



Tel: 563-886-2248

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

Tipton, Iowa 52772

December 11, 2018

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

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

**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, 2018

**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 filed.

**HAPPY THANKSGIVING!!**

Sincerely,

Phil La Rue  
Zoning Administrator

PL:sl

Board of Adjustment 10/25/18

Bruce Beikford  
Curt Kiff  
Stephen Campbell  
Barbara Campbell

Judith Spencer

Rick King

Chuck Hoy

Phil Saffine

Sharon Laucamp

Douglas Bell

Bill Lender

## CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES

October 25, 2018

The Cedar County Board of Adjustment conducted a Public Hearing on Thursday, October 25, 2018, in the Large Meeting Room of the Courthouse, Tipton, Iowa. Members present were Beyer, Goerdt, Hoy, Lenker and Twing.

Chairperson Hoy called the meeting to order at 3:00 p.m. Minutes from the previous meeting held on August 23, 2018, were previously sent to the members. They were approved as presented. The Board then considered the following petition:

1. **Douglas Bell, 309 Cedar Street, West Branch, Iowa (Tenant) and Jim and Ruth Oxley, RFD, West Liberty, Iowa (Owners)** - Requesting a Home Occupation Permit for the purpose of authorizing the location of a firearms repair/gunsmithing business on the property at 309 Cedar Street, described as Lot 10, Block 13, SE 1/4, SE 1/4 Section 30, T-79N, R-4W, Springdale Township, in the unincorporated town of Downey.

Zoning Administrator La Rue informed the members that verbal objections had been received by his office. There was also a petition received which was signed by 22 people and another with 2 names not to grant the request. La Rue also stated he had received one letter of support.

Petitioner Doug Bell was present and explained to the Board members that he wants to re-open his gunsmithing business. He stated he has been in business for the last 36 years and has never had a problem. He stated he has had federal inspections and is federally licensed. He informed the members that if he has to test fire any guns, he goes to the North Liberty Gun Club and other shooting ranges. He stated that gunsmithing is perfectly safe. There is no machinery, no noise and no adverse parking. He stated everything would be by appointment. He stated he started the business in 1982 after being disabled by a back injury. He stated he has never had any problems in the past 36 years in Johnson County, Iowa City or in the City of Oxford. La Rue stated he had talked with the City Clerk of Oxford who informed him that Mr. Bell did not need a permit for his business and she had not received any complaints. La Rue also stated that Home Occupation Permits are permitted in the R-2 District and subject to annual review. A letter received from County Engineer, Rob Fangmann, stated the property is located along Cedar Street and should have minimal impact on the existing infrastructure. The letter also stated customers are to utilize the alley in order to keep traffic congestion from occurring along Cedar Street. It also stated Cedar County does not maintain alleys in unincorporated towns in Cedar County and maintenance of said alleys falls upon the property owners that utilize them. La Rue then asked Mr. Bell if he would be selling firearms or just repairing them. Mr. Bell stated he has not sold any firearms since 2015 and has been doing gunsmithing exclusively since 2015. Chairperson Hoy asked Mr. Bell if he had a gun safe to store the guns in if the customer can not return the same day as they dropped them off. Mr. Bell stated he does have a secure area to store the guns inside the mobile home. Kurt Kiefer stated his concern of safety in Mr. Bell's mobile home and feels the trailer is not conducive to a firearms business. Mr. Kiefer stated he is not opposed to small businesses but he does not want a gun shop in the small town of Downey. He also questioned the septic system on the property. La Rue stated the system was designed to have two mobile

homes on one septic system. Member Beyer questioned how Mr. Bell can make the mobile home secure. Mr. Bell stated he does not want to be real specific but he does have a safe in the mobile home. He also stated he has not put in any electronic security system but is looking into it. He stated when he is not there, the doors are shut and locked. Member Twing asked if his clientele will be repeat customers or new customers and how he would advertise. Mr. Bell stated most of his advertising is by word of mouth and the repeat and new customers are about 50/50. Member Beyer asked if the safe is bolted to the floor. Mr. Bell stated it is. He also stated there is not much to steal because he doesn't sell guns. Member Beyer asked how many clients are expected. Mr. Bell stated it depends on the season. During hunting season he may have more clients than the rest of the time. Again he stated he does not advertise. Member Goerdt asked if he has ammunition and expressed her concern of a fire as she is a volunteer fire fighter. Mr. Bell stated he does have limited ammunition but does not sell it. He also stated ammunition is not dangerous in a fire. He informed the members there will be no test firing on site. There are three public shooting ranges which he uses. He stated he has never had a break-in and has never needed to call the police. He also stated ammunition, when not contained in a firearm, is no more dangerous than a firecracker going off. Kurt Kiefer asked Mr. Bell if people could buy guns under his license and have them shipped to his house. Mr. Bell stated he has never done that. Barb Campbell stated that Downey has no police or fire department so response time would be longer. She also expressed her concern about past neighbors, septic issues and parking in the alley. La Rue then read part of the County Engineer's letter regarding parking. La Rue stated the County Engineer does request that Mr. Bell's clients do not park on the street and use the alley. Mr. Bell stated he does not know anything about past renters and that he is the guy who moved in after that. He stated he is the guy that gets drug tested, has the license and is the guy who is federally inspected. He also stated he has previously been federally inspected and no problems were noted. Member Twing asked if in the last 36 years he had any trouble dealing with customers. Mr. Bell stated he has not. Barb Campbell asked Mr. Bell the reason he left his last residence. Bell stated his landlady was elderly and wanted to sell the property. He stated he previously rented for 7 years in Oxford, 10 years in Coralville and many years in Iowa City. He stated he has always been a renter. He also stated his past neighbors were in support of his business. Member Beyer asked if they granted the permit if they could restrict that Mr. Bell can not use his federal license to receive guns that people have purchased elsewhere. La Rue stated he felt that it is very appropriate to restrict it simply to repair. Mr. Bell stated he has not sold a gun for 3 years. La Rue stated Mr. Bell, under federal law, is required to write down serial numbers of all firearms received for repair or work and those records are reviewed during an annual inspection. Mr. Bell stated that he is required by federal law to write down the serial number, make, model, caliber, semi-automatic, etc. La Rue stated the Board of Adjustment does have the power to require restrictions including annual review.

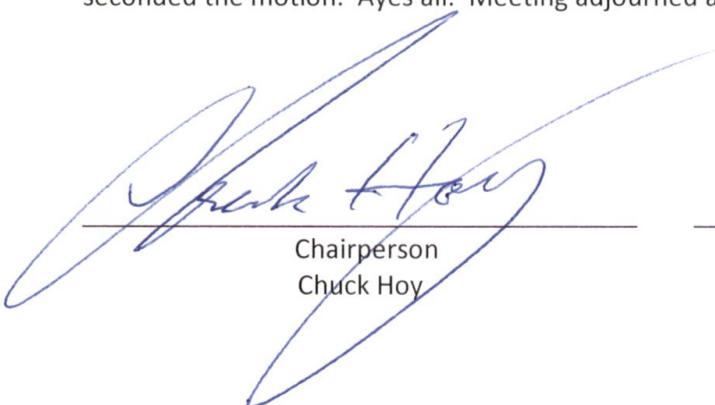
Member Beyer then made a motion to grant the Home Occupation Permit for the purpose of gunsmithing with the restriction that there be no firearm transfers facilitated or sales, that a security system be set up in place to the satisfaction of the ATF and is subject to annual review by the Board of Adjustment. Mr. Bell stated he is in agreement.

Member Twing asked about Mr. Bell's hours of operation. Mr. Bell stated it is by appointment and only during business hours. La Rue informed Mr. Bell that the H.O.P. is not transferable to another person or location. Twing also asked what Mr. Bell would do if a customer comes back to accept the finished product which is functional now and decides he does not want to pay. Mr. Bell stated he would keep the gun. He also stated he has never had an unruly customer. Mr.

Kiefer stated he is not targeting him but he just does not want this business in the small town. Mr. Bell stated he feels he is being smeared because of the guy in the mobile home ahead of him. Mr. Kiefer again stated a mobile home is not suited for this type of business.

After further discussion, Mr. Bell requested that the Board of Adjustment grant the permit with restrictions. Member Lenker then seconded the motion previously made by Member Beyer. Ayes all.

With no additional business to be discussed at this time, Beyer made a motion to adjourn. Twing seconded the motion. Ayes all. Meeting adjourned at 4:15 p.m.



Chairperson  
Chuck Hoy



Secretary  
Sharon Laucamp



Tel: 563-886-2248

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

Tipton, Iowa 52772

October 5, 2018

**LEGAL NOTICE**

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, October 25, 2018, 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. **Douglas Bell, 309 Cedar Street, West Branch, Iowa (Tenant) and Jim and Ruth Oxley, RFD, West Liberty, Iowa (Owners)** - Requesting a Home Occupation Permit for the purpose of authorizing the location of a firearms repair/gunsmithing business on the property at 309 Cedar Street, described as Lots 9 and 10, Block 13, SE 1/4, SE 1/4 Section 30, T-79N, R-4W, Springdale Township, in the unincorporated town of Downey..

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



Phil LaRue  
Zoning Administrator

Copies sent out on 10/9/18 to the following:

1. Douglas Bell – 309 Cedar Street, West Branch, IA 52358 – **Certified**
2. Jim & Ruth Oxley – 250 Buckeye Rd., West Liberty, IA 52776
3. June G. Hamer – 209 Broadway St., West Branch, IA 52358
4. Michelle L. Walsh – 201 Broadway St., West Branch, IA 52358
5. Clifford W. Bell – 310 Front St., West Branch, IA 52358
6. Georgia A. Elliott Rev. Trust - % Andrew Elliott, 247 W. Rochester Ave., Atalissa, IA 52720
7. Timmy Lee Rex – 308 Cedar Street, West Branch, IA 52358
8. Delbert L. & Sue Ann Hughes – 2280 Baker Avenue, West Branch, IA 52358
9. Mitchell & Lynette M. Poula – 2274 Baker Avenue, West Branch, IA 52358
10. Betty C. Burton - 108 Walnut Drive, West Branch, IA 52358
11. Randolph D. & Rebecca J. Oaks – 2277 Adams Street, West Branch, IA 52358
12. Mad Tim Enterprises LLC – 308 Cedar Street, West Branch, IA 52358
13. Jane D. Simmons – 305 Cedar Street, West Branch, IA 52358
14. Downey Baptist Church - % Mary Ann Meder, 347 S. Maple Street, West Branch, IA 52358
15. Iowa Interstate Railroad Ltd. – 5900 6<sup>th</sup> St. SW, Cedar Rapids, IA 52404-4804
16. James & Ruth Ann Oxley – 250 Buckeye Rd., West Liberty, IA 52776
17. Seth L. & Amy M. Godspeed – 310 Cedar Street, West Branch, IA 52358
18. Curtis L. & Suzanne R. Kieffer – 2297 Baker Avenue, West Branch, IA 52358
19. Jenna J. Alberhasky – 305 Broadway Street, West Branch, IA 52358
20. Christopher W. McCreedy – 204 Dillon Street, West Branch, IA 52358
21. Kathryn A. Ryan – 212 Broadway Street, West Branch, IA 52358
22. Betty C. Burton – 108 Walnut Dr., West Branch, IA 52358
23. Colony Enterprises - % Calvin Colony, 2474 285<sup>th</sup> St. NW, Tiffin, IA 52340-9398
24. Kurt D. Kaeser & Misty L. Johnson – 211 Dillon Street, West Branch, IA 52358
25. Shelley Sharp Et Ali - % Hertz Farm Management, P.O. Box 500, Nevada, IA 50201-0500
26. Bobby J. & Jeanne M. Stubbs – 319 Broadway, West Branch, IA 52358
27. Brenda K. Kunkel – P.O. Box 59A, West Branch, IA 52358
28. Diane C. Elliott – 103 Walnut Dr., West Branch, IA 52358
29. James D. & Ruth Ann Oxley – 250 Buckeye Road, West Liberty, IA 52776
30. Iowa Network Services, Inc. – 7760 Office Plaza Drive South, Attn: Property Taxes, W. Des Moines, IA 50266-2336
31. Austin & Rachel Richards – 301 Cedar Street, West Branch, IA 52358
32. Mary Lou Brendel & Bruce Hoaglin – 313 Broadway Street, West Branch, IA 52358
33. Bruce & Larissa Bickford – 2302 Baker Avenue, West Branch, IA 52358
34. Erin E. & Jordan W. Willits – 314 Cedar Street, West Branch, IA 52358
35. Mitchell A. & Dawn M. Brandt – 2295 Baker Avenue, West Branch, IA 52358
36. Paul M. & Peggy L. O’Neil – P.O. Box 234, West Branch, IA 52358
37. Stephen L. & Barbara A. Campbell – 313 Cedar Street, West Branch, IA 52358
38. South View Subdivision – Homeowners Association, 2295 Baker Ave., West Branch, IA 52358
39. John J. Walsh – 205 Cedar Street, West Branch, IA 52358
40. Clifford W. Bell – 310 Front Street, West Branch, IA 52358
41. Cedar County – 400 Cedar Street, Tipton, IA 52772

5 Board of Adjustment members on 10/9/18

Copy e-mailed to Tipton Conservative on 10/8/18 for The Tipton Conservative

Copy e-mailed to West Branch Times on 10/8/18

Copy e-mailed to Rob Fangmann, County Engineer, on 10/8/18

2 File Copies & 1 Bulletin Board Copy



Tel: 563-886-2248

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

September 7, 2018

**LEGAL NOTICE**

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, September 27, 2018, 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. **Larry Lynch, 1967 Baker Avenue, West Branch, Iowa (Owner)** – Requesting a variance of the required side yard setback in accordance with Chapter 11E(1), C-2 Highway Commercial District, of the Cedar County Zoning Ordinance, Number 10, for the purpose of replacing the existing building(s) at 108 STE 1 & 2, W Tidewater Drive, West Branch, IA, located in the NE  $\frac{1}{4}$ , SE  $\frac{1}{4}$ , Section 7, T-79N, R-4W, Springdale Township, consisting of 0.568 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 9/12/18 to the following:

1. Larry Lynch – 1967 Baker Ave., West Branch, IA 52358 – **Certified**
2. Kenneth Keith Noel – 169 290<sup>th</sup> Street, West Branch, IA 52358
3. Old School Transport Inc. – P.O. Box 520, Solon, Iowa 52333
4. Cynthia Bohnenkamp – 107 W. Tidewater Dr., West Branch, IA 52358
5. Willis Lawrence LLC – 500 Alruby Circle, Hills, Iowa 52235
6. Raymond Barnes – 133 Oliphant St., West Branch, Iowa 52358
7. Weismann Family Trust – 409 W. Orange St., West Branch, IA 52358
8. Rummells Farms, Inc. - % Hertz Farm Management, P.O. Box 50, Mt. Vernon, IA 52314
9. Dale Lynch Revocable Trust – 1967 Baker Avenue, West Branch, IA 52358
10. Gary Slach – 200 Ridge View Dr., West Branch, IA 52358
11. Darrell & Nicki Brick – 170 290<sup>th</sup> Street, West Branch, IA 52358
12. Cole KG West Branch, IA, LLC – 6400 Westown Parkway, West Des Moines, IA 50266-4258
13. McDonald Real Estate Co. – One McDonalds Placa, Columbus, OH 43218-2571
14. Lynn Jr. & Brenda Griebahn – 3590 Utah Ave. NE, Iowa City, IA 52240-8052
15. Karol Dykes – 172 Blue Bird Dr., Crossville, TN 28571-2572

Copy e-mailed to Tipton Conservative on 9/10/18 for The Tipton Conservative

Copy e-mailed to West Branch Times on 9/10/18

Copy e-mailed to Rob Fangmann, County Engineer, on 9/12/18

2 File Copies

1 Bulletin Board Copy

Gay Penningroth

Appointed to B of A  
in November 1993  
Attended his 1st  
mtg. on 4/13/94  
Resigned in 12/15  
22 years

Claudia Beyer

Appointed to B of A  
in August 1991  
Attended her 1st  
mtg. on 1/22/92  
Became Chairperson  
in 9/1997 25 years  
so far

Chuck Hay

Appointed to B of A  
in Sept. 1995  
Attended his 1st  
mtg. on 11/1/95  
20 years so far

Forest Johnson

Appointed to B of A  
in Sept. 1985  
Attended his 1st  
mtg. on 9/30/1985  
Resigned in 12/2012  
27 years  
Appointed Chairperson  
in Feb., 1992

Bill Henker

Appointed to B of A  
in June 1994  
Attended his 1st  
mtg. on 7/13/94  
22 years so far

Laura Turing

Appointed to B of A  
in Feb. 2013  
took Forest Johnson's  
place.

Attended 1st mtg.  
on 5/23/13

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

August 23, 2018

The Cedar County Board of Adjustment conducted a Public Hearing on Thursday, August 23, 2018, in the large meeting room of the Courthouse, Tipton, IA. Members present were Beyer, Goerdt, Hoy, Lenker, Twing, and Zoning Administrator LaRue.

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

- 1. Mark and Cheryl Kroeger, 1007 W. Hickory Ct., Eldridge, IA (Contract Buyers)** - Requesting a Special Use Permit for the purpose of authorizing the location of a dog boarding kennel at 2051 Highway 927, Wilton, Iowa, on property described as Parcel "A", located in the NE ¼, SW ¼, and the NW ¼, SE ¼, Section 33, T-79N, R1W, in Farmington Township, consisting of 5.00 acres more or less. Said property is currently zoned A-1 Agricultural and R-1 Suburban Residential.

Zoning Administrator LaRue stated that there are no written objections on file, but that the office manager, Sharon Laucamp, had informed him of a potential objection by the adjoining property owner, Jeff Graves. She stated that Mr. Graves had commented on the use of the easement access to the property and the problems with the existing dog kennel currently at this property. Mr. Graves was not present at the Public Hearing. La Rue then advised the Board to consider this petition in accordance with Chapter 5D, A-1 Agricultural District Regulations and Chapter 17.18(2) of the Cedar County Zoning Ordinance, Number 10.

Petitioners Mark and Cheryl Kroeger (Contract Buyers) were present, as were the property owners, Dennis and Lisa Morey (SUP #54-04). Mr. and Mrs. Kroeger explained their plans to continue the dog boarding kennel business at this property which is well supported by loyal customers from the surrounding area. Cheryl Kroeger explained that they have met with the Iowa Department of Agriculture and Land Stewardship (IDALS) and have been approved with the possibility to expand from the current space for twenty five dogs to up to forty animals with additional indoor and outdoor kennels and outside exercise pens. Expansion of the kennel is proposed due to requests by customers of the Morey's requesting boarding of their animals and all kennels were occupied. The letter from County Engineer, Rob Fangmann, was reviewed. His letter stated he has no objections and the existing entrance has been approved for this location.

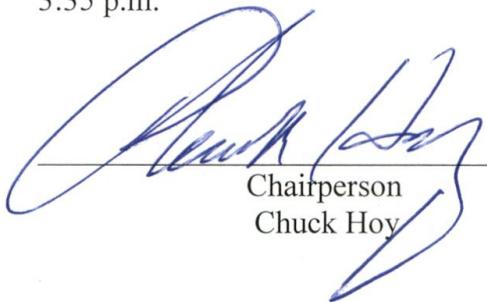
Twing asked about the dog breeding aspect of the business. Mrs. Kroeger stated it is being discussed but has not been decided upon. Beyer asked about the nature of the verbal objection received prior to the Public Hearing and the R-1 zoning district. LaRue explained that his department manager informed him that Mr. Graves came into the office

asking why he was not notified when the Morey's first petitioned for their SUP back in 2004, as he would have objected. The reason he was not notified in writing was because he was not a property owner within 750 feet of the proposed kennel property. Notification of the Hearing was published in newspapers on August 11, 2004, as per Ordinance requirements. As for the R-1 Suburban Residential District, it will be rezoned back to A-1, Agricultural District by the Cedar County Board of Supervisors as per the Conditional Zoning Agreement with the Morey's as Mrs. Morey's parents no longer reside there and the second dwelling has been removed. The Morey's have filed a document requesting the change in zoning back to Agricultural District as per the agreement with Cedar County.

With no further discussion, Twing made a motion to approve the request, subject to annual review, IDALS licensing and compliance, and to rescind the SUP for a commercial dog kennel currently held by Dennis and Lisa Morey. Lenker seconded the motion. Ayes: Beyer, Goerdt, Hoy, Lenker and Twing.

Minutes from the last meeting held on June 28, 2018, 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 3:35 p.m.



\_\_\_\_\_  
Chairperson  
Chuck Hoy



\_\_\_\_\_  
Secretary Pro-tem  
Phil LaRue

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

Tipton, Iowa 52772

August 6, 2018

**LEGAL NOTICE**

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, August 23, 2018, 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. **Mark and Cheryl Kroeger, 1007 W. Hickory Ct., Eldridge, IA (Contract Buyers) –**  
Requesting a Special Use Permit authorizing the location of a dog boarding kennel at 2051 Highway 927, Wilton, Iowa, located in Parcel A in the NE  $\frac{1}{4}$ , SW  $\frac{1}{4}$ , and the NW  $\frac{1}{4}$ , SE  $\frac{1}{4}$ , Section 33, 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.

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



Phil La Rue  
Zoning Administrator

Copies sent out on 8/7/18 to the following:

1. Mark and Cheryl Kroeger – 1007 W. Hickory Ct., Eldridge, IA **(Certified)**
2. Jeffrey Graves – P.O. Box 70, Durant, Iowa 52747

Copy e-mailed to Tipton Conservative on 8/7/18 for The Tipton Conservative

Copy e-mailed to Wilton Advocate on 8/7/18

Copy e-mailed to Rob Fangmann, County Engineer, on 8/8/18

2 File Copies

1 Bulletin Board Copy



Tel: 563-886-2248

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

Tipton, Iowa 52772

July 10, 2018

**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 filed.

Sincerely,

Phil La Rue  
Zoning Administrator

PL:sl

## CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES

June 28, 2018

The Cedar County Board of Adjustment conducted a Public Hearing on Thursday, June 28, 2018, in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa. Members present were Beyer, Goerdt, Lenker and Twing. Member absent was Hoy.

Chairperson Pro-tem Beyer called the meeting to order at 3:00 p.m. Minutes from the last meeting held on April 26, 2018, were previously sent to the members. They were approved by the members as presented.

The Board members then considered 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 the petition and advised them to do their review in accordance with Chapter 17.18(2) of the Cedar County Zoning Ordinance. He also informed them that the Cedar County Zoning Commission recommended approval of the Special Use Permit and recommended that the petitioner follow the County Engineer's requirements for materials. He stated he has a letter on file from County Engineer, Rob Fangmann.

Mr. Nevins was present and informed the members he wants to put up a shop to house a couple of dump trucks and semi which he uses for spreading ag lime and fertilizer for farmers. He stated there will be no commodities and the trucks would not come home loaded unless he needed rock at his house or if something breaks down where they can't get unloaded. He stated there will be a fuel tank on site. County Engineer, Rob Fangmann, was present and stated he is in favor of the request and wants to minimize heavier loads on the road to improve the roadway in the future. He stated it will be interesting in the future with the by-pass and what the traffic patterns will be. It was noted the building is not up yet and will be located in the A-1 district. Member Twing asked if he was currently doing the business and keeping the equipment somewhere else. Mr. Nevins stated he currently lives in Lisbon and his equipment is stored in town. The County Engineer stated since this business is allowed to operate with a Special Use Permit, it is reviewed every year. Mr. Nevins then stated he has no plans to grow. It was noted if anything changes, he will need to come back to the Board. Mr. Nevins stated no customers will come to his house unless to drop off a check. He also stated he does not want any signage because he does not want to draw attention to his business since it may be a few years before the house is built.

After a brief discussion, Lenker made a motion to grant the Special Use Permit subject to the requirement that he does not have loaded trucks stored at the property and also subject to annual review. Twing seconded the motion. Ayes all.

With no additional business to be discussed at this time, Goerdt made a motion to adjourn the meeting. Twing seconded the motion. Meeting adjourned at 3:15 p.m.

*Claudia Beyer*

---

Chairperson Pro-tem  
Claudia Beyer

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 Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, June 28, 2018, 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. **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.

Phil 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 33<sup>rd</sup> 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 – 83 135<sup>th</sup> Street, Lisbon, Iowa 52253
9. Alan Steven & Teresa Weets – 612 160<sup>th</sup> 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 – 10 138<sup>th</sup> 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



Tel: 563-886-2248

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

Tipton, Iowa 52772

May 8, 2018

**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 May because no petitions have been filed.

Sincerely,



Phil La Rue  
Zoning Administrator

PL:sl

## CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES

April 26, 2018

The Cedar County Board of Adjustment conducted a Public Hearing on Thursday, April 26, 2018, in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa. Members present were Beyer, Goerdt, Hoy, Lenker and Twing.

Chairperson Hoy called the meeting to order at 3:00 p.m. Minutes from the last meeting held on January 25, 2018, were previously sent to the members. One correction was suggested by member Beyer that "Ayes all" be added after the motion was made and seconded to approve the Home Occupation Permit request of Edward Bartels. The minutes were then approved with the correction to be made.

The Board members then considered the following petition:

- 1. Michelle Anderl and Lauren Herdrich, 1536 Hemmingway Lane, Iowa City, Iowa (Renters)**  
– Requesting a Special Use Permit authorizing the location of a dog boarding kennel, at 44 280<sup>th</sup> Street, West Branch, Iowa, located at Parcel "J", in the NE ¼, NW ¼, Section 6, T-79N, R-4W, in Springdale 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 to do their review of this Special Use Permit transferal in accordance with Chapter 17.18(2) of the Cedar County Zoning Ordinance. La Rue stated Carla Friis previously had a Special Use Permit at this property site for a dog boarding kennel. He informed the members that the Friis' sold the property, and therefore, they requested that their Special Use Permit be rescinded and transferred to the two petitioners.

Ms. Anderl and Ms. Herdrich were present and stated that there is currently a dog boarding facility there and they would be doing the exact same thing as Carla Friis had done. They will have overnight dog boarding only. They stated they do not live on the property and have a lease with the current owners. They stated they are aware of I.D.O.L.'s regulations.

Rob Fangmann, Cedar County Engineer, was present and stated if it is the same situation as it was when the Friis owned it, and they use the east entrance where the sign is, he has no problems with the request. The petitioners stated they are hoping to open June 15<sup>th</sup> and will have tier pricing structure depending on what type of boarding the customer wants (crate rooms at \$20/night, basic kennel runs at \$25/night and suites at \$35/night). They have previous experience in working with dogs.

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

Zoning Administrator La Rue then stated he had a letter on file from Carla Friis received March 12, 2018, stating that she was retiring from Double "C" Kennels and she would like the petitioners to take over the Special Use Permit. Twing then made a motion to rescind the S.U.P. which had previously been granted to her, effective immediately. Goerdt seconded the motion. Ayes all.

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

---

Chairperson  
Chuck Hoy

---

Secretary  
Sharon Laucamp

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

April 6, 2018

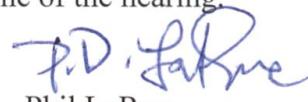
**LEGAL NOTICE**

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, April 26, 2018, 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. **Michelle Anderl and Lauren Herdrich, 1536 Hemmingway Lane, Iowa City, Iowa (Renters)** – Requesting a Special Use Permit authorizing the location of a dog boarding kennel at 44 280<sup>th</sup> Street, West Branch, Iowa, located in Parcel "J", in the NE ¼, NW ¼, Section 6, T-79N, R-4W, in Springdale Township. Said property is currently zoned A-1, Agricultural District.

At said Public Hearing, any person present, and so wishing, will be given the opportunity to be heard, for or against, said 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 4/10/18 to the following:

1. Michelle Anderl & Lauren Herdrich – 1536 Hemmingway Lane, Iowa City, IA 52240 – **Certified**
2. James & Renee Thompson – 44 280<sup>th</sup> Street, West Branch, IA 52358
3. Broadview Acres Inc. – 292 290<sup>th</sup> Street, West Branch, IA 52358
4. Rebecca Black – 59 280<sup>th</sup> Street, West Branch, IA 52358
5. Linn Co. Rural Electric Cooperative Assoc. – 5695 REC Drive, Marion, Iowa 52302
6. Chase Catherine M. Trust – Hills Bank & Trust Co., 1401 S. Gilbert, Iowa City, Iowa 52240

Copy e-mailed to Tipton Conservative on 4/9/18 for The Tipton Conservative

Copy e-mailed to West Branch Times on 4/9/18

5 Board of Adjustment members on 4/10/18

Copy e-mailed to County Engineer on 4/10/18

2 File Copies

1 Bulletin Board Copy



Tel: 563-886-2248

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

Tipton, Iowa 52772

March 5, 2018

**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 filed.

Sincerely,

Phil La Rue  
Zoning Administrator

PL:sl



Tel: 563-886-2248

Tipton, Iowa 52772

February 6, 2018

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

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

Sincerely,

Paul

Phil La Rue  
Zoning Administrator

PL:sl

## CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES

January 25, 2018

The Cedar County Board of Adjustment conducted a Public Hearing on Thursday, January 25, 2018, in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa. Members present were Hoy, Lenker, Beyer and Goerdt. Member absent was Twing.

Chairperson Hoy called the meeting to order at 3:00 p.m. Minutes from the last meeting held on October 26, 2017, were previously sent to the members. Goerdt made a motion to approve the minutes as presented. Lenker seconded the motion. Ayes all.

The Board members then considered the following petitions:

1. **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, and a variance of the required front yard setback 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 to do their review in accordance with Chapter 17.18(2,3) of the Cedar County Zoning Ordinance. An additional letter received from the County Engineer stated he does not want to see any parking on the road. He does not foresee any issues with Mr. Slutts plan, but in the event something would arise in regards to the road, he will address the situation with him directly. In the unlikely event the situation wouldn't be resolved at this time, he would come back to the Board of Adjustment to address his concerns and recommend rescinding the Special Use Permit.

Mr. Slutts informed the members he purchased the property about a year ago. He explained the pictures and diagrams of the property. He stated he will position the building so it is out of the county right-of-way and not up against the bluff on the other side. He informed the members they have been cleaning up the area and have removed several buildings. He presented a picture showing the 14' x 24' portable building he plans to put on the property. He will keep it on skids. The building will have a showroom and office and will have a handicap accessible restroom in it when it is delivered. Mr. Slutts stated the property did not flood in 2008. He also stated he had formulated a feasibility study. He is also looking into some sort of solar power. La Rue stated there is a waste holding tank on the property which will be utilized. He stated he will require they meter the water going in and keep records of pumping. There is currently a well on the property. Mr. Slutts stated he will make sure the water quality is good. La Rue asked what Mr. Slutts thought his setback would be. Mr. Slutts stated the setback would be close to the road right-of-way. He also does not want the building right up against the limestone bluff. It was noted he potentially needs a variance of 49 feet which would put the building one foot from the road right-of-way. Member Beyer asked if a temporary variance could be granted with the S.U.P. Chairperson Hoy questioned

if there would be enough room for turn around for a truck and boat. Mr. Slutts stated there is a lot next door which they could back into but the turn around point would be up by the sandpit or at the end of the dead end road. It was noted if there are parking problems, they will be addressed to the County Engineer.

After a brief discussion, Beyer made a motion to grant the Special Use Permit authorizing the location of a bait shop and also a temporary variance of 49' of the front yard setback requirement to exist as long as the S.U.P. is in effect. The S.U.P. is also subject to annual review. Lenker seconded the motion. Ayes all.

2. **Bradley Reinhard, 1049 305<sup>th</sup> Street, Atalissa, IA (Owner)** – Requesting a Home Occupation/ Home Industry Permit for the purpose of authorizing the location of a firearms sales, service and repair business at the above address located in Parcel "H" in the NW ¼, SE ¼, Section 14, T-79N, R-3W, in 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 to do their review in accordance with Chapter 15 of Cedar County Zoning Ordinance #10.

Mr. Reinhard was present and informed the members he has been a police officer in Iowa City for the last 6 years and has been in law enforcement for 15 years. He has been involved in the firearms program. He stated he hopes this proposed business would help him get out of overtime and nights since he is getting older. He stated he has an existing building on the property which he will use about half of it for the business. He also stated it is a hundred and some yards off the roadway. He stated there will be no shooting on the property. He also stated the Board's approval is necessary to be able to apply for a federal firearms license. Chairperson Hoy asked if the building will be secured. Mr. Reinhard stated that part of the building has been framed out already, it is locked and deadbolted and there are three doors to get to the area where the firearms will be stored. A safe will be installed and there will be a monitored alarm system. Mr. Reinhard stated he is familiar with the requirements regarding signage for the business but he does not want any advertising sign. Member Goerdt asked if he is going to have a sign on the storage building stating there are firearms within in case of a fire. Mr. Reinhard stated he will have a sign and the local fire department is aware of it as well.

After further discussion, Lenker made a motion to approve the the HO/HIP request subject to annual review. Goerdt seconded the motion. Ayes all.

3. **Edward Bartels, 224 Meadowview Drive, Lisbon, IA (Owner)** – Requesting a Home Occupation Permit for the purposes of authorizing a Professional Engineering and Surveying business at the above address located in Lot 4, Meadowview Acres, in the NE ¼, NW ¼, Section 18, T-82N, R-4W, in Pioneer Township. Said property is currently zoned R-1, Suburban Residential.

Zoning Administrator La Rue informed the members there were no written or verbal objections on file and advised them to do their review in accordance with Chapter 15 of Cedar County Zoning Ordinance #10. He stated the Suburban Residential regulations do also allow Home Occupation Permits. He stated that one of Mr. Bartel's neighbors has a photography business which is reviewed annually.

Mr. Bartels was present and stated he is currently the Assistant County Engineer in Johnson County. He stated he has about 10 years left to go. He also stated what he is planning to do with this business is to start his retirement a little early. He stated no one will be coming to his house and the business will be very low key. La Rue stated this property is located outside of the Highway 30 reconstruction project.

After a brief discussion, Beyer made a motion to approve the Home Occupation Permit request subject to annual review. Lenker seconded the motion. Ayes all.

With no further business to be discussed at this time, Beyer made a motion to adjourn. Lenker seconded the motion. Ayes all. Meeting adjourned at 3:28 p.m.

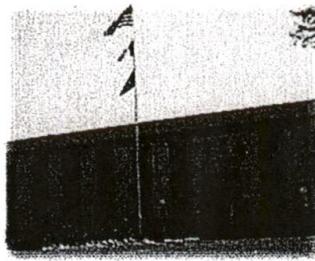
---

Chairperson  
Chuck Hoy

---

Secretary  
Sharon Laucamp

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](mailto:bos@cedarcounty.org)  
[www.cedarcounty.org](http://www.cedarcounty.org)



**COPY**

January 2, 2018

Chuck Hoy  
606 E Oak Street  
Mechanicsville, Iowa 52306

Dear Mr. Hoy:

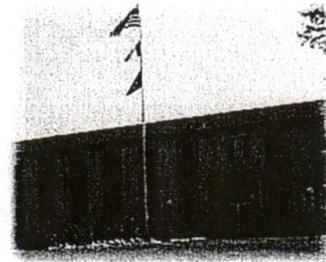
Please be advised, that by motion of this Board on January 2, 2018, you were reappointed to a five-year term on the Zoning Board of Adjustment. The term will expire 12-31-2022. Your willingness to serve on this Board is greatly appreciated.

Sincerely,

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

Dawn Smith, Chairperson

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](mailto:bos@cedarcounty.org)  
[www.cedarcounty.org](http://www.cedarcounty.org)



**COPY**

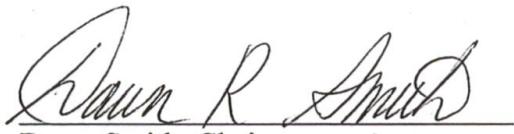
January 2, 2018

Laura Twing  
467 – 210<sup>th</sup> Street  
Tipton, Iowa 52772

Dear Laura:

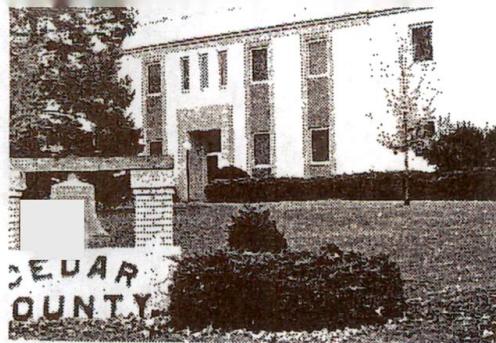
Please be advised, that by motion of this Board on January 2, 2018 you were appointed to fill a five-year term on the Zoning Board of Adjustment. The term will expire 12-31-2022. Your willingness to serve on this Board is greatly appreciated.

Sincerely,



Dawn R. Smith  
Dawn Smith, Chairperson

COBY



Tel: 563-886-2248

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

Tipton, Iowa 52772

January 5, 2018

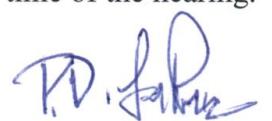
**LEGAL NOTICE**

The Cedar County Board of Adjustment has been petitioned to conduct a Public Hearing on Thursday, January 25, 2018, 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. **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, and a variance of the required front yard setback on property described as Lots 9 and 10, in the SW  $\frac{1}{4}$ , SW  $\frac{1}{4}$ , Section 2, T-79N, R-3W, Iowa Township. Said property is currently zoned A-1, Agricultural District.
2. **Bradley Reinhard, 1049 305<sup>th</sup> Street, Atalissa, IA (Owner)** – Requesting a Home Occupation/ Home Industry Permit for the purpose of authorizing the location of a firearms sales, service and repair business at the above address located in Parcel "H" in the NW  $\frac{1}{4}$ , SE  $\frac{1}{4}$ , Section 14, T-79N, R-3W, in Iowa Township. Said property is currently zoned A-1, Agricultural District.
3. **Edward Bartels, 224 Meadowview Drive, Lisbon, IA (Owner)** – Requesting a Home Occupation Permit for the purposes of authorizing a Professional Engineering and Surveying business at the above address located in Lot 4, Meadowview Acres, in the NE  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , Section 18, T-82N, R-4W, in Pioneer Township. Said property is currently zoned R-1, Suburban Residential.

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

---

1. Brad Reinhard – 1049 305<sup>th</sup> St., Atalissa, IA 52720 – **Hand delivered by Phil to Stacy Kula**
2. Leonard & Darlene Eichelberger – 2094 Atalissa Road, Atalissa, Iowa 52720
3. Donald Rathjen Jr. – 1050 305<sup>th</sup> St., Atalissa, IA 52720
4. Raymond Hartz – 1051 305<sup>th</sup> St., Atalissa, IA 52720
5. Iowa Dept. of Transportation – ROW Office, 800 Lincoln Way, Ames, Iowa 50010

---

1. Ed Bartels – 224 Meadowview Dr., Lisbon, Iowa 52253 – **Sent regular mail per his request**
2. Scott Wendler – 88 Adams Ave., Lisbon, IA 52253
3. Scott Wendler, T. Herrli, A. Wendler & WAG Inc., Peter & Margo Greiner Family Trust – 88 Adams Avenue, Lisbon, Iowa 52255
4. Iowa Dept. of Transportation – ROW Office, 800 Lincoln Way, Ames, Iowa 50010
5. Terri Sedenka & Richard Schumacher – 228 Meadowview Drive, Lisbon, Iowa 52253
6. Joe & Carolyn Kilburg – 232 Meadowview Dr., Lisbon, Iowa 52253
7. Paul Erickson – 208 Meadowview Dr., Lisbon, Iowa 52253
8. David & Marcia Sawatzky – 216 Meadowview Dr., Lisbon, IA 52253
9. Don & Gayle Palmer – 212 Meadowview Dr., Lisbon, Iowa 52253
10. Greg & Regina Butteris – 210 Meadowview Dr., Lisbon, IA 52253
11. Gary & Linda Ellerbach – 204 Meadowview Dr., Lisbon, Iowa 52253
12. David & Tammi Paulsen – 200 Meadowview Dr., Lisbon, Iowa 52253
13. John McPhail – 218 Adams Ave., Lisbon, IA 52253

---

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

Copy e-mailed to Mount Vernon/Lisbon Sun on 1/8/18

5 Board of Adjustment members on 1/9/18

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

2 File Copies

1 Bulletin Board Copy