of sand and gravel on property located in the S  $\frac{1}{2}$  of the SW  $\frac{1}{4}$ , Section 11, T-82N, R-1W, in Massillon Township, consisting of 103 acres more or less.
4. Patty Laing, RFD, West Branch (Owner) – A permit authorizing a Home Occupation Permit for the purpose of operating a beauty salon in her home located in the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ , Section 14, T-80N, R-4W, in Gower Township.
5. Jim Neuzil, J.W. Ranch, RR, Mechanicsville – A permit authorizing the location of seasonal rodeo activities on his

Copies sent out on 6/4/12 to the following:

1. 5 Board of Adjustment members on 6/4/12

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Copy e-mailed to Tipton Conservative on 6/1/12

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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.

6. 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.
7. 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.
8. 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.
9. 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. Another amendment to their Special Use Permit was granted on August 25, 2011, to allow for the placement of an additional 30,000 gallon anhydrous ammonia storage tank.
10. 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.
11. 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.

12. 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.
13. 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.
14. 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.
15. 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.
16. River Valley Cooperative, 2223 290<sup>th</sup> St., 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. An amendment to their S.U.P. was granted on  
February 26, 2009, 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 requested and was granted the continuance of the  
250 foot setback variance approved by the Board on April 23, 1998.  
Another amendment to their Special Use Permit was granted on  
April 22, 2010, authorizing the location of a livestock feed mill  
on their property.
17. 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.

18. 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.
19. 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.
20. 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.
21. 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.
22. 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.
23. 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.
24. 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.
25. 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.

26. Kun Chae Bae Trust and KM Communications, Skokie, IL (Contract Buyer) – A Special Use Permit authorizing the location of a 1,459 foot communication tower and broadcast station on property located in the S  $\frac{1}{2}$  of the NE  $\frac{1}{4}$ , Section 19, T-80N, R-4W, in Gower Township, on a parcel consisting of 68.83 acres more or less.
27. 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.
28. 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.
29. 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.
30. Sharon Stiff, RFD, Tipton (Owner) – A Home Occupation Permit authorizing the operation of a wood crafts shop in her 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.
31. 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.

32. 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.
33. Richard Kordick, Kordick Surveying and Engineering, RFD, Tipton (Owner) – A Home Occupation Permit granted for the purpose of operating a surveying and civil engineering business in his home on property located in the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  and the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ , Section 18, T-81N, R-3W, in Red Oak Township, consisting of 11.87 acres more or less. Said property is currently zoned A-1 Agricultural.
34. Frankie Lovell, RFD, Tipton (Owner) – A Home Occupation Permit granted for the purpose of operating a vinyl graphics business in his home on property located in the northwesterly 46 feet of Lot 3 and Lot 4, Block 33, in the unincorporated town of Rochester, in the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ , Section 2, T-79N, R-3W, in Rochester Township, consisting of 0.39 acres more or less. Said property is presently zoned R-2 Urban Residential.
35. Frankie Lovell, RFD, Tipton (Owner) – A Home Industry Permit granted for the purpose of operating a snowmobile parts and repair service in an accessory structure located on Lot 5, Block 33, in the unincorporated town of Rochester, in the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ , Section 2, T-79N, R-3W, in Rochester Township, consisting of 0.19 acres more or less. Said property is currently zoned R-2 Urban Residential.
36. Donovan and LeAnn Trana, RFD, Wilton (Owners) – A Special Use Permit authorizing the location of a Bed and Breakfast Home on property located in the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ , Section 21, T-79N, R-1W, in Farmington Township, consisting of 3.20 acres more or less. Said property is presently zoned A-1 Agricultural.
37. David Frederick, DBA “The Wood Haus”, RFD, West Branch – A Home Industry Permit for the purpose of operating a woodworking shop on property located in the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ , Section 12, T-79N, R-4W, in Springdale Township, consisting of 2.07 acres more or less. Said property is

presently zoned A-1 Agricultural.

38. Wireless Facilities, Inc., Urbandale, Iowa – A Special Use Permit authorizing the location of a 195 foot tall Personal Communication Services (PCS) tower on property located in the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , Section 22, T-79N, R-1W, in Farmington Township, on a tract of land consisting of 35.59 acres more or less. Said property will be leased and is currently zoned A-1 Agricultural.
39. 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.
40. 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.
41. 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.
42. 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.
43. 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.

44. 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.
45. 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.
46. 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.
47. U.S. Cellular, Cedar Rapids, Iowa (Leasee) and Weets Farms, Inc. (Leaser and Owner), 350 Franklin Avenue, Mechanicsville, Iowa – A Special Use Permit authorizing the location of a 330 foot tall wireless communication tower on property located in the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , Section 23, T-82N, R-4W, in Pioneer Township, consisting of 4.34 acres more or less. Said property is zoned A-1 Agricultural.
48. U.S. Cellular, Cedar Rapids, Iowa (Leasee) and Pam Farms, Inc. (Leaser and Owner), 300<sup>th</sup> Street, West Branch, Iowa – A Special Use Permit authorizing the location of a 280 foot tall wireless communication tower on property located in the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ , Section 18, T-79N, R-4W, in Springdale Township, consisting of 4.42 acres more or less. Said property is zoned A-1 Agricultural.

49. 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.
50. 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.
51. 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.
52. Wendling Quarries, Inc., DeWitt, Iowa – A Special Use Permit for the purpose of expanding their existing limestone quarry operation on property located in the NE  $\frac{1}{4}$  of the 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.
53. 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.
54. Christopher Doherty, RFD, Tipton – A Home Industry Permit authorizing the location of a landscaping business at 1872 3<sup>rd</sup> St., Tipton, Iowa. Said property is described as Parcel “B” in the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ , Section 2, T-79N, R-3W, in Rochester Township, in the unincorporated town of Rochester. Said Parcel “B” consists of 2.88 acres more or less. Total property is 4.00 acres more or less and is zoned both R-2 Urban Residential and A-1 Agricultural.
55. 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.

56. 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.
57. 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.
58. 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.
59. 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.
60. 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.
61. 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.
62. 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.

63. 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.
64. 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.
65. 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.
66. 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.
67. 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.
68. 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.

69. 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  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , Section 15, T-80N, R-3W, in Center West Township. Said property is currently zoned A-1 Agricultural.
70. 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  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ , Section 7, T-80N, R-1W, in Inland Township. Said property is currently zoned A-1 Agricultural.
71. Al and Melany Reinboldt, 809 Hill Ridge Dr., Lisbon (Owners) – A Special Use Permit authorizing a private horse barn on Lot 11, Buffalo Ridge Second Addition, located in the NW  $\frac{1}{4}$ , NW  $\frac{1}{4}$  and SW  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , Section 19, T-82N, R-4W, in Pioneer Township, consisting of 20.52 acres more or less. Said property is currently zoned R-1 Suburban Residential.
72. Jason Smith, 1051 Garfield Avenue, Tipton (Owner) – A Special Use Permit authorizing an Agricultural Service Business, a communication cable installation business at 1051 Garfield Avenue, Tipton, on property located in the SE  $\frac{1}{4}$ , NE  $\frac{1}{4}$ , Section 25, T-81N, R-4W, in Cass Township, consisting of 5.9 acres more or less. Said property is currently zoned A-1 Agricultural.
73. Michael S. Moore, 1110 Cedar Valley Road, Tipton (Owner) – A Home Industry Permit allowing a lawn mowing, small engine and snow removal business on property located in the SW  $\frac{1}{4}$ , SW  $\frac{1}{4}$ , Section 1, T-80N, R-3W, in Center West Township. Said property is currently zoned A-1 Agricultural.
74. Michael and Brandi King, 2352 Old Lincoln Highway, Lowden (Owners) – A Special Use Permit authorizing a dog breeding kennel at 2352 Old Lincoln Highway, Lowden, located in Parcel A, SW  $\frac{1}{4}$ , SW  $\frac{1}{4}$ , NE  $\frac{1}{4}$ , 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.
75. Marty Moylan, 1003 Cedar Valley Road, Tipton, IA (Owner) – A Special Use Permit authorizing the location of a private horse barn on Lot 1, Nebergall's Second Addition, located in the SW  $\frac{1}{4}$ , SW  $\frac{1}{4}$ , Section 11, T-80N, R-3W, Center West Township, consisting of 3.62 acres more or less.
76. James Lilenthal and Kraig Timmerman, 26865 1<sup>st</sup> Avenue, New Liberty (Contract Buyers) and Jeffrey Graves, P.O. Box 70, Durant, Iowa (Owner) – A Special Use Permit authorizing the location of an Agricultural Service Business for the sale of seed grains on property located in the NW  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , Section 24, T-79N, R-1W, in Farmington Township, consisting of

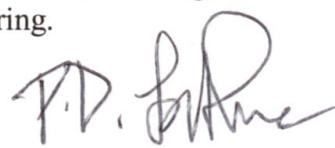
5.00 acres more or less. Said property is currently zoned C-2 Highway Commercial and A-1 Agricultural District.

77. Cedar County P.C.S., LLC, 608 Lombard St., Clarence, IA (Leasee) and Ron and Daisy Wingert, 1389 Highway 130, Tipton, IA (Leaser and Owners) – A Special Use Permit authorizing the location of a 190 foot tall wireless communication tower on property located in the SE  $\frac{1}{4}$ , SW  $\frac{1}{4}$ , SW  $\frac{1}{4}$ , Section 27, T-81N, R-4W, in Cass Township.
78. William Heister, 2186 177<sup>th</sup> St., Lowden, IA (Owner) – A Home Occupation/Industry Permit for the purpose of allowing a gun shop business on property located at Lot 1, Pruess Second Addition, in the NE  $\frac{1}{4}$ , SE  $\frac{1}{4}$ , Section 10, T-81N, R-1W, in Springfield Township, consisting of 8.44 acres more or less.
79. Rob and Andrea Schmidt, 1944 Spicer Avenue, Wilton, IA (Owners) – A Home Occupation/Industry Permit for the purpose of allowing a photography studio on property located in the SW  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , Section 7, T-79N, R-1W, in Farmington Township, consisting of 4.74 acres more or less.
80. Acciona, 601 Fawcett Drive, West Branch, IA (Leasee) and Steve and Teresa Weets, 612 160<sup>th</sup> Street, Mechanicsville, IA (Leasor & Owners) – A Special Use Permit authorizing the location of a 507 foot tall wind turbine: Commercial Wind Energy Conversion System (C.W.E.C.S.) on property located in the N  $\frac{1}{2}$ , NE  $\frac{1}{4}$ , SE  $\frac{1}{4}$ , Section 6, T-81N, R-3W, in Red Oak Township.
81. Acciona, 601 Fawcett Drive, West Branch, IA (Leasee) and Steve and Teresa Weets. 612 160<sup>th</sup> Street, Mechanicsville, IA (Leasor & Owners) – A Special Use Permit authorizing the location of a 507 foot tall wind turbine: Commercial Wind Energy Conversion System (C.W.E.C.S.) on property located in the S  $\frac{1}{2}$ , SE  $\frac{1}{4}$ , NE  $\frac{1}{4}$ , Section 6, T-81N, R-3W, in Red Oak Township.
82. Steve and Sheryl Yerington, 1050 Stonemill Road, Tipton, IA (Owners) A Special Use Permit authorizing the location of a commercial dog kennel on property located on Parcel D, in the NW  $\frac{1}{4}$ , SE  $\frac{1}{4}$ , Section 14, T-80N, R-3W, in Center West Township, consisting of 5.19 acres more or less.
83. Craig and Trudy Pearson, 1033 210<sup>th</sup> Street, Tipton, IA (Owners) – A Home Industry Permit to allow a tool sharpening business on property located on Lots A and B, in the SE  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , Section 35, T-81N, R-3W, in Center West Township, consisting of 3.14 acres more or less.
84. Scott and Lisa Mosier, d.b.a., Mosier Seed Supply, Inc. 110 Meadow Lane, Tipton, IA (Contract Buyers) and Donn and Karoline Kleppe, 1253 150<sup>th</sup> Street, Stanwood, IA (Owners) – A Special Use Permit authorizing the location of an Agricultural Service Business for the sale of seed grains on property located at 462 Highway 38, Stanwood, IA, in the NW  $\frac{1}{4}$ , SW  $\frac{1}{4}$ , Section 30, T-82N, R-2W, in Dayton Township,

consisting of 4.00 acres more or less.

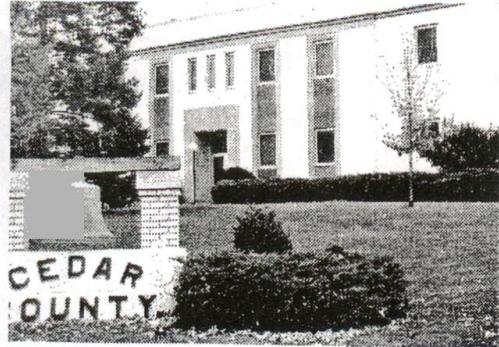
85. Jerrad Pelzer, 1539 240<sup>th</sup> St., Tipton, IA (Renter) and Ed & Molly Pelzer, 1531 240<sup>th</sup> St., Tipton, IA (Owners) – A Home Industry Permit to allow a firearms business on the 1539 240<sup>th</sup> St. property located in the S ½, SE ¼, SW ¼, except Parcel A in Section 10, T-80N, R-2W, in Center East Township, consisting of 18.97 acres more or less.

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



Phil La Rue  
Zoning Administrator

PL:sl



Tel: 563-886-2248

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

Tipton, Iowa 52772

May 4, 2012

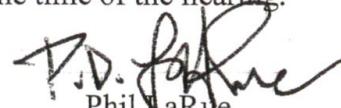
**LEGAL NOTICE**

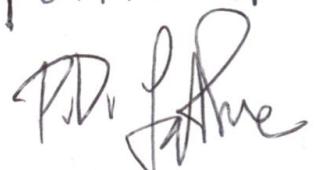
The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, May 24, 2012, at 3:00 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa.

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

1. **Joetta Peden, 884 290<sup>th</sup> Street, Atalissa, IA (Owner)** - Requesting approval of a temporary variance to allow two (2) dwellings on property located in the NE ¼, NE ¼, Section 9, T-79N, R-3W, in Iowa Township, consisting of 3.39 acres more or less. Said property is currently zoned A-1 Agricultural District.

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 LaRue  
Zoning Administrator

Cancelled  
5-23-12  
at the request of the petitioner  




Tel: 563-886-2248

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

Tipton, Iowa 52772

May 4, 2012

**LEGAL NOTICE**

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, May 24, 2012, 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. Joetta Peden, 884 290<sup>th</sup> Street, Atalissa, IA (Owner)** - Requesting approval of a temporary variance to allow two (2) dwellings on property located in the NE ¼, NE ¼, Section 9, T-79N, R-3W, in Iowa Township, consisting of 3.39 acres more or less. Said property is currently zoned A-1 Agricultural District.

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 LaRue  
Zoning Administrator

Copies sent out on 5/9/12 to the following:

1. Joetta Peden – 884 290<sup>th</sup> Street, Atalissa, Iowa 52720 – **Certified**
2. Marian Peden – 889 290<sup>th</sup> Street, Atalissa, Iowa 52720
3. Kessler Brothers – 501 E. 3<sup>rd</sup> Street, West Liberty, Iowa 52776-1438

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Copy e-mailed to Tipton Conservative & West Branch Times on 5/7/12

5 Board of Adjustment members on 5/9/12

Copy e-mailed to County Engineer on 5/7/12

2 File Copies

Copy for Bulletin Board

## CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES

April 26, 2012

The Cedar County Board of Adjustment conducted a Public Hearing on Thursday, April 26, 2012, in the Large Meeting Room of the Cedar County Courthouse, Tipton, Iowa. Members present were Beyer, Johnson, Hoy & Lenker. Member absent was Penningroth.

Chairperson called the meeting to order at 3:05 p.m. Minutes from the last meeting held on March 22, 2012, were previously sent to the members. They were approved as presented.

The Board then considered the following petition:

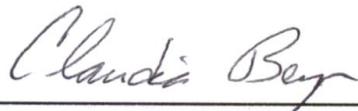
**1. Gregory and Melissa Sahr, 2190 177<sup>th</sup> Street, Lowden, IA (Owners)** – Requesting approval of a Special Use Permit authorizing the location of a livestock stable on Lot 3, Pruess Second Addition, located in the NW ¼, SE ¼, Section 10, T-81N, R-1W, in Springfield Township, consisting of 10.50 acres more or less. The location of the proposed stable is currently zoned R-1 Suburban Residential.

Zoning Administrator La Rue informed the members there were no objections on file and advised them to consider this petition in accordance with Chapter 17.18(2) of the Cedar County Zoning Ordinance in making the decision. He also informed the members that the Planning and Zoning Commission members recommended approval at their meeting held on April 18, 2012. The letter received from County Engineer, Rob Fangmann, stated this property is located on gravel route 177<sup>th</sup> Street and should have minimal impact on the existing infrastructure. An approved entrance permit is on file in the Engineer's Office. This entrance permit was part of the original rezoning request. A variance will also be needed for the livestock stable to be located 70 feet from the property line.

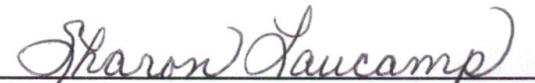
Greg Sahr was present and informed the members that he and his wife both grew up on small farms and would like to have a few animals on their acreage. He explained the covenants were revised for the subdivision to allow livestock. He stated they plan to build a barn and will try to keep away from the property line as much as possible from 177<sup>th</sup> Street. He informed the members the drainage will stay on their own property. He explained his drawing to the members. The proposed livestock stable will be approximately 24' x 32' and will have a couple of stalls and storage. He also stated fencing will be professionally done.

After a brief discussion, Lenker made a motion to grant a Special Use Permit and a variance of 30 feet to allow the proposed livestock stable for private non-agricultural use. Hoy seconded the motion. It was noted this Special Use Permit is subject to annual review.

With no further business to be discussed at this time, the meeting adjourned at 3:15 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

April 6, 2012

**LEGAL NOTICE**

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, April 26, 2012, 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. Gregory and Melissa Sahr, 2190 177<sup>th</sup> Street, Lowden, IA (Owners)-** Requesting approval of a Special Use Permit authorizing the location of a livestock stable on Lot 3, Pruess Second Addition, located in the NW ¼, SE ¼, Section 10, T-81N, R-1W, in Springfield Township, consisting of 10.50 acres more or less. The location of the proposed stable is currently zoned R-1, Suburban Residential.

At said Public Hearing, any person present, and so wishing, will be given the opportunity to be heard, for or against, said 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 LaRue  
Zoning Administrator

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

March 22, 2012

The Cedar County Board of Adjustment conducted a Public Hearing on Thursday, March 22, 2012, in the large meeting room of the Courthouse, Tipton, IA. Members present were Beyer, Hoy, Johnson, Lenker, Penningroth, and Zoning Administrator LaRue.

Chairperson Beyer called the meeting to order at 3:00 p.m. Minutes from the last meeting held on November 17, 2011, were previously sent to the members. With no comments by the Board, the minutes were accepted as written.

The Board then considered the following petitions:

**1. Rodney Hansen, 875 297<sup>th</sup> Street, Atalissa, IA (Owner)-** Requesting approval of a Home Business Permit authorizing the location of a firearm sales business at the above address located in the SE ¼, SE ¼, Section 9, T-79N, R-3W, in Iowa Township. Said property is currently zoned A-1 Agricultural District, consisting of 13.60 acres more or less.

Zoning Administrator LaRue stated there were no objections on file and advised the members to consider this petition in accordance with Chapter 15 of the Cedar County Zoning Ordinance.

The petitioner, Rodney Hansen was present for this hearing. Mr. Hansen explained his plans for a part time firearms sales business in his home. He explained that this permit is required to comply with Federal law. He will have an office in the garage, and customers will park in the driveway. Firearms will be kept locked in a gun safe for security purposes. He does not expect a lot of customers to come to his residence since he's on a dead end road. Johnson asked how far his home was from I-80 and if he'd be advertising firearm sales. Mr. Hansen explained that his home is 160 yards from the interstate and at this time he does not want a sign. Customers would have to travel quite a distance to come to his residence if traveling on the interstate. Mr. Hansen stated that he will not have a firing range at his property.

The letter from County Engineer Rob Fangman was reviewed. It stated the property is on a gravel route and should have minimal impact on existing infrastructure.

Following additional discussion, Penningroth moved to approve the petition subject to annual review. Lenker seconded the motion. Ayes: all.

**2. Tipton Lions Club, Tipton (Leasee) and Ronald and Iola Ehlers, 1727 240<sup>th</sup> Street, Tipton (Leasor)-** Requesting a variance of the maximum square foot requirement and of the required side yard requirements to allow placement of a 134 square foot public bulletin board on property located in the NE ¼, NW ¼, of the NW ¼, Section 31, T-81N, R-2W, in Center West Township. Said property is currently zoned A-1 Agricultural District.

Zoning Administrator LaRue stated there were no written or verbal objections on file and to consider this petition in accordance with Chapter 17.18(3) and Chapter 5 of the Cedar County Zoning Ordinance. LaRue informed the Board that public bulletin boards are permitted in the A-1 district in the required front yard provided that they do not exceed 32 square feet in area.

Keith Whitlatch, Secretary of the Tipton Lions was present and informed the Board that their project is to erect another group community sign totaling 134 square feet in area. This sign will be the same design as the sign that was approved by the Board on November 17, 2011, for which a variance on the square footage and required side yard was granted. The sign, if the variance(s) are approved, will be set back 10 feet west of the Highway 38 right of way, with a side yard of 2 feet rather than 5 feet. It will not be luminated. Mr. Whitlatch stated that the Iowa Department of Transportation (IDOT) has approved their application for a sign, and adjoining neighbors to the south, Dale and Mindy Williams do not have a problem with the proposed sign location. Discussion followed regarding the individual signs to be placed upon the sign board. There will be no additional individual signs placed below the border of the bottom edge.

The letter from County Engineer, Rob Fangmann, was reviewed. It stated that the proposed site is along Highway 38 and is under the jurisdiction of the Iowa Department of Transportation.

With no further discussion, Hoy moved to approve the variance from 32 square feet to 134 square feet and the required side yard from 5 feet to 2 feet setback. Johnson seconded the motion. Ayes: all.

Following brief discussion regarding the Acciona wind energy project, and that there will be a petition to be heard by the Board on April 26, 2012, the meeting was adjourned at 3:22 p.m.



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Chairperson  
Claudia Beyer



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Secretary Pro-tem  
Phil LaRue

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

March 5, 2012

**LEGAL NOTICE**

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, March 22, 2012, 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. Rodney Hansen, 875 297<sup>th</sup> Street, Atalissa, IA (Owner)-** Requesting approval of a Home Business Permit authorizing the location of a firearm sales business at the above address located in the SE ¼, SE ¼, Section 9, T-79N, R-3W, in Iowa Township. Said property is currently zoned A-1 Agricultural District, consisting of 13.60 acres more or less.
- 2. Tipton Lions Club, Tipton (Lessee) and Ronald and Iola Ehlers, 1727 240<sup>th</sup> Street, Tipton (Leasor)-** Requesting a variance of the maximum square foot requirement and of the required side yard requirements to allow placement of a 134 square foot public bulletin board located on property located in the NE ¼, NW ¼, of the NW ¼, Section 31, T-81N, R-2W, in Center West Township. Said property is currently zoned A-1 Agricultural District.

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 LaRue  
Zoning Administrator

Copies sent out on 3/5/12 to the following:

1. Rodney N. Hanson – 875 297<sup>th</sup> Street, Atalissa, Iowa 52720 – **Certified**
2. James Buol – 1969 Inca Avenue, Atalissa, Iowa 52720
3. Beverly Meixner – 1930 Inca Avenue, Atalissa, Iowa 52720
4. Karl & Hilbert Nebergall & Ileen Hanson – 2365 Atalissa Road, Atalissa, Iowa 52720

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1. Keith Whitlatch – Tipton Lions Club, 707 King Avenue, Stanwood, Iowa 52337 – **Certified**
2. Ronald & Iola Ehlers – 1727 240<sup>th</sup> Street, Tipton, Iowa 52772
3. Iowa Department of Transportation – Attn: Steve Westrold, 800 Lincoln Way, Ames, IA 5001
4. International Church of Foursquare Gospel – 1100 Highway 38 N., Tipton, Iowa 52772
5. Dale & Mindy Williams – 1105 Highway 38, Tipton, Iowa 52772

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Copy e-mailed to Tipton Conservative & West Branch Times on 3/5/12

5 Board of Adjustment members on 3/5/12

Copy e-mailed to County Engineer on 3/5/12

2 File Copies

Copy for Bulletin Board



Tel: 563-886-2248

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

Tipton, Iowa 52772

February 7, 2012

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

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

Sincerely,

Phil La Rue  
Zoning Administrator

PL:sl



Tel: 563-886-2248

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

January 6, 2012

**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,



Phil La Rue  
Zoning Administrator

PL:sl

**\*\* We will be processing claims for mileage reimbursement for attending Board of Adjustment meetings during 2011 within the next few weeks. Please let us know if you had any mileage for site surveys prior to attending any of the meetings. If we do not hear from you, we will assume you did not have any extra mileage. Thank you & Happy New Year!!**