



**OFFICE OF THE PLANNING AND ZONING
ADMINISTRATOR**
Cedar County Courthouse
400 Cedar Street
Tipton, IA 52772
Phone: (563)886-2248
Fax: (563)886-2103

December 3, 2021

PUBLIC NOTICE

The Cedar County Planning & Zoning Commission will be conducting a Public Hearing on Wednesday, December 15, 2021, at 6:30 p.m., in the Large Meeting Room, in the basement of the Cedar County Courthouse, Tipton, Iowa.

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

1. **Greg Brown, 104 Meadow Lane, Tipton, IA (Contract Buyer) and Joan Brown, 1111 173rd St., Stanwood, Iowa (Owner)** - Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential District for the purpose of allowing construction a single-family dwelling on property located in the NE $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 12, T-81N, R-3W, in Red Oak Township. Said petition is to rezone 1.40 acres m/l of a proposed lot consisting of 10.19 acres m/l.

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

Philip LaRue
Zoning Administrator

Notice mailed 12/07/21 to:

Emailed to Tipton Conservative on 12/03/21

Ronald E. Simpson Revocable Trust
Simpson Debra K Revocable Trust
2151 Indian Ave
West Liberty IA 52776

Emailed to Rob Fangman, Engineer on 12/07/21

Wayne Behrens Revocable Trust
Behrens Nanette Revoc Trust
2114 Atalissa Rd
Atalissa IA 52720

Donovan & Sara Yoder (CERTIFIED)
2185 Atalissa Rd
Atalissa IA 52720

All Board of Adjustment Members (3)

Joan Brown Revocable Trust
1099 173rd St
Stanwood IA 52337

Greg Brown (CERTIFIED)
104 Meadow Ln
Tipton, IA 52772

Dykstra Jeffrey & Cynthia J 3/4 &
Dykstra Denise R 1/4
1154 175th St
Stanwood IA 52337-9617

Dwight Hughes LLC
HERTZ FARM Management
415 S 11th St
PO Box 500
Nevada, IA 50201

Randy & Julie Kruse
1126 173rd St
Stanwood IA 52337-9618

All Zoning Commission Members

STATE OF IOWA, CEDAR COUNTY, ss:

I, Stuart S. Clark, publisher of The Tipton Conservative and Advertiser, a weekly newspaper of general circulation, published in said county, being duly sworn do declare and say that a notice, of which one hereto attached is a copy, was published in the said

Tipton Conservative and Advertiser once

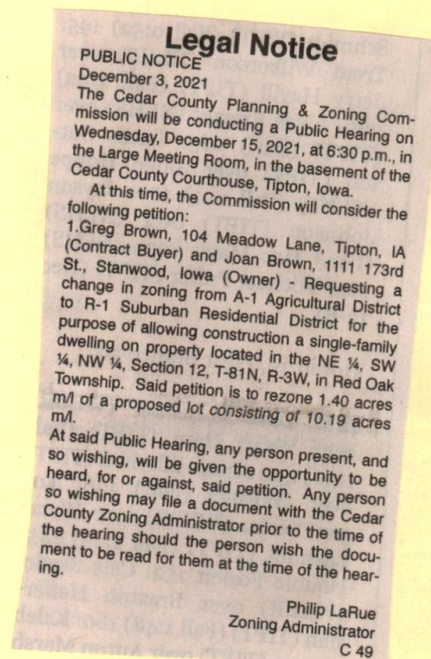
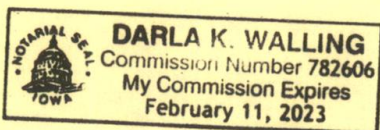
To wit on 12-8-21

Subscribed and sworn to before me this 10

Day of Dec A.D. 2021

Darla K Walling
Notary Public in and for Cedar County, Iowa

Printer's fee \$ 19.87





OFFICE OF THE CEDAR COUNTY ENGINEER
COURTHOUSE; 400 CEDAR ST.
TIPTON, IOWA 52772-1752
www.cedarcounty.iowa.gov

PHONE: (563) 886-6102

EMAIL: engineer@cedarcounty.org

December 8, 2021

Mr. Phil La Rue
Cedar County Zoning Administrator
400 Cedar Street
Tipton, IA 52772

Dear Phil:

You have requested comments on the possible road impacts caused by the proposed petitions to be considered at the Planning & Zoning Commission Public Hearing to be held on **December 15, 2021 at 6:30 p.m.** I will address the petition as listed on the legal notice.

- 1. Greg Brown, 104 Meadow Lane, Tipton, IA (Contract Buyer) and Joan Brown, 1111 173rd St., Stanwood, Iowa (Owner)** - Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential District for the purpose of allowing construction a single-family dwelling on property located in the NE $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 12, T-81N, R-3W, in Red Oak Township. Said petition is to rezone 1.40 acres m/l of a proposed lot consisting of 10.19 acres m/l.

This is located on gravel route 173rd St. and should have minimal impact on the existing infrastructure. An approved entrance permit is on file with my office.

Sincerely,

Robert D. Fangmann, P.E.
Cedar County Engineer

CEDAR COUNTY PLANNING AND ZONING PUBLIC HEARING

, 2021 - 6:30 P.M.

Dec 15
P.D. Jahn
Dorelle Axline
Dan T
Sandy Brown
Cassie Brown
Joan Brown
Wayne Brown
Jody Guterle
Jen Damm

CEDAR COUNTY PLANNING & ZONING COMMISSION MINUTES

December 15, 2021

The Cedar County Planning & Zoning Commission conducted a Public Hearing on Wednesday, December 15, 2021, at 6:30 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa. Members present were Chairperson Yutesler, Dornfeld, Twing and Crist. Absent were Klein & Brown .

Chairperson Yutesler called the meeting to order at 6:31 p.m. The members then reviewed the following petition:

1. **Greg Brown, 104 Meadow Lane, Tipton, IA (Contract Buyer) and Joan Brown, 1111 173rd St., Stanwood, Iowa (Owner)** - Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential District for the purpose of allowing construction a single-family dwelling on property located in the NE $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 12, T-81N, R-3W, in Red Oak Township. Said petition is to rezone 1.40 acres m/l of a proposed lot consisting of 10.19 acres m/l.

Zoning Administrator La Rue informed the members there were no written or verbal objections on file for this petition. He advised them to complete their review in accordance with Chapter 18.2(3) of Cedar County Zoning Ordinance No. 10 in making a recommendation to the Cedar County Board of Supervisors. A letter is on file from Stanwood Fire Department that they are able to provide service, but want the petitioner to provide an entrance that is at least 30 feet wide and continues all the way to the dwelling which is approximately 400 feet in length. Cedar County Engineer Rob Fangmann has provided a letter that the property is located on a gravel route and should have minimal impact on existing infrastructure. Soils are a Fayette clay of the 163C, D and F series. F series in the timber area. Limitations for septic are severe and may need an alternate system. Buildings are slight to moderate limitations on the slopes up to 9 percent and severe on the F series which are over 12 percent. Ag has severe limitations due to the amount of clay and slope. CSR is average is 53 which is what is recommended, but it is taking land out of production. Comprehensive Land Use Plan recommends against scattered residential development. Land is not on a hard surface road and nearby homes are farms. The only residential property is close to one quarter of a mile away. The only other rezoned property is on Hwy 30. The LESA score is 2,285 points which is a strong finding for preservation on the basis that this is under the minimum score of 2,999.

General discussion about sewer and wells and where on property the home will be placed occurred. The Browns shared they plan to build a single family home. They shared that the majority of their lives they have lived in the country and they are familiar and aware of the challenges rural living can have. Potential plans are to place a hoop building in addition to the home in order to assist their daughter with her flower business in Manchester Iowa. General discussion of how a farm in defined and the possibility of having to create a minor subdivision if this is approved occurred.

Crist presented a motion to approve the request as presented. Twing seconded the motion. No further discussion. Ayes: All

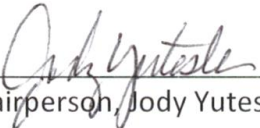
Administrator La Rue stated that he will go before the Board of Supervisors to request public hearing dates and petitioners will be notified of those hearing dates.


Minutes from the prior meeting held on October 19, 2021, were read by the members. Dornfeld made a motion to approve the minutes as written, Twing seconded the motion. Ayes: All

Administrator La Rue stated that there would be a petition for next month.

Motion to adjourn was made by Twing, seconded by Crist. Ayes: All

Meeting adjourned 7:02 PM.


Chairperson, Jody Yutesler


Secretary, Janelle Axline

CEDAR COUNTY AUDITOR & COMMISSIONER OF ELECTIONS
CARI A. DAUBER
Cedar County Courthouse
400 Cedar Street, Tipton, IA 52772
Telephone: (563)886-3168 Fax: (563)886-3339
cdauber@cedarcounty.org
www.cedarcounty.org



CEDAR COUNTY, IOWA

December 22, 2021

LEGAL NOTICE

PUBLIC NOTICE is hereby given that the Cedar County Board of Supervisors will be conducting a Public Hearing on Tuesday, January 4, 2022, at 11:30 a.m., and Tuesday, January 11, 2022, at 11:30 a.m., in the Board Meeting Room of the Cedar County Courthouse, Tipton, Iowa.

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

- 1. Greg Brown, 104 Meadow Lane, Tipton, IA (Contract Buyer) and Joan Brown, 1111 173rd St., Stanwood, Iowa (Owner)** - Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential District for the purpose of allowing construction a single-family dwelling on property located in the NE $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 12, T-81N, R-3W, in Red Oak Township. Said petition is to rezone 1.40 acres m/l of a proposed lot consisting of 10.19 acres m/l.

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

Cari Dauber
Cedar County Auditor

Emailed to Auditor Dauber, 12/22/21

Emailed to Tipton Conservative on 12/22/21

Notice mailed 12/23/21 to:

Joan Brown Revocable Trust
1099 173rd St
Stanwood IA 52337

Greg Brown (CERTIFIED)
104 Meadow Ln
Tipton, IA 52772

Dykstra Jeffrey & Cynthia J 3/4 &
Dykstra Denise R 1/4
1154 175th St
Stanwood IA 52337-9617

Dwight Hughes LLC
HERTZ FARM Management
415 S 11th St
PO Box 500
Nevada, IA 50201

Randy & Julie Kruse
1126 173rd St
Stanwood IA 52337-9618

NOTICE

Steve Agne, Chairperson
Carl A. Dauber, Auditor
C 52

T.C. 12-29-21
Legal Notice

December 22, 2021

PUBLIC NOTICE is hereby given that the Cedar County Board of Supervisors will be conducting a Public Hearing on Tuesday, January 4, 2022, at 11:30 a.m., and Tuesday, January 11, 2022, at 11:30 a.m., in the Board Meeting Room of the Cedar County Courthouse, Tipton, Iowa.

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

1. Greg Brown, 104 Meadow Lane, Tipton, IA (Contract Buyer) and Joan Brown, 1111 173rd St., Stanwood, Iowa (Owner) - Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential District for the purpose of allowing construction a single-family dwelling on property located in the NE $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 12, T-81N, R-3W, in Red Oak Township. Said petition is to rezone 1.40 acres m/l of a proposed lot consisting of 10.19 acres m/l.

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

Carl Dauber
Cedar County Auditor
C 52



OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR
Cedar County Courthouse
400 Cedar Street
Tipton, IA 52772
Phone: (563)886-2248
Fax: (563)886-2103
www.cedarcounty.org

November 10, 2021

TO: ALL 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.

Have a wonderful Thanksgiving!

Sincerely,

Phil La Rue
Zoning Administrator

PDL/bja



OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR

Cedar County Courthouse
400 Cedar Street
Tipton, IA 52772
Phone: (563)886-2248
Fax: (563)886-2103
www.cedarcounty.org

October 1, 2021

PUBLIC NOTICE

The Cedar County Planning & Zoning Commission will be conducting a Public Hearing on Wednesday, October 20, 2021, 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. **Timothy & Teresa Jamison, 250 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 allowing construction a single-family dwelling on property described as Lots 11 and 12, located in the SE $\frac{1}{4}$, NW $\frac{1}{4}$, Section 18, T-82N, R-4W, in Pioneer Township. Said petition is to rezone 1.38 acres m/l of the lot(s) consisting of 5.55 acres m/l.

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

Philip LaRue
Zoning Administrator

Emailed Legal Notices 10/01/2021 to:

Tipton Conservative and Durant Sun

Mailed notices 10/04/2021 to:

Edinger Steven H
238 Adams Ave
Lisbon IA 52253

Solon State Bank
Po Box 129
Solon IA 52333-0129

Schultz Wade A & Julie A
252 Adams Ave
Lisbon IA 52253-8536

Powers Timothy M & Deanna M
37 Goldfinch Ln
Lisbon IA 52253-8536

Krob Stacy L Revocable Trust
Krob Stacy L & Eric P - Trustees
44 Goldfinch Ln
Lisbon IA 52253-8536

Wendler Scott F 20% Of 1/2 Int
88 Adams Ave
Lisbon IA 52253-8530

Reed Kenneth L Jr
64 Bunker Hill Rd
Lisbon IA 52253-8545

Austin Rickey G & Christine
55 Bunker Hill Dr
Lisbon IA 52253-8545

Feldman Dennis J &
Weber Donna J
56 Bunker Hill Dr
Lisbon IA 52253-8545

Stevens Willard Blaine &
Lucy Ann
72 Bunker Hill Dr
Lisbon IA 52253-8545

Knapp Steven R Revocable Trust &
Knapp Susan K Revocable Trust
47 Goldfinch Ln
Lisbon IA 52253-8536

Jamison Terry
422 E Market St
Po Box 654
Lisbon IA 52253

Jamison Jesse
1012 Juniper Dr
Cedar Rapids IA 52404

Jamison Timothy N & Teresa L **(Certified)**
250 Adams Ave
Lisbon IA 52253-8536

All Zoning Commission Members

Cedar County Planning + Zoning

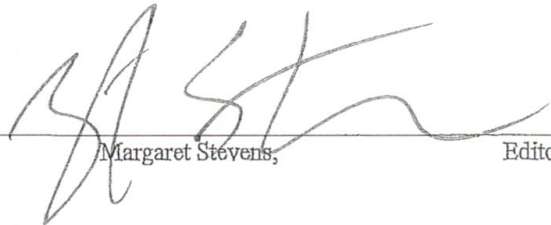
PUBLISHER'S CERTIFICATE

STATE OF IOWA }
County of Linn } ss.

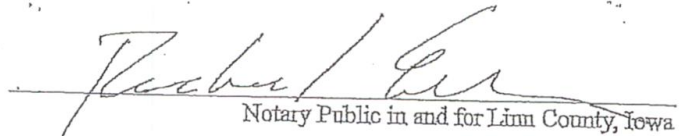
I, Margaret Stevens, being duly sworn, on my oath to do say, that I am editor of the Sun a newspaper issued weekly at Mount Vernon and Lisbon, in said County of Linn; that the Notice of which the attached printed copy taken from the printed files of said Newspapers is a copy, was inserted and published in said Newspaper in the issue of

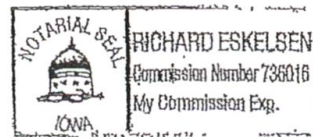
October 7, 2021

and the reasonable fee for publishing said Notice is \$14.61


Margaret Stevens, Editor

Subscribed by the above named Margaret Stevens in my presence, and by her sworn before me, at Mount Vernon, Linn County, Iowa.


Notary Public in and for Linn County, Iowa



8-11-23

STATE OF IOWA, CEDAR COUNTY, ss:

I, Stuart S. Clark, publisher of The Tipton Conservative and Advertiser, a weekly newspaper of general circulation, published in said county, being duly sworn do declare and say that a notice, of which one hereto attached is a copy, was published in the said

Tipton Conservative and Advertiser once

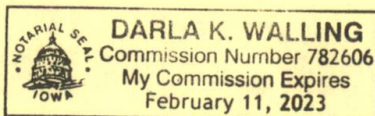
To wit on 10-16-21

Subscribed and sworn to before me this 8

Day of Oct A.D. 2021

Darla K. Walling
Notary Public in and for Cedar County, Iowa

Printer's fee \$ 16.67



18 THE TIPTON CONSERVATIVE

Legal Notice

The Cedar County Planning & Zoning Commission will be conducting a Public Hearing on Wednesday, October 20, 2021, 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. Timothy & Teresa Jamison, 250 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 allowing construction a single-family dwelling on property described as Lots 11 and 12, located in the SE ¼, NW ¼, Section 18, T-82N, R-4W, in Pioneer Township. Said petition is to rezone 1.38 acres m/l of the lot(s) consisting of 5.55 acres m/l.

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

C 40



OFFICE OF THE CEDAR COUNTY ENGINEER
COURTHOUSE; 400 CEDAR ST.
TIPTON, IOWA 52772-1752
www.cedarcounty.iowa.gov

PHONE: (563) 886-6102

EMAIL: engineer@cedarcounty.org

October 6, 2021

Mr. Phil La Rue
Cedar County Zoning Administrator
400 Cedar Street
Tipton, IA 52772

Dear Phil:

You have requested comments on the possible road impacts caused by the proposed petitions to be considered at the Planning & Zoning Commission Public Hearing to be held on **October 20, 2021 at 6:30 p.m.** I will address the petition as listed on the legal notice.

- 1. Timothy & Teresa Jamison, 250 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 allowing construction a single-family dwelling on property described as Lots 11 and 12, located in the SE $\frac{1}{4}$, NW $\frac{1}{4}$, Section 18, T-82N, R-4W, in Pioneer Township. Said petition is to rezone 1.38 acres m/l of the lot(s) consisting of 5.55 acres m/l.

This is located on paved route Adams Avenue and should have minimal impact on the existing infrastructure. An approved entrance permit is on file with my office.

Sincerely,

A handwritten signature in cursive script, reading "Robert D. Fangmann", is written over the typed name.

Robert D. Fangmann, P.E.
Cedar County Engineer

CEDAR COUNTY PLANNING AND ZONING PUBLIC HEARING

October 20, 2021 – 6:30 P.M.

P.D. Jones

Janette Gyllino

John Gyllino

James Harrison

Janette Harrison

Douglas E. Klein

Joel Beeson

Laura Twining

CEDAR COUNTY PLANNING & ZONING COMMISSION MINUTES

October 20, 2021

The Cedar County Planning & Zoning Commission conducted a Public Hearing on Wednesday, October 20, 2021, at 6:30 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa. Members present were Brown, Klein, Twing and Crist. Absent were Dornfeld and Yutesler.

Chairperson Pro Tem, Klein, called the meeting to order at 6:31 p.m. The members then reviewed the following petition:

1. **Timothy & Teresa Jamison, 250 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 allowing construction a single-family dwelling on property described as Lots 11 and 12, located in the SE $\frac{1}{4}$, NW $\frac{1}{4}$, Section 18, T-82N, R-4W, in Pioneer Township. Said petition is to rezone 1.38 acres m/l of the lot(s) consisting of 5.55 acres m/l.

Zoning Administrator La Rue informed the members there were no written or verbal objections on file for this petition. He advised them to complete their review in accordance with Chapter 18.2(3) of Cedar County Zoning Ordinance No. 10 in making a recommendation to the Cedar County Board of Supervisors and that the request follows the 2018-2035 Land Use Plan.

General discussion of past zoning changes took place. Timothy Jamison shared that his oldest son, Jesse Jamison, planned to buy the land and wanted to build a home on it. Jesse Jamison provided clarification to the Commission members, at their request, by visually pointing out the on their GIS maps Lots 10, 11 and 12. He indicated what area of those lots he was purchasing, and the portion of the land he was requesting be rezoned to build his home. He also provided details on how he would access the property. Zoning Administrator La Rue explained that a lot of gravel would need to be placed on the road due to drainage that passes through the area. A letter is on file from the County Engineer indicating that an approved entrance permit is on file with his office, it is located on a paved route and should have minimal impact on the existing infrastructure. A letter is also on file from the Lisbon Fire Department that they can and will be able to provide service to the property. Average CSR is 68, the proposed building site has moderate limitations, the ravine has severe limitations. For septic systems the soil is all clay and will likely end up being an alternate system due to the soil type. Foundations for low buildings, moderate limitations. The Land Evaluation and Site Assessment (LESA) scored 3,600 points which puts it at a moderate finding for preservation provided this will be the only home that is placed there. It is not in the future land use plan, but there are other homes in the area and it is right next to the future growth area.

Twing presented a motion to approve the request. Crist seconded the motion. No further discussion. Ayes: All

La Rue stated that he will go before the Board of Supervisors to request public hearing dates.

Minutes from the prior meeting held on August 18, 2021 , were read by the members. Minute amendments were presented. Brown made a motion to approve the minutes as amended, Twing seconded the motion. Ayes: All

No further business.

Motion to adjourn was made by Brown, seconded by Crist. Ayes: All

Meeting adjourned 7:12 PM.

Chairperson Pro tem, Douglas Klein


Secretary, Janelle Axline

CEDAR COUNTY AUDITOR & COMMISSIONER OF ELECTIONS
CARI A. DAUBER
Cedar County Courthouse
400 Cedar Street, Tipton, IA 52772
Telephone: (563)886-3168 Fax: (563)886-3339
cdauber@cedarcounty.org
www.cedarcounty.org



CEDAR COUNTY, IOWA

October 27, 2021

LEGAL NOTICE

PUBLIC NOTICE is hereby given that the Cedar County Board of Supervisors will be conducting a Public Hearing on Tuesday, November 9, 2021, at 8:40 a.m., and Tuesday, November 16, 2021, at 8:40 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. Timothy & Teresa Jamison, 250 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 allowing construction a single-family dwelling on property described as Lots 11 and 12, located in the SE $\frac{1}{4}$, NW $\frac{1}{4}$, Section 18, T-82N, R-4W, in Pioneer Township. Said petition is to rezone 1.38 acres m/l of the lot(s) consisting of 5.55 acres m/l.

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

Cari Dauber
Cedar County Auditor

Emailed Legal Notices 10/27/2021 to:

Tipton Conservative and Durant Sun

Mailed notices 11/01/2021 to:

Edinger Steven H
238 Adams Ave
Lisbon IA 52253

Solon State Bank
Po Box 129
Solon IA 52333-0129

Schultz Wade A & Julie A
252 Adams Ave
Lisbon IA 52253-8536

Powers Timothy M & Deanna M
37 Goldfinch Ln
Lisbon IA 52253-8536

Krob Stacy L Revocable Trust
Krob Stacy L & Eric P - Trustees
44 Goldfinch Ln
Lisbon IA 52253-8536

Wendler Scott F 20% Of 1/2 Int
88 Adams Ave
Lisbon IA 52253-8530

Reed Kenneth L Jr
64 Bunker Hill Rd
Lisbon IA 52253-8545

Austin Rickey G & Christine
55 Bunker Hill Dr
Lisbon IA 52253-8545

Feldman Dennis J &
Weber Donna J
56 Bunker Hill Dr
Lisbon IA 52253-8545

Stevens Willard Blaine &
Lucy Ann
72 Bunker Hill Dr
Lisbon IA 52253-8545

Knapp Steven R Revocable Trust &
Knapp Susan K Revocable Trust
47 Goldfinch Ln
Lisbon IA 52253-8536

Jamison Terry
422 E Market St
Po Box 654
Lisbon IA 52253

Jamison Jesse
1012 Juniper Dr
Cedar Rapids IA 52404

Jamison Timothy N & Teresa L **(Certified)**
250 Adams Ave
Lisbon IA 52253-8536

Cedar County Planning + Zoning

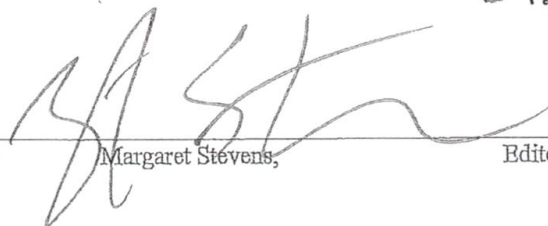
PUBLISHER'S CERTIFICATE

STATE OF IOWA }
County of Linn } ss.

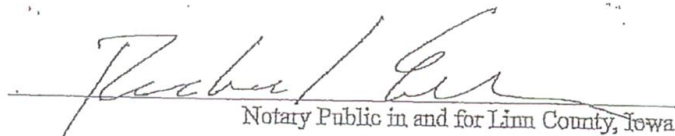
I, Margaret Stevens, being duly sworn, on my oath to do say, that I am editor of the Sun a newspaper issued weekly at Mount Vernon and Lisbon, in said County of Linn; that the Notice of which the attached printed copy taken from the printed files of said Newspapers is a copy, was inserted and published in said Newspaper in the issue of

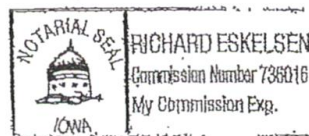
November 4, 2021

and the reasonable fee for publishing said Notice is \$59.21


Margaret Stevens, Editor

Subscribed by the above named Margaret Stevens in my presence, and by her sworn before me, at Mount Vernon, Linn County, Iowa.


Notary Public in and for Linn County, Iowa



8-11-23

11/9 + 11/16/21 Public Hearing Notice



OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR
Cedar County Courthouse
400 Cedar Street
Tipton, IA 52772
Phone: (563)886-2248
Fax: (563)886-2103
www.cedarcounty.org

September 10, 2021

TO: ALL CEDAR COUNTY PLANNING & ZONING COMMISSION MEMBERS

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Phil La Rue". The signature is stylized and cursive.

Phil La Rue
Zoning Administrator

PDL/bja



OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR

Cedar County Courthouse
400 Cedar Street
Tipton, IA 52772
Phone: (563)886-2248
Fax: (563)886-2103
www.cedarcounty.org

August 6, 2021

PUBLIC NOTICE

The Cedar County Planning & Zoning Commission will be conducting a Public Hearing on Wednesday, August 18, 2021, at 6:30 p.m., in the Large Meeting Room, in the basement of the Cedar County Courthouse, Tipton, Iowa. At this Public Hearing, Cedar County will be following the accepted social distancing guidelines of the State of Iowa.

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

1. **River Valley Cooperative, 2225 290th St., Wilton, IA (Owner)** - Requesting changes in zoning from R-2 Urban Residential District and C-1 Local Commercial District to M-1 Light Industrial District for the purpose of constructing an office building and truck scale on property described as Lots 1-3, Block 4, and Lots 4-20, Block 4, in the unincorporated Town of Sunbury, located in the SE $\frac{1}{4}$, SW $\frac{1}{4}$, Section 2, T-79N, R-1W, in Farmington Township, consisting of 1.99 acres m/l.

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

Philip LaRue
Zoning Administrator

Notices sent 08/10/21

S & A Real Estate LP
1851 270th St
Bennett IA 52721-9615

Evergreen Property Management LLC
c/o Budelier Barb
PO Box 401
Durant IA 52747

Czarnetzki Jon C & Theresa L
2228 290th St
Wilton IA 52778-9223

Weih Ronald D & Joyce E
2176 270th St
Bennett IA 52721-9618

Weih Matthew S & Tonya L
1895 Wilson Ave
Wilton IA 52778-9221

McCallister Kenneth
1895 Miller St
Wilton IA 52778-9225

Meier Mark
2239 290th St
Wilton IA 52778-9223

McCallister Martha E &
Sheryl L & Kenneth L
2244 Herman St
Wilton IA 52778-9222

Ledtje R Ernest & Ellen M
2249 290th St
Wilton IA 52778-9223

Chapman Michelle L
2245 290th St
Wilton IA 52778-9233

Hollenback Clay E &
Littrell Tracey A
2230 290th St
Wilton IA 52778-9223

Budelier Richard T
1881 Yankee Ave
New Liberty IA 52765-9304

Harmon Melinda
2231 South St
Wilton IA 52778-9260

Mockmore Donald L & Sharon K
2236 290th St
Wilton IA 52778-9226

Lisk Eric J &
Lisk Melinda Barney
2242 290th St
Wilton IA 52778-9223

Rebitzer Properties LLC
415 15th St
Moline IA 61265-1344

Brammann Richard Charles &
Brammann Ellen Louise
6426 N Division St
Davenport IA 52802-1703

Lamar Steven A & Renata R
2239 South St
Wilton IA 52778

Mcfadon Luke
2212 290th St
Wilton IA 52778-9223

Commission Members:

Joel Brown
Douglas Klein
Jody Yutesler
John Dornfeld
Josh Crist
Laura Twing

Hand delivered to Engineer Rob Fangmann

PROOF OF PUBLICATION

STATE OF IOWA

MUSCATINE COUNTY

I Catherine Brown, being first duly sworn on oath
depose and say that I am the Office Manager of the Wilton-Durant Advocate News,

a newspaper published weekly in the City of Wilton, County of

Muscatine, State of Iowa that the Notice re:

Cedar County
Planning & Zoning

hereto attached and made a part hereof, was published once each week

1 weeks in succession, in said newspaper, and that the dates

of publication were AUG 12 2021

and that the copy of said printed notice, hereto attached, was cut from

one of said publications.

Catherine Brown

Subscribed and sworn to before me the AUG 12 2021 day of 20

[Signature]
NOTARY PUBLIC

Cedar County Planning & Zoning Commission PUBLIC NOTICE

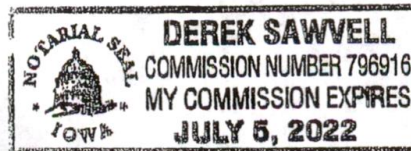
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Philip LaRue
Zoning Administrator



STATE OF IOWA, CEDAR COUNTY, ss:

I, Stuart S. Clark, publisher of The Tipton Conservative and Advertiser, a weekly newspaper of general circulation, published in said county, being duly sworn do declare and say that a notice, of which one hereto attached is a copy, was published in the said

Tipton Conservative and Advertiser once

To wit on 8-11-21

Subscribed and sworn to before me this 13

Day of Aug A.D. 2021

Darla K. Walling
Notary Public in and for Cedar County, Iowa

Printer's fee \$ 25.68

Legal Notice

August 6, 2021

PUBLIC NOTICE

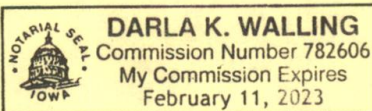
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Philip LaRue
Zoning Administrator
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OFFICE OF THE CEDAR COUNTY ENGINEER
COURTHOUSE; 400 CEDAR ST.
TIPTON, IOWA 52772-1752
www.cedarcounty.iowa.gov

PHONE: (563) 886-6102

EMAIL: engineer@cedarcounty.org

August 16, 2021

Mr. Phil La Rue
Cedar County Zoning Administrator
400 Cedar Street
Tipton, IA 52772

Dear Phil:

You have requested comments on the possible road impacts caused by the proposed petitions to be considered at the Planning & Zoning Commission Public Hearing to be held on **August 18, 2021 at 6:30 p.m.** I will address the petition as listed on the legal notice.

1. **River Valley Cooperative, 2225 290th St., Wilton, IA (Owner)** - Requesting changes in zoning from R-2 Urban Residential District and C-1 Local Commercial District to M-1 Light Industrial District for the purpose of constructing an office building and truck scale on property described as Lots 1-3, Block 4, and Lots 4-20, Block 4, in the unincorporated Town of Sunbury, located in the SE $\frac{1}{4}$, SW $\frac{1}{4}$, Section 2, T-79N, R-1W, in Farmington Township, consisting of 1.99 acres m/l.

This is located on paved route 290th Street (F44) and should have minimal impact on the existing infrastructure. An approved entrance permit is on file with my office for the existing entrance. I have approved the petitioners traffic plan for the proposed site. The petitioner will be paving part of the property and placing a dust control palliative on the remaining granular surfaces to mitigate any gravel dust issues.

Sincerely,

A handwritten signature in cursive script that reads 'Robert D. Fangmann'.

Robert D. Fangmann, P.E.
Cedar County Engineer

CEDAR COUNTY PLANNING AND ZONING PUBLIC HEARING

August 18, 2021 - 6:30 P.M.

Philip Johnson

Joel Brown

Mark Dewell

Bryan Myers

Mike

Ky McCalister

Martha McCalister

Janelle Oplea

Jody Guteske

Sam

DZ Klein

CEDAR COUNTY PLANNING & ZONING COMMISSION MINUTES

August 18, 2021

The Cedar County Planning & Zoning Commission conducted a Public Hearing on Wednesday, August 18, at 6:30 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa. Members present were Yutesler, Brown, Klein, and Twing. Absent were Dornfeld and Crist.

Chairperson Yutesler called the meeting to order at 6:32 p.m. The members then reviewed the following petition:

- 1. River Valley Cooperative, 2225 290th St., Wilton, IA (Owner)** - Requesting changes in zoning from R-2 Urban Residential District and C-1 Local Commercial District to M-1 Light Industrial District for the purpose of constructing an office building and truck scale on property described as Lots 1-3, Block 4, and Lots 4-20, Block 4, in the unincorporated Town of Sunbury, located in the SE $\frac{1}{4}$, SW $\frac{1}{4}$, Section 2, T-79N, R-1W, in Farmington Township, consisting of 1.99 acres m/l.

Zoning Administrator La Rue informed the members there were no written or verbal objections on file for this petition. He advised them to complete their review in accordance with Chapter 18.2(3) of Cedar County Zoning Ordinance No. 10 in making a recommendation to the Cedar County Board of Supervisors.

Mark Dewell, Regional Operations Manager for River Valley Co-op presented a brief history of their purchase and clean up of the property and the transition to where they are today. Indicated no plans for grain storage in the proposed area requesting rezoning. He provided plans for the space for an above ground scale and office and the number of employees that would utilize the space. Advised 12 million bushels of corn are dumped at the Sunbury location annually to support their feed mill. The scale is getting old and needs to be replaced. Truck traffic stays to the west. Plans for the old office will be to use it for a break room for employees. He shared plans to build a berm and/or line of trees that will provide some screening for the noise the trucks and location produce. He also indicated that dust control on their lots is monitored very closely and they have detailed records kept by location manager, Brad Geiger, when dust control is applied. All traffic will be on the west side of the proposed property requesting rezoning and concrete or asphalt would be laid down to assist in dust control measures in the area leading up to the scale. No truck traffic or activity would be occurring on the east side of the proposed property.

General discussion was held about the property, how it looked prior to and during River Valley's ownership including clearing of the weeds and old structures. He also presented current and proposed traffic patterns and daily operations that occur at this location. Kenny McCallister and Mark Meier introduced themselves and advised the Board of the location of their residences in relation to River Valley Cooperative. Mr. McCallister shared concerns about the mess that the

River Valley Cooperative location produces both on site and on their property and vehicles. Zoning Administrator La Rue advised that he wanted them to work together to be good neighbors, while complying with State Law/regulations. He explained that fugitive dust was not an issue that could be addressed with this zoning matter it is handled by the State of Iowa. General discussion occurred about the requirement that mature trees be planted to help mitigate some of the neighbors concerns about noise and fugitive dust. These measures must not obstruct the view of streets. Dewell explained the dust collectors, mineral oil being placed on the grain as it is being dumped and fan silencers that were all put in place to control these concerns. It was stated for the record that Farmers Home owned the property in 1959 when zoning districts were established and the property River Valley sits on was established as light industrial. River Valley purchased the property in 1996.

Klein questioned if the proposed office and scale would increase truck traffic or activity at the grain mill. Location Manager Brad Geiger, indicated it would not. Klein clarified with Dewell and Geiger that the situation of noise and fugitive dust would not be made worse as a result of the proposed change and advised those attending that the Board is not empowered to do anything about those issues. Administrator La Rue confirmed, indicating restrictions/conditions as to what can be placed on the property, scale, office, parking with dust and green buffer. Buffer would have to be approved by Cedar County Engineer Rob Fangmann as well so that it does not obstruct site distances. Martha McAllister, neighboring property owner, expressed concern/understanding that the scale and office were there prior to this proposed rezoning but that the location they are requesting to be rezoned for that purpose is bringing the activity even closer to their properties. Meier and McCallister expressed concerns over the trucks with straight pipes and those engine braking. General discussion and questions were presented about their plan and potential alternative locations or traffic flow. Administrator La Rue indicated a letter from Engineer Rob Fangmann is on file stating there is an approved existing driveway permit on file with his office and that their proposed traffic flow was approved. A letter from the Durant Fire Department indicating that they have been and are able to continue to provide service to the location in the event of an emergency. River Valley also has its own employees at various locations in the area and Sunbury that are trained Hazmat responders in the event of a leak or spill. Finally, a letter from CCEDCO supporting River Valley's plan for expansion and rezoning was read and made of record. The Cedar County Comprehensive Land Use Plan 2018-2038 does not provide a lot of information about commercial or industrial next to residential uses but does indicate that the number one economic use in Cedar County is farming and agriculture. Mark Meier, neighboring property owner read a prepared statement that was made of record. He expressed concerns that included: dust, excessive noise, excessive commercial traffic, excessive speeding by customers, only one deputy on patrol at most and no resources to enforce traffic laws, 200 trucks per day in a residential area and weight restrictions should be placed on 290th Street, River Valley is breaking laws, have total disregard for the safety of employees and the public, caused a fish kill, are causing neighbors to get cancer due to chemicals. He requested that the request for rezoning be denied, that all operating permits be suspended and River Valley be shut down until it is determined to be safe. He also shared photos of his vehicles and dust on his vehicle. Mr. McCallister explained that the dust that comes into his home molds immediately and he cannot keep after that. He said there are "drifts" of bees wings after they use the portable grain vac. General discussion was held about the traffic flow, permitting being required if further

bin building would be requested and that only the zoning request can be considered. Other organizations would have to be contacted for concerns addressed that are outside The Boards scope. Klein presented questions about an alternative plan if the request is denied and Dewell and Geiger indicated that they would likely build where the current scale and office are but with a newer scale and approaches this would cause trucks to back up onto 290th. Dewell explained more room for truck staging would be available with the proposed location and will get trucks probed and scaled and not lead to backups. They feel it is safer where they have proposed it be placed. They also responded to the chemical spill and DNR issues that were a concern of Meier stating that the fish kill did happen due to a nitrogen leak accident. The claim of DNR coming to the site for another violation was related to a bookkeeping error only and not related to any sort of accident. They were to be keeping a running total of the P&K being brought in for the entire year. They were keeping what the current total on hand at the location was. It was reiterated that the Zoning Commission does not regulate these concerns and that a scale and office being built are the issues at hand in this zoning request. Klein asked questions about traffic flow changes and changing the scale and office location to the west side of the property. Dewell and Geiger responded that the recent change in traffic flow has led to customer satisfaction, less clustering of traffic on site and will lead to the ability to stage more trucks away from the road when the new scale and office are built. Building on the West side away from homes was discussed however it presents challenges for the septic and space constraints. It would also cause on site traffic flow issues due to heavy feed mill traffic. Klein questioned trucks coming in west and going north and weighing between storage and current office and would put to the east side of the bins. Dewell and Geiger explained there is a containment pond, limited space for an office and traffic flow/space issues with that flow. Meier questioned if they are able to buy North or West to execute the proposed plan. They are not sure they could and are not sure that would remedy the issue.

Klein presented a motion to deny the request. Brown seconded the motion. Ayes: Klein, Twing and Brown, Nays: Yutesler

Klein hoped that this would bring some resolution between the residents and River Valley stating that there are significant issues that this Board is not empowered to resolve. He suspects that anything this Board would do would only make the situation worse for residents in the adjacent area and hoped they could work something out.

Brown wanted to note that the Board tries to expose any issues that need to be dealt with and felt they had. He requested River Valley work with the community and intensify standard of dust control and health issues for residents and their own people. Yutesler added that these are issues that are present at every grain elevator across the state. She was not sure this would change how they operate. Twing added that the industry needs pushes to make change.

La Rue stated that he will go before the Board of Supervisors to request public hearing dates this coming Tuesday. Provided a reminder to appear at the first public hearing date.

Minutes from the prior meeting held on June 16, 2021, were previously read by the members. Brown made a motion to approve the minutes, Twing seconded. Ayes: Twing, Yutesler, and Brown. Klein abstained.

No further business.

Motion to adjourn was made by Klein, seconded by Twing. Ayes: All

Meeting adjourned 7:12 PM.


Chairperson, Jody Yutesler


Secretary, Janelle Axline

CEDAR COUNTY AUDITOR & COMMISSIONER OF ELECTIONS
CARI A. DAUBER
Cedar County Courthouse
400 Cedar Street, Tipton, IA 52772
Telephone: (563)886-3168 Fax: (563)886-3339
cdauber@cedarcounty.org
www.cedarcounty.org



CEDAR COUNTY, IOWA

September 3, 2021

LEGAL NOTICE

PUBLIC NOTICE is hereby given that the Cedar County Board of Supervisors will be conducting a Public Hearing on Tuesday, September 21, 2021, at 9:00 a.m., and Tuesday, September 28, 2021, at 9:00 a.m., in the Board Meeting Room of the Cedar County Courthouse, Tipton, Iowa.

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Cari Dauber
Cedar County Auditor

01
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2244 Herman St
Wilton IA 52778-9222

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6426 N Division St
Davenport IA 52802-1703

Lamar Steven A & Renata R
2239 South St
Wilton IA 52778

Mcfadon Luke
2212 290th St
Wilton IA 52778-9223

River Valley Cooperative **(Mark Dewell advised
2225 290th St certified not necessary.)**
Wilton IA 52778

Emailed to Auditor Dauber
Emailed to Engineer Fangmann

Emailed to Tipton Conservative

T.C.

SEPTEMBER 8, 2021

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Cari Dauber
Cedar County Auditor
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OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR
Cedar County Courthouse
400 Cedar Street
Tipton, IA 52772
Phone: (563)886-2248
Fax: (563)886-2103
www.cedarcounty.org

July 8, 2021

TO: ALL 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 July because not petitions have been filed.

Sincerely,

A handwritten signature in blue ink, appearing to read "Phil". The signature is stylized with a large "P" and a cursive "L".

Phil La Rue
Zoning Administrator

PDL/bja



OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR
Cedar County Courthouse
400 Cedar Street
Tipton, IA 52772
Phone: (563)886-2248
Fax: (563)886-2103
www.cedarcounty.org

June 4, 2021

PUBLIC NOTICE

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

1. **Teodulo and Judith Castillo, 6495 West Kimberly Road, Davenport, IA (Owners), dba: Teo's Towing** - Requesting a change in zoning from C-1 Highway Commercial District to M-1 Light Industrial District to allow a motor vehicle towing business with night watchman residence at 1950 Garfield Avenue, West Liberty, Iowa, located in the NW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 7, T-79N, R-3W, in Iowa Township, consisting of 2.90 acres m/l.

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

Philip LaRue
Zoning Administrator

Mailed 06/08/2021 to:

Teo's Towing

TEOS TOWING SERVICE (CERTIFIED)
6425 W KIMBERLY RD
DAVENPORT IA 52806-6610

Iowa Department of Transportation
800 Lincoln Way
Ames, IA 50010

WALTER LEHMAN
102 E 14TH ST
WEST LIBERTY IA 52776

VERNON & EVELYN SMITH
2309 FRANKLIN ST
WEST LIBERTY IA 52776-9004

BRIAN & ANGELA BRENNAN
753 HAYES RD
TIPTON IA 52772-9251

SHARDA LLC
1957 GARFIELD AVE
WEST LIBERTY IA 52776-9034

Emailed to Engineer Rob Fangman 06/07/21
Emailed to West Liberty Index
and Wilton Durant Advocate News 06/07/21

PROOF OF PUBLICATION

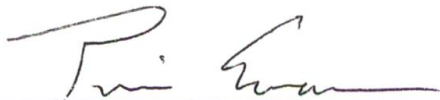
STATE OF IOWA

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County of Muscatine

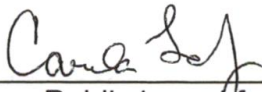
I, Tim Evans, being duly sworn, on my oath to do say, that I am editor of the West Liberty Index, a Newspaper issued weekly at West Liberty in said County of Muscatine, that the Notice of which the attached printed copy taken from the printed files of said Newspaper is a copy, was inserted and published in said Newspaper in the issue of

June 10, 2021

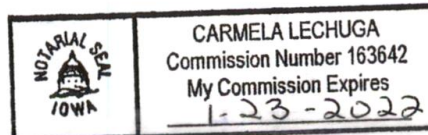


Tim Evans, Editor

Subscribed by the above named Tim Evans in my presence, and by him sworn before me, at West Liberty, Muscatine County, Iowa.



Notary Public in and for Muscatine County, Iowa



Cedar County Planning and Zoning Commission PUBLIC NOTICE

The Cedar County Planning & Zoning Commission will be conducting a Public Hearing on Wednesday, June 16, 2021, at 6:30 p.m., in the Large Meeting Room, in the basement of the Cedar County Courthouse, Tipton, Iowa. At this Public Hearing, Cedar County will be following the accepted social distancing guidelines of the State of Iowa.

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Philip LaRue
Zoning Administrator

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PROOF OF PUBLICATION

STATE OF IOWA

MUSCATINE COUNTY

I Catherine Brown, being first duly sworn on oath
depose and say that I am the Office Manager of the Wilton-Durant Advocate News,
a newspaper published weekly in the City of Wilton, County of

Muscatine, State of Iowa that the Notice re: Cedar Co. Planning + Zoning
Commission - Public Notice

hereto attached and made a part hereof, was published once each week

1 weeks in succession, in said newspaper, and that the dates

of publication were June 10, 2021

and that the copy of said printed notice, hereto attached, was cut from

one of said publications.

Catherine Brown

Subscribed and sworn to before me the 10th day of June, 2021

[Signature]
NOTARY PUBLIC

Cedar County Planning and Zoning Commission PUBLIC NOTICE

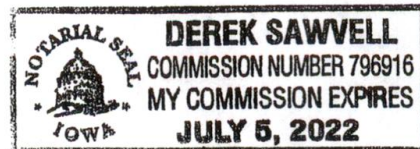
The Cedar County Planning & Zoning Commission will be conducting a Public Hearing on Wednesday, June 16, 2021, at 6:30 p.m., in the Large Meeting Room, in the basement of the Cedar County Courthouse, Tipton, Iowa. At this Public Hearing, Cedar County will be following the accepted social distancing guidelines of the State of Iowa.

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

1. Teodulo and Judith Castillo, 6495 West Kimberly Road, Davenport, IA (Owners), dba: Teo's Towing - Requesting a change in zoning from C-1 Highway Commercial District to M-1 Light Industrial District to allow a motor vehicle towing business with night watchman residence at 1950 Garfield Avenue, West Liberty, Iowa, located in the NW ¼, SW ¼, Section 7, T-79N, R-3W, in Iowa Township, consisting of 2.90 acres m/l.

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

Philip LaRue
Zoning Administrator





OFFICE OF THE CEDAR COUNTY ENGINEER
COURTHOUSE; 400 CEDAR ST.
TIPTON, IOWA 52772-1752
www.cedarcounty.iowa.gov

PHONE: (563) 886-6102

EMAIL: engineer@cedarcounty.org

June 9, 2021

Mr. Phil La Rue
Cedar County Zoning Administrator
400 Cedar Street
Tipton, IA 52772

Dear Phil:

You have requested comments on the possible road impacts caused by the proposed petitions to be considered at the Planning & Zoning Commission Public Hearing to be held on **June 16, 2021 at 6:30 p.m.** I will address the petition as listed on the legal notice.

1. **Teodulo and Judith Castillo, 6495 West Kimberly Road, Davenport, IA (Owners), dba: Teo's Towing** - Requesting a change in zoning from C-1 Highway Commercial District to M-1 Light Industrial District to allow a motor vehicle towing business with night watchman residence at 1950 Garfield Avenue, West Liberty, Iowa, located in the NW ¼, SW ¼, Section 7, T-79N, R-3W, in Iowa Township, consisting of 2.90 acres m/l.

This is located on paved route Garfield Avenue (X40) and should have minimal impact on the existing infrastructure. An approved entrance permit is on file with my office for the existing entrance.

Sincerely,

Robert D. Fangmann, P.E.
Cedar County Engineer

CEDAR COUNTY PLANNING AND ZONING PUBLIC HEARING

June 16, 2021 - 6:30 P.M.

Paul Gath

Theresa Castillo

Judith Castillo

David M...

Daniel S.

Jose Alvarado

Stephanie Coffey

Karen Schell

Jan ...

Josh ...

Godoy ...

Joel ...

Roli Castillo

Janelle ...

CEDAR COUNTY PLANNING & ZONING COMMISSION MINUTES

June 16, 2021

The Cedar County Planning & Zoning Commission conducted a Public Hearing on Wednesday, June 16, 2021, at 6:30 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa. Members present were Yutesler, Brown, Crist, and Twing. Absent were Dornfeld and Klein.

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

- 1. Teodulo and Judith Castillo, 6495 West Kimberly Road, Davenport, IA (Owners), dba: Teo's Towing** - Requesting a change in zoning from C-2 Highway Commercial District to M-1 Light Industrial District to allow a motor vehicle towing business with night watchman residence at 1950 Garfield Avenue, West Liberty, Iowa, located in the NW ¼, SW ¼, Section 7, T-79N, R-3W, in Iowa Township, consisting of 2.90 acres m/l.

Zoning Administrator La Rue informed the members there were no written or verbal objections on file for this petition. He advised them to complete their review in accordance with Chapter 18.2(3) of Cedar County Zoning Ordinance No. 10 in making a recommendation to the Cedar County Board of Supervisors.


La Rue advised there are other Highway Commercial Properties in this area along I-80 on a hard surface road. A letter is on file from the West Branch Fire Department that they can and will provide service for the business and residence. A letter from the County Engineer indicating he has reviewed the proposal, and it will have minimal road impacts. A driveway permit is on file. Also, documentation has been received from Sheila Lee, Lead Engineer with Iowa Department of Transportation, she has no objections based on the nature of the business and anticipated traffic that it would produce. Greg Garrow, a representative of Teo's Towing shared that they are proposing a change in zoning due to the fact that they are a 24/7 operation. During the winter months the days as operators get very long and it is burdensome to travel back to their residence in Davenport. A night watchmen residence will allow them to stay at the location, and have someone working out of the location 24/7. The residence area will never be up for rent. Teo's provides vehicle recovery for Cedar, Johnson and Muscatine counties. Currently, there is no 24 hour service for towing in the proposed area. Teo's Towing has been servicing the area for six years and the majority of their calls come from between mile marker 271 and 249 on Interstate 80, especially in winter. They provide support to emergency responders and AAA in a more efficient matter. They will be towing accidents and impounds and anything else requested in the area. There will be a dispatcher on duty at the location as well. Chairperson Yutesler asked about vehicle storage at the site. Garrow explained the disposal process while they await response from State for impound vehicles. Any others they process with the owner and determine what to do with each vehicle. Response time from the State of Iowa is typically 30-45 days from the time

they notify the state they have the vehicle. They do this right away. There will not be more than 75 vehicles on site at any given time and typically fewer. Questions about privacy screening and chemical disposal were presented by Administrator La Rue. A privacy screening will be placed if requested/required and compliance with all DNR requirements for disposal of gasoline, oil, etcetera have been and will be followed. First responders typically address leaks at the scene of the accident, but if one is found later it is dealt with promptly and addressed as appropriate. General discussion was held about staffing, travel time to accidents, and the night watch residence. They will be in need of more staff and hope to advertise in the West Liberty and Tipton areas, so they may have local residents employed as well as themselves. They also shared the shop and night watchmen residence will be one building not separate buildings. La Rue advised that Highway Commercial as currently zoned would allow for the towing business only. Changing to Light Industrial allows for the business with a night watch residence. He also advised that the rezoning complies with 2018-2038 Comprehensive. It would appear that the request would be in compliance with land use and support public safety on I-80. Primary residence of employees will remain the same. Only the watchmen on duty will reside at the residence for their shift. There may be times when owners Teo & Judy Castillo will stay for a week or two at a time for business needs but otherwise only the on duty employee. Brown questioned the number of employees that go out on a call. Teo Castillo advised they typically have four trucks ready to go on calls at all times. Insurance companies keep them very busy. Employees will not be staying a week at time unless absolutely necessary due to shift or weather. Brown thanked them for the services they provide. General discussion occurred about types of calls are handled, plans for future equipment purchases to expand their operation, how a towing transaction works and area advertising plans. Twing and Administrator La Rue advised they needed to be sure that the area did not look like a junkyard. Teo Castillo explained that is how they are different. They do not junk out the cars. Currently only 15 – 20 cars in Davenport location and all of those are waiting for a response from the State on how to dispose of. They do not want to be bad neighbors and have never had an issue at any of their other locations. If there ever was Mr. Castillo explained they would address and work with city, county, whomever right away.

Twing made a motion to recommend approval of the change in zoning from C-2 to M-1 to the Board of Supervisors. Chairperson Yutesler asked if there was any additional discussion. Crist then seconded the motion. Ayes: All

Minutes from the prior meeting held on May 19, 2021, were previously read by the members. Brown made a motion to approve the minutes, Twing seconded. Ayes, all.

No further business, motion to adjourn was made by Twing, seconded by Crist. Meeting adjourned 7:12 PM.


Chairperson, Jody Yutesler


Secretary, Janelle Axline

CEDAR COUNTY AUDITOR & COMMISSIONER OF ELECTIONS
CARI A. DAUBER
Cedar County Courthouse
400 Cedar Street, Tipton, IA 52772
Telephone: (563)886-3168 Fax: (563)886-3339
cdauber@cedarcounty.org
www.cedarcounty.org



CEDAR COUNTY, IOWA

June 24, 2021

LEGAL NOTICE

PUBLIC NOTICE is hereby given that the Cedar County Board of Supervisors will be conducting a Public Hearing on Tuesday, July 13, 2021, at 9:00 a.m., and Tuesday, July 20, 2021, 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. Teodulo and Judith Castillo, 6495 West Kimberly Road, Davenport, IA (Owners), dba: Teo's Towing -**
Requesting a change in zoning from C-2 Highway Commercial District to M-1 Light Industrial District to allow a motor vehicle towing business with night watchman residence at 1950 Garfield Avenue, West Liberty, Iowa, located in the NW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 7, T-79N, R-3W, in Iowa Township, consisting of 2.90 acres m/l.

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 time is needed. Any person wishing a statement read into the hearing for them may file same with the Cedar County Auditor prior to the time of the hearing.

Cari Dauber
Cedar County Auditor

Mailed 06/25/2021 to:

TEOS TOWING SERVICE (CERTIFIED)
6425 W KIMBERLY RD
DAVENPORT IA 52806-6610

Iowa Department of Transportation
800 Lincoln Way
Ames, IA 50010

WALTER LEHMAN
102 E 14TH ST
WEST LIBERTY IA 52776

VERNON & EVELYN SMITH
2309 FRANKLIN ST
WEST LIBERTY IA 52776-9004

BRIAN & ANGELA BRENNAN
753 HAYES RD
TIPTON IA 52772-9251

SHARDA LLC
1957 GARFIELD AVE
WEST LIBERTY IA 52776-9034

Emailed to Auditor Cari Dauber
Emailed to Tipton Conservative

Legal Notice *T.C. 63071*

PUBLIC NOTICE is hereby given that the Cedar County Board of Supervisors will be conducting a Public Hearing on Tuesday, July 13, 2021, at 9:00 a.m., and Tuesday, July 20, 2021, 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:

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Cari Dauber
Cedar County Auditor
C 26



Tel: 563-886-2248

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

May 7, 2021

PUBLIC NOTICE

The Cedar County Planning & Zoning Commission will be conducting a Public Hearing on Wednesday, May 19, 2021, at 6:30 p.m., in the Large Meeting Room, in the basement of the Cedar County Courthouse, Tipton, Iowa. At this Public Hearing, Cedar County will be following the accepted social distancing guidelines of the State of Iowa.

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

1. **Lester Proctor Jr., 1214 Oak St., Wilton, IA (Contract Buyer) and Lester Proctor Sr., 1190 Cemetery Rd., Tipton, 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 in the SE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 12, T-79N, R-3W, in Rochester Township, consisting of 2.11 acres m/l.
2. **James Kost, P.O. Box 326, Lowden, 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 at 1784 110th St., Clarence, IA, described as Parcel B, in the NE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 12, T-82N, R-2W, in Dayton Township. Said petition is to rezone 1.16 acres of a 17.9 acre parcel.
3. **Jeffrey & Victoria Kaufmann, 2125 Old Muscatine Rd., Wilton, IA (Owners)** – Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential for the purpose of constructing a single-family dwelling on property located in the SW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 27, T-79N, R-2W, Sugar Creek Township. Said petition is to rezone 4.01 acres of property totaling 28.94 acres m/l.

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

Philip LaRue
Zoning Administrator

Mailed Notices on 05/12/21

Rochester Cemetery (Proctor)
c/o Jon Zobel
1639 Monroe Ave.
Tipton, IA 52772

Johnna & Bobby Brasmer (Proctor)
1185 Cemetery Rd.
Tipton, IA 52772

Brant & Tarah Gates (Proctor)
1187 Cemetery Rd.
Tipton, IA 52772

John & Connie Paul (Proctor)
1935 Hwy 38 S
Tipton, IA 52772

Frances & Dale Thumma Trustees (Proctor)
c/o Steve Scorpil
1173 290th St.
Tipton, IA 52772

Adam & Erin Kinion (Proctor)
1933 Hwy 38
Tipton, IA 52772

Donald & Brenda Stewart (Proctor)
66 Hidden River Ct.
Tipton, IA 52772

Jerry & Carol Oakley (Proctor)
12 Hearst Dr.
Tipton, IA 52772

James & Anne Schneider (Proctor)
4 Hearst Dr.
Tipton, IA 52772

Jeanette Wigim (Proctor)
1161 Cemetery Rd.
Tipton, IA 52772

Don & Melisa Roth (Proctor)
10 Hearst Dr.
Tipton, IA 52772

Jerry & Rita Sloan (Proctor)
6 Hearst Dr.
Tipton, IA 52772

Jessica E. Wilkening Revocable Trust (Proctor)
2 Hearst Dr.
Tipton, IA 52772

J & L Kay Farms (Kost)
c/o Joann Kay
PO Box 7
Wheatland, IA 52777

Dayton Valley Cemetery Assoc. (Kost)
Robert King Kelly
37 Oxford Junction Rd.
Clarence, IA 52216

Karl Kost (Kost)
1783 110th St.
Clarence, IA 52216

Robert King & Constance Kelly (Kost)
1009 Ball St.
Clarence, IA 52216

Ruby Kaufman Residual Trust (Kaufmann)
c/o Community Bank & Trust
PO Box 1120
Wilton, IA 52778

Michael Kaufman (Kaufmann)
2260 Ocean Ave.
Wilton, IA 52778

Lester Proctor Jr. - **CERTIFIED**
1214 Oak St.
Wilton, IA 52778

Lester Proctor Sr. - **CERTIFIED**
1190 Cemetery Rd.
Tipton, IA 52772

James Kost - **CERTIFIED**
PO Box 326
Lowden, IA 52255

Jeffrey & Victoria Kaufmann
2125 Old Muscatine Rd.
Wilton, IA 52778

Douglas Klein
1444 Charles Ave.
West Branch, IA 52358

Josh Crist
1231 265th St.
Tipton, IA 52772

John Dornfeld
1396 290th St.
Tipton, IA 52772

Laura Twing
467 210th St
Tipton, IA 52772

Jody Yutesler
2217 Hoover Hwy
Lowden, IA 52255

Joel Brown
342 Delta Ave.
Mechanicsville, IA 52306

**Emailed to Tipton Conservative, Sun News and
Wilton-Durant Advocate News on 05/07/21**

Emailed to Engineer Rob Fangman on 05/07/21

PROOF OF PUBLICATION

STATE OF IOWA

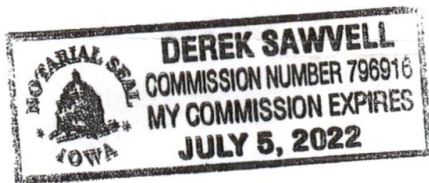
MUSCATINE COUNTY

I Amber Ganzer, being first duly sworn on oath
depose and say that I am the Office Manager of the Wilton-Durant Advocate News,
a newspaper published weekly in the City of Wilton, County of
Muscatine, State of Iowa that the Notice re: Public Notice -
Cedar County Planning & Zoning
hereto attached and made a part hereof, was published once each week
1 weeks in succession, in said newspaper, and that the dates
of publication were May 13th, 2021
and that the copy of said printed notice, hereto attached, was cut from
one of said publications.

Amber Ganzer

Subscribed and sworn to before me the 14th day of May, 2021

[Signature]
NOTARY PUBLIC



**Cedar County Planning & Zoning
Commission
PUBLIC NOTICE**

The Cedar County Planning & Zoning Commission will be conducting a Public Hearing on Wednesday, May 19, 2021, at 6:30 p.m., in the Large Meeting Room, in the basement of the Cedar County Courthouse, Tipton, Iowa. At this Public Hearing, Cedar County will be following the accepted social distancing guidelines of the State of Iowa. At this time, the Commission will consider the following petitions:

1. Lester Proctor Jr., 1214 Oak St., Wilton, IA (Contract Buyer) and Lester Proctor Sr., 1190 Cemetery Rd., Tipton, 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 in the SE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 12, T-79N, R-3W, in Rochester 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 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**

STATE OF IOWA, CEDAR COUNTY, ss:

I, Stuart S. Clark, publisher of The Tipton Conservative and Advertiser, a weekly newspaper of general circulation, published in said county, being duly sworn do declare and say that a notice, of which one hereto attached is a copy, was published in the said

Tipton Conservative and Advertiser once

To wit on 5-12-21

Subscribed and sworn to before me this 14

Day of May A.D. 2021

Darla K. Walling
Notary Public in and for Cedar County, Iowa

Printer's fee \$ 37.52

Legal Notice

May 7, 2021

PUBLIC NOTICE

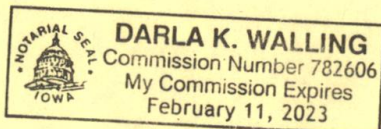
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Philip LaRue
Zoning Administrator
C 19





OFFICE OF THE CEDAR COUNTY ENGINEER
COURTHOUSE; 400 CEDAR ST.
TIPTON, IOWA 52772-1752
www.cedarcounty.iowa.gov

PHONE: (563) 886-6102

EMAIL: engineer@cedarcountry.org

May 17, 2021

Mr. Phil La Rue
Cedar County Zoning Administrator
400 Cedar Street
Tipton, IA 52772

Dear Phil:

You have requested comments on the possible road impacts caused by the proposed petitions to be considered at the Planning & Zoning Commission Public Hearing to be held on **May 19, 2021 at 6:30 p.m.** I will address the petition as listed on the legal notice.

1. **Lester Proctor Jr., 1214 Oak St., Wilton, IA (Contract Buyer) and Lester Proctor Sr., 1190 Cemetery Rd., Tipton, 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 in the SE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 12, T-79N, R-3W, in Rochester Township, consisting of 2.11 acres m/l.

This is located on gravel route Cemetery Road and should have minimal impact on the existing infrastructure. An approved entrance permit is on file with my office.

2. **James Kost, P.O. Box 326, Lowden, 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 at 1784 110th St., Clarence, IA, described as Parcel B, in the NE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 12, T-82N, R-2W, in Dayton Township. Said petition is to rezone 1.16 acres of a 17.9 acre parcel.

This is located on gravel route 110th Street and should have minimal impact on the existing infrastructure. An approved entrance permit is on file with my office.

3. **Jeffrey & Victoria Kaufmann, 2125 Old Muscatine Rd., Wilton, IA (Owners)** – Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential for the purpose of constructing a single-family dwelling on property located in the SW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 27, T-79N, R-2W, Sugar Creek Township. Said petition is to rezone 4.01 acres of property totaling 28.94 acres m/l.

This is located on gravel route 330th Street and should have minimal impact on the existing infrastructure. An approved entrance permit is on file with my office.

Sincerely,

A handwritten signature in blue ink that reads "Robert D. Fangmann".

Robert D. Fangmann, P.E.
Cedar County Engineer

CEDAR COUNTY PLANNING AND ZONING PUBLIC HEARING

May 19, 2021 - 6:30 P.M.

Phil [unclear]

Joel Brown

James Kost

Les [unclear]

Leo Proctor SR

John Kaufman

Josh Crist

Godly Yuterle

Laura Taping

Douglas Klein

John A. [unclear]

Rachel Branstetter

Janelle Axline

CEDAR COUNTY PLANNING & ZONING COMMISSION MINUTES

May 19, 2021

The Cedar County Planning & Zoning Commission conducted a Public Hearing on Wednesday, May 19, 2019, at 6:30 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa. Members present were Dornfeld, Klein, Yutesler, Brown, Crist, and Twing. Chairperson Yutesler called the meeting to order at 6:30 p.m. The members then reviewed the following petitions:

1. **Lester Proctor Jr., 1214 Oak St., Wilton, IA (Contract Buyer) and Lester Proctor Sr., 1190 Cemetery Rd., Tipton, 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 in the SE ¼, NE ¼, Section 12, T-79N, R-3W, in Rochester 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. He advised them to complete their review in accordance with Chapter 18.2(3) of Cedar County Zoning Ordinance No. 10 in making a recommendation to the Cedar County Board of Supervisors.

La Rue advised a letter is on file from the Tipton Fire Department that they will provide service, but indicated it was important that they have access and a driveway that meet requirements of the fire department. Home would be outside a 5 mile radius of fire department. A letter from the County Engineer indicating he has reviewed the proposal indicating it will have minimal road impacts and a driveway permit is on file.

Lester Proctor Jr. was present with his father Lester Proctor Sr. and explained his parents have lived there for many years. They have cleaned up the property since taking possession. He enjoys the location and would like to build a single family dwelling. Member Twing questioned the topography of the location and where he planned to place the home to avoid problems. Zoning Administrator La Rue asked if he planned to keep on the East side of the property. He said that he plans to be midpoint of the parcel, close the road but 50 feet from the road right of away. Administrator La Rue indicated there are 3 different soils combined in the area called a fayette, chelsea, tell complex making limitations severe for a septic system but can be dealt with as they have in a nearby subdivision. Building, slight to moderate limitations because of sand need to make sure foundation is done properly. Ag, limitations are severe due to soils there. CSR is 35. There are 3 subdivisions nearby. Two on the north side and one on the south side. Land in question is more than 5 miles from town on a gravel road. Scored 3,325 points on the LESA assessment which is moderate findings for preservation. Land is not located as a future growth area of the Cedar County Land Use Plan. There is a familial relationship as the land is currently owned by his father. Zoning Administrator La Rue and Member Twing posed the question of future division of the land?

Mr. Proctor, Sr. responded that there are no plans for future development. Member Brown asked Lester Proctor Jr if he was prepared for the possibility of emergency personnel such as ambulance, fire, etc. taking longer to get to him and the possible results of that. Mr. Proctor indicated he was aware of this possibility.

Brown motioned to approve the request for rezoning with the agreement that no further homes be built and no further splitting of this piece of land. Twing seconded the motion. Ayes, all.

2. **James Kost, P.O. Box 326, Lowden, 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 at 1784 110th St., Clarence, IA, described as Parcel B, in the NE ¼, NE ¼, Section 12, T-82N, R-2W, in Dayton Township. Said petition is to rezone 1.16 acres of a 17.9 acre parcel.

Zoning Administrator La Rue informed the members there were no written or verbal objections on file for this petition. He advised them to complete their review in accordance with Chapter 18.2(3) of Cedar County Zoning Ordinance No. 10 in making a recommendation to the Cedar County Board of Supervisors.

La Rue advised a letter is on file from the Clarence Fire Department and Clarence Ambulance service indicating they will provide services. A letter from the County Engineer indicating he has reviewed the proposal indicating it will have minimal road impacts and a driveway permit is on file.

Zoning Administrator La Rue shared the road leading to the property is one foot above the flood plain to clarify the maps.

Mr. Kost was present, shared that he owns adjoining ground and that his parents live nearby. Indicated he plans to build on the south side of the property in an area that has a barn and silos that are in disrepair and being cleaned up. Indicating that there are no plans to build other homes or divide the ground further. Entrance is already established and adequate. Mr. Kost indicated new well and septic will be needed and he plans to have a perc test done to see if there are any obstacles he may have to work with. Power is established to the property already and the power company indicated no further work will be needed on their part.

Zoning Administrator La Rue indicated that 184 klinger is the soil in the area which creates a challenge as the water table is only 2-3 feet down. Limitations for building and septic are severe but can be dealt with. Ag, the use is slight. This area is not farmed/tillable. Colo ely soil in the area is in the floodplain but there is an adequate amount of space to place the home. Cedar County Land Use Plan assessment indicates familial relationship with the nearby land owner, is less than a quarter mile from a hard surface road, 4.6 miles from Clarence. The plan requests compact orderly development of the land and no tillable acres of farmland will be taken out of production. 2,376 points on the LESA assessment with strong finding for preservation despite the clustering near another home. There are very few homes

in the area and a hog confinement that is not currently in production. Discussion of the flood plain occurred. Appears to be manageable.

Crist motioned to approve the request for rezoning, Twing seconded the motion. Ayes, all.

3. **Jeffrey & Victoria Kaufmann, 2125 Old Muscatine Rd., Wilton, IA (Owners)** – Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential for the purpose of constructing a single-family dwelling on property located in the SW ¼, SW ¼, Section 27, T-79N, R-2W, Sugar Creek Township. Said petition is to rezone 4.01 acres of property totaling 28.94 acres m/l.

Zoning Administrator La Rue 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 Chapter 18.2(3) of Cedar County Zoning Ordinance No. 10 in making a recommendation to the Cedar County Board of Supervisors.

La Rue advised a letter is on file from the Wilton Fire Department stating they can and will be able to provide emergency services. A letter from the County Engineer indicating he has reviewed the proposal indicating it will have minimal road impacts and a driveway permit is on file.

John Kaufmann was present on behalf of the petitioners. 1.5 miles off of Highway 38. Home is intended for a brother, Jacob Kaufmann, who is completing a teaching position out of state. Dream location for him. Plans to place the home on the back side of the property to Mr. Kaufmann's knowledge.

Zoning Administrator La Rue indicated the soils are challenging on the site. Four different soils are present. The first is a kennebec. It is necessary to stay out of this area due to flooding and unpredictable soil that is not good for septic systems or building. Limitations are slight for ag if tiled. CSR is 70. The land also has down, terrace and fayette, terrace soils with a CSR that is 75-80. There are moderate limitations for building and severe limitations for septic due to slow drainage. Walford, terrace has a high water table. CSR is 67 with an average CSR of less than 75. This is not in the growth area of the Land Use Plan, but there is a five lot subdivision nearby and short distance from hard surface road. LESA scoring was 2,645 which is a strong finding for preservation, despite the nearby subdivision.

Mr. Kaufmann explained only one home would be built at this location. Chairperson Yutesler questioned current use of the land. Mr. Kaufmann indicated the fenced in alfalfa field will remain as is and the home would not be placed on land that is actively being farmed.

Zoning administrator La Rue explained that agreement will need to be made not to sever the land and sewer systems may be a challenge dependent on where the home is placed because of the drastic changes in soil in a short distance.

Motion to approve was made by Dornfeld, seconded by Crist.

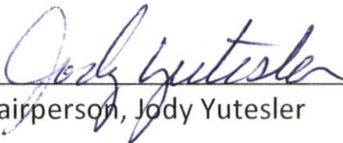
Discussion followed with Klein questioning how the agreement not to sever is handled. La Rue clarified it would be handled through County Zoning Ordinance No. 10 and before permits were issued an agreement would need to be made of record with the Cedar County Recorder. Discussion of an adequate access and driveway to prevent delay or harm to emergency responders in emergency situations also took place.

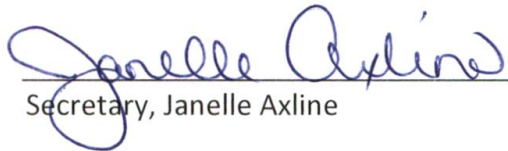
Motion to approve with the condition that the land not be severed in the future was made by Dornfeld, seconded by Crist. Ayes, all.

Minutes from the prior meeting held on August 19, 2020 were previously sent to members. Klein made a motion to approve the minutes, Twing seconded. Ayes, all.

Further discussion was held about a petition that will be received from Teo's Towing for June 16, 2021 meeting.

No further business, motion to adjourn was made by Brown, seconded by Klein. Meeting adjourned 7:52 PM.


Chairperson, Jody Yutesler


Secretary, Janelle Axline

CEDAR COUNTY AUDITOR & COMMISSIONER OF ELECTIONS
CARI A. DAUBER
Cedar County Courthouse
400 Cedar Street, Tipton, IA 52772
Telephone: (563)886-3168 Fax: (563)886-3339
cdauber@cedarcounty.org
www.cedarcounty.org



CEDAR COUNTY, IOWA

May 26, 2021

LEGAL NOTICE

PUBLIC NOTICE is hereby given that the Cedar County Board of Supervisors will be conducting a Public Hearing on Tuesday, June 16, 2021, at 9:00 a.m., and Tuesday, June 22, 2021, 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. **Lester Proctor Jr., 1214 Oak St., Wilton, IA (Contract Buyer) and Lester Proctor Sr., 1190 Cemetery Rd., Tipton, 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 in the SE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 12, T-79N, R-3W, in Rochester Township, consisting of 2.11 acres m/l.
2. **James Kost, P.O. Box 326, Lowden, 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 at 1784 110th St., Clarence, IA, described as Parcel B, in the NE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 12, T-82N, R-2W, in Dayton Township. Said petition is to rezone 1.16 acres of a 17.9 acre parcel.
3. **Jeffrey & Victoria Kaufmann, 2125 Old Muscatine Rd., Wilton, IA (Owners)** – Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential for the purpose of constructing a single-family dwelling on property located in the SW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 27, T-79N, R-2W, Sugar Creek Township. Said petition is to rezone 4.01 acres of property totaling 28.94 acres m/l.

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 time is needed. Any person wishing a statement read into the hearing for them may file same with the Cedar County Auditor prior to the time of the hearing.

Cari Dauber
Cedar County Auditor

Emailed 05/27/2021 to:
Durant & Wilton Advocate News
SunNews
Tipton Conservative
Auditor Cari Daubert

Mailed Notices on 05/28/21

Rochester Cemetery (Proctor)
c/o Jon Zobel
1639 Monroe Ave.
Tipton, IA 52772

Johnna & Bobby Brasmer (Proctor)
1185 Cemetery Rd.
Tipton, IA 52772

Brant & Tarah Gates (Proctor)
1187 Cemetery Rd.
Tipton, IA 52772

John & Connie Paul (Proctor)
1935 Hwy 38 S
Tipton, IA 52772

Frances & Dale Thumma Trustees (Proctor)
c/o Steve Scorpil
1173 290th St.
Tipton, IA 52772

Adam & Erin Kinion (Proctor)
1933 Hwy 38
Tipton, IA 52772

Donald & Brenda Stewart (Proctor)
66 Hidden River Ct.
Tipton, IA 52772

Jerry & Carol Oakley (Proctor)
12 Hearst Dr.
Tipton, IA 52772

James & Anne Schneider (Proctor)
4 Hearst Dr.
Tipton, IA 52772

Jeanette Wigim (Proctor)
1161 Cemetery Rd.
Tipton, IA 52772

Don & Melisa Roth (Proctor)
10 Hearst Dr.
Tipton, IA 52772

Jerry & Rita Sloan (Proctor)
6 Hearst Dr.
Tipton, IA 52772

Jessica E. Wilkening Revocable Trust (Proctor)
2 Hearst Dr.
Tipton, IA 52772

J & L Kay Farms (Kost)
c/o Joann Kay
PO Box 7
Wheatland, IA 52777

Dayton Valley Cemetery Assoc. (Kost)
Robert King Kelly
37 Oxford Junction Rd.
Clarence, IA 52216

Karl Kost (Kost)
1783 110th St.
Clarence, IA 52216

Robert King & Constance Kelly (Kost)
1009 Ball St.
Clarence, IA 52216

Ruby Kaufman Residual Trust (Kaufmann)
c/o Community Bank & Trust
PO Box 1120
Wilton, IA 52778

Michael Kaufman (Kaufmann)
2260 Ocean Ave.
Wilton, IA 52778

Lester Proctor Jr. - **CERTIFIED**
1214 Oak St.
Wilton, IA 52778

Lester Proctor Sr. - **CERTIFIED**
1190 Cemetery Rd.
Tipton, IA 52772

James Kost - **CERTIFIED**
PO Box 326
Lowden, IA 52255

Jeffrey & Victoria Kaufmann - **CERTIFIED**
2125 Old Muscatine Rd.
Wilton, IA 52778

**Emailed to Tipton Conservative, Sun News and
Wilton-Durant Advocate News on 05/27/21**

Emailed to Auditor Cari Dauber on 05/27/21

STATE OF IOWA, CEDAR COUNTY, ss:

I, Stuart S. Clark, publisher of the SUN NEWS, a weekly newspaper of general circulation, published in said county, being duly sworn do declare and say that a notice, of which one hereto attached is a copy, was published in the said

The Sun News once

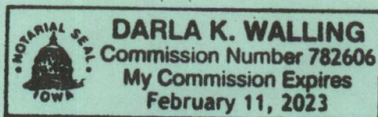
To wit on 6-3-21

Subscribed and sworn to before me this 4

Day of June A.D. 20 21

Darla K. Walling
Notary Public in and for Cedar County, Iowa

Printer's fee \$ 38.75



Legal Notice

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3. Jeffrey & Victoria Kaufmann, 2125 Old Muscatine Rd.,

Wilton, IA (Owners) - Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential for the purpose of constructing a single-family dwelling on property located in the SW ¼, SW ¼, Section 27, T-79N, R-2W, Sugar Creek Township. Said petition is to rezone 4.01 acres of property totaling 28.94 acres m/l.

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 time is needed. Any person wishing a statement read into the hearing for them may file same with the Cedar County Auditor prior to the time of the hearing.

Cari Dauber
Cedar County Auditor
SN 22

STATE OF IOWA, CEDAR COUNTY, ss:

I, Stuart S. Clark, publisher of The Tipton Conservative and Advertiser, a weekly newspaper of general circulation, published in said county, being duly sworn do declare and say that a notice, of which one hereto attached is a copy, was published in the said

Tipton Conservative and Advertiser once

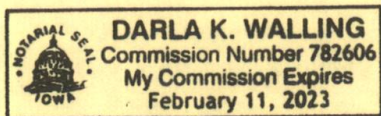
To wit on 6-2-21

Subscribed and sworn to before me this 4

Day of June A.D. 2021

Darla K. Walling
Notary Public in and for Cedar County, Iowa

Printer's fee \$ 38.75



Legal Notice

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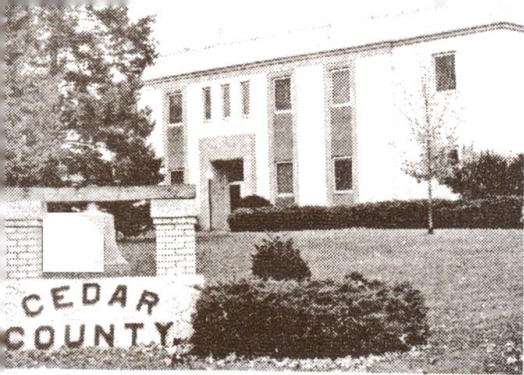
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At said Public Hearing, any person present, and so wishing, will be given the opportunity to be heard. However, the Board does request, but does not require, that any person who speaks also provide a short-written summary or outline of the statement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

Cari Dauber
Cedar County Auditor
C 22



Tel: 563-886-2248

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

April 6, 2021

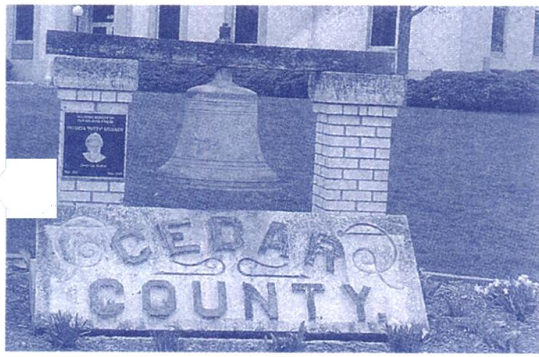
TO: ALL CEDAR COUNTY PLANNING & ZONING COMMISSION MEMBERS

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

Sincerely,

Phil La Rue
Zoning Administrator

PDL/bja



Tel: 563-886-2248

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

March 10, 2021

TO: ALL 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 March because not petitions have been filed.

Sincerely,

Phil La Rue
Zoning Administrator

PDL/bja



Tel: 563-886-2248

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

February 18, 2021

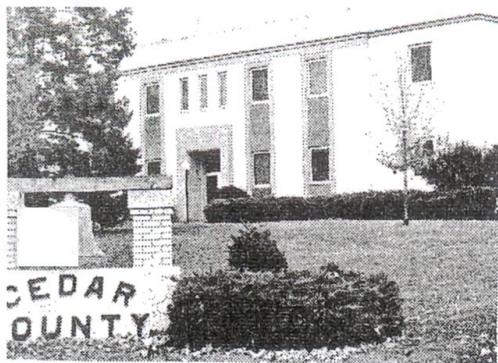
TO: ALL CEDAR COUNTY PLANNING & ZONING COMMISSION MEMBERS

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

Sincerely,

Phil La Rue
Zoning Administrator

PDL/bja



Tel: 563-886-2248

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

February 18, 2021

Josh Crist
1231 265th St.
Tipton, IA 52772

Dear Josh:

I am writing this letter to welcome you to the Cedar County Planning and Zoning Commission. Enclosed please find informational documents prepared by Iowa State University pertaining to the comprehensive nature of zoning in Cedar County and the State of Iowa. Copies of all Ordinances and the Cedar County Land Use Plan can be found at www.cedarcounty.org under the Zoning Office. I have also included a list of contacts for you that include the other Board of Adjustment members, Zoning Commission members, and the Board of Health.

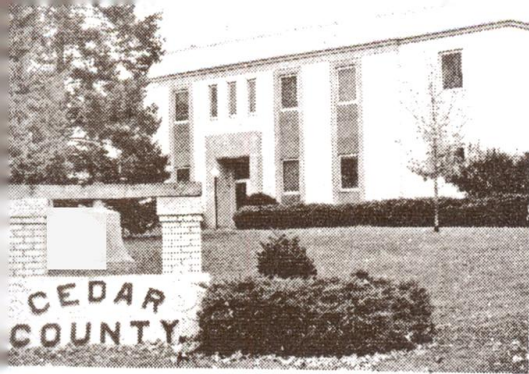
As your zoning staff, Janelle Axline and I will assist you with any questions you may have. We will prepare all applicable documentation that the Commission will need for the Public Hearings. Please feel free to contact me with any questions you may have, and if you would like to meet with me prior to any Public Hearings I would be happy to do so.

Thank you for your willingness to serve on the Zoning Commission, and I look forward to working with you.

Sincerely,

Phil La Rue
Zoning Administrator

PL:bja
Enclosures



Tel: 563-886-2248

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

January 7, 2021

TO: ALL CEDAR COUNTY PLANNING AND ZONING COMMISSION MEMBERS

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

Sincerely,

Phil La Rue
Zoning Administrator

PDL/bja

Mailed to:

John Dornfeld
1396 290th St.
Tipton, IA 52772

Dave Schuett
803 2nd Ave.
Durant, IA 527474

Brett Eggert
2 Walnut Ct.
Tipton, IA 52772

Douglas Klein
1444 Charles Ave.
West Branch, IA 52358

Laura Twing
467 210th St.
Tipton, IA 52772

Jody Yutesler
2217 Hoover Hwy
Lowden, IA 52772

Joel Brown
342 Delta Ave
Mechanicsville IA 52306