

Tel: 563-886-2248

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

December 6, 2017

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

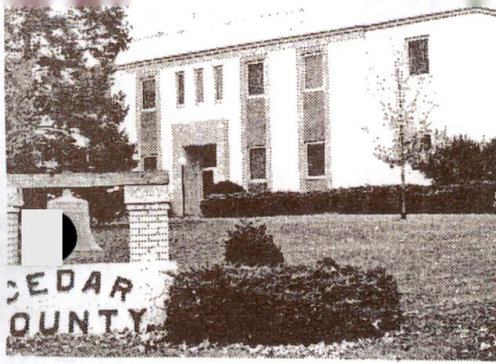
I am writing to inform you that there will not be a meeting of the Board of Adjustment during the month of December.

**HAPPY HOLIDAYS!**

Sincerely,

Phil La Rue  
Zoning Administrator

PL:sl



Tel: 563-886-2248

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

November 6, 2017

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

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

Sincerely,

Phil La Rue  
Zoning Administrator

PL:sl

## CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES

October 26, 2017

The Cedar County Board of Adjustment conducted a Public Hearing on Thursday, October 25, 2017, in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa. Members present were Hoy, Goerdt, Twing and Lenker. Member absent was Beyer.

Chuck Hoy called the meeting to order at 3:00 p.m. Minutes from the last meeting held on September 28, 2017, were previously sent to the members. Goerdt made a motion to approve the minutes as presented. Twing seconded the motion. Ayes all. It was noted that at the last meeting Chairperson Beyer requested it be put on the agenda to appoint Chuck Hoy as their new Chairperson. Twing then made a motion to approve Mr. Hoy as their new Chairperson. Goerdt seconded the motion. Ayes all.

The Board members then considered the following petition:

1. **David O'Donaghue, 402 3<sup>rd</sup> Street, Mt Vernon, IA (Contract Buyer) and Jim Neuzil, 11 Martini Rd., Otter, MT (Owner)** - Requesting a Special Use Permit authorizing the location of a Retreat Center on property located at 519 185<sup>th</sup> Street, Mechanicsville, IA, located in the NW ¼, SE ¼, Section 14, T-81N, R-4W, in Linn Township, consisting of 47.77 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 in addition to the ones received prior to the Planning & Zoning Commission meeting, except for another letter received from Wendy Mitchell. He stated the members will be doing their review in accordance with Chapter 17.18(2) of the Cedar County Zoning Ordinance. He stated the letter received from Lonnie Koch, Fire Chief of Mechanicsville, stated they can and will be able to provide emergency services, they want to make sure the 911 address is posted and that the access is adequate for emergency vehicles to enter without incident. The letter received from Rob Fangmann, Cedar County Engineer, stated this property is located on gravel route 185<sup>th</sup> Street and should have minimal impact on the existing infrastructure. An approved entrance permit is on file with his office. Sight distance has been checked as part of the review process and is adequate to facilitate up to a minor subdivision as per policy. It also stated in the event that traffic generated from the retreat center increases the level of dust on 185<sup>th</sup> Street above those allowed by the Iowa Department of Natural Resources fugitive dust regulations, the owners of the property shall apply dust control adjacent to existing residences and the 400 feet approaching the intersection with Garfield Avenue (X40) as per Cedar County Secondary Road Department Dust Palliative Permit for Dust Control. La Rue then explained the difference between minor and major subdivisions. He stated a minor subdivision is 3 lots or less assuming one home per lot. A major subdivision is 4 lots or more and are only allowed on hard surface roads because of the amount of traffic. It is estimated that major subdivisions will generate approximately 10 trips per day per house. La Rue stated, in this case, roughly 30 vehicle

trips per day is what the county engineer evaluated. David O'Donaghue then stated he will turn it over to Amy Bishop. He stated Amy will be the Director of the program and he will be taking care of the building and the acquisition of the land. He then stated Amy's husband, Scott, will be overseeing the land. Amy Bishop informed the members she has been a Cedar County resident for about 30 years. She has also had a couple of businesses. She then handed out information which explained overall what the retreat is all going to be about. All Board members received a copy and she then read the information printed in the handouts. A copy will be kept in their file. Amy stated she believed the literature addressed a lot of questions. Member Twing asked if they will restore the native prairie landscape. Scott stated they will work with various groups who have the expertise and knowledge in helping them. Mr. O'Donaghue stated there is a creek which runs through the property and they will restore the wetlands. Scott stated he is also Treasurer of Limestone Bluffs, RC&D, and there are a lot of members with a wealth of knowledge who will be very beneficial for them. Member Twing asked if they would be making a boundary hedge or fence. Mr. O'Donaghue stated they have walked the area and fences are already there because of livestock grazing. La Rue stated they would be subject to the Iowa fence laws. He advised them to take advantage of the Natural Resource Conservation Service with the Department of Agriculture here in Tipton as well as the Cedar County Conservation Department. Mr. O'Donaghue was asked how different this retreat will be from his property in New Orleans. He stated he has operated The Lyceum for the last 17 years. He stated the first one was in the mountains of North Carolina in a town about the size of Mt. Vernon, Iowa. He stated it was in his home where he held classes. When they moved to New Orleans it was in an urban setting, again in the home and also in donated spaces. They then went to Baltimore after Katrina and back to New Orleans. He stated those manifestations have all been urban. He stated this project has been in his mind for a long time. He also stated he was born in Cedar Rapids and has always loved the Iowa landscape. He feels this is a great site for having classes from Thursday night through Sunday afternoon and also from Friday afternoon through Sunday afternoon. He stated it would also be good to open it up to individual retreats through the week who would be on their own. However, the maximum number of individuals will be 12 at any one time. Amy stated she will not be on-site all of the time and they are looking at having someone else there for emergency purposes. She stated it would be like a 3<sup>rd</sup> shift job and that person will not be staying in a room. It was noted there is no house on the property. Mr. O'Donaghue stated the other buildings will be removed or used for storage, etc. He stated a new septic system and well will be installed. La Rue stated an engineering firm will design the septic which will be MMS Consultants and a contractor will be hired to install the system according to MMS's design. La Rue also stated the well will be a private and not a public well. Member Goerdt asked if they have an architectural designer. She also questioned if 6,000 square feet is adequate because her current house has 5,000 square feet with 4 bathrooms. Mr. O'Donaghue stated the square footage may be closer to 6,000. Amy then stated they have not picked out an architect at this time. It was also noted that the bedrooms will be very small. Member Twing questioned whether there would be any gardening there. Scott stated they know people who love monarch butterflies so they will plant some milkweed. They would also foster relationships for people who would like to do the gardening. Amy stated they will have a vegetable garden so their residents can

have fresh vegetables with their meals. There will also be butterfly gardens. Member Twing asked about the building design. Mr. O'Donaghue stated he wants the architecture to blend into the landscape and have a sod roof. He stated they have a north and south exposure and they would like it to have a southern exposure with a passive solar. He would like to have solar and he is thinking about how they can incorporate it into the environment. He stated there are not a lot of trees and he would like to plant more. A question was raised regarding if they are aware of farmers in the area regarding spraying, etc. They stated they realize they are moving into an agricultural community. La Rue then stated one point he wanted to come back to was the road. He stated it is the intent of the County Engineer, as he understood it from their meeting, that he wants them to have their clients go from Garfield Avenue onto 185<sup>th</sup> Street to their facility and not be driving on Delta or Dixon as much as possible. Mr. O'Donaghue stated Garfield to 185<sup>th</sup> is the most reasonable. Chairperson Hoy asked where the people would be coming from and how will they find the people to come there. Mr. O'Donaghue stated he has already talked to personnel from Scattergood School who are interested in going there for a retreat. He thinks medical professionals and teachers would like to get away to do their organizing. He stated Amy is looking into developing a web page and will advertise through social media. Member Twing asked about the tax situation. Scott stated The Terramuse is recognized as a tax exempt organization. He stated they intend to fill out a tax exempt application. La Rue stated he does not know how to interpret non-profit properties. He also stated if the plan doesn't work, it will go back on the tax role. La Rue then stated educational facilities are a permitted use in the A-1 District. Amy then asked about the difference between posted and non-posted trespassing. La Rue stated it is covered under the Iowa Recreation Laws of the Iowa Code. Chairperson Hoy asked Mr. O'Donaghue what happens if Iowa Corrections approach him to use his facility as a halfway house. Mr. O'Donaghue stated no. He stated he does work a little bit with corrections and is a volunteer for art therapy. He would not invite them to come and it would be counter to what the mission is. Amy stated their focus is to be a good neighbor. She then stated when the facility is open they plan to have an open house and neighbors and board members are welcome to attend. La Rue stated safety, health and welfare is the purpose of zoning. He then read Section 17.18(2) of the Zoning Ordinance regarding special exceptions, conditions governing applications and procedures. The timeline for The Terramuse was then discussed. Mr. O'Donaghue stated at this time they will be looking for an architect and developing plans. He stated they hoped to get the well in before it freezes. In the spring they will be laying the foundation and building the facility. If all goes well, he would like it to be open in September of 2018.

After further discussion, Twing made a motion to approve the Special Use Permit request authorizing the location of the Retreat Center, subject to 12 participants, plus staff and helpers, and that Garfield Avenue and 185<sup>th</sup> Street be used as the principle route. The S.U.P. is also subject to annual review. Lenker seconded the motion. Ayes all.

The members then considered rescinding the following Special Use Permit which was previously approved by them:

**Jim Neuzil, 11 Martini Rd., Otter, MT (Owner)** – A Special Use Permit authorizing the location of seasonal rodeo activities on property located in the NW ¼, SE ¼, Section 14, T-81N, R-4W, in Linn Township consisting of 47.77 acres more or less.

It was noted that Zoning Administrator La Rue received a verbal request from Mr. Neuzil giving his consent to rescind his Special Use Permit if the first petition was approved. Twing then made a motion to rescind Mr. Neuzil's Special Use Permit authorizing the location of seasonal rodeo activities which had been granted in 1993. Goerdt seconded the motion. Ayes all.

With no further business to be discussed at this time, the meeting adjourned at 4:10 p.m.

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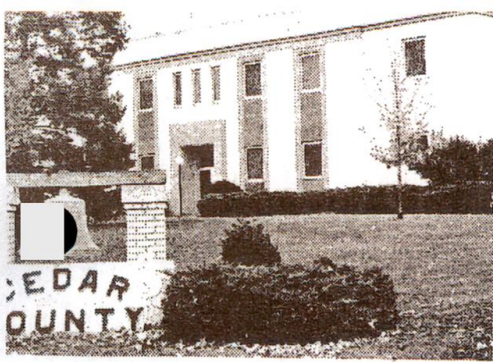
Chairperson

Chuck Hoy

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Secretary

Sharon Laucamp



Tel: 563-886-2248

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

October 6, 2017

**LEGAL NOTICE**

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, October 26, 2017, 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. **David O'Donaghue, 402 3<sup>rd</sup> Street, Mt Vernon, IA (Contract Buyer) and Jim Neuzil, 11 Martini Rd., Otter, MT (Owner)** - Requesting a Special Use Permit authorizing the location of a Retreat Center on property located at 519 185<sup>th</sup> Street, Mechanicsville, IA, located in the NW  $\frac{1}{4}$ , SE  $\frac{1}{4}$ , Section 14, T-81N, R-4W, in Linn Township, consisting of 47.77 acres more or less. Said property is currently zoned A-1 Agricultural District.

At this time, the Board shall also consider rescinding the following Special Use Permit, previously approved by them.

**Jim Neuzil, 11 Martini Rd., Otter, MT (Owner)** – A Special Use Permit authorizing the location of seasonal rodeo activities on property located in the NW  $\frac{1}{4}$ , SE  $\frac{1}{4}$ , Section 14, T-81N, R-4W, in Linn Township consisting of 47.77 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 10/10/17 to the following:

1. David O'Donaghue – 402 3<sup>rd</sup> St. NW, Mount Vernon, IA 52314 – **Certified**
2. Jim Neuzil – 11 Martini Rd., Otter, MT 59062
3. John Secor & Janet Kvach Rev. Trust - % Hertz Farm Management, P.O. Box 500, Nevada, IA 50201
4. Robert Herring – 516 185<sup>th</sup> Street, Mechanicsville, IA 52306
5. Three Corner Farms LLC - % Dan Woolison, 2660 Sheridan St., Davenport, IA 52803-1535
6. Richard, Bruce & Wendy Mitchell – 515 185<sup>th</sup> Street, Mechanicsville, Iowa 52306
7. Bennett Brown – 717 E. Market St., Iowa City, IA 52245

Copy e-mailed to Tipton Conservative on 10/9/17/17 for The Tipton Conservative

5 Board of Adjustment Members

2 File Copies

1 Bulletin Board Copy

## CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES

September 28, 2017

The Cedar County Board of Adjustment conducted a Public Hearing on Thursday, September 28, 2017, in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa. Members present were Beyer, Goerdt, Hoy and Lenker. Member absent was Twing.

Chairperson Beyer called the meeting to order at 3:00 p.m. Minutes from the last meeting held on June 22, 2017, were previously sent to the members. Member Hoy questioned the dollar amount Johnson County spends each year on their dust safety control program. Therefore, the minutes were not approved at this time and the dollar amount will be investigated before the next meeting. After listening to the recorded minutes and checking with the County Engineer, it was determined that the correct figure was \$230,000.00.

The Board members then considered the following petitions:

1. **Charles and Betty Johnson, 89 Grant Avenue, Mechanicsville, IA (Owners)**- Requesting a variance of the required front yard setback in accordance with Chapter 5E(2), A-1 Agricultural District, of the Cedar County Zoning Ordinance Number 10, for the purpose of constructing an addition to the existing dwelling, located on Lot A, in the SW  $\frac{1}{4}$ , SE  $\frac{1}{4}$ , Section 6, T-82N, R-3W, in Fremont Township, consisting of 1.50 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 do their review in accordance with Chapter 17.18(3) of the Cedar County Zoning Ordinance. The letter received from County Engineer, Rob Fangmann, stated this property is located on gravel route Grant Avenue and the variance request should have minimal impact on the existing infrastructure. He also stated there are two large trees between the house and the gravel road; therefore, extending the house an additional 8 feet should not contribute to a snow drifting issue.

The Johnson's were present and stated that they want to have Bob Hanks put an addition on their house. The plan is to add a bedroom, bathroom and put a porch back on the house. La Rue stated the front yard setback requirement is 50 feet. It was noted the Johnson's would need a 13' variance of the 50 feet requirement in order to construct the addition.

After a brief discussion, Hoy made a motion to approve the variance of 13 feet. Lenker seconded the motion. Ayes all.

2. **Marcia Meyers, 864 Highway 38, Tipton, IA (Owner)**- Requesting a Home Occupation Permit for the purpose of operating a barber shop in her home located in the NW  $\frac{1}{4}$ , SW  $\frac{1}{4}$ , Section 18, T-81N, R-2W, in Red Oak Township.

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 15 of the Cedar County Zoning Ordinance. The letter received from Sheila Lee, Iowa Department of Transportation, stated the current access is adequate to serve the low traffic volumes for Marcia Meyers barber shop business and they would not require any updates to the access or permits at this time. La Rue stated Mrs. Meyers would have to talk to the D.O.T. and his department regarding an advertising sign.

Marcia Meyers informed the members she wishes to move her barber shop business from downtown Tipton to her home. There will be no steps for her customers and there will be one to two cars at a time at her property.

Lenker then made a motion to approve the Home Occupation Permit request of operating a barber shop in her home. Goerdts seconded the motion. Ayes all. Chairperson Beyer then explained to Mrs. Meyers that the H.O.P. was subject to annual review and explained the annual review process to Mrs. Meyers.

La Rue then informed the members there will be a meeting next month because there will be a petitioner requesting approval of an educational facility and retreat at the location where Jim Neuzil previously had a permit to operate seasonal rodeo activities.

Chairperson Beyer stated she would like it placed on next month's agenda that the Board of Adjustment members appoint Chuck Hoy as their new Chairperson. She stated she will continue to serve on the Board but she would like to see someone else serve as Chairperson.

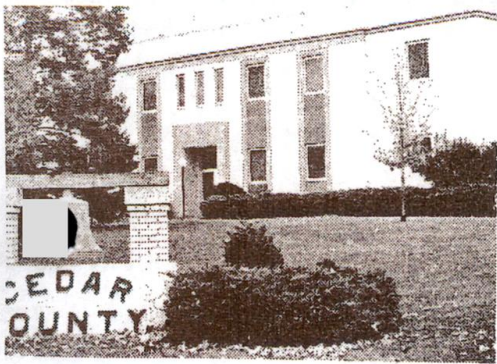
With no further business to be discussed at this time, Lenker made a motion to adjourn. Hoy seconded the motion. Meeting then adjourned at 3:20 p.m.

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Chairperson  
Claudia Beyer

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Secretary  
Sharon Laucamp



Tel: 563-886-2248

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

September 1, 2017

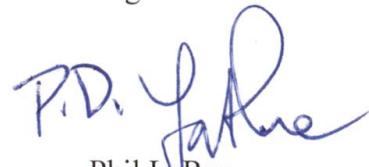
**LEGAL NOTICE**

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, September 28, 2017, 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. **Charles and Betty Johnson, 89 Grant Avenue, Mechanicsville, IA (Owners)-** Requesting a variance of the required front yard setback in accordance with Chapter 5E(2), A-1 Agricultural District, of the Cedar County Zoning Ordinance Number 10, for the purpose of constructing an addition to the existing dwelling, located on Lot A, in the SW  $\frac{1}{4}$ , SE  $\frac{1}{4}$ , Section 6, T-82N, R-3W, in Fremont Township, consisting of 1.50 acres more or less.
2. **Marcia Meyers, 864 Highway 38, Tipton, IA (Owner)-** Requesting a Home Occupation Permit for the purpose of operating a barber shop in her home located in the NW  $\frac{1}{4}$ , SW  $\frac{1}{4}$ , Section 18, T-81N, R-2W, in Red Oak Township.

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 9/6/17 to the following:

1. Charles & Betty Johnson – 89 Grant Avenue, Mechanicsville, Iowa 52306 – **Certified**
  2. David & Carla Barnhart Revocable Trust – 622 Crestview Drive, Mechanicsville, IA 52306
  3. Delbert & Mary Weber Revocable Trust – 17752 25<sup>th</sup> Street, Mechanicsville, IA 52306
  4. Robert Hanks – P.O. Box 280, Mechanicsville, Iowa 52306
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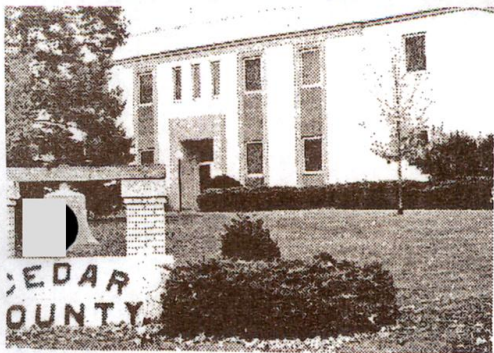
1. Marcia Meyers – 864 Highway 38, Tipton, IA 52772 – **Hand delivered to Marcia on 9/6/17**
  2. Lee & Nelson Meyers & Linda Tebussek & Mary Dorcas Trust – 864 Highway 38, Tipton, IA 52772
  3. Ron & Margaret Challis – 880 Highway 38, Tipton, Iowa 52772
  4. Lee Meyers – 799 Highway 38, Tipton, Iowa 52772
- 

Copy e-mailed to Tipton Conservative on 9/1/17/17 for Tipton Conservative & Sun News  
5 Board of Adjustment members on 9/6/17

Copy e-mailed to Rob Fangmann on 9/1/17/17

2 File Copies

1 Bulletin Board Copy



Tel: 563-886-2248

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

August 11, 2017

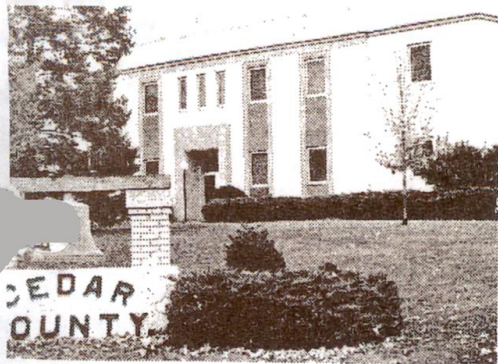
**TO: CEDAR COUNTY BOARD OF ADJUSTMENT MEMBERS**

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



Tel: 563-886-2248

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

July 11, 2017

**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 July because no petitions have been received.

Sincerely,

Phil La Rue  
Zoning Administrator

PL:sl

## CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES

June 22, 2017

The Cedar County Board of Adjustment conducted a Public Hearing on Thursday, June 22, 2017, in the small meeting room in the basement of the Cedar County Courthouse, Tipton, Iowa. Members present were Hoy, Lenker, Goerdts and Twing. Member absent was Beyer.

Chairperson Pro-tem Hoy called the meeting to order at 3:00 p.m. Minutes from the last meeting held on May 25, 2017, were previously sent to the members. They were approved as presented.

The Board members then held their annual review of the following Home Occupation/Industry and Special Use Permits which had previously been granted to the following: Zoning Administrator La Rue advised them to conduct their annual review in accordance with Chapter 17.18(2) of Zoning Ordinance #10.

Item #11, Duffee Grain, Inc., Wilton, was discussed first since Steve Duffee was asked to attend the meeting to discuss dust problems at the site. Mr. Duffee stated that until Phil La Rue contacted him to attend the meeting, he had no idea there was a problem and would like some background regarding the situation. La Rue stated that at the time the Board of Adjustment heard their petition years ago, a lot of the dust concerns were at the site itself from adjoining property owners regarding fugitive dust problems of the grain transfer operations. La Rue stated that grain is hauled differently today but the neighborhood has also changed with a number of livestock confinements in the area. Mr. Duffee stated there are new state laws and they have in house a grain dust monitoring report that they have to do and send results to the state. Member Hoy stated if the grain company is creating the dust, they should be willing to put some dust control down to be in good with the neighbors. La Rue stated that in 1993, Ron Duffee agreed to provide dust control for his lot, eliminate grain dust drift, and if necessary, provide dust control in front of the business. He also agreed to post a sign informing grain customers not to block road accesses of neighbors. La Rue also stated at the meeting in 1993 it was discussed that designated roads would be used and the county engineer at that time suggested there be better communication between Mr. Duffee and his neighbors. Steve Duffee stated elevators pay a percentage on every bushel that an elevator purchases and that tax money goes directly to the county. He then presented a copy of a plat map of the area to the members and explained where the grains are located and where hog confinements and beef operations are located. He stated there are currently 21,800 pigs in the hog buildings and 56,000 pigs are generated in a year. He stated that means a lot of feed trucks are used to deliver grain. He stated Duffee Grain is not in the feed business to any of these people and they are not associated with his business whatsoever. He stated that at the one beef operation site alone near Centerdale, there are 3,000 head of cattle. He also stated Mr. Schiele is currently pouring concrete for more facilities. He stated at this time there are approximately 25,000 animals within a mile and a half from his

elevator. He also stated that not a day goes by where there are not feed trucks or grain trucks going past his facility headed to the confinement buildings. Therefore, he stated the dust problem is not just from Duffee Grain. Adjoining property owners informed Mr. Duffee that the majority of the traffic is generated by Mr. Schiele's facilities. He also stated there are 25 semis owned by farmers in the area which also generate a lot of traffic which go by his facility. He stated part of the problem is the weight limit on the roads which means everyone is funneled into the yellow line which he drew on the plat map to get into and out of that township. Rob Fangmann, County Engineer, stated residents have the opportunity to get dust control permits. It was noted there is no dust safety control program similar to Linn or Johnson Counties in Cedar County. Mr. Fangmann explained how a dust safety control program operates. Mr. Duffee stated Johnson County is currently spending \$230,000.00 per year on their dust safety control program. Fangmann stated that once traffic counts get above a certain point in Johnson County, they actually put down dust control and stated Solon Road is one example. Mr. Duffee stated that once Johnson County gets above 150 vehicles, they put down dust control. He also believes if it gets above 100 vehicles, Linn County puts down dust control. County Engineer Fangmann stated they are doing a lot of bridge replacements in that area and it will take some time. Mr. Duffee then explained their trucking logs. He stated they run 7 trucks but have 10 and they are all based out of the Wilton elevator. He informed the members they only sell to small time farmers. La Rue stated the only control he has over the agricultural businesses is to try to keep residential homes away from the livestock operations. Mr. Duffee informed the members he appreciated the opportunity to express his concerns. County Engineer Fangmann also stated he felt this meeting was beneficial so that in the future when he receives complaints, he can explain it is on record and had been reviewed at this time by the Board of Adjustment in which Mr. Duffee stated his case. The Special Use Permit is continued for another year and will be reviewed at the next annual review.

The members then considered the rest of the items for the annual review which were as follows:

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. John and Jack Ahlers, RR, Wheatland (New Owners) 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. **It was noted that there is dust control.**

4. Patty Laing, RFD, West Branch (Owner) – A permit authorizing a Home Occupation Permit for the purpose of operating a beauty salon in her home located in the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ , Section 14, T-80N, R-4W, in Gower Township.
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.
6. Loretta Martin Frana, 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 acre more or less.
9. Cedar County Cooperative, 1546 Baker Avenue, West Branch (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. The property is currently zoned Ab Agricultural Business. Amendments were granted to the S.U.P. on 9/27/07, 8/25/11 and 6/26/14 for the expansion of chemical storage at this facility
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. **See first item discussed.**
12. 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.
13. 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.

14. 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. **This permit will be rescinded on 6/22/17 because the property was sold.**
15. 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.
16. Mike and Gail Yates, 181 King Ave., Stanwood, IA (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. This Home Industry Permit was amended in 2016 to include a firearms sales and repair business at the same address.
17. 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.
18. 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.
19. 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.
20. 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.

21. 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.
22. Larry and Evelyn Beaver, RFD, West Liberty – A Special Use Permit authorizing the location of a third dwelling on a farm in accordance with Chapter 5, A-1 Agricultural District, Section C(2) of the Cedar County Zoning Ordinance. This dwelling is located in the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , Section 19, T-79N, R-3W, in Iowa Township. **La Rue informed the members the third dwelling was never built and he will check on it.**
23. 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.
24. EEC Limited – New York (Owner) - (formerly Kun Chae Bae Trust and KM Communications, Skokie, IL) – 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.
25. 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.
26. 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.
27. Sharon Stiff, 1903 3<sup>rd</sup> St., 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.
28. 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.
29. 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.

30. Mike Moore, 1110 Cedar Valley Rd., Tipton, IA (Owner) – A Special Use Permit for the purpose of authorizing the use of an existing gun range for the purpose of providing specialized firearms training, and the use of an adjoining building for both classroom instruction and a firearms sales and firearms repair business.
31. 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.
32. 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.
33. 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.
34. 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.
35. 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.
36. 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.
37. 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 ¼, 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.

38. 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 ¼ of the SE ¼, Section 16, T-80N, R-3W, in Center West Township, consisting of 365 acres more or less. Said property is currently zoned A-1 Agricultural. **La Rue informed the members Mrs. Reichert is not operating the business but stated she wants to keep the permit.**
39. Robert and Judy Wright, RFD, West Branch (Owners) – A Special Use Permit authorizing the location of a third dwelling on a farm in accordance with Chapter 5, A-1, Agricultural District, Section C(2) of the Cedar County Zoning Ordinance, and a variance of the front yard setback requirements in the A-1 Agricultural District. This dwelling is located at the site of a mobile home which was removed in 1999, in the W ½ of the NW ¼ of the SW ¼, Section 15, T-80N, R-4W, in Gower Township. An amendment was granted to their S.U.P. on August 23, 2007, authorizing the location of a fourth dwelling on their farm.
40. Wendling Quarries, Inc., DeWitt, Iowa – A Special Use Permit for the purpose of expanding their existing limestone quarry operation on property located in the NE ¼ of the NE ¼, Section 23 and the NW ¼ of the NW ¼, Section 24, T-80N, R-3W, in Center West Township, consisting of 31.00 acres more or less. Said property is currently zoned A-1 Agricultural.
41. U.S. Cellular, Cedar Rapids, Iowa (Leasee) and Weets Farms, Inc. (Leaser and Owner), 350 Franklin Avenue, Mechanicsville, Iowa – A Special Use Permit authorizing the location of a 330 foot tall wireless communication tower on property located in the NE ¼ of the NE ¼, Section 23, T-82N, R-4W, in Pioneer Township, consisting of 4.34 acres more or less. Said property is zoned A-1 Agricultural.
42. U.S. Cellular, Cedar Rapids, Iowa (Leasee) and Pam Farms, Inc. (Leaser and Owner), 300<sup>th</sup> Street, West Branch, Iowa – A Special Use Permit authorizing the location of a 280 foot tall wireless communication tower on property located in the NW ¼ of the NW ¼, Section 18, T-79N, R-4W, in Springdale Township, consisting of 4.42 acres more or less. Said property is zoned A-1 Agricultural.
43. Joseph and Mary Goodlove, RFD, Lowden (Owners) – A Special Use Permit authorizing the location of a Bed and Breakfast Home on property located in the NW ¼ of the SW ¼, Section 12, T-82N, R-1W, in Massillon Township, consisting of 25.17 acres more or less. Said property is currently zoned A-1 Agricultural. **This permit was rescinded on 6/22/17 at the Goodlove's written request.**
44. U.S. Cellular, Cedar Rapids, Iowa (Leasee) and David Litscher (Lessor and Owner) – A Special Use Permit authorizing the location of a 250 foot tall cellular communication tower on property located in the NE ¼ of the NE ¼ of the NE ¼, Section 27, T-82N,

R-3W, in Fremont Township, consisting of 5.74 acres more or less. Said property is currently zoned A-1 Agricultural.

45. Harry and Denise Wethington, RFD, Tipton (Owners) – A Special Use Permit authorizing the location of a yard waste composting facility on property located in the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ , Section 32, T-81N, R-2W, in Fairfield Township, consisting of 0.5 acres more or less. Said property is currently zoned A-1 Agricultural.
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 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.
47. 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.
48. 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.
49. 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.
50. 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.  
**It was noted that this HIP was amended on 10/27/16 to no longer operate the small engine repair business and replace it with a nuisance animal control business.**
51. 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.

52. Benjamin and Tanya Sterner, RFD, Tipton (Owners) – A Home Occupation Permit to allow a dog grooming business on property located in the NW ¼ of the NW ¼, and the SW ¼ of the NW ¼, Section 6, T-79N, R-2W, in Rochester Township, consisting of 10.00 acres more or less. Said property is zoned both R-1 Suburban Residential and A-1 Agricultural.
53. Amy Reif and Ron Benhart, 1772 140<sup>th</sup> Street, Lowden, Iowa (Owners) – A Home Industry Permit to allow automotive repair on property located in the NW ¼ of the NE ¼, Section 25, T-82N, R-2W, in Dayton Township, consisting of 3.97 acres more or less. Said property is currently zoned A-1 Agricult
54. Curtis & Carla Friis, 44 280<sup>th</sup> Street, West Branch (Owners) – A Special Use Permit authorizing the location of a dog boarding kennel on property located in the NE ¼ of the NW ¼, Section 6, T-79N, R-4W, in Gower Township, consisting of 160 acres more or less. Said property is currently zoned A-1 Agricultural. An amendment was granted on August 23, 2007, to allow for the expansion of their dog boarding facility by an additional fourteen (14) pens. Another amendment was granted on October 27, 2011, to allow for relocation of their existing pet boarding facility.
55. Kay Bentley, 707 West 9<sup>th</sup> Street #39, Tipton (Owner) – A Special Use Permit to allow a dog breeding kennel at 637 Rose Avenue, Clarence, Iowa, in the E ½ of the SE ¼, of the NE ¼, Section 2, T-81N, R-2W, in Fairfield Township, Consisting of 2.35 acres more or less. Said property is currently zoned A-1 Agricultural. **La Rue informed the members that Ms. Bentley has given up her Department of Ag permit but he has not been able to contact her.**
56. Dennis Ricke, 743 Adams Avenue, Lisbon (Owner) – A Home Occupation Permit to allow for the manufacture of custom firearms on his property located in the SW ¼ of the NW ¼ and the S ½ of the NW ¼ of the NW ¼, Section 7, T-81, R-4W, in Linn Township, consisting of 47.90 acres more or less. Said property is currently zoned A-1 Agricultural.
57. Cedar County PCS, L.L.C., 608 Lombard St., Clarence (Leasee) & Randall & Kimberly Siders, 1086 273<sup>rd</sup> St., Tipton (Lessor & Owners) – A Special Use Permit authorizing the location of a 190 foot tall wireless communication tower on property located in the SE ¼ of the NE ¼, Section 35, T-80N, R-3W, in Rochester Township. Said property is currently zoned A-1 Agricultural.
58. John and Sherrie Falkers, 990 Cedar Valley Road, Tipton (Owners) – A Home Industry Permit to allow repair of motor vehicles as Falkers Repair and Body Shop on property located in the NE ¼ of the NE ¼, Section 15, T-80N, R-3W, in Center West Township. Said property is currently zoned A-1 Agricultural.
59. 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 (Lessor & 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.

60. 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.
61. 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.
62. 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.
63. 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.
64. 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.
65. James Lilienthal, 26865 1<sup>st</sup> Avenue, New Liberty (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.
66. 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.
67. 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.

68. Acciona, 601 Fawcett Drive, West Branch, IA (Leasee) and Steve and Teresa Weets, 612 160<sup>th</sup> Street, Mechanicsville, IA (Lessor & 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.
69. Acciona, 601 Fawcett Drive, West Branch, IA (Leasee) and Steve and Teresa Weets, 612 160<sup>th</sup> Street, Mechanicsville, IA (Lessor & 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. **It was noted that Acciona has been bought out but the current ownership is not known.**
70. 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.
71. 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.
72. 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.
73. 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.
74. AgVantage Farm Service, 1600 8<sup>th</sup> Street SW, Waverly, IA (Lessee) and Murry and Renee Mente, 1309 Highway 130, Tipton, Iowa (Owners and Lessors) – A Special Use Permit authorizing an Agricultural Service Business for a bulk farm chemical station.
75. Tim Powers, “Powers Sports, LLC”, 254 Adams Avenue, Lisbon (Owner) – A Home Industry Permit to allow a firearms business.
76. Rodney Hansen, 875 297<sup>th</sup> Street, Atalissa, IA (Owner) – A Home Business Permit authorizing the location of a firearm sales business.

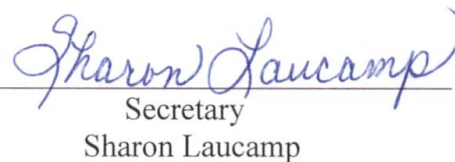
77. Gregory and Melissa Sahr, 2190 177<sup>th</sup> Street, Lowden, IA (Owners) – A Special Use Permit authorizing the location of a livestock stable on Lot 3, Pruess Second Addition.
78. Sue Faith, 525 290<sup>th</sup> St., West Branch, IA (Owners) – A Home Industry Permit authorizing the location of a tool sharpening business.
79. Laurence and Julie Christiansen, 448 Spicer Avenue, Clarence, IA (Owners) – A Special Use Permit authorizing a farm equipment business.
80. Erin Morrison-Vincent, West Branch, IA (Owner) – A Home Occupation Permit authorizing the location of a photography studio.
81. Susan Wiederhoeft, 756 Grant Avenue, Mechanicsville – A Home Occupation Permit for the purpose of operating a dog grooming business
82. Randall and Linda Weaver, 726 Green Road, Tipton, IA (Owners) – A Special Use Permit authorizing a winery with exposition grounds on Lot 1, Buchanan House Addition and Parcel B, consisting of 25.01 acres more or less.
83. Lori Walsh, 1767 275<sup>th</sup> Street, West Branch, IA (Owner) – A Home Industry Permit for the purpose of operating a retail, second hand and consignment store in an existing building on her property.
84. SBA Towers IV, LLC, 5900 Broken Sound Parkway NW, Boca Raton, FL (Verizon Wireless, Lessee) and David Shinker, 1276 Hwy. 30, Stanwood, IA (Owner) – A Special Use Permit authorizing the location of a wireless communication tower in Dayton Township.
85. Devin & Laura Schroeder, 1647 180<sup>th</sup> St., Clarence, IA (Owners) – A Special Use Permit authorizing the location of an Agricultural Service Business for the sale of seed grains on property in Fairfield Township.
86. Dalene Johnson, 2366 Garfield Ave., West Liberty, IA (Owner) – A Home Occupation Permit authorizing the location of an antique and collectables shop in an accessory building in Iowa Township.
87. Cedar County Cooperative, 907 East 7<sup>th</sup> St., Tipton, IA (Owner) – A Special Use Permit authorizing the placement of a 30,000 gallon anhydrous ammonia storage tank at the site of their existing anhydrous ammonia tank facility at 1201 Newton Ave., Tipton, in Center West Township.
88. Kraig Timmerman, 770 Main St., New Liberty, IA and Kyle Timmerman, 206 Lake Drive, Durant, IA (Owners) – A Special Use Permit authorizing the location of an Agricultural Service Business (Timmerman Seed LLC) for the sale of seed grains on property located at 2135 Hwy. 130, Bennett, IA, in Inland Township.

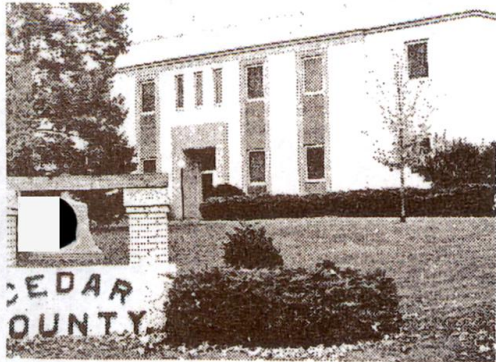
89. Grant and Angela Lilienthal, 2266 310<sup>th</sup> St., Wilton, IA (Owners) – A Special Use Permit for the purpose of authorizing an Event Venue site on Parcel E, in Farmington Township.

After discussion, Twing made a motion to approve all the items they reviewed for another year, other than the two which were rescinded. Lenker seconded the motion. Ayes all.

Meeting adjourned at 3:50 p.m.

  
Chairperson Pro-tem  
Chuck Hoy

  
Secretary  
Sharon Laucamp



Tel: 563-886-2248

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

June 2, 2017

**LEGAL NOTICE**

The Cedar County Board of Adjustment will be holding a Public Hearing on Thursday, June 22, 2017, 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 had 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. John and Jack Ahlers, RR, Wheatland (New Owners) 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.

6. Loretta Martin Frana, 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 acre more or less.
9. Cedar County Cooperative, 1546 Baker Avenue, West Branch (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. The property is currently zoned Ab Agricultural Business. Amendments were granted to the S.U.P. on 9/27/07, 8/25/11 and 6/26/14 for the expansion of chemical storage at this facility
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. 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.
13. 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.
14. 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.

15. 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.
16. Mike and Gail Yates, 181 King Ave., Stanwood, IA (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. This Home Industry Permit was amended in 2016 to include a firearms sales and repair business at the same address.
17. 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.
18. 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.
19. 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.
20. 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.
21. 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.
22. 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.

23. 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.
24. EEC Limited – New York (Owner) - (formerly Kun Chae Bae Trust and KM Communications, Skokie, IL) – 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.
25. 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.
26. 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.
27. Sharon Stiff, 1903 3<sup>rd</sup> St., 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.
28. 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.
29. 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.
30. Mike Moore, 1110 Cedar Valley Rd., Tipton, IA (Owner) – A Special Use Permit for the purpose of authorizing the use of an existing gun range for the purpose of providing specialized firearms training, and the use of an adjoining building for both classroom instruction and a firearms sales and firearms repair business.

31. 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.
32. 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.
33. 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.
34. 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.
35. 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.
36. 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.
37. 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.
38. 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.
39. 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.

40. 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.
41. 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.
42. 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.
43. 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.
44. 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.
45. 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.
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 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.

47. 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.
48. 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.
49. 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.
50. 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.
51. 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.
52. 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.
53. 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.
54. 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. Another amendment was granted on October 27, 2011, to allow for relocation of their existing pet boarding facility.

55. Kay Bentley, 707 West 9<sup>th</sup> Street #39, Tipton (Owner) – A Special Use Permit to allow a dog breeding kennel at 637 Rose Avenue, Clarence, Iowa, in the E ½ of the SE ¼, of the NE ¼, Section 2, T-81N, R-2W, in Fairfield Township, Consisting of 2.35 acres more or less. Said property is currently zoned A-1 Agricultural.
56. Dennis Ricke, 743 Adams Avenue, Lisbon (Owner) – A Home Occupation Permit to allow for the manufacture of custom firearms on his property located in the SW ¼ of the NW ¼ and the S ½ of the NW ¼ of the NW ¼, Section 7, T-81, R-4W, in Linn Township, consisting of 47.90 acres more or less. Said property is currently zoned A-1 Agricultural.
57. Cedar County PCS, L.L.C., 608 Lombard St., Clarence (Leasee) & Randall & Kimberly Siders, 1086 273<sup>rd</sup> St., Tipton (Lessor & Owners) – A Special Use Permit authorizing the location of a 190 foot tall wireless communication tower on property located in the SE ¼ of the NE ¼, Section 35, T-80N, R-3W, in Rochester Township. Said property is currently zoned A-1 Agricultural.
58. John and Sherrie Falkers, 990 Cedar Valley Road, Tipton (Owners) – A Home Industry Permit to allow repair of motor vehicles as Falkers Repair and Body Shop on property located in the NE ¼ of the NE ¼, Section 15, T-80N, R-3W, in Center West Township. Said property is currently zoned A-1 Agricultural.
59. 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 (Lessor & Owners) – A Special Use Permit authorizing the location of a 190 foot tall wireless communication tower on property located in the NE ¼ of the SE ¼, Section 7, T-80N, R-1W, in Inland Township. Said property is currently zoned A-1 Agricultural.
60. 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 ¼, NW ¼ and SW ¼, NW ¼, 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.
61. 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 ¼, NE ¼, 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.
62. 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.

63. 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.
64. 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.
65. James Lilienthal, 26865 1<sup>st</sup> Avenue, New Liberty (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.
66. 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.
67. 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.
68. 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.
69. 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.
70. 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.

71. 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.
72. 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.
73. 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.
74. AgVantage Farm Service, 1600 8<sup>th</sup> Street SW, Waverly, IA (Lessee) and Murry and Renee Mente, 1309 Highway 130, Tipton, Iowa (Owners and Lessors) – A Special Use Permit authorizing an Agricultural Service Business for a bulk farm chemical station.
75. Tim Powers, “Powers Sports, LLC”, 254 Adams Avenue, Lisbon (Owner) – A Home Industry Permit to allow a firearms business.
76. Rodney Hansen, 875 297<sup>th</sup> Street, Atalissa, IA (Owner) – A Home Business Permit authorizing the location of a firearm sales business.
77. Gregory and Melissa Sahr, 2190 177<sup>th</sup> Street, Lowden, IA (Owners) – A Special Use Permit authorizing the location of a livestock stable on Lot 3, Pruess Second Addition.
78. Sue Faith, 525 290<sup>th</sup> St., West Branch, IA (Owners) – A Home Industry Permit authorizing the location of a tool sharpening business.
79. Laurence and Julie Christiansen, 448 Spicer Avenue, Clarence, IA (Owners) – A Special Use Permit authorizing a farm equipment business.
80. Erin Morrison-Vincent, West Branch, IA (Owner) – A Home Occupation Permit authorizing the location of a photography studio.
81. Susan Wiederhoeft, 756 Grant Avenue, Mechanicsville – A Home Occupation Permit for the purpose of operating a dog grooming business
82. Randall and Linda Weaver, 726 Green Road, Tipton, IA (Owners) – A Special Use Permit authorizing a winery with exposition grounds on Lot 1, Buchanan House Addition and Parcel B, consisting of 25.01 acres more or less.

83. Lori Walsh, 1767 275<sup>th</sup> Street, West Branch, IA (Owner) – A Home Industry Permit for the purpose of operating a retail, second hand and consignment store in an existing building on her property.
84. SBA Towers IV, LLC, 5900 Broken Sound Parkway NW, Boca Raton, FL (Verizon Wireless, Lessee) and David Shinker, 1276 Hwy. 30, Stanwood, IA (Owner) – A Special Use Permit authorizing the location of a wireless communication tower in Dayton Township.
85. Devin & Laura Schroeder, 1647 180<sup>th</sup> St., Clarence, IA (Owners) – A Special Use Permit authorizing the location of an Agricultural Service Business for the sale of seed grains on property in Fairfield Township.
86. Dalene Johnson, 2366 Garfield Ave., West Liberty, IA (Owner) – A Home Occupation Permit authorizing the location of an antique and collectables shop in an accessory building in Iowa Township.
87. Cedar County Cooperative, 907 East 7<sup>th</sup> St., Tipton, IA (Owner) – A Special Use Permit authorizing the placement of a 30,000 gallon anhydrous ammonia storage tank at the site of their existing anhydrous ammonia tank facility at 1201 Newton Ave., Tipton, in Center West Township.
88. Kraig Timmerman, 770 Main St., New Liberty, IA and Kyle Timmerman, 206 Lake Drive, Durant, IA (Owners) – A Special Use Permit authorizing the location of an Agricultural Service Business (Timmerman Seed LLC) for the sale of seed grains on property located at 2135 Hwy. 130, Bennett, IA, in Inland Township.
89. Grant and Angela Lilienthal, 2266 310<sup>th</sup> St., Wilton, IA (Owners) – A Special Use Permit for the purpose of authorizing an Event Venue site on Parcel E, in Farmington Township.

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

## CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES

May 25, 2017

The Cedar County Board of Adjustment conducted a Public Hearing on Thursday, May 25, 2017, in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa. Members present were Beyer, Hoy, Lenker & Goerd. Member absent was Twing.

Chairperson Beyer called the meeting to order at 3:00 p.m. Minutes from the last meeting held on February 23, 2017, were previously sent to the members. They were approved as presented. The Board members then considered the following petition:

1. **"The Miracles Can Happen Boy's Ranch", 1608 300<sup>th</sup> St., Wilton, IA, now known as "The Ranch" (Owner)** – Requesting a Special Use Permit authorizing a privately operated campground, with outdoor recreation, events and retreat site on property located in Parcel "J", in the NE  $\frac{1}{4}$ , NE  $\frac{1}{4}$ , the SE  $\frac{1}{4}$ , NE  $\frac{1}{4}$ , and the NE  $\frac{1}{4}$ , SE  $\frac{1}{4}$ , Section 15, T-79N, R-2W, in Sugar Creek Township, consisting of 49.98 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 do their review in accordance with Chapter 17.18(2) of the Cedar County Zoning Ordinance pertaining to Special Use Permits.

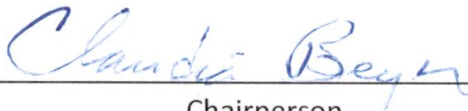
Representing "The Ranch" was Jim Fry. Also present was the Board President, Ira Bowman. Mr. Fry then informed the members that 25 years ago they started the Boy's Ranch. He stated they are running out of energy to continue and no longer have any boys at the ranch. Therefore, they would like to change the usage of the facility. He stated there are two separate houses on the property. The big house has 6,000 square feet of which they live on the first floor. He stated they will rent out the bottom of the house for income. The other house will be used as a respite house. They have a campground facility with a storage building which has showers. They would like to continue to use this facility. He stated no additional houses will be built. With the current zoning classification of R-3 (Multiple Residential), they could add an additional 4 homes. He then stated that if the Board of Adjustment would accept their vision and grant the Special Use Permit, they would rezone the R-3 zoned land back to A-1 Agricultural which would remove the possibility of any additional houses being built on the property. La Rue stated 13.98 of the 49.98 acres is currently zoned R-3. He also stated if the Board grants the Special Use Permit request, the Board of Supervisors will be meeting on May 30, 2017, and could approve the request to change the R-3 zoning classification back to A-1. Mr. Fry stated if the Special Use Permit request is not approved, he will look for someone else to take over to start the Boy's Ranch again.

Chairperson Beyer asked Mr. Fry to explain their vision. Mr. Fry stated they would like to host youth and marriage retreats. They may also have gospel sing/craft show events for

one or two days. He stated they have plenty of parking facilities. La Rue then read the stipulations from the County Engineer's letter regarding dust control. Mr. Fry stated an adjoining property owner, Tom Whetstone, complained about the dust at the Planning and Zoning Meeting. He, therefore, thought he needed to pay for dust control for him and have already paid for it for this season. He stated they will continue to pay for it in the future because they want to be good neighbors. It was noted there will be less tire traffic now since the Boy's Ranch is no longer in operation.

After a brief discussion, Hoy made a motion to grant the Special Use Permit, subject to dust control and annual review. Lenker seconded the motion. Ayes all.

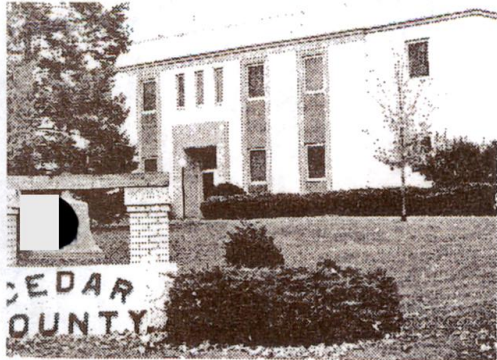
With no further business to be discussed at this time, the meeting adjourned at 3:15 p.m.



Chairperson  
Claudia Beyer



Secretary  
Sharon Laucamp



Tel: 563-886-2248

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

May 5, 2017

**LEGAL NOTICE**

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, May 25, 2017, 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. **"The Miracles Can Happen Boy's Ranch", 1608 300<sup>th</sup> St., Wilton, IA, now known as "The Ranch" (Owner)** – Requesting a Special Use Permit authorizing a privately operated campground, with outdoor recreation, events and retreat site on property located in Parcel "J", in the NE  $\frac{1}{4}$ , NE  $\frac{1}{4}$ , the SE  $\frac{1}{4}$ , NE  $\frac{1}{4}$ , and the NE  $\frac{1}{4}$ , SE  $\frac{1}{4}$ , Section 15, T-79N, R-2W, in Sugar Creek Township, consisting of 49.98 acres more or less. This petition was to be heard on April 27, 2017, but was postponed and rescheduled due to a lack of a quorum.

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 5/8/17 to the following:

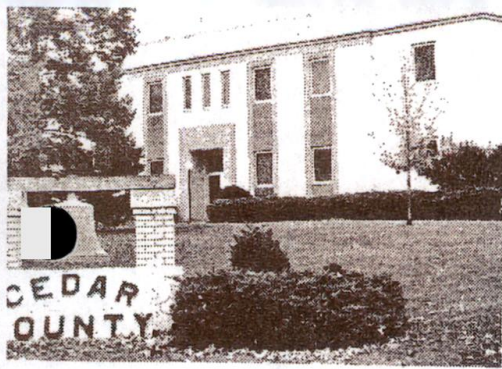
1. "The Ranch" – 1608 300<sup>th</sup> Street, Wilton, Iowa 52778 – **Certified**
  2. Jerilynn Huen – 1612 300<sup>th</sup> St., Wilton, Iowa 52778
  3. Leona H. Wilkins Rev. Trust – P.O. Box 186, Bennett, Iowa 52721
  4. Charles & Caroline Frymoyer – 1232 300<sup>th</sup> Street, Tipton, Iowa 52772
  5. Mervin Pasvogel – 302 Pond View Dr., Wilton, Iowa 52778
  6. Tom Whetstone – 1607 300<sup>th</sup> Street, Wilton, Iowa 52778
- 

Copy e-mailed to Tipton Conservative on 5/8/17 for Tipton Conservative  
Copy e-mailed to Wilton/Durant Advocate News on 5/8/17

5 Board of Adjustment members on 5/10/17

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Tel: 563-886-2248

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

April 7, 2017

**LEGAL NOTICE**

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, April 27, 2017, 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. **"The Miracles Can Happen Boy's Ranch", 1608 300<sup>th</sup> St., Wilton, IA, now known as "The Ranch" (Owner)** – Requesting a Special Use Permit authorizing a privately operated campground, with outdoor recreation, events and retreat site on property located in Parcel "J", in the NE  $\frac{1}{4}$ , NE  $\frac{1}{4}$ , the SE  $\frac{1}{4}$ , NE  $\frac{1}{4}$ , and the NE  $\frac{1}{4}$ , SE  $\frac{1}{4}$ , Section 15, T-79N, R-2W, in Sugar Creek Township, consisting of 49.98 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 4/11/17 to the following:

1. "The Ranch" – 1608 300<sup>th</sup> Street, Wilton, Iowa 52778 – **Certified**
2. Jerilynn Huen – 1612 300<sup>th</sup> St., Wilton, Iowa 52778
3. Leona H. Wilkins Rev. Trust – P.O. Box 186, Bennett, Iowa 52721
4. Charles & Caroline Frymoyer – 1232 300<sup>th</sup> Street, Tipton, Iowa 52772
5. Mervin Pasvogel – 302 Pond View Dr., Wilton, Iowa 52778
6. Tom Whetstone – 1607 300<sup>th</sup> Street, Wilton, Iowa 52778

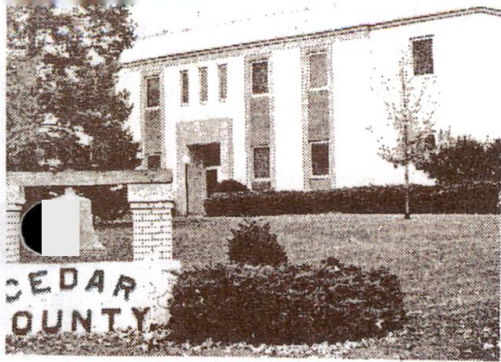
Copy e-mailed to Tipton Conservative on 4/10/17 for Tipton Conservative

Copy e-mailed to Wilton/Durant Advocate News on 4/10/17

5 Board of Adjustment Members on 4/11/17

2 File Copies

1 Bulletin Board Copy



Tel: 563-886-2248

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

March 6, 2017

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

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

Sincerely,

Phil La Rue  
Zoning Administrator

PL:sl

## CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES

February 23, 2017

The Cedar County Board of Adjustment conducted a Public Hearing on Thursday, February 23, 2017, in the large meeting room of the Courthouse, Tipton, IA. Members present were Beyer, Hoy, Lenker, Twing, and Zoning Administrator LaRue. Member absent was Goerdts.

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

1. **Corey Roberts D.B.A. Tactical Insights, L.L.C., 607 Baker Avenue, Lisbon, IA (Owner)** - Requesting a Home Occupation/Home Industry Permit for the purpose of authorizing the location of a firearms Training and Security Consulting business with firearms sales on property described as Parcel "A", located in the NE ¼, NE ¼, Section 6, T-81N, R4W, in Linn Township consisting of 3.83 acres more or less. Said property is currently zoned A-1 Agricultural District.

Zoning Administrator LaRue stated there was one written letter of concern from neighbors Jim and Jane Heck, and one objection on file by adjoining property owner, Paul Ciha, regarding the personal shooting range portion of this petition. LaRue then advised the members to consider this petition in accordance with Chapter 15 of the Cedar County Zoning Ordinance, Number 10. Home Occupation and Home Industry Permits are permitted in the A-1 Agricultural District, under Chapter 5, Section C6, of the Zoning Ordinance.

Petitioner Corey Roberts was present, and he first clarified the fact that although he has a firearms training and security consulting business, this business, nor the training aspects of it, is not conducted at this property. He is asking for permission to conduct a business for the sale of firearms at the property and on-line sales. He will also have sales at gun shows off site. He then explained he wished to get to the bottom of all the rumors circulating in the area about his intentions and a shooting range. He stated that he has heard he will be having a public range with use both day and night and will be shooting all types of weapons. This is untrue. There will be no public shooting range on this property. He then explained his plans to construct a private shooting range on his property in about 2018 which will consist of a backstop in a downward sloping pit and earth berm constructed into the sloping hillside of his ground. He is explaining this to the Board and his neighbors because he wants complete transparency with his proposal. He stated he is required to have this permit from the Board of Adjustment to comply with Alcohol, Tobacco and Firearms (ATF) regulations for a Federal Firearms License. The letter from County Engineer, Rob Fangmann was reviewed. It stated that there should be minimal impact on existing infrastructure. Zoning Administrator LaRue stated that

Home Business Permits are required to have adequate off-street parking for customers visiting the business. Parking on the County road is not allowed under the permit.

Board member Twing asked Mr. Roberts, if granted this permit, and if he constructs his private shooting pit, if a customer wishes to fire a firearm that they have bought, would they be allowed to do so? Mr. Roberts stated that certainly they could do so, but again stressed this is not a public range. Chairperson Beyer asked Mr. Roberts if guns will be kept on the property? Mr. Roberts stated yes they will. Inventory will be minimal, 4 to 5 items at the site. There will be no large inventory of firearms. The firearms will be kept in ATF approved safes with active and passive security systems. The ATF will perform inspection(s) of his business. He will also do firearms repair, not manufacture. He explained he is an armorer, not a gunsmith. Board member Twing asked him to define the difference. Mr. Roberts explained, as an armorer, he replaces worn parts and maintains them. A gunsmith does repairs, part replacement, modifications and some part manufacture. Twing then asked for Mr. Roberts to explain the construction of his proposed shooting berm. He explained that the site will be excavated into the rise of the hillside (referencing his site plan as he did so). There will a backstop followed by the high earth berm. The design will be effective in containing all bullets, reducing noise, and he will have a lead mitigation plan for environmental reasons. Mr. Roberts stated his intent is that his neighbors understand that safety and a positive perception of his business is important to him. He then explained that in the future he may construct a new building on the site of the old barn foundation and perhaps move the firearms business into it, hence a Home Industry Permit designation rather than a Home Occupation.

Chairperson Beyer, then opened the hearing to comment by persons in attendance at the meeting. Dave Wiskus, property owner to the west (down range of the shooting backstop and berm) asked the Board why they are rezoning the property? The Board is not considering a rezoning of the property to another zoning district, that is not what has been requested, nor within their authority of review by the Zoning Ordinance. The request is for a Home Business Permit. Not what the Lisbon newspaper had printed, Mr. Wiskus, stated. A copy of the printed notice in the Tipton Paper did not state it was a rezoning. No copy of the Lisbon paper's notice was available for examination by the Board. Zoning Administrator LaRue, explained that a Home Business Permit is an accessory use of the property subject to annual review and requirement(s) of the County Board of Adjustment, not the Board of Supervisors. It does not run with the property through changes in ownership without the Board's approval. Mr. Wiskus stated that he is concerned about this business selling guns and the accidental shot that could come towards him and his buildings from this shooting range despite being more than a half mile away. Mr. Wiskus stated that he has met with Mr. Roberts and he is very impressed. It is the customers of Mr. Roberts that concern him. What if something goes wrong? Mr. Roberts obviously has a plan for the future of this business, and he (Wiskus) doesn't want any problems in the future. Why should we have our lifestyle change, our neighborhood change because of this business? Mr. Roberts stated that he appreciates and understands Mr. Wiskus's concerns, but stressed that he is not asking for permission to construct the shooting range and berm. He stated that as a property owner he has the right to discharge a firearm on his property as do all other property owners (agricultural lands) now. It is a legal right,

he stated. Mr. Roberts stated that Mr. Wiskus' concerns are legitimate, the backstop and berm are for the responsible usage of a firearm. Matt Kohl asked about the site and expressed his concerns about the firearm sales business and noise from the proposed range. He again stated he doesn't like the idea of a home business selling guns, and wanted to know how a business such as this affects property values. Zoning Administrator LaRue stated that he does not have information regarding how this type of business affects property values, but that livestock confinements (i.e. hogs) can affect the value of a property significantly depending on its size and location in relation to a dwelling. Kim Kohl, neighbor living to the north of this site expressed concern about criminals being attracted to the area because of this business. Will this business cause more break-ins to occur? Regarding the private range, when will it be used, she asked? Mr. Roberts stated only in the daytime, and certainly not every day of the week or on Sundays. He expects to use the shooting berm perhaps a couple of times each month. Brad Kluver, asked Mr. Roberts how often the range will be used? Mr. Roberts stated again, probably once a month for his own use because he does have a full-time job as a law enforcement officer. Ms. Kohl then stated she does not want a mistake where customers, or criminals, come to her place instead. Jim Heck (writer of letter of concern file prior to the hearing date) was present and asked Mr. Roberts if he will always be supervising the property and the firing berm site, all sales of firearms and ammunition too? Mr. Roberts responded, yes, he will. He then spoke referencing his letter of concern regarding noise from the range, danger to passing motorists and neighbors in the area, and the possibility of criminals coming into the area. Jeff Clark, asked about information on security at the business. Mr. Roberts explained the property will be surrounded by a four (4) foot tall fence and security systems of a type he will not disclose at this time. Gary Ciha, Ciha Farms, asked about insurance for the business and property. Mr. Roberts stated that he has one million dollar umbrella coverage. Pam Johnson, then asked about the type of Federal License he is wanting to have. Mr. Roberts stated that it is a Type I license, for the sale of pistols, shotguns and rifles. Only firearms for civilian ownership will be available. Ms. Johnson concluded by stating that she hopes for the continued peace and quiet that is there now. Rita Swails, asked the Board about the Home Business process and recourse if this petition is denied or approved. Zoning Administrator LaRue then reviewed Chapter 17.19 and 17.20 of the Zoning Ordinance pertaining to decisions of the Board of Adjustment and Appeals of the Board of Adjustment. He also explained the annual review process of the Board and how issues, complaints and so forth are handled by the Board. Regarding the shooting berm used for private use only, it is their opinion at this time that it is outside their scope while considering this request. The location of the berm was noted to be just a short distance from adjoining property owner, Paul Ciha's ground and about 260 feet to Mr. Ciha's agricultural buildings. Mr. Ciha, in a meeting with the Zoning Administrator prior to this hearing, expressed concern for safety down range of the berm in case of an accidental firearm discharge over the top of the berm. Mr. Wiskus then stated that he wants the Board to consider the opinions of the neighbors that live in the area. Mr. Roberts then presented a summary statement to grant approval of his petition. Zoning Administrator LaRue then explained to Mr. Roberts the permitted sign regulations for the Home Occupation Business, and that concerning the shooting range, that in some sites a red flag is raised to notify the public that the range is in use. Mr. Roberts stated that he has no

plans to advertise his business with a sign at this time or draw attention to the site with a flag. The Board then reviewed the requirements for a Home Occupation Permit in accordance with Chapter 15 of the Zoning Ordinance. Discussion by the Board followed.

With no further discussion, Chairperson Beyer made a motion to approve the petition for a Home occupation Permit for Firearm Sales of Type I firearms only, subject to annual review and ATF approval. Hoy seconded the motion. Ayes: Beyer, Hoy, Lenker and Twing.

Minutes from the last meeting held on January 26, 2017, were previously sent to the members. With no comments by the Board, the minutes were accepted as written.

With no additional business to be discussed at this time, the meeting was adjourned at 4:42 p.m.



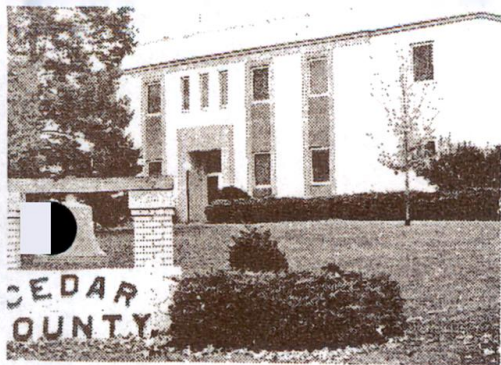
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Chairperson  
Claudia Beyer



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Secretary Pro-tem  
Phil LaRue



Tel: 563-886-2248

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

February 3, 2017

**LEGAL NOTICE**

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, February 23, 2017, 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. **Corey Roberts D.B.A. Tactical Insights, L.L.C., 607 Baker Avenue, Lisbon, IA (Owner)** - Requesting a Home Occupation/ Home Industry Permit for the purpose of authorizing the location of a Firearms Training and Security Consulting business with firearm sales on property described as Parcel "A", located in the NE  $\frac{1}{4}$ , NE  $\frac{1}{4}$ , Section 6, T-81N, R-4W, in Linn Township consisting of 3.83 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 2/7/17 to the following:

1. Corey D. Roberts – DBA Tactical Insights L.L.C., 697 Baker Ave., Lisbon, IA 52253 – **Certified**
2. Paul Ciha – 667 Baker Ave., Lisbon, IA 52253
3. Ciha Farms, Inc. – 650 Baker Ave., Lisbon, IA 52253
4. William Stork Trust – 592 Adams Avenue, Lisbon, Iowa 52253
5. Kenneth Kohl – 14 122<sup>nd</sup> Street, Lisbon, Iowa 52253

Copy e-mailed to Tipton Conservative on 2/3/17 for Tipton Conservative

Copy e-mailed to Mt. Vernon/Lisbon Sun News on 2/6/17

5 Board of Adjustment members on 2/7/17

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1 Bulletin Board Copy

## CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES

January 26, 2017

The Cedar County Board of Adjustment conducted a Public Hearing on Thursday, January 26, 2017, in the large meeting room of the Courthouse, Tipton, IA. Members present were Beyer, Hoy, Lenker, Twing, Goerdts and Zoning Administrator LaRue.

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

1. **Darryl Schwarz and Kevin Coss, dba, Town and County Tires, Inc., 3478B Hwy 927, Durant, IA (Contract Buyers) and Glen and Judith Swanson, 800 6<sup>th</sup> Avenue, Durant, IA (Owners)** - Requesting a Special Use Permit authorizing the location of an Agricultural Service Business for the sale of agricultural tires and tire repair on property located in the SW  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , Section 36, T-79N, R-1W, in Farmington Township consisting of 2.00 acres more or less. Said property is currently zoned A-1 Agricultural District.

Zoning Administrator LaRue stated there were no objections on file and advised the members to consider this petition in accordance with Chapter 17.18(2) of the Cedar County Zoning Ordinance, Number 10. The Planning and Zoning Commission on January 18, 2017, recommended approval of the Special Use Permit. LaRue stated that the site will require approval of a minor subdivision by the Cedar County Board of Supervisors as part of property sale. LaRue explained that the reason he had recommended a Special Use Permit rather than a commercial district rezoning was the ability to review annually and restrict the business from negative future aspects of a rezoning amendment. Further, that the City of Durant has not provided a future land use map for the area along Yankee Avenue to I-80 for future annexation and land use. Chairperson Beyer requested that the Board consider vehicle service and repair, battery sales and welding as part of this Special Use Permit request.

Petitioner Darryl Schwarz and property owner Glen Swanson were present to explain the nature of the request. Mr. Schwarz stated they appreciated the statement by Chairperson Beyer clarifying their service business proposal further. Mr. Schwarz explained their proposal to relocate the business from its current location because River Valley Coop intends to terminate their lease and demolish the building they are using. They have also outgrown that site. He continued to explain that several locations were considered before approaching Mr. Swanson about this site just north of the Durant School bus barn. None of the other sites considered would accommodate them or their customers. They have a repair vehicle for call out service. They intend to keep the property looking nice and waste tires will be stored for disposal in a trailer. The business will need to comply with storm water retention laws of the State of Iowa. The proposed building site is not located

in Zone "A" of the Flood Insurance Rate Map, although the south east corner of the proposed parcel is. The site is outside of City limits but may someday be annexed. The letter supporting the proposal from Deana Cavin, City Clerk, City of Durant, was reviewed, as was the letter that service for fire and rescue will be provided by the Durant Fire Department. Mr. Schwarz stated that if City water and sewer became available, they would connect to it. The letter from County Engineer, Rob Fangmann was reviewed. Mr. Fangmann was present and explained the County Road policy for access and he stated that an entrance permit has been approved, but future development and subdivision by Mr. Swanson will require additional measures for compliance such as a frontage or interior roads. This will be discussed with Mr. Swanson when the minor subdivision petition is considered by the Board of Supervisors. A water well is proposed on the west side of the building and septic system to be located to the east side. A soil evaluation has been completed and the site is suitable for an innovative shallow trench conventional system to avoid the high seasonal water tables in the area and the associated severe limitations. The soils at this site are Tama, Atterberry and Muscatine terrace soils with a C.S.R. between 90 and 100 points. The building limitations are moderate to severe due to high water table and expansive soils, hence a slab foundation is proposed. Permitted signage was then discussed which allowed up to a 32 square feet sign set away from the road right of way, a distance permitted by the zoning district regulations or flat on the building.

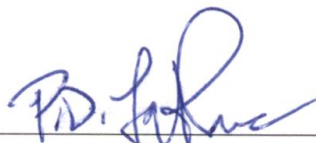
With no further discussion, Lenker made a motion to approve the petition subject to annual review and keeping the property looking presentable. Hoy seconded the motion. Ayes: all.

Minutes from the last meeting held on October 27, 2016, were previously sent to the members. With no comments by the Board, the minutes were accepted as written.

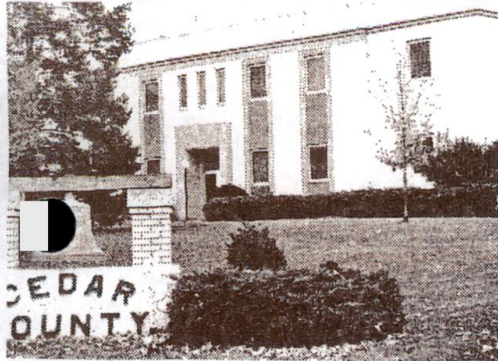
With no additional business, the meeting was adjourned at 3:35 p.m.



Chairperson  
Claudia Beyer



Secretary Pro-tem  
Phil LaRue



Tel: 563-886-2248

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

January 6, 2017

**LEGAL NOTICE**

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, January 26, 2017, 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. **Darryl Schwarz and Kevin Coss, dba Town and Country Tires, Inc., 3478B Hwy 927, Durant, IA (Contract Buyers) and Glen and Judith Swanson, 800 6<sup>th</sup> Avenue, Durant, IA (Owners)** - Requesting a Special Use Permit authorizing the location of an Agricultural Service Business for the sale of agricultural tires and tire repair on property located in the SW  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , Section 36, T-79N, R-1W, in Farmington Township, consisting of 2.00 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.

A handwritten signature in blue ink, appearing to read "Phil LaRue".

Phil LaRue  
Zoning Administrator

Copies sent out on 1/10/17 to the following:

1. Darryl Schwarz & Kevin Coss – dba Town & Country Tires, Inc., 3478B Highway 927, Durant, IA 52747 – **Certified**
2. Glen & Judith Swanson – 800 6<sup>th</sup> Avenue, Durant, Iowa 52747
3. City of Durant – 402 6<sup>th</sup> Street, Durant, Iowa 52747
4. Durant Community School – 408 7<sup>th</sup> Street, Durant, Iowa 52747
5. Paydirt, Inc. – 1144 Verde Ave., Stockton, Iowa 52769

Copy e-mailed to Tipton Conservative on 1/9/17 for Tipton Conservative

Copy e-mailed to Wilton/Durant Advocate News on 1/9/17

5 Board of Adjustment members on 1/10/17

2 File Copies

1 Bulletin Board Copy