

Tel: 563-886-2248

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

December 6, 2016

**TO: CEDAR COUNTY PLANNING & ZONING COMMISSION MEMBERS**

I am writing to inform you that there will **not** be a meeting of the Planning and Zoning Commission during the month of December because no petitions were filed.

**HAPPY HOLIDAYS!**

Sincerely,

Phil La Rue  
Zoning Administrator

PL:sl

### LEGAL NOTICE

The Cedar County Board of Supervisors has been petitioned to conduct a Public Hearing on November 22 and 29, 2016, at 9:15 a.m., in the Board Meeting Room of the Cedar County Courthouse, Tipton, Iowa.

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

- 1. Nick and Stephanie Nevins, 102 Grant Ave., Lisbon, IA (Contract Buyers) and Steve & Teresa Weets, 612 160<sup>th</sup> St., Mechanicsville, IA (Owners)** – Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential District for the purpose of constructing a single family dwelling in the SE ¼, SW ¼, Section 19, T-82N, R-4W, in Pioneer Township. Said petition is to rezone 1.50 acres of a proposed 5.00 acre lot.

At said Public Hearing, any person present, and so wishing, will be given the opportunity to be heard. However, the Board does request, but does not require, that any person who speaks also provide a short written summary or outline of the statement they give to be placed on file. Time will be allowed during the hearing for a person to prepare such documentation, if such time is needed. Any persons wishing a statement read into the hearing for them may file same with the County Auditor prior to the time of the first hearing.

Cari Gritton  
Cedar County Auditor

Copies sent out on 11/9/16 to the following:

1. Nick & Stephanie Nevins – 102 Grant Avenue, Lisbon, Iowa 52253 – **Certified**
2. Steve & Teresa Weets = 612 160<sup>th</sup> Street, Mechanicsville, Iowa 52306
3. Matthew Reyhons – 12018 Reata, Richmond, TX 77469
4. Loren & Kathryn Hartelt – 362 Adams Court, Lisbon, Iowa 52253
5. Donna Nevins – 358 Adams Court, Lisbon, Iowa 52253
6. Mitch Montgomery – 398 Adams Ave., Lisbon, Iowa 52253
7. Daniel Kohl – 231 Charles Avenue, Mechanicsville, Iowa 52306
8. Young Farm – P.O. Box 605, Marion, Iowa 52302
9. Tim Cahill – 354 Adams Avenue, Lisbon, Iowa 52253
10. Tim & Abigail Keegan – 597 Light Road, Mt. Vernon, Iowa 52314

Copy e-mailed to Tipton Conservative on 11/4/16 for Tipton Conservative & Sun News

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10/19/16

Planning & Finance Commission  
Big Room

P.D. Johnson

Joel Brown

Sharon Lucamp

~~Mike~~

Steve

Steve  
Jen Weiss

Sheryl Poppinga

Diana

Joely Guttsch

Douglas I Klein

Jana Damm

## CEDAR COUNTY PLANNING & ZONING COMMISSION MINUTES

October 19, 2016

The Cedar County Planning and Zoning Commission conducted a Public Hearing on Wednesday, October 19, 2016, in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa. Members present were Brown, Klein, Yutesler and Dornfeld. Members absent were Schuett, Kohrt and Schroeder.

Chairperson Brown called the meeting to order at 6:40 p.m. The members then considered the following petition:

1. **Nick and Stephanie Nevins, 102 Grant Ave., Lisbon, IA (Contract Buyers) and Steve & Teresa Weets, 612 160<sup>th</sup> St., Mechanicsville, IA (Owners)** – Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential District for the purpose of constructing a single family dwelling in the SE  $\frac{1}{4}$ , SW  $\frac{1}{4}$ , Section 19, T-82N, R-4W, in Pioneer Township. Said petition is to rezone 3.00 acres of a proposed 5.00 acre lot.

Zoning Administrator La Rue informed the members there no written or verbal objections on file for the petition and advised them to consider the petition in accordance with Chapter 18.2(3) of the Cedar County Zoning Ordinance in making their recommendation to the Cedar County Board of Supervisors. The letter received from County Engineer, Rob Fangmann, stated this property is located on gravel route Adams Avenue and should have minimal impact on the existing infrastructure. It also stated an approved entrance permit is on file in his office to only serve a single family dwelling. The letter received from the Lisbon Fire Department stated the property is 1.5 miles from a fire hydrant in the city limits of Lisbon, they have adequate resources on hand to respond to and contain any fire related incidents that should arise including a floating pump that can be used to draft water from the pond on the property. The letter also stated the fire department have 28E mutual aid agreements in place with surrounding communities to assist them. La Rue then stated there is a pipeline on the property on the north side. La Rue stated the petitioners need to subdivide and as part of the subdivision, the Magellan pipeline will need to sign off on it. The soil inventory was then reviewed. Limitations for low buildings are moderate. For agricultural crops, there is a small area with a 90 CSR rating and the rest of the area has between 60 and 70 CSR. It was noted this is not prime ag land. Limitations for septic systems are severe due to slow water movement. However, La Rue stated they shouldn't have any problems getting a septic system in. He then stated the Comprehensive Plan does discourage scattered residential development but stated the property is near the Cedar View Heights Subdivision and the D-Del Subdivision. It is located right outside of the area for future residential development. No farm ground will be taken out of production.

Mrs. Nevins then informed the members there is no other property that would give them the opportunity to build a shop for their ag equipment as well as to allow them to have

4-H livestock. La Rue then stated that due to the nature of this request, an ag service permit may be required. He stated the County Engineer may not allow them to use the current access for an ag business. The Nevins' will need to talk to the Engineer. La Rue stated he would rather the property not be rezoned to commercial or industrial but rather be considered as a special use permit as an ag business. La Rue questioned if this request is for a house or an ag business. Mrs. Nevins stated they want to have a building to store their equipment in and have living quarters. Further down the road, she stated they would build a house. La Rue stated the residential district does not allow their type of business equipment. He also stated the residential district is required in order for them to build a home and they could use the agricultural district for the ag service building. La Rue stated where the Nevins' plan to place the shop and living quarters is 400 feet away from the pipeline. Mrs. Nevins stated they plan to live in the shop for the time being. The terragator they will use for their business will be stored inside the shop building. Mrs. Nevins stated that they can not build both the storage building and house at this time. Mr. Nevins stated the whole purpose of their request is so that their business equipment can be stored inside. La Rue stated a special exception is not allowed in the residential district for an ag business. He recommended the Commission go forward with the change of zoning to residential so that the Nevins' feel comfortable and he will get the answers for them. He stated it can be worked out. Chairperson Brown stated that according to the zoning program, they can not have a commercial business without a special use permit. La Rue stated they can have a special exception on the ag property but not this type of business on residential property. He also stated the size of the residential portion could be changed (such as to one acre where the house is going to be) and then the Board of Adjustment could consider a temporary variance to allow them to have their apartment in the building while they build the house. Mrs. Nevins responded that they have no idea how long that would be. Mr. Nevins suggested building a 80' x 120' building on the ag ground and have 40' x 80' on one end be the living quarters on the residential ground. La Rue stated the question would be if the county engineer would be ok with the equipment because it is a use other than residential. He also stated they could rezone the residential zoning request to half (1 ½ acres) and move forward until it can be figured out. The members then looked at the diagram provided by the Nevins' for the best site location. Again, La Rue stated they have to have approval from the County Engineer. He also stated the Nevins' could redraw the rezoning request diagram and get it back to him. Discussion followed where the building would be best situated. The Commission members and Zoning Administrator La Rue were uncomfortable with the building being in both districts.

After a lengthy discussion, Yutesler made a motion to approve the rezoning request with an adjustment in the number of residential acres from 3 to 1 and a half or whatever works for the Nevins' and pending the survey. Dornfeld seconded the motion. Ayes all.

Minutes from the last meeting held on August 17, 2016, were previously sent to the members. Klein made a motion to approve the minutes as written. Dornfeld seconded the motion. Ayes all.

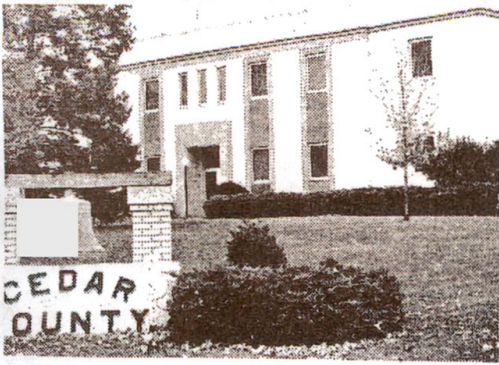
With no further business to be discussed at this time, the meeting adjourned.

A handwritten signature in blue ink, appearing to read "Joel Brown", written over a horizontal line.

Chairperson  
Joel Brown

A handwritten signature in blue ink, appearing to read "Sharon Laucamp", written over a horizontal line.

Secretary  
Sharon Laucamp



Tel: 563-886-2248

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

October 7, 2016

**LEGAL NOTICE**

The Cedar County Planning and Zoning Commission has been petitioned to conduct a Public Hearing on Wednesday, October 19, 2016, at 6:30 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa.

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

- 1. Nick and Stephanie Nevins, 102 Grant Ave., Lisbon, IA (Contract Buyers) and Steve & Teresa Weets, 612 160<sup>th</sup> St., Mechanicsville, IA (Owners) –** Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential District for the purpose of constructing a single family dwelling in the SE ¼, SW ¼, Section 19, T-82N, R-4W, in Pioneer Township. Said petition is to rezone 3.00 acres of a proposed 5.00 acre lot.

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 10/11/16 to the following:

1. Nick & Stephanie Nevins – 102 Grant Avenue, Lisbon, Iowa 52253 – **Certified**
2. Steve & Teresa Weets – 612 160<sup>th</sup> Street, Mechanicsville, Iowa 52306
3. Matthew Reyhons – 12018 Reata, Richmond, TX 77469
4. Loren & Kathryn Hartelt – 362 Adams Court, Lisbon, Iowa 52253
5. Donna Nevins – 358 Adams Court, Lisbon, Iowa 52253
6. Mitch Montgomery – 398 Adams Ave., Lisbon, Iowa 52253
7. Daniel Kohl – 231 Charles Avenue, Mechanicsville, Iowa 52306
8. Young Farm – P.O. Box 605, Marion, Iowa 52302
9. Tim Cahill – 354 Adams Avenue, Lisbon, Iowa 52253
10. Tim & Abigail Keegan – 597 Light Road, Mt. Vernon, Iowa 52314

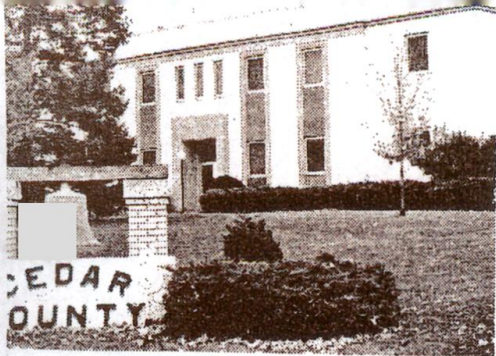
Copy e-mailed to Tipton Conservative on 10/10/16 for Tipton Conservative & Sun News

Copy e-mailed to Cedar County Engineer

7 Planning & Zoning members on 10/11/16

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Tel: 563-886-2248

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

September 8, 2016

**TO: CEDAR COUNTY PLANNING & ZONING COMMISSION MEMBERS**

I am writing to inform you that there will not be a meeting of the Planning and Zoning Commission during the month of September because no petitions were filed.

Sincerely,

Phil La Rue  
Zoning Administrator

PL:sl

### LEGAL NOTICE

The Cedar County Board of Supervisors has been petitioned to conduct a Public Hearing on September 13 and 20, 2016, at 9:00 a.m., in the Board Meeting Room of the Cedar County Courthouse, Tipton, Iowa.

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

1. **Greg Shuger, Et Ali, 510 Wild Indigo Circle, Wilton, IA (Contract Buyers) and Louis Cooling Estate, Wilton, IA (Owner)** – Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential District for the purpose of constructing three (3) single family dwellings on a proposed three (3) lot subdivision located at 1954 325<sup>th</sup> Street, Wilton, IA, in the NW ¼, SE ¼, Section 29, T-79N, R-1W, in Farmington Township, consisting of 8.22 acres more or less.

At said Public Hearing, any person present, and so wishing, will be given the opportunity to be heard. However, the Board does request, but does not require, that any person who speaks also provide a short written summary or outline of the statement they give to be placed on file. Time will be allowed during the hearing for a person to prepare such documentation, if such time is needed. Any persons wishing a statement read into the hearing for them may file same with the County Auditor prior to the time of the first hearing.

Cari Gritton  
Cedar County Auditor

Copies sent out on 8/30/16 to the following:

1. Greg Shuger, Et Ali – 510 Wild Indigo Circle, Wilton, Iowa 52778 – **Certified**
2. Louis Cooling Estate – P.O. Box 1231, Wilton, Iowa 52778
3. Bohnsack Family Farms LLC – 802 7<sup>th</sup> Street, P.O. Box 101, Durant, Iowa 52747
4. Leo H. & Betty J. Shuger – 1903 335<sup>th</sup> Street, Wilton, Iowa 52778
5. Robert L. Grimm – 1947 325<sup>th</sup> Street, Wilton, Iowa 52778
6. Ronald & Reakay Bohnsack – 2049 Hwy. 927, Wilton, Iowa 52778
7. H.E. Family Trust & R. B. Family Trust – Agri Management Services, 5475 Dyer Ave., Ste. 141, Marion, Iowa 52302
8. George & Deborah Leith – 822 S. 14<sup>th</sup> Avenue, Washington, Iowa 52353

Copy e-mailed to Tipton Conservative on 8/29/16 for Tipton Conservative

Copy e-mailed to Wilton/Durant Advocate News on 8/29/16 for Advocate News

Copy e-mailed to Cedar County Board of Supervisors Secretary

2 File Copies

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## CEDAR COUNTY PLANNING & ZONING COMMISSION MINUTES

August 17, 2016

The Cedar County Planning and Zoning Commission conducted a Public Hearing on Wednesday, August 17, 2016, in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa. Members present were Brown, Dornfeld, Klein, Kohrt, Schuett and Yutesler. Member absent was Schroeder.

Chairperson Brown called the meeting to order at 6:30 p.m. The members then considered the following petition:

1. **Greg Shuger, Et Ali, 510 Wild Indigo Circle, Wilton, IA (Contract Buyers) and Louis Cooling Estate, Wilton, IA (Owner)** – Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential District for the purpose of constructing three (3) single family dwellings on a proposed three (3) lot subdivision located at 1954 325<sup>th</sup> Street, Wilton, IA, in the NW  $\frac{1}{4}$ , SE  $\frac{1}{4}$ , Section 29, T-79N, R-1W, in Farmington Township, consisting of 8.22 acres more or less.

Zoning Administrator La Rue informed the members he had received one written letter of concern from Robert Grimm, an adjoining property owner, regarding his cattle operation. He advised the members to do their review in accordance with Chapter 18.2(3) of Cedar County Zoning Ordinance #10 in making a recommendation to the Cedar County Board of Supervisors. He stated a minor subdivision will be required if the change in zoning is approved. The letter from the Wilton Fire Department stated they can provide emergency services to the area. The letter from County Engineer, Rob Fangmann, stated this property is located less than  $\frac{3}{4}$  of a mile east of paved route Taylor Avenue on gravel route 325<sup>th</sup> Street and should have a minimal impact on the existing infrastructure. An approved entrance permit is on file with his office. Also, in his letter, he recommended that as part of the change in zoning, the applicant remove the two existing entrances and access all three lots from one new entrance to be located 200 feet west of the east property line of the proposed rezoning. A private easement shall be required to secure access to the westerly two properties. His letter stated the applicant has agreed to these requirements. A drawing is on file with the entrance permit in his office. La Rue informed the members there are four soil types on the property (Tama, Downs, Atterberry and Colo-Ely). Limitations for septic systems on the Tama soils is slight, severe on the Downs, Atterberry and Colo-Ely soils due to poor permeability. Limitations for dwellings on the Tama and Downs soils are moderate and limitations on the Atterberry and Colo-Ely soils are severe. Agricultural crops limitations are moderate on the Tama, Atterberry and Colo-Ely soils and severe on the Downs soils. Corn suitability on the Tama soils is 95 points, on the Downy soils is 75 points, on the Atterberry soils is 85 points and on the Colo-Ely soils is 85 points. La Rue stated the Comprehensive Plan does discourage scattered residential development and does encourage preservation of ag land. He also stated good planning will be needed for additional development. He then read the letter of concern received from Robert Grimm which stated his concerns with a housing development located within 500 feet of his confinement cattle feeding operation currently and the issues that may arise with future expansion. It also stated he leases the land to the south and west of this area and he is concerned that when manure is spread on this ground there could be objections. La Rue stated

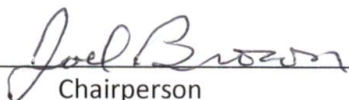
the Cedar County zoning regulations state that non-farm dwellings shall not be located closer than 1,320 feet to an established feedlot or livestock confinement of 500 head or more.

Greg Shuger, petitioner, then informed the members of their intention to build three residential family dwellings on the property. It will be subdivided into 3 parcels with each parcel containing 2 to 3 acres. He stated they will work with Mr. La Rue and the County Engineer in order to accomplish this. Mr. Shuger stated there is currently one house on the west end of the property. He stated that the property was originally an 80 acre parcel which was subdivided back in the 1960's by Mr. Cooling. He also stated it has not been farmed since the 60's. He stated the subdivision will be for family members only. He also stated they all grew up on the family farm and have always had neighbors who spread manure on the fields. La Rue then stated that because of the way the laws are written in the State of Iowa, somebody could put a 2,000 head of livestock confinement within 200 feet of this property and there is not a thing he could do about it. Chairperson Brown stated that setting a precedence like this affects how they do business around the rest of the county. He is in favor of protecting farm ground and the people who like to farm and stated this parcel is in the middle of farm country. He also stated that due to a death or divorce, the status could change. Member Klein stated his concern would be very long term regarding future buyers. Member Yutesler expressed concern about septic systems on the property. La Rue stated he would like to see conventional systems first and feels the situation can be worked out. Yutesler stated the owners should be aware that leach fields could fail in time and an additional plan should be considered. Member Schuett stated he is not opposed to the petitioners request but they must consider the what ifs and maybes due to what could happen in the future. Member Yutesler stated the petitioners should be aware of the livestock situation and the potential for a possible larger operation.

After further discussion, Dornfeld made a motion to recommend approval of the rezoning request to the Board of Supervisors. Klein seconded the motion. Five members voted aye and Brown voted nay to the request.

Minutes from the last meeting held on July 20, 2016, were previously sent to the members. Member Klein stated he would like a statement taken out of the minutes and replaced with another statement. Yutesler then made a motion to approve the minutes with the proposed amendment. Dornfeld seconded the motion. Ayes all.

With no further business to be discussed at this time, Yutesler made a motion to adjourn. Dornfeld seconded the motion. Meeting adjourned at 7:15 p.m.



Chairperson  
Joel Brown



Secretary  
Sharon Laucamp



Tel: 563-886-2248

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

August 5, 2016

**LEGAL NOTICE**

The Cedar County Planning and Zoning Commission has been petitioned to conduct a Public Hearing on Wednesday, August 17, 2016, at 6:30 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa.

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

1. **Greg Shuger, Et Ali, 510 Wild Indigo Circle, Wilton, IA (Contract Buyers) and Louis Cooling Estate, Wilton, IA (Owner)** – Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential District for the purpose of constructing three (3) single family dwellings on a proposed three (3) lot subdivision located at 1954 325<sup>th</sup> Street, Wilton, IA, in the NW  $\frac{1}{4}$ , SE  $\frac{1}{4}$ , Section 29, T-79N, R-1W, in Farmington Township, consisting of 8.22 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 8/9/16 to the following:

1. Greg Shuger, Et Ali – 510 Wild Indigo Circle, Wilton, Iowa 52778 – **Certified**
2. Louis Cooling Estate – P.O. Box 1231, Wilton, Iowa 52778
3. Bohnsack Family Farms LLC – 802 7<sup>th</sup> Street, P.O. Box 101, Durant, Iowa 52747
4. Leo H. & Betty J. Shuger – 1903 335<sup>th</sup> Street, Wilton, Iowa 52778
5. Robert L. Grimm – 1947 325<sup>th</sup> Street, Wilton, Iowa 52778
6. Ronald & Reakay Bohnsack – 2049 Hwy. 927, Wilton, Iowa 52778
7. H.E. Family Trust & R. B. Family Trust – Agri Management Services, 5475 Dyer Ave., Ste. 141, Marion, Iowa 52302
8. George & Deborah Leith – 822 S. 14<sup>th</sup> Avenue, Washington, Iowa 52353

7 Zoning Commission members on 8/9/16

Copy e-mailed to Tipton Conservative on 8/5/16 for Tipton Conservative

Copy e-mailed to Wilton/Durant Advocate News on 8/5/16 for Advocate News

Copy e-mailed to County Engineer on 8/4/16

2 File Copies

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## CEDAR COUNTY PLANNING & ZONING COMMISSION MINUTES

July 20, 2016

The Cedar County Planning and Zoning Commission conducted a Public Hearing on Wednesday, July 20, 2016, in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa. Members present were Brown, Dornfeld, Yutesler, Schroeder and Klein. Members absent were Schuett and Kohrt.

Chairperson Brown called the meeting to order at 6:35 p.m. The Commission members then considered the following petition:

1. **Loren and Steve Gritton, 1706 Madison St., Tipton, IA (Owners)** – Requesting a change in zoning from R-2, Urban Residential to C-2, Highway Commercial for the purpose of constructing a building for the operation of a garage door sales and service business on property located on Lots 4 & 5, Block 20, in the unincorporated Town of Rochester, in the NW  $\frac{1}{4}$ , SE  $\frac{1}{4}$ , Section 2, T-79N, R-3W, in Rochester Township, consisting of 0.41 acres more or less.

Zoning Administrator La Rue informed the members there was one written objection on file for this petition and advised them to consider the petition in accordance with Chapter 18.2(3) of the Zoning Ordinance in making their recommendation to the Cedar County Board of Supervisors.

Steve Gritton then informed the members he wishes to build a 60' x 104' shop on his property for his garage door sales and service business. La Rue stated they would not be able to meet the setback requirements in the C-2 district. The total size of the two lots is 150' x 120'. La Rue stated the front yard setback for a C-2 district is 50' and a 40' rear, street side is 50' and the other side is 20'. He then stated in the C-1 Local Commercial there is a 25' front setback, a 25' rear, a 25' street side & 20' on the other side which seems more reasonable. Mr. Gritton stated his plans for the building is for his business for storage/warehouse. La Rue informed Mr. Gritton if he plans on having a bathroom or running water in the building, he will need a septic system. Mr. Gritton stated it will be himself and one other guy working out of the building. There will be no walk-in trade and it will be a drive through building. La Rue stated the members need to consider Local Commercial versus Highway Commercial in order to make their recommendation. The letter received from County Engineer, Rob Fangmann, stated this property is located on paved route Washington Street in Rochester and should have minimal impact on the existing infrastructure. An approved entrance permit is on file in his office. The letter from the Tipton Fire Department stated the driveway and access roads should be constructed to accommodate the large and heavy department vehicles. La Rue stated limitations for low buildings are slight. Because of the sandy soils, septic systems will have to be looked at. La Rue stated he will not allow a holding tank but would consider a porta potty. He also stated the wells in the area are between 110' and 150' deep. Loren Gritton stated they have a 140' well.

La Rue stated a business such as this is not allowed in the R-2 district. He then read from the Zoning Ordinance what is allowed in the C-2 district and C-1 district. The C-1 district did not include a contractor/storage warehouse type of business. He stated the neighboring property to the east and north is zoned C-1. He informed the members if they would so wish to go with it under 335.7 of the Iowa Code, he would not have an objection if they made a recommendation to approve the C-1 district with a conditional rezoning agreement as long as the property is used for this type of business, all vehicles and materials are kept inside and it does not create any nuisance. He stated the setback requirements are considerably more restrictive in the Highway Commercial than the Local Commercial district. La Rue then read the letter of objection received from Chris Doherty in which he stated he would advise the Commission members to deny the request due to several issues. A previous issue of environmental law was briefly discussed (open burning). However, La Rue stated this property has been greatly improved by the petitioners. He also stated, judging from past experience, Local Commercial is more compatible with Urban Residential than Highway Commercial. Member Dornfeld stated since there is Urban Residential and Local Commercial in the area, perhaps Local Commercial would be the way to go since it would be more lenient than the Highway Commercial. La Rue stated there are a lot of existing lots that can not meet the current requirements. La Rue also stated he likes the Local Commercial classification but he would ask for the members to include a conditional rezoning agreement under 335.7 of the Code of Iowa. He said a conditional rezoning agreement will have to be reviewed by the County Attorney. He will also need input from the Board of Supervisors.

Steve Gritton informed the members that customers will call him to request a garage door and installation. It will not be a retail store. Member Klein asked if they would install a bathroom in the future. La Rue stated there should be enough room to install a small septic system. He also stated the C-1 district will allow for more wiggle room. Klein questioned any impact this may have on neighboring wells and septic systems. La Rue stated the drainfield will have to be kept 100 feet from neighboring wells. He also stated approval of the sewer application is given at the time of the issuance of the building permit. The building size will also be dependent on the requirements for a septic system and its replacement requirements. Member Dornfeld then made a motion to go ahead with the C-1 zoning classification versus the C-2 classification with a conditional rezoning agreement. Schroeder seconded the motion. Member Klein asked if there was a need to withdraw the application and resubmit an application for a change to C-1 because he wanted to avoid delays to the project that could be caused by requiring another hearing. La Rue stated the Board of Supervisors ultimately make the final decision. He explained that Chapter 18.1 of the Zoning Ordinance allows the Board of Supervisors to amend the zoning district map after public notice and hearings as provided by law and after a report by the Cedar County Planning & Zoning Commission. The petitioners had no objection to a recommendation to the Board of Supervisors for C-1, Local Commercial, to be forwarded by the Planning & Zoning Commission. The members felt the C-1 classification is more appropriate and compatible. Dornfeld withdrew his original motion and then recommended to deny the C-2 zoning request and recommend to the Board of

Supervisors that they consider the petition as a C-1 rezoning request. Schroeder seconded the recommendation.

Minutes from the last meeting held on June 15, 2016, were previously sent to the members. Schroeder made a motion to approve the minutes as written. Yutesler seconded the motion. Ayes all.

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

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Chairperson  
Joel Brown

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Secretary  
Sharon Laucamp

Correction to Cedar County Planning and Zoning Commission Minutes  
Meeting of July 20, 2016

**Remove:** Member Klein stated his opinion...C-1 classification request.

**Add:** Member Klein asked if there was a need to withdraw the application and resubmit an application for a change to C-1 because he wanted to avoid delays to the project that could be caused by requiring another hearing.

Planning & Finance Commission  
July 20, 2011 <sup>Big Room</sup> 6:30pm

Dr. John

Julie Schroeder

Judy Luster

Joel Brown

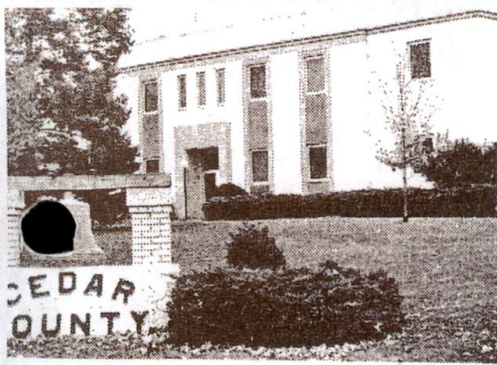
L. H. H.

John & Doreen

~~John & Doreen~~

Patricia Pietra

Sharon Leucamp



Tel: 563-886-2248

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

July 1, 2016

**LEGAL NOTICE**

The Cedar County Planning and Zoning Commission has been petitioned to conduct a Public Hearing on Wednesday, July 20, 2016, at 6:30 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa.

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

1. **Loren and Steve Gritton, 1706 Madison St., Tipton, IA (Owners)** – Requesting a change in zoning from R-2, Urban Residential to C-2, Highway Commercial for the purpose of constructing a building for the operation of a garage door sales and service business on property located on Lots 4 & 5, Block 20, in the unincorporated Town of Rochester, in the NW  $\frac{1}{4}$ , SE  $\frac{1}{4}$ , Section 2, T-79N, R-3W, in Rochester Township, consisting of 0.41 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 7/6/16 to the following:

1. Loren & Steve Gritton – 1706 Madison St., Tipton, IA 52772 – **Certified**
2. Christopher Doherty – 1872 3<sup>rd</sup> Street, Tipton, IA 52772-9223
3. Bruce J. Armstrong – 724 W. 9<sup>th</sup> St., Apt. 4, Tipton, IA 52772-1464
4. Rebecca Lynn Thumma – 1873 1<sup>st</sup> Street, Tipton, IA 52772-9219
5. Martha M. Freeman – 1720 Madison St., Tipton, IA 52772-9217
6. Warren D. Williams – 1873 2<sup>nd</sup> Street, Tipton, IA 52772-9212
7. Dana J. & Stephanie Gute-Wells – 1578 Washington St., P.O. Box 65, Moscow, IA 52760-0065
8. Gregory & Laura Boeding – 1711 Washington St., Tipton, IA 52772-9214
9. Norman & Gloria McQuillen – 1874 1<sup>st</sup> Street, Tipton, Iowa 52772-9219
10. Dane Petersen – 1876 1<sup>st</sup> Street, Tipton, Iowa 52772
11. Golden Rule Lodge – Ruel Wehde, 300 E. 9<sup>th</sup> Street, Tipton, Iowa 52772
12. Herbert D. Ford – 1811 King Avenue, Tipton, Iowa 52772-9227
13. Jonathan Jewell – 1886 1<sup>st</sup> Street, Tipton, IA 52772-9219
14. Joanne & Rickey Gritton – 1888 1<sup>st</sup> Street, Tipton, Iowa 52772
15. Henry & Crystal Harden – 1901 2<sup>nd</sup> Street, Tipton, Iowa 52772
16. Mike Isabel – 1704 Cedar Street, Tipton, Iowa 52772
17. Laura Lee Ford & Anh Thieu Trinh – 1887 2<sup>nd</sup> Street, Tipton, Iowa 52772-9212
18. Geraldine Schilling – 508 West Second, Tipton, Iowa 52772-9220
19. Donald & Joyce Hennings – 1885 2<sup>nd</sup> Street, Tipton, Iowa 52772-9212
20. Leland & Karen Gritton – 1881 2<sup>nd</sup> Street, Tipton, Iowa 52772-9212
21. Dennis J. Dallege – 1886 2<sup>nd</sup> Street, Tipton, Iowa 52772-9215
22. Sandy Marler – 1139 Airport Road, Tipton, Iowa 52772-9375
23. Louise Ann Idlewine – 1728 Washington St., Tipton, IA 52772-9213
24. Iowa Telecom – Attn: Tax Dept., % Duff & Phelps, P.O. Box 260888, Plano, TX 75026-0888
25. Sharon G. Stiff – 1903 3<sup>rd</sup> Street, Tipton, Iowa 52772-9208
26. Judy Hain – 1053 285<sup>th</sup> St., Tipton, IA 52772
27. Helen Nicolaus & Sherry Nicolaus Trust - % Hertz Farm Management, P.O. Box 500, Nevada, IA 50201-0500
28. Kristopher & Jessica Kirkpatrick – 1862 Snaggy Ridge Road, Tipton, Iowa 52772
29. Donna Salyars – 1881 1<sup>st</sup> Street, Tipton, Iowa 52772
30. Reggie & Mindy Kruse – 1889 1<sup>st</sup> Street, Tipton, Iowa 52772
31. John & Rozella Simons – 1702 Washington Ave., Tipton, Iowa 52772
32. Doug & Catherine Ford – 1865 Snaggy Ridge Rd., Tipton, Iowa 52772
33. David & Suzanne Lovell – 1981 Atalissa Road, Atalissa, Iowa 52720
34. Daniel Treimer – 964 270<sup>th</sup> Street, Tipton, Iowa 52772
35. Dennis & Jennifer Petersen – 1713 Madison Street, Tipton, Iowa 52772

Copy e-mailed to Tipton Conservative on 7/1/16 for Tipton Conservative

Copy e-mailed to Cedar County Engineer on 7/5/16

7 Zoning Commission Members on 7/6/16

2 File Copies

1 Bulletin Board Copy

### LEGAL NOTICE

The Cedar County Board of Supervisors has been petitioned to conduct a Public Hearing on July 19 and 26, 2016, at 9:00 a.m., in the Board Meeting Room of the Cedar County Courthouse, Tipton, Iowa.

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

1. **Richard & Lori Hanna, 1230 Plato Rd, West Branch, IA (Owners)** – Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential for the purpose of constructing a second single family dwelling on property located in the NW  $\frac{1}{4}$ , NE  $\frac{1}{4}$ , Section 4, T-80N, R-4W, in Gower Township. Said petition is to rezone 1.00 acres of a 19.91 acre tract.
2. **Willy & Vicki Bendixen, 313 Sunset Dr., Stanwood, IA (Contract Buyers) and Harry & Marcia Driscoll, 683 Dixon Ave., Mechanicsville, IA (Owners)** – Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential for the purpose of constructing a single family dwelling on property located in the SW  $\frac{1}{4}$ , SE  $\frac{1}{4}$ , SE  $\frac{1}{4}$ , Section 3, T-81N, R-4W, in Linn Township. Said petition is to rezone 1.98 acres of a proposed 3.93 acre tract.

At said Public Hearing, any person present, and so wishing, will be given the opportunity to be heard. However, the Board does request, but does not require, that any person who speaks also provide a short written summary or outline of the statement they give to be placed on file. Time will be allowed during the hearing for a person to prepare such documentation, if such time is needed. Any persons wishing a statement read into the hearing for them may file same with the County Auditor prior to the time of the hearing.

Cari Gritton  
Cedar County Auditor

Copies sent out on 7/5/16 to the following:

1. Richard & Lori Hanna – 1230 Plato Road, West Branch, IA 52358 - **Certified**
  2. Scott & Cynthia Worrell – 1283 Charles Avenue, West Branch, Iowa 52358
  3. Julie Kay Kratoska Nessler – 536 Scott Park Drive, Iowa City, IA 52245-5139
  4. Gary Beltz – 1223 Plato Road, West Branch, Iowa 52358
  5. Larry Rummells – 408 N. 4<sup>th</sup> Street, West Branch, Iowa 52358
- 

1. Willy & Vicki Bendixen – 313 Sunset Drive, Stanwood, IA 52337-9655 - **Certified**
  2. Harry & Marcia Driscoll – 683 Dixon Avenue, Mechanicsville, IA 52306-7554
  3. Allen Charles Achenbach – 726 Dixon Avenue, Mechanicsville, IA 52306
- 

Copy e-mailed to Tipton Conservative on 7/1/16 for Tipton Conservative, Sun News & West Branch Times

Copy e-mailed to Board of Supervisors' Secretary on 7/5/16

2 File Copies

1 Bulletin Board Copy

6-15-16

Planning & Fundraising Commission  
Big Room

P.D. Jahn

Julie Schroeder

Rick Hanna

Lou Jeffries-Harris

Scott Spiner

Mackenzie Spiner #FMM  
Spiner

Will B.

Marc Russell

Vicki Bendixen

David G. Schett

Joel Brown

Sharon Lucamp

Carl A. Kist

## CEDAR COUNTY PLANNING & ZONING COMMISSION MINUTES

June 15, 2016

The Cedar County Planning and Zoning Commission conducted a Public Hearing on Wednesday, June 15, 2016, in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa. Members present were Brown, Schuett, Schroeder, Klein and Kohrt. Members absent were Dornfeld and Yutesler.

Chairperson Brown called the meeting to order at 6:30 p.m. Minutes from the last meeting held on March 16, 2016, were previously sent to the members. They were approved as presented. The Commission members then considered the following petitions:

1. **Richard & Lori Hanna, 1230 Plato Rd, West Branch, IA (Owners)** – Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential for the purpose of constructing a second single family dwelling on property located in the NW ¼, NE ¼, Section 4, T-80N, R-4W, in Gower Township. Said petition is to rezone 1.00 acres of a 19.91 acre tract.

Zoning Administrator La Rue informed the members there were no written or verbal objections on file for this petition and advised them to consider the petition in accordance with Chapter 18.2(3) of the Zoning Ordinance in making their recommendation to the Cedar County Board of Supervisors. The letter received from the West Branch Fire Department stated they are willing and able to provide emergency fire and rescue to the proposed site. It also stated the owner will be responsible for making sure that fire trucks have full access to road/lane, in which must be 20 feet wide and provide a turn around, as well as making sure there are no trees or overhangs in the road/lane to compromise their response. The letter from County Engineer, Rob Fangmann, stated this property is located on gravel route Plato Road and should have minimal impact on the existing infrastructure. An approved entrance permit is on file with his office. La Rue informed the members the petitioners went before the Planning and Zoning Commission and Board of Supervisors in 1985 for their house site and in 1989 they requested to add a .75 acre tract to their existing parcel. The soil inventory was then reviewed. Limitations for septic systems and buildings are severe based on slope. Limitations for farm crops are severe. The CSR on the property is 73 and 27.

Rick Hanna then informed the members they purchased the property in 1985 and have spent a lot of effort on trying to improve the property. He stated it has been a dream of his wife and him that when they are not around any more, their kids have an opportunity to still live on the property. He stated they had a discussion with their children and they were very excited. Therefore, he then informed the Board that they would like to rezone one acre on which him and his wife would build a new dwelling that they would live in and their daughter and her family would take over the house which they currently live in. He stated that his son will then move into their proposed home someday. He stated the property has a lot of memories for all of his family. Their plan is that eventually their

daughter will own the parcel they currently live on, their son will own the parcel where the new house will be built and the rest of the property will be in a trust for both to enjoy together. Chairperson Brown stated that sometimes situations can change, such as death, divorce or financial problems. Mr. Hanna stated they have given it a lot of thought, stating his family is pretty tight and does not believe there will be any problems. His daughter was present and stated they have too much respect for her father to ruin his dream. There are no livestock confinements near by. Mr. Hanna stated he has talked with their neighbors and they understand their plan.

After a brief discussion, Klein made a motion to recommend approval of the rezoning request to the Board of Supervisors. Kohrt seconded the motion. Ayes all.

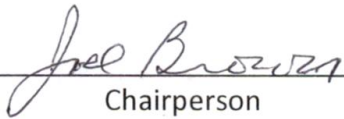
2. **Willy & Vicki Bendixen, 313 Sunset Dr., Stanwood, IA (Contract Buyers) and Harry & Marcia Driscoll, 683 Dixon Ave., Mechanicsville, IA (Owners)** – Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential for the purpose of constructing a single family dwelling on property located in the SW ¼, SE ¼, SE ¼, Section 3, T-81N, R-4W, in Linn Township. Said petition is to rezone 1.98 acres of a proposed 3.93 acre tract.

Zoning Administrator La Rue informed the members there were no written or verbal objections on file for this petition and advised them to consider the petition in accordance with Chapter 18.2(3) of the Zoning Ordinance in making their recommendation to the Cedar County Board of Supervisors. The letter received from the Mechanicsville Fire & Ambulance Dept. stated they can and will provide fire protection and ambulance service. It also stated that before the start of construction an address number assigned by Cedar County 911 needs to be posted and access to dwelling has be adequate enough for fire trucks and/or ambulances to pass without incident. The letter received from County Engineer, Rob Fangmann, stated this property is located on 170<sup>th</sup> Street which is currently a Level B dirt road. An approved entrance permit is on file in his office. Fangmann also stated the dirt road can be rocked up to the driveway of the residence at the landowner's cost. He also wanted noted that this is and will remain a Level B road as per Cedar County Policy. The property owner is responsible for all granular surfacing, blading, snow removal etc. This resurfacing would fall under Cedar County Policy for Upgrade of Level B County Road, Categorg C: Resident Request, Rocking Existing Level B Roads without upgrade in the Level A System. The soil inventory was reviewed. Limitations for foundations for low buildings have moderate limitations. Septic systems are moderate to severe. Limitations for farm crops are moderate to severe. La Rue stated the Tama soil has a CSR of 95 and the other part is 26. It was noted that a corner of the ground is in flood plain but the home will not be placed in that area. La Rue stated the the Future Land Use Plan does discourage scattered residential development when it won't support a whole broad range of services. It was noted that the residence will be approximately four and three-quarters from town. Marcia Driscoll stated the emergency response time is ten minutes. It was noted there are no livestock operations within one-quarter mile. The Bendixen's stated they are aware that they have to maintain the road themselves and also stated they have equipment to do that.

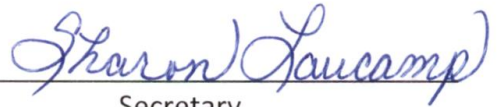
After further discussion, Kohrt made a motion to grant the rezoning request. Schroeder seconded the motion. Ayes all.

Zoning Administrator La Rue then informed the members that the Commission may want to consider a proposed amendment to the Future Use Plan regarding Adams Avenue, Section 18, Pioneer Township, because of the Highway 30 project and requests from two area property owners regarding development.

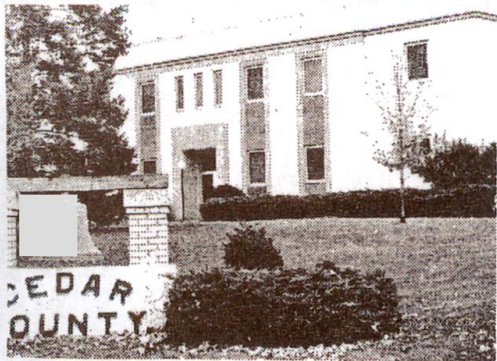
With no further business to be discussed at this time, the meeting adjourned at 7:30 p.m.



Chairperson  
Joel Brown



Secretary  
Sharon Laucamp



Tel: 563-886-2248

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

June 6, 2016

**LEGAL NOTICE**

The Cedar County Planning and Zoning Commission has been petitioned to conduct a Public Hearing on Wednesday, June 15, 2016, at 6:30 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa.

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

1. **Richard & Lori Hanna, 1230 Plato Rd, West Branch, IA (Owners)** – Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential for the purpose of constructing a second single family dwelling on property located in the NW  $\frac{1}{4}$ , NE  $\frac{1}{4}$ , Section 4, T-80N, R-4W, in Gower Township. Said petition is to rezone 1.00 acres of a 19.91 acre tract.
2. **Willy & Vicki Bendixen, 313 Sunset Dr., Stanwood, IA (Contract Buyers) and Harry & Marcia Driscoll, 683 Dixon Ave., Mechanicsville, IA (Owners)** – Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential for the purpose of constructing a single family dwelling on property located in the SW  $\frac{1}{4}$ , SE  $\frac{1}{4}$ , SE  $\frac{1}{4}$ , Section 3, T-81N, R-4W, in Linn Township. Said petition is to rezone 1.98 acres of a proposed 3.93 acre tract.

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 6/7/16 to the following:

1. Richard & Lori Hanna – 1230 Plato Road, West Branch, Iowa 52358 - **Certified**
  2. Scott & Cynthia Worrell – 1283 Charles Avenue, West Branch, Iowa 52358
  3. Julie Kay Kratoska Nessler – 536 Scott Park Drive, Iowa City, Iowa 52245-5139
  4. Gary Beltz – 1223 Plato Road, West Branch, Iowa 52358
  5. Larry Rummells – 408 N. 4<sup>th</sup> Street, West Branch, Iowa 52358
- 

1. Willy & Vicki Bendixen – 313 Sunset Drive, Stanwood, Iowa 52337-9655 – **Certified**
2. Harry & Marcia Driscoll – 683 Dixon Avenue, Mechanicsville, Iowa 52306-7554
3. Allen Charles Achenbach – 726 Dixon Avenue, Mechanicsville, Iowa 52306

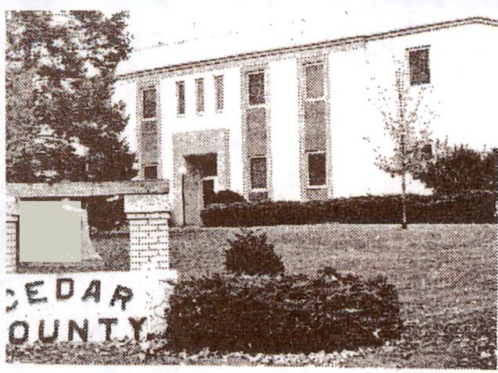
Copy e-mailed to Tipton Conservative on 6/6/16 for Tipton Conservative, West Branch Times & Sun News

7 Zoning Commission Members

Copy e-mailed to County Engineer on 6/6/16

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Tel: 563-886-2248

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

May 11, 2016

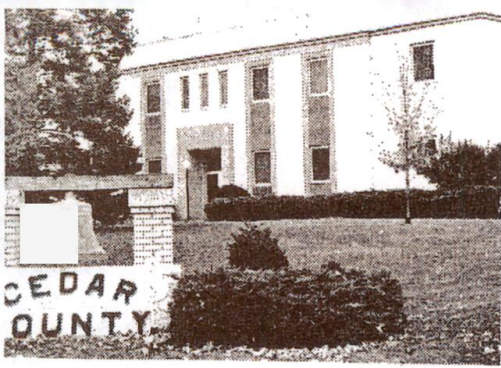
**TO: CEDAR COUNTY PLANNING & ZONING COMMISSION MEMBERS**

I am writing to inform you that there will not be a meeting of the Planning and Zoning Commission during the month of May because no petitions were filed.

Sincerely,

Phil La Rue  
Zoning Administrator

PL:sl



Tel: 563-886-2248

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

April 5, 2016

**TO: CEDAR COUNTY PLANNING & ZONING COMMISSION MEMBERS**

I am writing to inform you that there will **not** be a meeting of the Planning and Zoning Commission during the month of April because no petitions were filed.

Sincerely,

Phil La Rue  
Zoning Administrator

PL:sl

## CEDAR COUNTY PLANNING & ZONING COMMISSION MINUTES

March 16, 2016

The Cedar County Planning and Zoning Commission conducted a Public Hearing on Wednesday, March 16, 2016, in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa. Members present were Brown, Kohrt, Schuett, Schroeder and Klein. Members absent were Dornfeld and Yutesler.

Chairperson Brown called the meeting to order at 6:30 p.m. The Commission members then considered the following petition:

1. **Bruce Bickford, 2145 Delta Avenue, West Liberty, IA (Contract Buyer) and Jerry Lawrence, 2310 Baker Avenue, West Branch, IA (Owner)** - Requesting a change in zoning from A-1 Agricultural District\* to R-2 Urban Residential for the purpose of constructing a single family dwelling on property located in the NW  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , Section 32, T-79N, R-4W, in the un-incorporated town of Downey, Springdale Township, consisting of 1.42 acres more or less.

Zoning Administrator La Rue informed the members there were no written or verbal objections on file for this petition and advised them to consider the petition in accordance with Chapter 18.2(3) of the Zoning Ordinance in making their recommendation to the Cedar County Board of Supervisors. The letter received from County Engineer, Rob Fangmann, stated this property is located on paved route Baker Avenue (X30) and should have minimal impact on the existing infrastructure. An approved entrance permit is on file with his office. The letter received from the West Branch Fire and Rescue stated that they are willing and able to provide emergency fire and rescue response to the proposed site. It also stated the owner will be responsible for making sure that fire trucks have full access to the road/lane, in which must be 16 feet wide and provide a turn around, as well as making sure there are no trees or overhangs in the road/lane to compromise their response. La Rue informed the members this proposed rezoning site is in the unincorporated town of Downey and is immediately contiguous to other R-2 properties. There is also a subdivision across the road. The soil inventory was then reviewed. Septic system and building limitations are moderate. Agricultural limitations are moderate to severe. The CSR is 80 and 95 but the area has not been farmed for years.

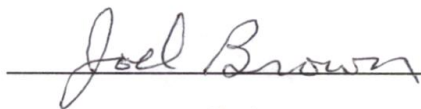
Mr. and Mrs. Bickford were present and informed the members their plans to build a slab house due to his health problems. He stated he does not want any steps and a storm shelter will be inside of the house. La Rue stated the Comprehensive Plan encourages orderly compact development. It was noted if the Bickford's wish to build a second house on the property, the property will need to be split. La Rue stated the zoning and access is adequate for a second house. He also stated the lot size will also be adequate. Mr. Bickford stated they are simply planning ahead and have no future plans for the second

home at this time. The well will serve both sites and the septic system tank size will be adequate for two houses.

After further discussion, Schroeder made a motion to accept the change in zoning from A-1 Agricultural\* to R-2 Urban Residential for the purpose of construction of a single family dwelling. Kohrt seconded the motion. Ayes all.

Minutes from the last meeting held on February 17, 2016, were previously sent to the members. Schroeder made a motion to approve the minutes as written. Kohrt seconded the motion. Ayes all.

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



Chairperson

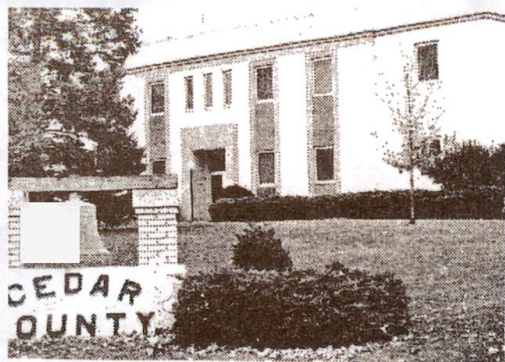
Joel Brown



Secretary

Sharon Laucamp

\*Correction – A further review of the County Zoning Map indicated the current zoning classification to be M-2 Heavy Industrial and not A-1 Agricultural



Tel: 563-886-2248

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

March 4, 2016

**LEGAL NOTICE**

The Cedar County Planning and Zoning Commission has been petitioned to conduct a Public Hearing on Wednesday, March 16, 2016, at 6:30 p.m., in the Large Meeting Room in the Basement of the Cedar County Courthouse, Tipton, Iowa.

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

1. **Bruce Bickford, 2145 Delta Avenue, West Liberty, IA (Contract Buyer) and Jerry Lawrence, 2310 Baker Avenue, West Branch, IA (Owner)** - Requesting a change in zoning from A-1 Agricultural District to R-2 Urban Residential for the purpose of constructing a single family dwelling on property located in the NW  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , Section 32, T-79N, R-4W, in the un-incorporated town of Downey, Springdale Township, consisting of 1.42 acres more or less.

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

Phil La Rue  
Zoning Administrator

Copies sent out on 3/8/16 to the following:

1. Bruce Bickford – 2145 Delta Avenue, West Liberty, Iowa 52776 – **Certified**
  2. Jerry Lawrence – 2310 Baker Avenue, West Branch, Iowa 52358
  3. Betty Burton – 108 Walnut Drive, West Branch, Iowa 52358
  4. Mitchell & Dawn Brandt – 2295 Baker Avenue, West Branch, Iowa 52358
  5. Karen Streets Trust - % Larry Streets, 2394 Baker Avenue, West Branch, Iowa 52358
  6. Secrest Estate - % Carol Burns, 4204 Warren St., Davenport, Iowa 52806
  7. Curtis & Suzanne Keiffer – 2297 Baker Avenue, West Branch, Iowa 52358
  8. Tim Rex – 308 Cedar Street, West Branch, Iowa 52358
  9. Brandon & Jacquie Albrecht – 310 Cedar Street, West Branch, Iowa 52358
  10. Stephen & Barbara Campbell – 313 Cedar Street, West Branch, Iowa 52358
  11. James & Ruth Ann Oxley – 250 Buckeye Road, West Liberty, IA 52776
  12. Jane Simmons – 305 Cedar Street, West Branch, Iowa 52358
  13. Austin & Rachel Richards – 301 Cedar Street, West Branch, Iowa 52358
  14. Lucina Kiene – 204 Dillon Street, West Branch, Iowa 52358
  15. Brenda Kunkel – 316 Broadway Street, West Branch, Iowa 52358
  16. Downey Baptist Church – 347 S. Maple Street, West Branch, Iowa 52358
- 

7 Zoning Commission members on 3/8/16

Copy e-mailed to Tipton Conservative on 3/4/16 for Tipton Conservative & West Branch Times

Copy e-mailed to County Engineer on 3/8/16

2 File Copies

1 Bulletin Board Copy

Planning & Zoning Commission

February 17, 2016 Rm 2B

P.D. Jahn

Joel Brown

Grant Lilienthal

Angie Lilienthal

Jody Gutesole

Julie Schroeder

Douglas Klein

Case & Lohst

John A. Donnelly

## CEDAR COUNTY PLANNING & ZONING COMMISSION MINUTES

February 17, 2016

The Cedar County Planning and Zoning Commission conducted a Public Hearing on Wednesday, February 17, 2016, in the Small Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa. Members present were Brown, Klein, Yutesler, Schroeder, Dornfeld and Kohrt. Member absent was Schuett.

Chairperson Brown called the meeting to order at 6:30 p.m. Minutes from the last meeting held on August 19, 2015, were previously sent to the members. Dornfeld made a motion to approve the minutes as written. Yutesler seconded the motion. Ayes all.

The Commission members then considered the following petition:

1. **Grant and Angela Lilienthal, 2266 310th St., Wilton, IA (Owners)** – Requesting approval of a Special Use Permit for the purpose of authorizing an Event Venue site on Parcel E, in the NW  $\frac{1}{4}$ , NE  $\frac{1}{4}$ , Section 23, T-79N, R-1W, in Farmington Township. Said property is zoned A-1 Agricultural District and consists of 5.00 acres m/l.

Zoning Administrator La Rue informed the members there were no written or verbal objections on file for this petition and advised them to consider the petition in accordance with Chapter 17.18(2) of the Cedar County Zoning Ordinance #10 in making their recommendation to the Cedar County Board of Adjustment. This use is permitted as a Special Use Permit in accordance with Chapter 5, Sec. D. La Rue continued that the Durant Fire Chief has reviewed the site and will be able to provide emergency service. The letter received from County Engineer, Rob Fangmann, was reviewed. It stated that an approved entrance permit is on file and that the east entrance is not to be utilized for the request. Mr. Lilienthal stated that the east access is only used during harvest season.

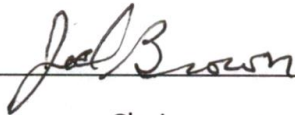
Mr. and Mrs. Lilienthal were present and explained their request. It was noted that the site is approximately 2.5 miles from Durant. The Lilienthal's explained the proposed use of their property for weddings, receptions, meetings and such. Water and wastewater disposal was discussed. The Lilienthal's stated they currently rent porta potty units and may purchase their own if there are enough events. The site plan was then reviewed for access, parking and planned activities. Capacity is limited by parking and not more than 400 guests. They will utilize parking attendants for traffic control. The Lilienthal's stated they have used the FFA members during a past event. They also stated that the customer must rent tables and other services. The distance to the closest neighbor is one-half mile and no homes are located between their place and the hard surface road. Parking is to be off the county road right-of-way. They also stated that alcohol is to be provided by the renter and not them. There are caterers which have a beer/liquor permit. Security could

be provided if needed. Member Dornfeld recommended dram shop insurance because of the alcohol. The Lilienthal's will have written rental agreements and insurance.

Following further discussion, Yutesler made a motion to recommend the Special Use Permit request to the Board of Adjustment, subject to the County Engineer's access requirement and alcohol guidelines. Kohrt seconded the motion. Ayes all.

Chairperson Brown then asked the members to appoint a Chairperson for 2016. Yutesler made a motion and Kohrt seconded that current Chairperson Brown retain the position with Yutesler to act as Co-Chairperson. Introduction of the new commission member, Doug Klein, was then made. The Commission then discussed proposed amendments to the Cedar County Zoning Ordinance and land use.

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

A handwritten signature in blue ink, appearing to read "Joel Brown", written over a horizontal line.

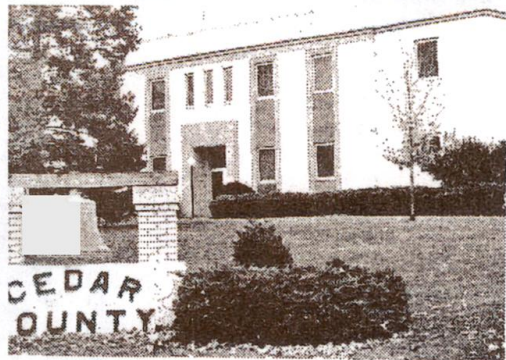
Chairperson

Joel Brown

A handwritten signature in blue ink, appearing to read "Phil La Rue", written over a horizontal line.

Secretary Pro-tem

Phil La Rue



Tel: 563-886-2248

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

February 5, 2016

**LEGAL NOTICE**

The Cedar County Planning and Zoning Commission has been petitioned to conduct a Public Hearing on Wednesday, February 17, 2016, at 6:30 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa.

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

1. **Grant and Angela Lilienthal, 2266 310th St., Wilton, IA (Owners)** – Requesting approval of a Special Use Permit for the purpose of authorizing an Event Venue site on Parcel E, in the NW  $\frac{1}{4}$ , NE  $\frac{1}{4}$ , Section 23, T-79N, R-1W, in Farmington Township. Said property is zoned A-1 Agricultural District and consists of 5.00 acres m/l.

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 2/8/16 to the following:

1. Grant & Angela Lilienthal – 2266 310<sup>th</sup> Street, Wilton, Iowa 52778 – **Certified**
  2. David R. Offerman Testamentary Trust Fund A - % Patricia A. Offerman, 1400 Dover Bay Drive, Clive, IA 50325-8323
  3. Nancy & Cal Lilienthal, James & Sara Orvick – 5458 County Rd. CC, Oregon, WA 53575-2719
- 

7 Zoning Commission Members on 2/8/16

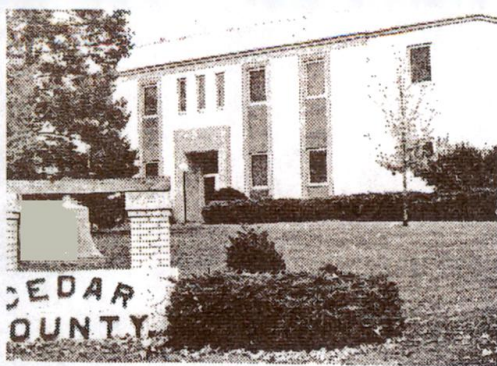
Copy e-mailed to Tipton Conservative on 2/5/16

Copy e-mailed to Wilton/Durant Advocate News on 2/5/16

Copy e-mailed to County Engineer on 2/5/16

2 File Copies

1 Bulletin Board Copy



Tel: 563-886-2248

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

January 11, 2016

**TO: CEDAR COUNTY PLANNING & ZONING COMMISSION MEMBERS**

I am writing to inform you that there will **not** be a meeting of the Planning and Zoning Commission during the month of January because no petitions were filed.

Sincerely,

Phil La Rue  
Zoning Administrator

PL:sl

APPLICATION FORM FOR CEDAR COUNTY BOARD/COMMISSION

PLEASE RETURN TO:

Cedar County Board of Supervisors, 400 Cedar Street, Tipton, Iowa 52772-1748  
Phone: 563-886-3168 Fax: 563-886-3339 Email: [bos@cedarcountry.org](mailto:bos@cedarcountry.org)

Date: 12/08/15 Email Address: home.tbse@gmail.com  
Name: Douglas, I Klein (Circle One) Male or Female  
Address: 1424 Charles Ave  
Phone Number: 319 643 3726 Fax Number: 319 634 4106  
Application For: Planning & Zoning Commission (Board/Commission)

Place of employment (and/or activities such as hobbies, volunteer work, etc. that you feel may qualify you for this position):

Retired executive (CFO)

The following questions will assist the Board of Supervisors in its selection; however, it is not necessary to complete this information to be eligible for consideration.

- How much time will you be willing to devote to this committee?

I have a great deal of time to devote to the commission

- Reason for applying?

I want to be involved in the process of county govt.

- Contributions you feel you can make to the Board/Commission:

I am a hard worker

- Directions/role you perceive of this Board/Commission:

Maintain cedar county quality of life, growth and development

- In lieu of/in addition to the above, do you have any comments to add that may assist the Board of Supervisors in its selection?

Oral comments provided at open Board meeting

YOUR APPLICATION WILL BE RETAINED IN OUR FILES FOR ONE YEAR.