

P&Z Commission 12-19-18

P.D. Jaffre

Teri Wilharm

Tony L. Kue Tim Keegan

Joel Brown

Brett Eggert

Carl A. Koch

Sharon Laucamp

Jody Gutekunst

CEDAR COUNTY PLANNING & ZONING COMMISSION MINUTES

December 19, 2018

The Cedar County Planning & Zoning Commission conducted a Public Hearing on Wednesday, December 19, 2018, at 6:30 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa. Members present were Brown, Eggert, Kohrt and Yutesler. Members absent were Dornfeld, Klein and Schuett.

Chairperson Yutesler called the meeting to order at 6:36 p.m. The members then reviewed the following petition.

1. **Tim & Abigail Keegan, 597 Light Road, Mt Vernon, IA, (Owners)** - Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential District for the purpose of allowing construction of a single family dwelling on a proposed one (1) lot subdivision, located in the NW ¼, SW ¼, Section 19, T-82N, R-4W, in Pioneer Township. Said petition is to rezone 1.61 acres of a proposed 14.00 acre tract.

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 18.2(3) of Cedar County Zoning Ordinance #10 in making a recommendation to the Cedar County Board of Supervisors.

Petitioner Tim Keegan was present and informed the members he purchased the property about six years ago. He has previously sold from this tract of land so this second split will require minor subdivision platting to be approved by the Board of Supervisors. He stated he has a potential buyer who wants to build a house on the pasture ground. Therefore, he wants to rezone the property where the potential buyer wants to build.

The letter received from the Lisbon Fire Department stated they can and will be able to provide fire protection and medical first responder service. The letter received from Cedar County Engineer, Rob Fangmann, stated this property is located on gravel route Adams Avenue and 138th Street and should have minimal impact on the existing infrastructure. An approved entrance permit is on file with his office. The letter also stated approval is restricted to one single family dwelling and the entrance must be along 138th Street at the location approved by his department. Mr. Keegan stated he had a conversation with County Engineer Fangmann and agreed on the driveway location due to drainage. The potential buyer does not intend to build a home for a couple of years. The soil evaluation was then discussed. Administrator La Rue stated there is one principle soil type which is Fayette soil (163C & 163D2). Limitations for septic systems are severe due to the amount of clay. Limitations for building a home are slight to moderate depending on whether they build on the top of the hill or on the side hill. La Rue stated he does not anticipate any problems. The C.S.R. average is well below 75 points. La Rue then explained all categories of the LESA

Program and how many points each category received. The total was 3,245 points which is a moderate finding for preservation because of the slopes and types of soil. La Rue compiled a LESA scoring report which is in the petitioner's file. La Rue stated a septic system can be installed but it may have to be a sand filter system because of the Fayette clay soils. La Rue then stated the old land use map had this area in for future land use but the new map has it out because the road is not surfaced causing the petitioner to score 0 for this category and losing a possible 1,000 points. He stated he would like to put this area back into the future land use area. Chairperson Yutesler and Administrator La Rue stated this program is still in the experimental stage. Member Brown questioned what the building intent is and expressed concern regarding selling off more lots from the 14 acre tract in the future. Mr. Keegan stated there is no plan for other development. It was again noted that County Engineer Fangmann's letter stated approval is restricted to only one single family dwelling.

After further discussion, Member Kohrt made a motion to approve the rezoning request as submitted. Member Eggert seconded the motion. Ayes all.

Minutes from the last meeting held on September 19, 2018, were previously sent to the members. Member Kohrt made a motion to approve the minutes. Member Eggert seconded the motion. Minutes were approved with a couple of minor spelling errors.

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



Chairperson
Jody Yutesler



Secretary
Sharon Laucamp



Tel: 563-886-2248

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR
Cedar County Courthouse

Tipton, Iowa 52772

December 10, 2018

LEGAL NOTICE

The Cedar County Planning and Zoning Commission has been petitioned to conduct a Public Hearing on Wednesday, December 19, 2018, at 6:30 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa.

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

1. **Tim & Abigail Keegan, 597 Light Road, Mt Vernon, IA, (Owners)** - Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential District for the purpose of allowing construction of a single family dwelling on a proposed one (1) lot subdivision, located in the NW ¼, SW ¼, Section 19, T-82N, R-4W, in Pioneer Township. Said petition is to rezone 1.61 acres of a proposed 14.00 acre tract.

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 12/11/18 to the following:

1. Tim & Abigail Keegan – 597 Light Road, Mount Vernon, IA 52314 – **Certified**
2. Michael & Ronda Gould – 350 Adams Court, Lisbon, IA 52253
3. Marty W. Johnson Revocable Trust – 332 Hubler Lane, Lisbon, IA 52253
4. Trent McFarland & Jaime Tebo – 359 Adams Court, Lisbon, IA 52253
5. Douglas P. & Brianne Kirk – 338 Hubler Lane, Lisbon, Iowa 52253
6. Loren & Kathryn Hartelt – 362 Adams Court, Lisbon, Iowa 52253
7. Logan Patrick Viktora – 330 Hubler Lane, Lisbon, Iowa 52253
8. Michael R. & Brandy Foster – 78 135th Street, Lisbon, Iowa 52253
9. Tyler & Teresa Patterson – 353 Adams Ave., Lisbon, Iowa 52253
10. Daniel Kohl – 300 Hubler Lane, Lisbon, Iowa 52253
11. Ryan & Abbe Stensland – 10 138th Street, Lisbon, Iowa 52253
12. Ruth Young – c/o FNC Loni Connelley, P.O. Box 542016, Omaha, NE 68154-8016
13. Nicholas & Stephanie Nevins – 102 Grand Ave., Lisbon, Iowa 52253
14. Mitchell Montgomery & Taylor Eaker – 398 Adams Avenue, Lisbon, Iowa 52253
15. Four D Development LLC – 260 33rd Ave. S.W., Cedar Rapids, Iowa 52404-4646
16. Tim & Lois Cahill – 354 Adams Court, Lisbon, Iowa 52253

7 Zoning Commission Members on 12/11/18

Copy e-mailed to Tipton Conservative on 12/10/18 for The Tipton Conservative

Copy e-mailed to Mt. Vernon/Lisbon Sun on 12/10/18

Copy e-mailed to Rob Fangmann, County Engineer, on 12/7/18

2 File Copies & 1 Bulletin Board Copy



Tel: 563-886-2248

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR
Cedar County Courthouse

Tipton, Iowa 52772

November 6, 2018

TO: CEDAR COUNTY PLANNING & ZONING COMMISSION MEMBERS

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

HAPPY THANKSGIVING!!

Sincerely,

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

Phil La Rue
Zoning Administrator

PL:sl



Tel: 563-886-2248

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR
Cedar County Courthouse

Tipton, Iowa 52772

October 10, 2018

TO: CEDAR COUNTY PLANNING & ZONING COMMISSION MEMBERS

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

Sincerely,

Phil La Rue
Zoning Administrator

PL:sl

CEDAR COUNTY PLANNING & ZONING COMMISSION MINUTES

September 19, 2018

The Cedar County Planning & Zoning Commission met on Wednesday, September 19, 2018, at 6:30 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa. Members present were Dornfeld, Eggert, Schuett and Yutesler. Members absent were Brown, Klein and Kohrt.

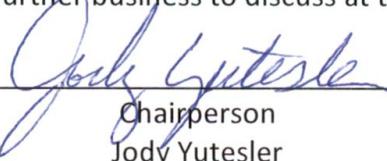
Chairperson Yutesler called the meeting to order at 6:30 p.m.

The Commission members then held the Public Hearing to adopt the County's proposed Comprehensive Plan 2038 and Future Land Use Map. Zoning Administrator LaRue stated there were no written or verbal objections on file. LaRue then complimented the University of Iowa, School of Urban Planning and Regional Planning, graduate students (Tara Cullison, et ali) for their work and ability to collect and organize all of the information received from the informational meeting with the public, many local, county and governmental agencies in the task of assembling a working plan for Cedar County which includes a Land Evaluation and Site Assessment (LESA) component in the new tool kit. He continued that the Future Land Use Map will need consideration for amendment in the fringe areas surrounding the various communities and the Highway 30 corridor in Section 18, Pioneer Township. Bruce Barnhart, a member of the Steering Committee for this project was present and stated that he hopes that after all this work the plan will be finished and used, or to be used for the purpose of preventing development in the rural areas of Cedar County. He urged a balance between land use and increased tax dollars for the County.

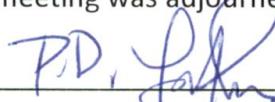
Chairperson Yutesler reported on the meeting with members of the Commission and Dr. Jim Fuller, University of Iowa School of Urban Planning and Regional Planning on August 15, 2018, in which Dr. Fuller stated that the project was completed by the students and given to Cedar County in May, 2018. At that meeting Dr. Fuller stated that interest at that time was lacking by the remaining graduate students in furthering the project. Copies of the Future Land Use Plan were reviewed as well as the current 2009 Future Land Use Map and the April 2018 version. The Commission agreed to recommend the Proposed 2018 Future Land Use Map. LaRue presented the written comments of the Cedar County Farm Bureau to the 2038 Plan. The Commission saw no need to change the wording of the proposed plan. Commissioners Dornfeld and Eggert commented that the proposed land use document is a guideline document for development, it is not set in stone. It was agreed that the Commission wants the plan followed if it is adopted by the Board of Supervisors. Chairperson Yutesler then summarized the Plan and the process to follow for future development and services. The tool kit will be tested by reviewing previously heard petitions.

Following discussion, Schuett moved to recommend that the Board of Supervisors adopt the proposed Comprehensive Plan 2038 and the revised Future Land Use Map as presented with the knowledge that future reviews and updates are required. Dornfeld seconded the motion. Ayes: all.

With no further business to discuss at this time, the meeting was adjourned. Ayes: all.



Chairperson
Jody Yutesler



Secretary Pro-tem
Philip LaRue



Tel: 563-886-2248

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR
Cedar County Courthouse

Tipton, Iowa 52772

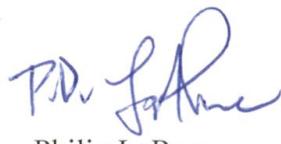
September 7, 2018

LEGAL NOTICE

The Cedar County Planning and Zoning Commission will be conducting a Public Hearing on Wednesday, September 19, 2018, at 6:30 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa.

At this time, the Commission will consider adoption of the County's Proposed Comprehensive Plan 2038. The Proposed Comprehensive Plan 2038 is available for viewing in the Cedar County Zoning Office or at the Cedar County Website (cedarcounty.org).

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



Philip LaRue
Zoning Administrator

CEDAR COUNTY PLANNING & ZONING COMMISSION MINUTES

August 19, 2020

The Cedar County Planning & Zoning Commission conducted a Public Hearing via on Wednesday, July 15, 2020, at 6:30 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa, and via electronic telephone conference. Members present for this meeting at the Courthouse were: Dornfeld and Eggert. Members present by telephone conference were: Schuett, Twing, Brown, Klein and Yutesler. Also present for this meeting was Phil LaRue, Zoning Director.

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

1. **Barnhart Properties, LLC, P.O. Box 36, West Branch, IA (Owner)** - Requesting approval of a Preliminary Plat of Survey for a proposed nine (9) lot subdivision located in the NW ¼, NW ¼, and the SW ¼, NW ¼, Section 9, T-79N, R-4W, in Springdale Township, consisting of 26.87 acres more or less.

Zoning Administrator LaRue informed the members there were no written or verbal objections on file for this petition. He advised them to do their review in accordance with Chapters 3, 6, 7 & 8 of the Cedar County Subdivision Ordinance #9 in making a recommendation to the Cedar County Board of Supervisors.

Bruce Barnhart and his land surveyor, Tom Anthony, Shoemaker- Haaland, Coralville, Iowa, were present and presented the proposed 9 lot residential subdivision. He explained there are an additional two out lots which remain zoned A-1 Agricultural. Nothing has changed from the original proposal which was presented to the Commission on November 20, 2019, for the rezoning petition consideration. Because there was so much information to be presented on the Preliminary Plat, they have chosen to present the material on two documents which will be presented as one document for the Final Plat of Survey. Mr. Anthony explained that sheet two contains the slope, contour and elevation detail, flood plain boundary, proposed water well locations and the buildable area and proposed septic system locations for each of the residential dwellings. Mr. Anthony then directed the Commission's attention to the shared driveway access which are double width. Lots 1 & 2, 7 & 8, in the driveway detail is where the common shared wells are to be located. Lot 9 is proposed to have its own well due to the difficulty in water line placement crossing the waterway and flood plain. No problems were noted by the County Engineer for the use of Charles Avenue and the proposed seal-coat improvements as the lots are sold with Mr. Fangman's approval.

Twing asked if the proposed dwelling locations are set in stone? LaRue explained that there is some flexibility in the dwelling placement in relation to the topography, but keeping out of the flood plain and proper placement and design of the septic systems will be a priority. She then asked about water retention and flow. Any reshaping of the ground? Mr. Anthony explained the flow study. He stated that the road culvert on Charles Avenue to the west provides water retention. He continued by saying the drainage study showed that the cornfield is sufficient to handle the flow from the west. Between Lots 4 & 5 there is an easement to funnel this drainage from the west through this area to the creek on the east side of the lots. He explained that they were surprised by the effectiveness of mowed lawns on

a large lot setting versus a bare corn field. The drainage will be able to handle the effects of drainage from paved driveways and dwelling roofs. The study was favorable for the development. Twing then asked which is higher, the west or east side of Charles Avenue in relation to the proposed development? The west side is higher stated Mr. Anthony. Yutesler asked if the septic systems are being engineered for the development. No, the design will be developed and approved for each proposed dwelling and lot. Because of the unknown factor of home type and number of bedrooms, some flexibility is required in the siting of the septic systems in relation to the flood plain, wells and dwelling design. What about home types like a shouse, are they allowed? Discussion followed regarding home designs and types. Mr. Barnhart stated they will not be allowed and it will say so in the Restrictive Covenants. County Engineer, Rob Fangmann, stated that the owner has been very responsive and understanding with his requirements for the development. This will be a first for cedar County, he stated, on the use of Charles Avenue for the accesses to the development. The requirements of Cedar County have been met by the developer. Seal coating and the necessary seal coat maintenance will be the responsibility of the homeowner association. County road maintenance and snow removal will be done by Cedar County. This section of Charles Avenue is not expected to be high traffic. Twing asked Rob Fangmann about the I-80 widening proposal, any problems? Fangmann responded that there is another property and an Alliant Energy sub-station between the two. Brown then asked about the single access road, Charles Avenue. Fangmann stated that options are limited due to the major waterway to the east and I-80 to the south. Charles Avenue ends in a hammer-head rather than a cul-de-sac. Tom Anthony then asked for direction on presenting this plat to the City of West Branch as there is not a 28E agreement between the City and Cedar County. LaRue explained that the City of West Branch has an extra-territorial review under Iowa Code and therefore the right to review or waive their right of review of the plat(s). Their comments are required only for the Final Plat of Survey. Twing then asked about Lot 9 not being in the Homeowner Association. They are subject to the Covenants but not the road agreement for Charles Avenue because they will access onto 290th Street stated Mr. Anthony. Lot 9 will also have their own water well and a double width access as it will provide access to the out lots and property east of the waterway.

With no further discussion, Twing moved to approve the petition subject to the agreed and required requirements. The motion was seconded by Dornfeld. Ayes: all.

Minutes from the last meeting held on July 15, 2020, were previously sent to the members. Eggert made a motion, with Twing seconding approval, of the minutes as presented.

With no further business to discuss at this time, the meeting was adjourned. Ayes: all.

Chairperson
Jody Yutesler

Secretary Pro-tem
Philip LaRue

PtZ Commission
Aug 15, 2010

Phil Johnson

Joe Johnson

John Guttsie

Donald Klein

Carl H. Koch

John W. Laffler



Tel: 563-886-2248

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR
Cedar County Courthouse

Tipton, Iowa 52772

July 11, 2018

Dear Cedar County Planning & Zoning Commission Members:

There are no petitions scheduled to be heard on this coming Wednesday, July 18th, but we are planning to have a Comp Plan discussion and review.

Sincerely,

Phil La Rue
Zoning Administrator

CEDAR COUNTY PLANNING & ZONING COMMISSION MINUTES

June 20, 2018

The Cedar County Planning & Zoning Commission conducted a Public Hearing on Wednesday, June 20, 2018, at 6:30 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa. Members present were Brown, Dornfeld, Eggert, Klein, Schuett and Yutesler. Member absent was Kohrt.

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

1. **Nick and Stephanie Nevins, 102 Grant Avenue, Lisbon, Iowa (Owners)** – Requesting a Special Use Permit authorizing the location of an Agricultural Service Business, located in Lot 1, Weet's First Addition in the NW ¼, SE ¼, SW ¼, Section 19, T-82N, R-4W, in Pioneer Township. Said property is currently zoned R-1, Suburban Residential District and A-1, Agricultural District.

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) in making their recommendation to the Cedar County Board of Adjustment.

Mr. Nevins was present and informed the members he wants to put up a 60 x 80 machine shed on the property for his agricultural service business. He stated he wants to have his equipment out of the weather. He informed the members he spreads ag lime and fertilizer for farmers and has a dump truck and a semi which he uses. La Rue then read the letter received from County Engineer, Rob Fangmann, which stated the property is located on gravel route Adams Avenue and should have minimal impact on the existing infrastructure given the following restriction: He recommended as a condition of the permit request that the business vehicles that are to be stored on site are to be empty in order to minimize the impact on the roadway. An approved entrance permit is on file with his office. Mr. Nevins stated that as far as traffic goes, they will be leaving around 6:30 a.m. and return around 5:00 or 5:30 p.m. He stated they will not be in and out all day long. He informed the members no customers will come to the property and no commodities will be stored at the property. Mr. Nevins stated there will be a bathroom installed in the shop and it will be connected to the septic system installed for the new house by Heavy Excavating. The well will be on the north half of the property and the proposed shop will be on the A-1 side of the property. The house will be built on the R-1 zoned property. La Rue stated the shop can not be a residence. It was noted that the Special Use Permit is only for the Nevins' and not for future owners.

After further discussion, Brown made a motion to recommend approval of the Special Use Permit request with the stipulation that they follow the code of no loaded vehicles and no chemicals. Schuett seconded the motion. Ayes all.

The minutes from the last meeting held on May 16, 2018, were next reviewed. Klein made a motion to approve the minutes as written. Brown seconded the motion. Ayes all.

Zoning Administrator La Rue stated the members now have a copy of the proposed Comprehensive Plan. He stated he would like the members to look at it and make notes of what they would like to discuss. He also stated he would like the students help tweak it because he feels it was put together by graduate students rather quickly. He stated he thinks the plan needs more help with using the tool kit. La Rue stated the students who put together the plan are now all gone so they are not here to help implement and explain the plan. Member Klein stated he has no idea how to read the charts regarding population on Page 35. La Rue stated they need to know which model they were using. Member Brown stated he thinks Cedar County needs a Comprehensive Plan for future planning, to encourage people to stay here, move here or have a business move here. La Rue stated he plans to review what is different from the previous Comprehensive Plan and the proposed plan and focus on maps, planning and tools. Member Schuett stated the recent path will give an indication what the future may be. La Rue stated he would like a list of corrections or suggestions from the members. He also stated he feels the goals, policies and procedures are not complete and wants the tool kit to be completed. Member Brown suggested the members consider a few chapters at a time. La Rue suggested all members read through the plan. Chairperson Yutesler suggested they all read it together. Member Klein stated that on Page 46 & 47 the goals, objectives and strategies are listed. He questioned who is going to work on the strategies, how it will get done and how it will be implemented. He also stated he is looking to avoid wasting their time. La Rue suggested they prepare a list of questions to present to the Supervisors. He also stated he wants a tool kit and he wants to be able to evaluate property on a case to case basis. Member Schuett suggested they deal with each individual request as they do now. After further discussion, Member Klein suggested each member review 25 pages of the proposed plan. The members then decided to each review 25 pages: Dornfeld pages 1-25; Klein pages 26-50; Eggert pages 51-75; Brown pages 76-100; Yutesler pages 101-125; Schuett pages 126-150; and pages 151-175 were assigned to Kohrt.

With no additional business to discuss at this time, Dornfeld made a motion to adjourn. Eggert seconded the motion. Ayes all. Meeting adjourned at 7:40 p.m.



Chairperson
Jody Yutesler



Secretary
Sharon Laucamp



Tel: 563-886-2248

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR
Cedar County Courthouse

Tipton, Iowa 52772

June 1, 2018

LEGAL NOTICE

The Cedar County Planning and Zoning Commission has been petitioned to conduct a Public Hearing on Wednesday, June 20, 2018, at 6:30 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa.

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

1. **Nick and Stephanie Nevins, 102 Grant Avenue, Lisbon, Iowa (Owners)** – Requesting a Special Use Permit authorizing the location of an Agricultural Service Business, located in Lot 1, Weet's First Addition in the NW $\frac{1}{4}$, SE $\frac{1}{4}$, SW $\frac{1}{4}$, Section 19, T-82N, R-4W, in Pioneer Township. Said property is currently zoned R-1, Suburban Residential District and 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.

Philip LaRue
Zoning Administrator

Copies sent out on 6/6/18 to the following:

1. Nick & Stephanie Nevins – 102 Grant Ave., Lisbon, IA 52253 - **Certified**
2. Ruth T. Young – C/O Farmers National Co./Loni Connolley, 11516 Nicholas St., Omaha, NE 68154
3. Trent McFarland & Jaimie Tebo – 359 Adams Ct., Lisbon, IA 52253-8501
4. Four D Development LLC – 260 33rd Ave. SW, Cedar Rapids, IA 52404-4646
5. Loren & Kathryn Hartelt – 362 Adams Ct., Lisbon, Iowa 52253-8501
6. Timothy & Lois Cahill – 354 Adams Ct., Lisbon, Iowa 52253-8501
7. Michael & Ronda Gould – 350 Adams Ct., Lisbon, Iowa 52253-8501
8. Daniel E. Kohl – 83 135th Street, Lisbon, Iowa 52253
9. Alan Steven & Teresa Weets – 612 160th Street, Mechanicsville, Iowa 52306-7605
10. Matthew G. Reyhons – 22155 Wildwood Park Rd., Apt. 930, Richmond, TX 77469
11. Timothy P. & Abigail D. Keegan – 597 Light Road, Mt. Vernon, Iowa 52314
12. Ryan & Abbe Stensland – 10 138th Street, Lisbon, Iowa 52253

Copy e-mailed to Tipton Conservative on 6/4/18 for The Tipton Conservative

Copy e-mailed to Mount Vernon/Lisbon Sun News on 6/4/18

Copy e-mailed to Rob Fangmann, County Engineer, on 6/4/18

2 File Copies

1 Bulletin Board Copy

LEGAL NOTICE

The Cedar County Board of Supervisors has been petitioned to conduct a Public Hearing on June 19 and 26, 2018, at 9:00 a.m., in the Board Meeting Room of the Cedar County Courthouse, Tipton, Iowa.

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

1. **Jeff and Linda Wilson, 6 115th Street, Lisbon, IA (Contract Buyers) and Ivor Lord, 13 115th Street, Lisbon, IA, (Owner)** - Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential District for the purpose of constructing a single family dwelling on property located on Lot 2, in the NW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 7, T-82N, R-4W, in Pioneer Township consisting of 2.18 acres m/l.
2. **Carl and Carol Fobian, 3639 Oasis Road NE, West Branch, IA (Owners)** – Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential District for the purpose of constructing single family dwellings on a proposed three (3) lot subdivision located at 52 330th Street, West Branch, IA, in the NE $\frac{1}{4}$, NW $\frac{1}{4}$, and the NW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 31, T-79N, R-4W, in Springdale Township consisting of 8.79 acres more or less.

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

Cari Dauber
Cedar County Auditor

Copies sent out on 6/4/18 to the following:

1. Jeff & Linda Wilson – 6 115th Street, Lisbon, Iowa 52253 – **Certified**
2. Ivor Lord L.E. – 13 115th Street, Lisbon, Iowa 52253
3. Keith & Joan Morningstar Family Trust – 1726 240th Street, Lisbon, Iowa 52253
4. Doug & Mary Morningstar – 168 Adams Avenue, Lisbon, Iowa 52253
5. Scott & Jackie Morningstar – 181 Adams Avenue, Lisbon, Iowa 52253

1. Carl & Carol Fobian – 3639 Oasis Road NE, West Branch, Iowa 52358 - **Certified**
2. Donald Lacina – 5146 Lower West Branch Rd., Iowa City, Iowa 52240
3. Albert Earl & Delores Wagner – 53 330th Street, West Branch, Iowa 52358
4. Paula Griffin – 55 330th Street, West Branch, Iowa 52358
5. Lucas & Alison Jeffries – 59 330th Street, West Branch, Iowa 52358
6. Brent & Jeanette Anderson – 57 330th Street, West Branch, Iowa 52358
7. Edgewood Land Co. – 143 Buckeye Road, West Branch, Iowa 52358
8. Elise Fillpot & Jay Wetmore – 75 330th Street, West Branch, Iowa 52358
9. Bill & Sharon Mitchell - 24 330th Street, West Branch, Iowa 52358

Copy e-mailed to Tipton Conservative on 6/4/18 for The Tipton Conservative

Copy e-mailed to Mount Vernon/Lisbon Sun News on 6/4/18

Copy e-mailed to West Branch Times on 6/4/18

2 File Copies

1 Bulletin Board Copy

7/2 meeting 5/16-18 6:30pm

Paul Jeffers

John J.

John Wilk

David G. Schmitz

John A. Schmitz

John Schmitz

David G. Schmitz

David G. Schmitz

John Wilk

John Wilk

John Wilk

John Schmitz

CEDAR COUNTY PLANNING & ZONING COMMISSION MINUTES

May 16, 2018

The Cedar County Planning & Zoning Commission conducted a Public Hearing on Wednesday, May 16, 2018, at 6:30 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa. Members present were Brown, Dornfeld, Eggert, Klein, Kohrt, Schuett and Yutesler.

Chairperson Yutesler called the meeting to order at 6:30 p.m. The Commission members then reviewed the following petitions:

1. **Jeff and Linda Wilson, 6 115th Street, Lisbon, IA (Contract Buyers) and Ivor Lord, 13 115th Street, Lisbon, IA, (Owner)** - Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential District for the purpose of constructing a single family dwelling on property located on Lot 2, in the NW ¼, SW ¼, Section 7, T-82N, R-4W, in Pioneer Township consisting of 2.18 acres m/l.

Zoning Administrator La Rue informed the members there were no written or verbal objections on file for this petition and advised them to do their review in accordance with Chapter 18.2(3) of the Cedar County Zoning Ordinance in making their recommendation to the Cedar County Board of Supervisors. The letter received from Brandon Siggins, Lisbon Fire Chief, stated they can and will provide emergency services to the property which lies approximately ¾ mile from the city limits of Lisbon. The letter received from County Engineer, Rob Fangmann, stated that the property is located on gravel route Adams Avenue and should have minimal impact on the existing infrastructure. An approved entrance permit is on file with his office. La Rue then stated there are two main soils on the property. Limitations are moderate for dwellings and septic systems. Limitations for agriculture are moderate to severe with a CSR of 86. There are no livestock confinements within ¼ mile. La Rue stated this property lies between two R-1 Suburban Residential zoned parcels. According to the Land Use Plan, La Rue stated this is as compact and orderly development as one could hope for which is next to two other residential parcels.

Jeff Wilson stated the property is sectioned off of 20 some acres. He stated his father-in-law owns the property and his wife is part owner. They are currently residing on Parcel B. Mr. Wilson stated the old house on the property will be taken down. La Rue stated Parcel B was split off of Lot 2. He also stated the division of this parcel, the way it is platted, will constitute a second split because there will be a remaining portion of Lot 2. Therefore, a minor subdivision will need to be filed and approved by the Cedar County Board of Supervisors should they approve the rezoning request. Mr. Wilson stated they have no plans to split Parcel B.

After further discussion, Klein made a motion to approve the rezoning request. Eggert seconded the motion. Ayes all.

2. **Carl and Carol Fobian, 3639 Oasis Road NE, West Branch, IA (Owners)** – Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential District for the purpose of constructing single family dwellings on a proposed three (3) lot subdivision located at 52 330th Street, West Branch, IA, in the NE ¼, NW ¼, and the NW ¼, NE ¼, Section 31, T-79N, R-4W, in Springdale Township consisting of 8.79 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 18.2(3) of the Cedar County Zoning Ordinance in making their recommendation to the Cedar County Board of Supervisors. La Rue also stated this will be a minor subdivision if the rezoning is approved by the Zoning Commission and Board of Supervisors. He stated this property is the old Eleanor Secrest property. The letter on file from County Engineer, Rob Fangmann, stated the property is located on gravel route 330th Street approximately 0.6 of a mile from a paved road and should have minimal impact on the existing infrastructure. An approved entrance permit is on file in his office. The access permit is restricted to a minor subdivision or less. It is his recommendation that no additional residential lots shall be allowed in the future beyond the requested 3 lots. The letter received from the West Branch Volunteer Fire and Rescue Department stated they are willing and able to provide emergency fire and rescue response to the proposed residential zoning site. La Rue then stated some road improvements will have to be made as part of the subdivision. He stated the Jeffries Subdivision, which was done 10 to 12 years ago, is to the north. It was noted they plan to demolish the old house which is on the property. The soil inventory was next discussed. La Rue stated there are two soil classifications on the property. The Tama Silt Loam soil has moderate limitations for dwellings and also on the Downs Silt Loam soil. Septic limitations are moderate on the Tama Silt Loam soil which is on the east side of the property and severe on the Downs Silt Loam soil due to slow water movement. La Rue stated there are severe limitations for agriculture and has a high CSR of 80 but hasn't been farmed for decades. The average CSR is 76.5 points for the remainder of the property with moderate to severe limitations. La Rue stated this subdivision will be an improvement and an attractive addition to Cedar County if approved by the Zoning Commission and Board of Supervisors. Member Klein asked if each lot will be responsible for its own sewer and water. Mr. Fobian stated he plans to have one community well which will service the three lots but each lot will have its own septic system. He stated that MMS Consultants are helping him with the platting. Member Eggert stated there is an overgrowth of volunteer trees on the property. Mr. Fobian stated they are trying to clean the place up and will keep some of the trees. He also stated his farm adjoins this property on three sides. He informed the members that the old well has been plugged. La Rue stated that because of the size of the lots, he does not foresee any problems regarding the septic systems. He will do site surveys regarding the well and septic systems. Mr. Fobian stated there is a utility building on the property and it will probably go with one of the lots. Member Brown questioned how far the property is from the West Branch Fire Department and asked if Mr. Fobian would take the responsibility if emergency services can't get there. Mr. Fobian stated MMS Consultants are doing the platting and there will be a turnaround for fire and ambulance vehicles. The property is between 3 and a half and 4 miles from the West Branch Fire Department.

Chairperson Yutesler asked Mr. Fobian if he will have any restrictive covenants regarding the buildings and well. Mr. Fobian stated he will work with the professionals and Phil La Rue. La Rue then stated that under the subdivision regulations, the Board of Supervisors are going to have a very specific opportunity to review Chapters 3, 4 and 5 of the subdivision regulations. Member Brown asked if this request is compatible with the new Comprehensive Plan. La Rue stated it is definitely a clustering of residentially used properties immediately contiguous to this site. Chairperson Yutesler explained the new zoning guidelines which they are working on now have more specific information on how to categorize new properties. Member Eggert then stated his feeling is that anything they do to the property will be an improvement from how it looks now.

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

Minutes from the last meeting held on March 21, 2018, were previously sent to the members. Brown made a motion to approve the minutes as presented. Schuett seconded the motion. Ayes all. There were no minutes from the April meeting because there was not a quorum.

Zoning Administrator La Rue then reported to the members that on May 17th, he will be receiving the final copy of the updated Comprehensive Plan. He stated it is very similar to the existing Land Use Plan. He suggested they work toward the tool kit. He then asked the members if they want to receive a complete copy of the ordinance or do they want it in chapters, either electronically or hard copy for him to forward to the members so they can begin a series of meetings to discuss it. He asked the members if they want special sessions or monthly meetings. There are 101 pages in the new plan. La Rue stated he is in the process of trying to get an intern from the University of Iowa who is a future graduate student in urban planning to work with him for about 60 days to finish the project. La Rue stated he thinks the Board of Supervisors would like the final plan not later than September. He asked the members if they would like to hold a special meeting on June 13th for discussion. Member Klein suggested they receive the information prior to the June meeting so they have access to the same information that La Rue has and set a target date around the first week of June for the members to give feedback to La Rue regarding questions, concerns and recommendations. He stated that gives them the opportunity to get a head start on analyzing the plan prior to the June meeting. He does not think it is a good idea to rush the plan and he wants to work as a group. La Rue then stated he will produce hard copies for the members but if anyone wants to receive it electronically, he will need their e-mail addresses. Member Klein suggested the county have an FTP site for them to link to in order to obtain the information rather than receiving it in pieces via e-mail. La Rue stated he would look into it. It was decided that after they receive a hard copy, the members will get back to Phil as to which chapter they want to address.

With no further business to be discussed at this time, Schuett made a motion to adjourn. Brown seconded the motion. Ayes all.

Jody Yutesler

Chairperson
Jody Yutesler

Sharon Laucamp

Secretary
Sharon Laucamp



Tel: 563-886-2248

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR
Cedar County Courthouse

Tipton, Iowa 52772

May 7, 2018

LEGAL NOTICE

The Cedar County Planning and Zoning Commission has been petitioned to conduct a Public Hearing on Wednesday, May 16, 2018, at 6:30 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa.

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

- 1. Jeff and Linda Wilson, 6 115th Street, Lisbon, IA (Contract Buyers) and Ivor Lord, 13 115th Street, Lisbon, IA, (Owner)** - Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential District for the purpose of constructing a single family dwelling on property located on Lot 2, in the NW ¼, SW ¼, Section 7, T-82N, R-4W, in Pioneer Township consisting of 2.18 acres m/l.
- 2. Carl and Carol Fobian, 3639 Oasis Road NE, West Branch, IA (Owners)** – Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential District for the purpose of constructing single family dwellings on a proposed three (3) lot subdivision located at 52 330th Street, West Branch, IA, in the NE ¼, NW ¼, and the NW ¼, NE ¼, Section 31, T-79N, R-4W, in Springdale Township consisting of 8.79 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 5/9/18 to the following:

1. Jeff & Linda Wilson – 6 115th Street, Lisbon, Iowa 52253 – **Certified**
2. Ivor Lord L.E. – 13 115th Street, Lisbon, Iowa 52253
3. Keith & Joan Morningstar Family Trust – 1726 240th Street, Lisbon, Iowa 52253
4. Doug & Mary Morningstar – 168 Adams Avenue, Lisbon, Iowa 52253
5. Scott & Jackie Morningstar – 181 Adams Avenue, Lisbon, Iowa 52253

1. Carl & Carol Fobian – 3639 Oasis Road NE, West Branch, Iowa 52358 - **Certified**
2. Donald Lacina – 5146 Lower West Branch Rd., Iowa City, Iowa 52240
3. Albert Earl & Delores Wagner – 53 330th Street, West Branch, Iowa 52358
4. Paula Griffin – 55 330th Street, West Branch, Iowa 52358
5. Lucas & Alison Jeffries – 59 330th Street, West Branch, Iowa 52358
6. Brent & Jeanette Anderson – 57 330th Street, West Branch, Iowa 52358
7. Edgewood Land Co. – 143 Buckeye Road, West Branch, Iowa 52358
8. Elise Fillpot & Jay Wetmore – 75 330th Street, West Branch, Iowa 52358
9. Bill & Sharon Mitchell = 24 330th Street, West Branch, Iowa 52358

Copy e-mailed to Tipton Conservative on 5/7/18 for The Tipton Conservative

Copy e-mailed to Mount Vernon/Lisbon Sun News on 5/7/18

Copy e-mailed to West Branch Times on 5/7/18

7 Zoning Commission members on 5/8/18

Copy e-mailed to County Engineer on 5/9/18

2 File Copies

1 Bulletin Board Copy

PfZ Meeting 4-18-18

Phil LaRue

Dawn Smith

Jol Brown

Cal & Nahid

Brett Eggert

Jay Hutzler

Gene Stu

Tara Cullison

72



Tel: 563-886-2248

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR
Cedar County Courthouse

Tipton, Iowa 52772

April 12, 2018

Dear Cedar County Planning & Zoning Commission Members:

Again, there are no petitions to be heard for the month of April. However, as Tara Culison, University of Iowa, stated at our last meeting, she would like to meet with the Commission again at our regular scheduled meeting date on April 18, 2018. We will begin at our usual meeting time.

I have enclosed an agenda.

Sincerely,

Phil La Rue
Zoning Administrator

AGENDA

Cedar County Planning & Zoning Commission,

Basement, Cedar County Courthouse, Tipton, Iowa

Wednesday, April 18, 2018, 6:30 p.m.

- I. Introduction
- II. Tara Cullison, University of Iowa School of Urban Planning & Regional Planning. Regarding refinement of the Future Land Use Map and proposed future growth areas with members of the Cedar County Comprehensive Plan Steering Committee.
- III. Discussion
- IV. Conclusion

PLZ (Gummisektion) und 212018

PLZ 212018
Post Berlin

Jana Cullison

Daniel Eidec

Streets of Berlin
Old Market
The Wall
Sweet Escape

deutsche
Deutsche
Deutsche

CEDAR COUNTY PLANNING & ZONING COMMISSION MINUTES

March 21, 2018

The Cedar County Planning & Zoning Commission met on Wednesday, March 21, 2018, at 6:30 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa. Members present were Brown, Dornfeld, Eggert, Klein, Kohrt, and Yutesler. Member absent was Schuett.

Chairperson Yutesler called the meeting to order at 6:30 p.m.

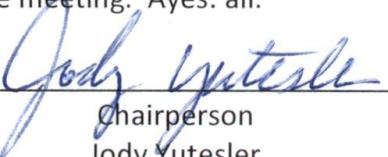
The Commission members then met with Tara Cullison and Daniel Elder, University of Iowa, School of Urban Planning & Regional Planning. They then presented a power point presentation with the goal of going through the Land Evaluation and Site Assessment (LESA) component of the revised Comprehensive Plan using as the example, the petition heard by the Commission in February, Gary Benson, a rezoning to R-1, Suburban Residential. Ms. Cullison then went through each of the individual components of this tool explaining how points were added or deducted to reach a final total. Examples of the individual components for scoring were percent of cropland/grassland or forest in the area; percent of housing density; numbers of non-farm residences within a certain area, road type (gravel or paved), agricultural conflict areas, flood plain and so forth. The total score was then compared to a range scale. In the case of the Benson petition, the total score was 3,491 points, which is in the moderate range for preferred use. Based upon this evaluation, the site could be rezoned to residential. There was discussion with the Commission of when evaluating land use when a property is considered residential, is it assessed residential by the County Assessor and is the property actually zoned residential. There was discussion on strategies for the use of this tool. The Commission also discussed with the graduate students the fact that growth in the urban and the rural areas is following the current land use predictions. Two elements of the plan were briefly discussed pertaining to growth areas and buffer areas. It was agreed that the best place for future growth remains in the fringe areas surrounding the cities.

Ms. Cullison and Mr. Elder then told the Commission of the Open House presentation of the data to be included in the proposed plan on April 4, 2018.

The goal is to assist the Commission toward having a useful, workable plan for Cedar County by May of 2018. She would like to meet with the Commission again (April 18, 2018) as the Comprehensive Plan comes together. The Commission was in agreement.

Minutes from the last meeting held on February 21, 2018, were previously sent to the members. Dornfeld made a motion to approve the minutes as presented. Kohrt seconded the motion. Ayes: all.

With no further business to discuss at this time, Dornfeld moved, Kohrt seconded a motion to adjourn the meeting. Ayes: all.



Chairperson
Jody Yutesler



S.P.D. 
Secretary Pro-tem
Philip LaRue



Tel: 563-886-2248

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR
Cedar County Courthouse

Tipton, Iowa 52772

March 6, 2018

Dear Cedar County Planning & Zoning Commission Members:

While there are no petitions to be heard for the month of March, Tara Cullison, University of Iowa, would like to present a more finalized Future Land Use Map and progress on the Land Development Tool Kit. This presentation will begin at our usual meeting time.

I have enclosed an agenda.

Sincerely,

Phil La Rue
Zoning Administrator

AGENDA

Cedar County Planning & Zoning Commission,

Basement, Cedar County Courthouse, Tipton, Iowa

Wednesday, March 21, 2018, 6:30 p.m.

- I. Introduction
- II. Tara Cullison and Trang Mia, University of Iowa School of Urban Planning & Regional Planning. Regarding further refinement of the Future Land Use Map and the Land Development Toolkit.
- III. Discussion
- IV. Conclusion

Phil LaRue

From: Cullison, Tara M <tara-cullison@uiowa.edu>
Sent: Tuesday, March 06, 2018 7:31 AM
To: Phil LaRue
Cc: joelbrwn@netins.net; jrdigsit@fbcom.net
Subject: Future Land Use Meeting with P&Z

Hi Phil,

I believe it would be helpful for Trang and myself to meet with the Planning and Zoning Commission one last time before April. Will there be a March meeting?

We would like to present a more finalized future land use map, as well as the progress on the Land Development Toolkit score sheet. My goal is to have a score sheet finalized and tested using hypothetical development scenarios to see how the scoring will look. I can then present these results to the Commission.

Thank you,

Tara Cullison
University of Iowa - Urban & Regional Planning
Masters Candidate 2018

CEDAR COUNTY PLANNING & ZONING COMMISSION MINUTES

February 21, 2018

The Cedar County Planning & Zoning Commission conducted a Public Hearing on Wednesday, February 21, 2018, at 6:30 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa. Members present were Brown, Dornfeld, Eggert, Klein, Kohrt, Schuett and Yutesler.

Chairperson Yutesler called the meeting to order at 6:30 p.m. The Commission then reviewed the following petition:

1. **Gary and Rozan Benson, 501 Adams Avenue, Lisbon, IA, (Owners)** - Requesting a change in zoning from A-1, Agricultural District to R-1, Suburban Residential District for the purpose of constructing two single family dwellings on a proposed three lot minor subdivision located in the NE $\frac{1}{4}$, NW $\frac{1}{4}$, Section 31, T-82N, R-4W, in Pioneer Township. Said petition is to rezone 1.20 acres more or less on lot 2 and lot 3.

LaRue informed the members there were no written or verbal objections on file and advised them to consider this petition in accordance with Chapter 18.2(3) of Cedar County Zoning Ordinance in making a recommendation to the Cedar County Board of Supervisors. This property will also require minor subdivision platting approval by the Board of Supervisors.

The letter from the Lisbon Fire Department was reviewed. It stated that their department will provide fire and rescue service to the property. The letter from Cedar County Engineer, Rob Fangmann, was reviewed. He anticipates minimal impact on existing infrastructure on this gravel road. An approved entrance permit is on file. Lots 2 and 3 will share a common access. His letter states that the access permit is restricted to a minor subdivision or less. No additional lots will be allowed.

The soil inventory was next reviewed. The property has three soil types: Fayette, Fayette Terrace and Walford. Limitations for building are slight on the Fayette Terrace, moderate on the Fayette and severe on the Walford soil association due to shrink-swell and shallow saturated (wet) soil. Limitations for septic systems are severe due to slow water movement and shallow saturation of the soil. Z.A. LaRue recommends that the soil limitations be evaluated and the proposed septic systems be located outside of the proposed rezoning sites away from the Walford Association. Limitations for Agricultural use are moderate to severe. The C.S.R. average for the three soil associations is 73 points.

The Comprehensive Plan was then reviewed. It discourages scattered residential development when the resulting density will not support a full range of services. It encourages orderly, compact development on hard surface roads, and to avoid removing agricultural land from production.

The petitioners (Benson) were not present, but were represented by Chris Nelson, Shive-Hattery Engineering. Mr. Nelson explained the proposal to request this rezoning and the required minor subdivision for the purpose of allowing the Benson's to have their sons an opportunity to construct a home on Lot 2 and Lot 3. He agreed that concerns about the suitability of the soils to support dwellings and septic system will need to be evaluated. Septic systems can easily be located away from unsuitable soils. Sand filters are the design to be considered for the Fayette and Walford soils.

Chairperson Yutesler then requested comments from persons attending the Public Hearing. Adjoining property owner, Penny Atkinson and her son, Mark Atkinson, were present and stated they are not here in opposition to the request, but to state they are concerned about a shared fence line which does not follow the true property line. LaRue stated this fence line will need to be evaluated by the petitioner's engineer and attorney as part of the minor subdivision platting requirements. Commissioner Brown then spoke of his concern that the division of property to family members does not always stay within the family and problems may result. Also, he is concerned with scattered residential development (i.e. spot zoning) and the effect on agricultural areas and the loss of agricultural land to non-agricultural land use. Commissioner Klein asked if a Conditional Zoning Agreement would be appropriate to prevent transfer of ownership to someone other than the family. Brief discussion amongst the Commission members concluded that is not possible. The land can be sold to anyone the owner wishes to. Klein then requested an explanation of what constitutes a subdivision and the difference between a major and minor subdivision. Z.A. LaRue then explained what constitutes a subdivision as defined by County and State code. He then explained why minor subdivisions are not reviewed by the Commission but major subdivisions with required improvements are. Klein then asked what would happen if the Commission approved this rezoning, but the subdivision was then denied by the Board of Supervisors. LaRue explained that for the petition to proceed to subdivision, the Board would first need to approve the rezoning for these two lots, then to consider the subdivision. The Board wouldn't deny the subdivision if they first approved the rezoning unless there was a problem with the subdivision plat or required documents. Final approval of the subdivision would only be given if the subdivision and documents are accurate. The Commission then considered the rezoning site in relation to other residential zoned properties and reviewed the current future land use map. The Commission noted that adjoining this property to the south, there is an R-1 zoned parcel owned by Bobbie Kruse. It was noted that this proposed development site is estimated to be 1 ¼ mile south and outside of the area recommended for future residential development. The Commission briefly discussed future development in the area of the Highway 30 expansion and how to ensure proper growth plans and road improvements.

After additional discussion, Dornfeld made a motion to recommend approval of the change in zoning from A-1 to R-1 to the Board of Supervisors. Chairperson Yutesler asked if there was any additional discussion before the second to this motion. Brown stated his concerns against residential development into the agricultural areas. Kohrt then seconded the motion. Ayes: Dornfeld, Eggert, Klein, Kohrt and Schuett. Nay: Brown

Minutes from the last meeting held on January 17th, 2018, were previously sent to the members. Klein made a motion to approve the minutes as presented. Schuett seconded the motion. Ayes: all.

The Commission members then met with Tara Cullison and Trang Mai, University of Iowa, School of Urban Planning & Regional Planning. They then gave a power point presentation to the Commission on the primary criteria to be proposed as overlays for the future land use map in the new Comprehensive Plan. The primary criteria includes: slope (< 15%), floodplain (100 year data), confined feeding operations (CoFO's), paved roads, corn suitability rating (CSR) and growth areas (census data based). They explained that the overlay analysis gives a clearer image of past and present growth trends which allow for future growth planning. It was noted that the current plan and the proposed plan match closely these identified areas in the aspect of residential development. There was discussion regarding current development patterns on high CSR soils, and the locations of CoFO's throughout the county. Some data seemed out of date on CoFO locations. The overlay pertaining to population density in general areas which meet specific development criteria was discussed as a planning tool to control the current pattern of scattered residential development (spot zoning). They proposed four hypothetical scenarios for planning, from most lax to most restrictive. Scenario 1, based upon CSR (below 75 points) and slope less than 15%. Scenario 2, based upon factors in scenario 1 with development closer to paved roads. Scenario 3, compact, orderly development close to or on hard surface roads, with factors from scenarios 1 & 2 incorporated within as a common factor, and finally, Scenario 4, pro-conservation based with all the previous factors and CoFO locations. Planning incentives and strategies were briefly explained for planning purposes. Ms. Cullison explained the concept of Land Evaluation and Site Assessment (LESA) as a planning tool for consistent future land use development by scoring all petitions. Also discussed was fringe development plans and agreements between cities and the county in these areas using 28E type agreements. She then asked for the Commission's opinion on the overlays that were presented. The Commission was in agreement that they would be beneficial. It was also discussed whether or not school district maps would be of benefit for future residential growth planning. Ms. Cullison then explained the goals of the steering committee and the need for the Commission's input toward a useful plan for Cedar County by May of 2018. She would like to meet with the Commission again as the Comprehensive Plan comes together. The Commission was in agreement.

With no further business to discuss at this time, Dornfeld moved, Kohrt seconded a motion to adjourn the meeting. Ayes: all.



Chairperson
Jody Yutesler



Secretary Pro-tem
Philip LaRue

LEGAL NOTICE

The Cedar County Board of Supervisors has been petitioned to conduct a Public Hearing on March 13 and 20, 2018, at 9:00 a.m., in the Board Meeting Room of the Cedar County Courthouse, Tipton, Iowa.

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

1. **Gary and Rozan Benson, 501 Adams Avenue, Lisbon, IA, (Owners)** - Requesting a change in zoning from A-1, Agricultural District to R-1, Suburban Residential District for the purpose of constructing two single family dwellings on a proposed three lot minor subdivision located in the NE $\frac{1}{4}$, NW $\frac{1}{4}$, Section 31, T-82N, R-4W, in Pioneer Township. Said petition is to rezone 1.20 acres more or less of Lot 2 and Lot 3.

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

Cari Dauber
Cedar County Auditor

Copies sent out on 3/5/18 to the following:

1. Gary & Rozan Benson – 501 Adams Avenue, Lisbon, Iowa 52253 – **Certified**
2. David & Kay Prasil – 200 Sutliff Road, Lisbon, IA 52253
3. Ricky & Elizabeth Alger – 1640 Bloomington Rd., Mt. Vernon, IA 52314
4. Randy Light – 504 Adams Ave., Lisbon, IA 52253
5. Rawley & Lisa Alger – 230 E. Main, Lisbon, Iowa 52253
6. Rad Alger – 496 Adams Ave., Lisbon, IA 52253
7. 7 A's Investments, LLC - % Ricky L. Alger, 1640 Bloomington Rd., Mt. Vernon, IA 52314
8. Bobbi A. Kruse Living Trust – 507 Adams Avenue, Lisbon, Iowa 52253
9. Lucille Penny Atkinson – 38 Pleasant Hill Rd., Mt. Vernon, IAS 52314

Copy e-mailed to Tipton Conservative on 3/5/18 for The Tipton Conservative

Copy e-mailed to Mt. Vernon/Lisbon Sun on 3/5/18

Copy e-mailed to Shive Hattery on 3/5/18

Copy e-mailed to Board of Supervisors Secretary on 2/27/18

2 File Copies

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AGENDA

Cedar County Planning & Zoning Commission,

Basement, Cedar County Courthouse, Tipton, Iowa

Wednesday, February 21, 2018, 6:30 p.m.

- I. Introduction
- II. Review of the following petition:
 - A. Gary and Rozan Benson, 501 Adams Avenue, Lisbon, IA (Owners)- A change in zoning from A-1 Agricultural District to R-1 Suburban Residential District for the purpose of allowing construction of two homes on a proposed three lot minor subdivision.
- III. Tara Cullison and Daniel Elder, University of Iowa School of Urban Planning & Regional Planning. Regarding Cedar County Comprehensive Plan, and the Future Land Use Map.
- IV. Discussion
- V. Conclusion



Tel: 563-886-2248

OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR
Cedar County Courthouse

Tipton, Iowa 52772

February 2, 2018

LEGAL NOTICE

The Cedar County Planning and Zoning Commission has been petitioned to conduct a Public Hearing on Wednesday, February 21, 2018, at 6:30 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa.

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

1. **Gary and Rozan Benson, 501 Adams Avenue, Lisbon, IA, (Owners)** - Requesting a change in zoning from A-1, Agricultural District to R-1, Suburban Residential District for the purpose of constructing two single family dwellings on a proposed three lot minor subdivision located in the NE $\frac{1}{4}$, NW $\frac{1}{4}$, Section 31, T-82N, R-4W, in Pioneer Township. Said petition is to rezone 1.20 acres more or less of Lot 2 and Lot 3.

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.

Philip LaRue
Zoning Administrator

Copies sent out on 2/7/18 to the following:

1. Gary & Rozan Benson – 501 Adams Avenue, Lisbon, Iowa 52253 – **Certified**
2. David & Kay Prasil – 200 Sutliff Road, Lisbon, IA 52253
3. Ricky & Elizabeth Alger – 1640 Bloomington Rd., Mt. Vernon, IA 52314
4. Randy Light – 504 Adams Ave., Lisbon, IA 52253
5. Rawley & Lisa Alger – 230 E. Main, Lisbon, Iowa 52253
6. Rad Alger – 496 Adams Ave., Lisbon, IA 52253
7. 7 A's Investments, LLC - % Ricky L. Alger, 1640 Bloomington Rd., Mt. Vernon, IA 52314
8. Bobbi A. Kruse Living Trust – 507 Adams Avenue, Lisbon, Iowa 52253
9. Lucille Penny Atkinson – 38 Pleasant Hill Rd., Mt. Vernon, IAS 52314

Copy e-mailed to Tipton Conservative on 2/5/18 for The Tipton Conservative

Copy e-mailed to Mt. Vernon/Lisbon Sun on 2/5/18

7 Zoning Commission members on 2/6/18

2 File Copies

1 Bulletin Board Copy

C O P Y

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

January 10, 2018

Brett Eggert
2 Walnut Ct.
Tipton, IA 52772

Dear Brett:

I am writing this letter to welcome you as a new member of the Cedar County Planning and Zoning Commission.

Enclosed, please find a document termed "Welcome to the Commission" and two petitions to be heard by the Commission on January 17, 2018, at 6:30 p.m., in the Courthouse.

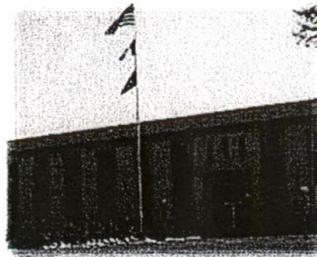
If you have any questions or would like to meet in order for us to explain your role and our role as zoning staff, please feel free to contact me at your convenience.

Sincerely,

Phil La Rue
Zoning Administrator

Encl.

CEDAR COUNTY BOARD OF SUPERVISORS
Cedar County Courthouse
400 Cedar Street, Tipton, IA 52772
Tel 563-886-3168 Fax 563-886-3339
bos@cedarcounty.org
www.cedarcounty.org



January 9, 2018

COPY

Brett Eggert
2 Walnut Ct
Tipton, IA 52772

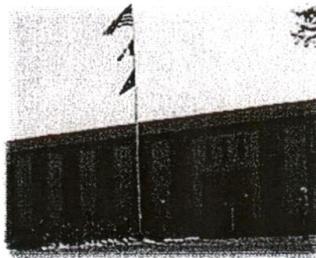
Dear Mr. Eggert:

Please be advised, that by motion of this Board on January 2, 2018 you were appointed to a three-year term on the Planning & Zoning Commission. The term will expire on 12-31-2020. Your willingness to serve on this Board is greatly appreciated.

Sincerely,

Dawn Smith, Chairperson

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COPY

January 9, 2018

Dave Schuett
803 2nd Avenue
Durant, Iowa 52747

Dear Mr. Schuett:

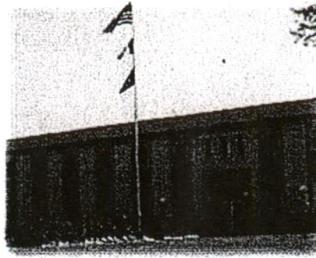
Please be advised, that by motion of this Board on January 2, 2018, you were appointed to another three-year term on the Planning & Zoning Commission. The term will expire on 12-31-2020. Your willingness to serve on this Commission is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Dawn R. Smith".

Dawn Smith, Chairperson

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bos@cedarcounty.org
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COPY

January 9, 2018

John A. Dornfeld
1396 – 290th ST
Tipton, Iowa 52772

Dear Mr. Dornfeld:

Please be advised, that by motion of this Board on January 2, 2018 you were appointed to another three-year term on the Planning & Zoning Commission. The term will expire on 12-31-2020. Your willingness to serve on this Board is greatly appreciated.

Sincerely,

Dawn Smith, Chairperson

APPLICATION FORM FOR CEDAR COUNTY BOARD/COMMISSION

PLEASE RETURN TO:

Cedar County Board of Supervisors, 400 Cedar Street, Tipton, Iowa 52772-1748
Phone: 563-886-3168 Fax: 563-886-3339 Email: bos@cedarcounty.org

Date: _____ Email Address: _____
Name: _____ (Circle One) Male or Female
Address: _____
Phone Number: _____ Fax Number: _____
Application For: _____ (Board/Commission)

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

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

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

- Reason for applying?

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

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

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

**YOUR APPLICATION WILL BE RETAINED IN OUR FILES FOR ONE YEAR.
THIS APPLICAITON IS A PUBLIC DOCUMENT AND AS SUCH CAN BE
REPRODUCED AND DISTRIBUTED FOR THE PUBLIC.**

Planning & Zoning P.H. Jun 17, 2018

PD. John

John Brown

Jennifer Walker

Todd Walker

Kevin Slatts

Craig Slatts

Kris Slatts

Carl & Leah

Danielle Schmetz

Brett Eggert

Douglas Klein

Rob Fangmann

John Dornfeld

Toddy Kuntzler

CEDAR COUNTY PLANNING & ZONING COMMISSION MINUTES

January 17, 2018

The Cedar County Planning and Zoning Commission conducted a Public Hearing on Wednesday, January 17, 2018, in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa. Members present were Brown, Eggert, Schuett, Klein, Kohrt, Dornfeld and Yutesler.

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

1. **Todd and Jennifer Walker, 609 Orange Street, West Branch, IA and Ray Slach, 23 326th Street, West Branch, IA, (Owner)** - Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential District for the purpose of constructing a single family dwelling on property located at Lot 1, Albaugh Acres, in the SE ¼, SW ¼, Section 32, T-80N, R-4W, in Gower Township, consisting of 2.11 acres m/l.

Zoning Administrator La Rue informed the members there were no written or verbal objections on file for this petition and advised them to do their review in accordance with Chapter 18.2(3) of the Cedar County Zoning Ordinance in making their recommendation to the Cedar County Board of Supervisors. A letter received from the West Branch Fire and Rescue Department stated they are willing and able to provide emergency fire and rescue response to the proposed residential rezoning site. The letter received from Cedar County Engineer, Rob Fangmann, stated this property is located on gravel route 280th Street and should have minimal impact on the existing infrastructure. An approved entrance permit is on file with his office to utilize the existing entrance. Engineer Fangmann was present at the meeting and stated there is more than adequate site distance.

Petitioner Todd Walker then informed the members they want to build a single family dwelling on the northeast side of the lot. He stated there is an existing shed on the property and they plan to clean up around it. The soil evaluation was then reviewed. Zoning Administrator La Rue stated there are Tama and Downs soils on the property. Limitations for septic systems on the Tama soils, which is the majority on the lot, are moderate. Building limitations are moderate. Agricultural farm crops limitations are severe based on erosion. The CSR is around 70 points. La Rue stated he did a soil evaluation on the property for a proposed house in June of 1990. He stated it was a good perc test. La Rue stated the Comprehensive Plan does discourage scattered residential development but he does not consider this as scattered since it is close to the City of West Branch.

After a brief discussion, Yutesler made a motion to recommend approval of the requested change in zoning to the Board of Supervisors. Kohrt seconded the motion. Ayes all.

2. **Kevin Slutts, 108 West Rochester Road, Atalissa, IA (Owner)** – Requesting a Special Use Permit authorizing the location of a bait shop at 151 Rochester Avenue, Atalissa, IA, on property described as Lots 9 and 10, in the SW ¼, SW ¼, Section 2, T-79N, R-3W, Iowa Township. Said property is currently zoned A-1 Agricultural District.

Zoning Administrator La Rue informed the members there were no written or verbal objections on file for this petition and advised them they would be doing their review in accordance with Chapter 17.18(2) of the Cedar County Zoning Ordinance in making a recommendation to the Cedar County Board of Adjustment. He also stated he had received a letter in support from a nearby neighbor. Brett Eggert, new commission member, requested information to assist him in visualizing the location of the property. It was noted this property is on the west side of Rochester. Mr. Slutts stated the property is on a high spot and there was no water on it in 2008.

Kevin Slutts informed the members they bought the property from Max Middleton's Estate. He stated his idea is to redevelop a sense of community there and create a place for people to go and have a cup of coffee or soda. He also stated they do not plan on selling alcohol or fireworks. He also does not expect there to be a big volume of traffic. La Rue stated Cedar County has bought properties back on the dead end which previously flooded in 2008. Mr. Slutts stated they have cleaned up the property and presented pictures to the members. He also had a feasibility study done on the property. He informed the members he wants to sell baits which will come from wholesalers but he will sell retail. Engineer Fangmann stated he is in favor of the Special Use Permit for this petition because it will be reviewed annually by the Board of Adjustment. He wanted to make sure the building would be outside of the county road right-of-way and parking would be kept off the traveled portion of the road. He also stated he was concerned about vehicles pulling boats. Mr. Slutts stated if they go past the sand pit there is a decent sized turnaround area. He then presented a picture of the proposed 14' x 24' building which he is purchasing. He also stated he intends to use the existing holding tank on the property. There will be no foundation and the building will be on skids which will be put on blocks. La Rue stated the property is not in Zone A of the Flood Insurance Rate Maps. Mr. Slutts stated he intends to sell chips and prepackaged foods at the bait shop. Chairperson Brown asked about whether a food license would be required. La Rue stated, to his knowledge, selling prepackaged, ready-to-eat foods, would not require a food license. Mr. Slutts then stated he intends at this time to have a couple portable bait vending machines. There will not be a permanent building on the property and he will not remove the limestone bluff on the property. Member Yutesler questioned what will be used for the septic system. Again, it was noted that a holding tank will be used. La Rue stated Mr. Slutts will keep track of the usage and he will provide records regarding water in and out. Mr. Slutts stated they will have the tank pumped several times during the summer months. They will figure something out if they are open during the winter months. He stated they will have the well on the property checked and tested. Chairperson Brown then informed the new member that the commission will be making a recommendation on the Special Use Permit which will be reviewed annually by the Board of Adjustment.

After discussion, Schuett made a motion to recommend approval of the Special Use Permit request to the Cedar County Board of Adjustment. Yutesler seconded the motion. Ayes all.

Minutes from the last meeting held on November 15, 2017, were previously sent to the members. Member Klein pointed out a few needed corrections to be made. Dornfeld then made a motion to approve the minutes with the corrections. Yutesler seconded the motion. Ayes all.

Zoning Administrator La Rue then informed the members that the Steering Committee for the Land Use Plan held a meeting on January 4, 2018. He stated he would like the members to see the report from the students at the University of Iowa on the workshops and small group discussions as part of the Land Use Plan and Comprehensive Plan re-write. He requested the members e-mail addresses so he could send them a draft of the Land Use Plan. La Rue stated he thinks the students have done a good job. Chairperson Brown felt that the students were very honest and constructive. He asked if the members had any ideas as to what recommendations they would like to be submitted to the Steering Committee.

Zoning Administrator La Rue then introduced the Commission's new member, Brett Eggert. Mr. Eggert stated he has lived in Tipton his whole life and runs the grain elevator and trucking business out of Bennett.

Chairperson Brown stated that at the start of every year they elect new officers. He stated he has been the chairperson for a number of years and feels that for the health of the organization, they need to shift the Chairperson position to someone else. He informed the members he had talked to member Yutesler about becoming the new Chairperson. Therefore, he wanted the Commission to open up nominations for a new Chairperson. Schuett stated if Jody Yutesler was interested, he would nominate her. Kohrt seconded. Schuett then made a motion that nominations cease. Kohrt seconded. All members were in favor of Yutesler being Chairperson. Yutesler then nominated Doug Klein as Vice-Chairperson. Schuett seconded. Yutesler moved that nominations cease. Schuett seconded. All members were in favor of Klein being Vice-Chairperson.

Chairperson Yutesler then asked for a motion to adjourn. Brown made the motion with Kohrt seconding. Ayes all. Meeting adjourned at 7:20 p.m.

Chairperson
Joel Brown

Secretary
Sharon Laucamp

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

January 5, 2018

LEGAL NOTICE

The Cedar County Planning and Zoning Commission has been petitioned to conduct a Public Hearing on Wednesday, January 17, 2018, at 6:30 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa.

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

1. **Todd and Jennifer Walker, 609 Orange Street, West Branch, IA and Ray Slach, 23 326th Street, West Branch, IA, (Owner)** - Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential District for the purpose of constructing a single family dwelling on property located at Lot 1, Albaugh Acres, in the SE ¼, SW ¼, Section 32, T-80N, R-4W, in Gower Township, consisting of 2.11 acres m/l.
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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 1/9/18 to the following:

1. Todd & Jennifer Walker – 609 Orange Street, West Branch, IA 52358 – **Certified**
2. Ray & Nancy Slach – 23 326th Street, West Branch, IA 52358
3. William & Anita Starr – 125 280th Street, West Branch, IA 52358
4. Hames Manufactured Homes – P.O. Box 217, Marion, Iowa 52302-0217
5. Bethany Simon – 920 15th St., International Falls, MN 56649-2837

1. Kevin Slutts – 108 West Rochester Rd., Atalissa, IA 52720 – **Certified**
2. Dennis Martin – 170 W. Rochester Ave., Atalissa, IA 52720
3. Tim Hahn – 149 W. Rochester Ave., Atalissa, IA 52720
4. Catharine Siders – 143 W. Rochester Ave., Atalissa, Iowa 52720
5. George Domer – 141 W. Rochester Ave., Atalissa, Iowa 52720

Copy e-mailed to Tipton Conservative on 1/8/18 for The Tipton Conservative

Copy e-mailed to West Branch Times on 1/8/18

7 Zoning Commission members on 1/9/18

Copy e-mailed to Rob Fangmann, County Engineer, on 1/5/18

2 File Copies

1 Bulletin Board Copy