



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.iowa.gov

December 8, 2022

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 December because no petitions have been filed.

Sincerely,

A handwritten signature in blue ink that reads "Phil". The signature is stylized and appears to be a first name.

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.iowa.gov

November 4, 2022

PUBLIC NOTICE

The Cedar County Planning & Zoning Commission will be conducting a Public Hearing on Wednesday, November 16, 2022, 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. **Betty Lett, 1025 230th Street, Tipton, Iowa (Owner)** - Requesting a change in zoning from C-2 Highway Commercial to A-1 Agricultural District for the purpose of eliminating an unused zoning district on property located in the SE $\frac{1}{4}$, SW $\frac{1}{4}$, Section 2, T-80N, R-3W, in Center West Township, consisting of 1.06 acres total.

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

Lett

Mailed notices 11/08/2022

Betty Lett (certified)
1025 230th St
Tipton IA 52772

Phillip Hargrave Revocable Trust
301 Cedar Street
Tipton IA 52772

Donald Lamp
PO Box 422
Tipton IA 52772

All Commission Members

Emailed to Engineer, Rob Fangmann 11/08/2022

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

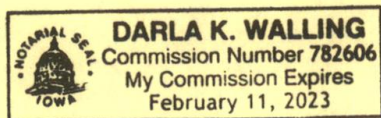
Tipton Conservative and Advertiser once

To wit on 11-9-22
Stuart S. Clark

Subscribed and sworn to before me this 11

Day of Nov A.D. 2022
Darla K. Walling
Notary Public in and for Cedar County, Iowa

Printer's fee \$ 17.31



Legal Notice

November 4, 2022
PUBLIC NOTICE

The Cedar County Planning & Zoning Commission will be conducting a Public Hearing on Wednesday, November 16, 2022, 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. Betty Lett, 1025 230th Street, Tipton, Iowa (Owner) - Requesting a change in zoning from C-2 Highway Commercial to A-1 Agricultural District for the purpose of eliminating an unused zoning district on property located in the SE 1/4, SW 1/4, Section 2, T-80N, R-3W, in Center West Township, consisting of 1.06 acres total. 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
C 45



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.iowa.gov

November 9, 2022

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 **November 16, 2022 at 6:30 p.m.** I will address the petition as listed on the legal notice.

- 1. Betty Lett, 1025 230th Street, Tipton, Iowa (Owner)** - Requesting a change in zoning from C-2 Highway Commercial to A-1 Agricultural District for the purpose of eliminating an unused zoning district on property located in the SE ¼, SW ¼, Section 2, T-80N, R-3W, in Center West Township, consisting of 1.06 acres total.

This is located on a dead end gravel route 230th Street and should have minimal impact on the existing infrastructure. I recommend the change in zoning to A-1 Agriculture.

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

November 16, 2022 - 6:30 PM

Phil Lamy

Janille Quinn

Betty Lett

Rachael Lett

Joel Brown

John Dornfeld

Laura Blumenthal

Josh Guttus

Jan P.

John

CEDAR COUNTY PLANNING & ZONING COMMISSION MINUTES

November 16, 2022

The Cedar County Planning & Zoning Commission conducted a Public Hearing on Wednesday, November 16, 2022, 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, Twing, Brown, Crist, Dornfeld, and Brandenburg. Lieser was absent.

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

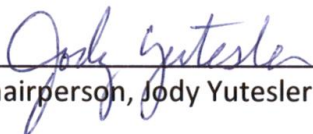
1. **Betty Lett, 1025 230th Street, Tipton, Iowa (Owner)** - Requesting a change in zoning from C-2 Highway Commercial to A-1 Agricultural District for the purpose of eliminating an unused zoning district on property located in the SE ¼, SW ¼, Section 2, T-80N, R-3W, in Center West Township, consisting of 1.06 acres total.

Zoning Administrator La Rue advised the board 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. Betty Lett was present and stated she did not have any additional details to offer, only that she was not aware of its current zoning. Brown made a motion to approve in making a recommendation to the Board of Supervisors. Crist seconded. Ayes: All. Motion carried. No further discussion.

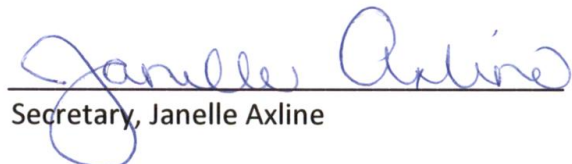
La Rue added that Lett may want to discuss with her attorney about vacating the survey to clean up the abstract. She will talk with her attorney about when the property is sold.

Minutes from the prior meeting held on September 21, 2022 were previously read by the members. Dornfeld made a motion to approve the minutes. Twing seconded. Ayes: All

Dornfeld motioned to adjourn the meeting. Twing seconded. Ayes: All Meeting adjourned at 7:00 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.iowa.gov
www.cedarcounty.iowa.gov



CEDAR COUNTY, IOWA

November 22, 2022

LEGAL NOTICE

PUBLIC NOTICE is hereby given that the Cedar County Board of Supervisors will be conducting a Public Hearing on Tuesday, December 6, 2022, at 11:00 a.m., and Tuesday, December 13, 2022, at 11:00 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. **Betty Lett, 1025 230th Street, Tipton, Iowa (Owner)** - Requesting a change in zoning from C-2 Highway Commercial to A-1 Agricultural District for the purpose of eliminating an unused zoning district on property located in the SE $\frac{1}{4}$, SW $\frac{1}{4}$, Section 2, T-80N, R-3W, in Center West Township, consisting of 1.06 acres total.

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

Lett

Mailed notices 11/22/2022

Betty Lett (certified)
1025 230th St
Tipton IA 52772

Phillip Hargrave Revocable Trust
301 Cedar Street
Tipton IA 52772

Donald Lamp
PO Box 422
Tipton IA 52772

Emailed to Engineer, Rob Fangmann

Emailed to Auditor, Cari Dauber

Emailed to Tipton Conservative

Provided to BOS minutes, photo and notice 11/22/22



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

October 11, 2022

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 October because no petitions have been filed.

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

September 1, 2022

PUBLIC NOTICE

The Cedar County Planning & Zoning Commission will be conducting a Public Hearing on Wednesday, September 21, 2022, 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. **Mike & Denise Goetz, 1113 Stone Mill Rd., Tipton, IA, (Owners)** - Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential for the purpose of allowing construction of a single-family dwelling on a previously subdivided parcel described as Lot 1, Goetz Subdivision, located in the NW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 13, T-80N, R-3W, in Center West Twp. Said petition is to rezone 1.82 acres more or less.

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

Philip LaRue
Zoning Administrator

Emailed to:

Tipton Conservative (09/01/2022)

Rob Fangmann (09/02/2022)

Mailed to: (09/02/2022)

Mike & Denise Goetz (certified)
1113 Stonemill Rd.
Tipton IA 52772

Brad Goetz (certified)
1381 Pleasant View Dr.
Tipton IA 52772

John Albaugh
PO Box 431
Tipton IA 52772

Daulton Mente
1115 Stonemill Rd.
Tipton IA 52772

Troy & Denise Mente
1117 Stonemill Rd.
Tipton IA 52772

Leon & Barbara Achey
1430 Lemon Ave
Tipton IA 52772

Kimberly jo Regennitter
1509 King Ave
Tipton IA 52772

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 9-7-22

Stuart S. Clark

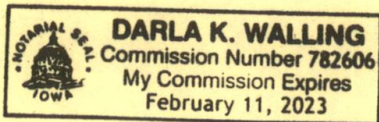
Subscribed and sworn to before me this 9

Day of Sept A.D. 20 22

Darla K. Walling

Notary Public in and for Cedar County, Iowa

Printer's fee \$ 19.23



10 THE TIPTON CONSERVATIVE

Legal Notice

September 1, 2022

PUBLIC NOTICE

The Cedar County Planning & Zoning Commission will be conducting a Public Hearing on Wednesday, September 21, 2022, 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. Mike & Denise Goetz, 1113 Stone Mill Rd., Tipton, IA, (Owners) - Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential for the purpose of allowing construction of a single-family dwelling on a previously subdivided parcel described as Lot 1, Goetz Subdivision, located in the NW ¼, SW ¼, Section 13, T-80N, R-3W, in Center West Twp. Said petition is to rezone 1.82 acres more or less.

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

Philip LaRue
Zoning Administrator
C 36



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.iowa.gov

September 19, 2022

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 **September 21, 2022 at 6:30 p.m.** I will address the petition as listed on the legal notice.

- 1. Mike & Denise Goetz, 1113 Stone Mill Rd., Tipton, IA, (Owners)** - Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential for the purpose of allowing construction of a single-family dwelling on a previously subdivided parcel described as Lot 1, Goetz Subdivision, located in the NW ¼, SW ¼, Section 13, T-80N, R-3W, in Center West Twp. Said petition is to rezone 1.82 acres more or less.

This is located on paved route Stone Mill Road 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

September 21, 2022

11 - 6:30 P.M.

Janella Bryline
Phil Jones
Joel Brown

Josh L
Phil Mody

Mike Goff
Jim a. Langmuir
Dawn T.

James B. Z
Kurt
Josh Yates

CEDAR COUNTY PLANNING & ZONING COMMISSION MINUTES

September 21, 2022

The Cedar County Planning & Zoning Commission conducted a Public Hearing on Wednesday, September 21, 2022, 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, Twing, Brown, Crist, Dornfeld, Brandenburg and Lieser.

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

1. **Mike & Denise Goetz, 1113 Stone Mill Rd., Tipton, IA, (Owners)** - Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential for the purpose of allowing construction of a single-family dwelling on a previously subdivided parcel described as Lot 1, Goetz Subdivision, located in the NW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 13, T-80N, R-3W, in Center West Twp. Said petition is to rezone 1.82 acres more or less.

Zoning Administrator La Rue advised the board 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 another subdivision will be required if approved due to the property being divided already being a subdivision. Letter from Cedar County Engineer indicating the petitioners will be using the existing access and it is approved for site distance. Tipton Fire Department provided a letter saying they will be able to provide access, they are requesting driveway be adequate for their emergency vehicles. Two soil types on the proposed ground and are of concern due to the 18-25% slope and drainage and erodible qualities. Top soil is difficult to keep in place and good erosion plan will be needed if approved. CSR average is 24. La Rue explained that he wants to make sure the ground he wants to build on is protected and that solutions for these extreme soil conditions are discussed in order to find the most cost effective solutions. An alternate septic system of some sort will be required due to these soils. Yutesler asked if soils were different at Goetz's existing house, La Rue advised they are very different. Discussion of wells involved Mike Goetz asking La Rue's preference on sharing a well or drilling a new for his home. La Rue recommended sharing water at this time due to other obstacles they will be dealing with in this terrain. Brad Goetz stated his parents well is 260 feet deep. La Rue explained wells are very deep in that area. He said they can drill if they choose, but sharing is possible and an option. Yutesler said her only concern is down the road if someone else owns the property that they will have to deal with a shared well. Crist echoed those concerns. Goetz understood. La Rue explained that for a minor subdivision a shared well/providing a well is not required. Driveway discussion occurred. Mike Goetz provided a drawing of where he planned to place a driveway to shop whether this petition was approved or not. If approved and Brad decides to build then they will just continue that driveway north to his new home. He planned on an 80/20 split on the cost of maintenance and a permanent easement for driveway access. La Rue requested easement be 40 feet in width. Road width does not need to be 40 feet so that top can be 20 feet. M. Goetz did not feel there would be any headlight issues shining onto other properties with their plan and did not feel it was much, if any steeper than his driveway or

nearby neighbors. B. Goetz said that he has had a contractor out and they indicated a driveway could be put in easily. Yutesler questioned if it would be built to accommodate large firetrucks and emergency vehicles. B. Goetz stated it would. There will be cement trucks, truss delivery semis etc. that will need to access during construction so they will be sure it is accessible for all. Brown explained that the Commission was there to bring out any issues prior to it getting to the Board of Supervisors. Commission just needs to be sure that the driveway is adequate for current and future use. General discussion about the driveway and future ownership for B. Goetz was discussed. Brandenburg commended Goetz for their preparation and thoughts about future owners, not just considering while they own it. LESA score was 3,975 which included 200 points for familial relationship. La Rue advised that the score was knocked down a bit due to the soils and slope and a little regarding access to the property. Scoring was lower not due to access off of Stone Mill Road, but access up to the proposed house itself. M. Goetz explained that B. Goetz had been looking for at least two years and to find a ready made place on a hard surface route was very difficult, so that is why this is being pursued. Crist suggested reaching out to power company regarding how easily they could get power to the site.

Crist made a motion to approve in making a recommendation to the Board of Supervisors, adding that the driveway top needs to be 20-22 feet/follow county guidelines and easement 40 feet wide. It was seconded by Dornfeld. Ayes: All. Motion passed.

The Commission conducted general discussion about possible changes to the zoning ordinance to be discussed in detail when revisions to the zoning ordinance are presented. Those are as follows:

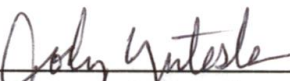
- Easement, access issues to properties requesting rezoning that would otherwise be land locked
- Weekend/Guest houses and temporary dwellings until permanent homes can be built/they can afford permanent residence or want for family gatherings.
- Timeframes on how soon a temp dwelling can be used/determination made by the Board of Adjustment for how long they have to live in accessory structure before new home can be built.
- Discuss/define a farm (landowner vs farmer)
- Discuss repeat splits when have a piece that has been split once and new owner wants to split again to offset cost of what they paid for that piece of land. Proposal to put in ordinance a clear statement that once you split off of a 40, you are not going to split again to build another home. Any subsequent splits would be a subdivision.
- Build a farm home, then a short time later they split off and sell it. Process is done to avoid rezoning regulations/process. Proposal that if a farm home is built it must stay with the property for at least 20 years.
- Solar Ordinance
- Indemnification/Abandonment of C-WECS

Discussion if Zoning Commission can do anything with pipeline setbacks. La Rue clarified they are allowed in certain districts, so Commission cannot regulate. Regulations for pipeline placement and any other pipeline regulations are controlled or will be controlled by other state or federal agencies.


A specific work session meeting will be scheduled at a later date to discuss the above topics.

Minutes from the prior meeting held on August 17, 2022 were previously read by the members. Brown made a motion to approve the minutes. Brandenburg seconded. Ayes: All

Meeting was declared adjourned at 8:00 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.iowa.gov
www.cedarcounty.iowa.gov



CEDAR COUNTY, IOWA

September 29, 2022

LEGAL NOTICE

PUBLIC NOTICE is hereby given that the Cedar County Board of Supervisors will be conducting a Public Hearing on Tuesday, October 18, 2022, at 9:00 a.m., and Tuesday, October 25, 2022, 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. Mike & Denise Goetz, 1113 Stone Mill Rd., Tipton, IA (Owners)** - Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential for the purpose of allowing construction of a single-family dwelling on a previously subdivided parcel described as Lot 1, Goetz Subdivision, located in the NW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 13, T-80N, R-3W, in Center West Twp. Said petition is to rezone 1.82 acres more or less.

At said Public Hearing, any person present, and so wishing, will be given the opportunity to be heard, for or against, said petition. Any person so wishing may file a document with the Cedar County 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:

Tipton Conservative (09/30/2022)

Cari Dauber (09/29/2022)

Rob Fangmann as FYI (09/29/2022)

Mailed to: (09/30/2022)

Mike & Denise Goetz (certified)
1113 Stonemill Rd.
Tipton IA 52772

Brad Goetz (certified)
1381 Pleasant View Dr.
Tipton IA 52772

John Albaugh
PO Box 431
Tipton IA 52772

Daulton Mente
1115 Stonemill Rd.
Tipton IA 52772

Troy & Denise Mente
1117 Stonemill Rd.
Tipton IA 52772

Leon & Barbara Achey
1430 Lemon Ave
Tipton IA 52772

Kimberly Jo Regennitter
1509 King Ave
Tipton IA 52772

Packet to BOS 10/01/2022



**OFFICE OF THE PLANNING AND ZONING
ADMINISTRATOR**

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

August 5, 2022

PUBLIC NOTICE

The Cedar County Planning & Zoning Commission will be conducting a Public Hearing on Wednesday, August 17, 2022, 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. **Daniel and Harriet Grimm, 2319 Taylor Avenue, Wilton, IA, (Owners)** - Requesting a change in zoning for the purpose of allowing the construction of a single-family dwelling on property located in the NE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 31, T-79N, R-1W, in Farmington Township, consisting of 1.00 acres total.

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 to:

Tipton Conservative & West Branch Times (08/05/22)

Engineer Rob Fangmann (08/08/22)

Mailed on 08/09/22 to:

Daniel & Harriet Grimm (certified)
2319 Taylor Ave
Wilton IA 52778

Matthew and Charla Jurgensen (certified)
PO Box 1063
Wilton IA 52778

Justin & Amanda Smith
2341 Taylor Ave
Wilton IA 52778

Timothy & Lori White
1903 335th St
Wilton IA 52778

Stephen & Joanne Shuger
2320 Taylor Ave
Wilton IA 52778

Betty & Leo Shuger Family Farm
c/o Michael E Shuger
2332 Taylor Ave
Wilton IA 52776-9203

STATE OF IOWA, CEDAR COUNTY, ss:

I, Stuart S. Clark, publisher of the West Branch Times, 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

West Branch Times once

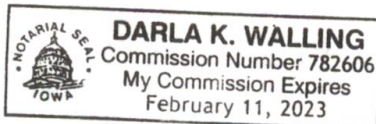
To wit on 8-11-22
Stuart S. Clark

Subscribed and sworn to before me this 12

Day of August A.D. 20 22

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

Printer's fee \$ 16.67



Legal Notice

August 5, 2022

PUBLIC NOTICE

The Cedar County Planning & Zoning Commission will be conducting a Public Hearing on Wednesday, August 17, 2022, 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. Daniel and Harriet Grimm, 2319 Taylor Avenue, Wilton, IA, (Owners) - Requesting a change in zoning for the purpose of allowing the construction of a single-family dwelling on property located in the NE 1/4, NE 1/4, Section 31, T-79N, R-1W, in Farmington Township, consisting of 1.00 acres total.

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
WBT 32

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

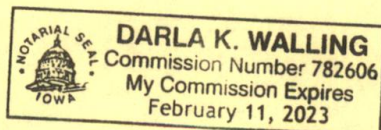
To wit on 8-10-22
[Signature]

Subscribed and sworn to before me this 12

Day of August A.D. 20 22

[Signature]
Notary Public in and for Cedar County, Iowa

Printer's fee \$ 110.67



Legal Notice

August 5, 2022

PUBLIC NOTICE

The Cedar County Planning & Zoning Commission will be conducting a Public Hearing on Wednesday, August 17, 2022, 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. Daniel and Harriet Grimm, 2319 Taylor Avenue, Wilton, IA, (Owners) - Requesting a change in zoning for the purpose of allowing the construction of a single-family dwelling on property located in the NE ¼, NE ¼, Section 31, T-79N, R-1W, in Farmington Township, consisting of 1.00 acres total.

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
C 32



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.iowa.gov

August 12, 2022

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 17, 2022** at **6:30 p.m.** I will address the petition as listed on the legal notice.

- 1. Daniel and Harriet Grimm, 2319 Taylor Avenue, Wilton, IA, (Owners)** - Requesting a change in zoning for the purpose of allowing the construction of a single-family dwelling on property located in the NE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 31, T-79N, R-1W, in Farmington Township, consisting of 1.00 acres total.

This is located on paved route Taylor Avenue (Y14) and should have minimal impact on the existing infrastructure. An approved entrance permit is on file with my office to serve a single-family dwelling only.

Sincerely,

A handwritten signature in blue ink that reads "Robert D. Fangmann". The signature is fluid and cursive.

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

CEDAR COUNTY PLANNING AND ZONING PUBLIC HEARING

August 17, 2022 - 6:30 P.M.

Janelle Arlene

Jack Lyterle

Chella Jurgensen

Matt Jurgensen

P.D. Jure

Greg Shuger

Jeanne Shuger

John D. Norvall

Deel Crozon

Taura Dwing

John L.

CEDAR COUNTY PLANNING & ZONING COMMISSION MINUTES

August 17, 2022

The Cedar County Planning & Zoning Commission conducted a Public Hearing on Wednesday, August 17, 2022, 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, Twing, Brown, Crist, and Dornfeld. Absent were Brandenburg and Lieser.

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

- 1. Daniel and Harriet Grimm, 2319 Taylor Avenue, Wilton, IA, (Owners)** - Requesting a change in zoning for the purpose of allowing the construction of a single-family dwelling on property located in the NE ¼, NE ¼, Section 31, T-79N, R-1W, in Farmington Township, consisting of 1.00 acres total.

Zoning Administrator La Rue advised the board 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 was a telephone voicemail left after hours with the following information: Mike Shuger is out of town so could not attend meeting and wanted to share that he is not opposed to the young man building a home, they are opposed to the driveway placement. It needs to be moved north to see over the hump across from his driveway. Driveway cannot be moved north as the petitioner's septic system is there. No other written or verbal objections on file. A letter from Cedar County Engineer, Rob Fangmann, stated that it is located on a paved route and there would be minimal impacts on existing infrastructure, approved driveway permit is on file with his office to serve a single family dwelling only, never two. It is Mr. La Rue's recommendation that the Commission proceed with making their recommendation to the Board of Supervisors and that M. Shuger bring his concerns to the Board of Supervisors at the next meeting if he wishes. Matthew Jurgerson, grandson of Daniel and Harriet Grimm and his wife Charlotte Jurgerson shared they would like to build a home so that they are closer to Matthew's grandparents. They are at the farm a lot and maintain Grimm's yard and perform maintenance for them in and around their home. They were married on the property and because they are there so often/love the area and want to be closer to them they would like to build their home there. Being right next door would be helpful for both sides due to ongoing health issues with Mr. Grimm or possible falls. Mr. Jurgerson clarified that this area is not currently being farmed and it is pasture. Mr. La Rue stated and Mr. Jurgerson agreed that it is very important to his grandfather that no tillable acres be taken out of production as part of this process. La Rue shared that a rezoning request was made many years ago for an area south of this proposed site. A portion of it was denied, but it was due to the fact that Mr. Grimm had livestock at that time. There are no longer any confinements in the area/have not been for 27 years. La Rue advised this does not pertain to this request other than to make the Commission aware that the property to the South was before them in the past/prior to them being on the Commission. La Rue explained soil types, limitations for septic could be a high water table, but they can all be dealt with whether it be a curtain tile or alternate septic system. CSR is 85 on this

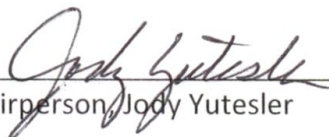
area, but not in ag production. It only produces one hay bale. 2,900 points under the LESA scoring which is a strong finding for preservation. Some of the reasons for the lower score is separate access, high CSR, but points were earned for not taking land out of farming production, making driveway along an existing fence line, not tillable land. La Rue gave a breakdown of the LESA score. Greg Shuger and his mother Joanne Shuger were present. They advised they are present for the same reason Mike Shuger had called in. G. Shuger wanted to voice their concerns out loud and separately for the record. He stated he has no ill will to them to building a house, they are concerned with the driveway. G. Shuger stated he understands not wanting to share a driveway, but they have to share a driveway with three dwellings on his property and that he and his mother feel this is an already unsafe/dangerous roadway in some circumstances and making it more unsafe. He understands that they have to take these concerns to the Board of Supervisors and/or Engineer, but he wanted to voice those concerns publicly now. Brown questioned how much of a site line was there. La Rue advised at least 500 feet as that is what is required for approval for a residence vs. an ag dwelling or entrance. J. Shuger stated Grimm's side of the road is higher than their side (east side) of the road. She explained getting in and out of their driveway and how unsafe it is. Mr. Jurgerson stated that Engineer Fangmann did say he would prefer it be moved 75 feet to the north, but Grimm let him know that would conflict with his grandparent's septic system. La Rue asked Jurgerson if they would be willing to share a driveway with his grandparents since that seems to have the best site in the area. Jurgerson explained if his grandparents' home is ever sold, they do not want to deal with a shared driveway. G. Shuger also wondered if that would cause more issues having more traffic up in that area. Crist reiterated the driveway is not an issue they can be making decisions on and recommended they go to Rob Fangmann to discuss options/concerns. General discussion about driveway solutions occurred. General discussion regarding the difference and requirements of splitting and subdividing occurred.

Crist made a motion to approve in making a recommendation to the Board of Supervisors. It was seconded by Dornfeld. Yutesler added the recommendation reasons were due to the volume and proximity of homes in the area, it is not actively being farmed and likely will not be in the future. LESA is not where they like to see, but these other conditions warrant a recommendation for approval. Ayes: All. Motion passed.

Crist left the meeting.

Minutes from the prior meeting held on June 15, 2022 were previously read by the members. Yutesler made one request for a change to correct the spelling of Brandenburg's last name in one place. Twing made a motion to approve the minutes. Brown seconded approval with the recommended revision to correct the spelling. Ayes: All

Brown made a Motion to adjourn. Dornfeld seconded. Ayes: All Meeting adjourned at 8:25 P.M.


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.iowa.gov
www.cedarcounty.iowa.gov



CEDAR COUNTY, IOWA

August 23, 2022

LEGAL NOTICE

PUBLIC NOTICE is hereby given that the Cedar County Board of Supervisors will be conducting a Public Hearing on Tuesday, September 20, 2022, at 9:00 a.m., and Tuesday, September 27, 2022, 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. **Daniel and Harriet Grimm, 2319 Taylor Avenue, Wilton, IA, (Owners)** - Requesting a change in zoning for the purpose of allowing the construction of a single-family dwelling on property located in the NE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 31, T-79N, R-1W, in Farmington Township, consisting of 1.00 acres total.

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:

Tipton Conservative 08/31/22

Engineer Rob Fangmann (08/29/22)

Auditor Cari Dauber (08/29/22)

Mailed on 08/09/22 to:

Daniel & Harriet Grimm (certified)
2319 Taylor Ave
Wilton IA 52778

Matthew and Charla Jurgensen (certified)
PO Box 1063
Wilton IA 52778

Justin & Amanda Smith
2341 Taylor Ave
Wilton IA 52778

Timothy & Lori White
1903 335th St
Wilton IA 52778

Stephen & Joanne Shuger
2320 Taylor Ave
Wilton IA 52778

Betty & Leo Shuger Family Farm
c/o Michael E Shuger
2332 Taylor Ave
Wilton IA 52776-9203

¹³
**Information packet given to BOS 09/06/2022



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.iowa.gov

July 7, 2022

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 no petitions have been filed.

Sincerely,

A handwritten signature in blue ink that reads "Phil". 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

June 3, 2022

PUBLIC NOTICE

The Cedar County Planning & Zoning Commission will be conducting Public Hearings on Wednesday, June 15, 2022, 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. **Johnathan and Brooke Logue, 14 Old Lincoln Highway, Lisbon, IA, (Owners) -**
Requesting a change in zoning from C-1 Local Commercial to A-1 Agricultural for the purpose of aligning the lands zoning with its present and future use and eliminating an unused zoning classification a parcel of land described as a Tract North of Lot 5, Schoff's 1st Subdivision located in the NW ¼, NW ¼, Section 18, T-82N, R-4W, in Pioneer Township. Said petition is to rezone 3.86 acres m/l of a proposed lot consisting of 5.5 acres m/l.
2. **Johnathan and Brooke Logue, 14 Old Lincoln Highway, Lisbon, IA, (Owners) -**
Requesting a change in zoning from R-1 Suburban Residential to A-1 Agricultural for the purpose of aligning the lands zoning with its present and future use and eliminating an unused zoning classification on a parcel of land described as Lot 5, Schoff's 1st Subdivision, located in the NW ¼, NW ¼, Section 18, T-82N, R-4W, in Pioneer Township. Said petition is to rezone 3.85 acres of a lot consisting of 3.85 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 emailed 06/03/2022 to:

Tipton Conservative
Mt Vernon-Lisbon Sun
Engineer Rob Fangmann

Notice mailed 06/06/2022 to:

Jonathan & Brook Logue (requested not certified)
14 Old Lincoln Hwy
Lisbon, IA 52253

Loren Pike
5 122nd St
Lisbon, IA 52253

William Barnes
9 122nd St
Lisbon IA 52253

Carissa & Rodney Kelley
11 122nd St
Lisbon, IA 52253

Rachelle & Martin Biderman
15 122nd St
Lisbon IA 52253

Jason & Stacey Hrabak
19 122nd St
Lisbon IA 52253

William Striegel
9925 Spur Creek Ct
Fort Wayne IN 46825

Paul & Mary Schnipkoweit
211 Adams Ave
Lisbon IA 52253

Connor & McKenna Woodward
207 Adams Ave
Lisbon IA 52253

David & Tami Paulsen
200 Meadowview Dr
Lisbon IA 52253

Trey & Laura Sedenka
204 Meadowview Dr.
Lisbon IA 52253

Terri Sedenka
Richard Schumacher
228 Meadowview Dr
Lisbon IA 52253

Joseph & Carolyn Kilburg
232 Meadowview Dr
Lisbon IA 52253

John McPhail
218 Adams Ave
Lisbon IA 52253

Brent & Sue Mollenhauer
20 122nd St
Lisbon IA 52253

Brandon & Kiley Boesenberg
18 122nd St
Lisbon IA 52253

Kenneth & Joan Kohl Trust
14 122nd St
Lisbon IA 52253

William & Pamela Martin
10 122nd St
Lisbon IA 52253

Alan & Lori Arnold
8 122nd St
Lisbon IA 52253

George & Nancy Kindl
6 122nd St
Lisbon IA 52253

Thomas & Janet Mattson Revocable Trust
PO Box 1002
Lisbon IA 52253

All P & Z Commission Members

Scott & Jacquelyn Morningstar
181 Adams Ave
Lisbon IA 52253

Linn County

Charles & Karen Martin
1010 Windy Ridge Rd
Lisbon IA 52253

Janet Clark
1016 Windy Ridge Rd
Lisbon IA 52253

Todd & Kathy Norton
1019 Windy Ridge Rd
Lisbon IA 52253

Wanda Ledford
1015 Windy Ridge Rd
Lisbon IA 52253

Calvin & Carolyn Reiling
1011 Windy Ridge Rd
Lisbon IA 52253

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 2 times

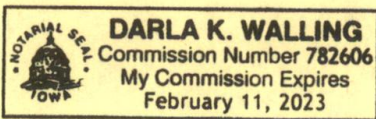
To wit on 6-8-22 and 6-15-22

Subscribed and sworn to before me this 17

Day of June A.D. 2022

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

Printer's fee \$ 45.00



Legal Notice

June 3, 2022

PUBLIC NOTICE

The Cedar County Planning & Zoning Commission will be conducting Public Hearings on Wednesday, June 15, 2022, 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. Johnathan and Brooke Logue, 14 Old Lincoln Highway, Lisbon, IA, (Owners) - Requesting a change in zoning from C-1 Local Commercial to A-1 Agricultural for the purpose of aligning the lands zoning with its present and future use and eliminating an unused zoning classification a parcel of land described as a Tract North of Lot 5, Schoff's 1st Subdivision located in the NW 1/4, NW 1/4, Section 18, T-82N, R-4W, in Pioneer Township. Said petition is to rezone 3.86 acres m/l of a proposed lot consisting of 5.5 acres m/l.
2. Johnathan and Brooke Logue, 14 Old Lincoln Highway, Lisbon, IA, (Owners) - Requesting a

change in zoning from R-1 Suburban Residential to A-1 Agricultural for the purpose of aligning the lands zoning with its present and future use and eliminating an unused zoning classification on a parcel of land described as Lot 5, Schoff's 1st Subdivision, located in the NW 1/4, NW 1/4, Section 18, T-82N, R-4W, in Pioneer Township. Said petition is to rezone 3.85 acres of a lot consisting of 3.85 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
C 23-24

X/ | | | | | | | | | |

CEDAR COUNTY PLANNING AND ZONING PUBLIC HEARING

June 15, 2022

| - 6:30 P.M.

P.D. [Signature]
Lauri [Signature]

Joel Brown
Mark W. [Signature]

[Signature]

Jonathan Lopez
Karen Martin

Jason [Signature]

Glenn [Signature]
Tara [Signature]

Janell [Signature]

Carissa Kelley

[Signature]
[Signature]

CEDAR COUNTY PLANNING & ZONING COMMISSION MINUTES

June 15, 2022

The Cedar County Planning & Zoning Commission conducted a Public Hearing on Wednesday, June 15, 2022, at 6:30 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa. Members present were Chairperson Pro Tem Twing, Brown, Crist, and Brandenburg. Absent were Dornfeld and Lieser.

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

1. **Johnathan and Brooke Logue, 14 Old Lincoln Highway, Lisbon, IA, (Owners)** - Requesting a change in zoning from C-1 Local Commercial to A-1 Agricultural for the purpose of aligning the lands zoning with its present and future use and eliminating an unused zoning classification a parcel of land described as a Tract North of Lot 5, Schoff's 1st Subdivision located in the NW ¼, NW ¼, Section 18, T-82N, R-4W, in Pioneer Township. Said petition is to rezone 3.86 acres m/l of a proposed lot consisting of 5.5 acres m/l.
2. **Johnathan and Brooke Logue, 14 Old Lincoln Highway, Lisbon, IA, (Owners)** - Requesting a change in zoning from R-1 Suburban Residential to A-1 Agricultural for the purpose of aligning the lands zoning with its present and future use and eliminating an unused zoning classification on a parcel of land described as Lot 5, Schoff's 1st Subdivision, located in the NW ¼, NW ¼, Section 18, T-82N, R-4W, in Pioneer Township. Said petition is to rezone 3.85 acres of a lot consisting of 3.85 acres m/l.

Zoning Administrator La Rue advised the board 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 were no written or verbal objections on file and that a letter from Cedar County Engineer, Rob Fangmann stated that it is located on a paved route and there would be minimal impacts, recommend change in zoning back to A-1 Agricultural. A brief history of the property was provided indicating that 8 acres of land m/l with existing farm dwelling was requested to be rezoned in 1971 to local commercial. Since 1971 it has only been used as a farm dwelling. There were numerous requests over the years from implement to car dealerships to welding manufacturing and salvaging. None of which seemed appropriate and did not happen. Cedar County encourages going back to the base zoning and will allow the petitioner to continue to use the property for residential or ag purposes. Currently taxed as rural residential. Jonathon Logue informed the board and the public that he was looking for tax incentives and that it has been used as an ag business for the last 8 years while they have resided there. In the short term he would like to cut a larger swale than what is currently there, but had concerns about moving dirt and damaging the appearance of the property/causing a nuisance for the residential neighbors. Brown questioned Logue about breaking it into residential properties at a later date or if he planned to just farm the whole property. Logue indicated no plans to break up. Logue feels the drainage area is not buildable so plans to just leave as ag. La

Rue shared that Lot 5 really should have been an outlot for the residential subdivision. La Rue explained that he wants to turn in back to its original zoning and use so that the issue of someone trying to build a home on it did not occur. Discussion of homeowners in the subdivision doing boundary line adjustments to their existing properties and purchasing the additional 3.5 acres that is currently residential was discussed. Brandenburg questioned Logue about plans for the acres that are currently residential and part of petition #2 regarding a fence. Her presumption was if water issues are not resolved he will leave as is and if they are resolved maybe move the fence south and create a pasture so not to have to buy as much hay. Logue advised in short that answer was yes. Some sort of temporary fence so that he can run alpacas there. Stacey Hrabak shared that she was concerned her dog may cause problems if he moved the fence that close to their property. Logue stated he would only be haying the 3.86 acres that are currently commercial. Rod Kelley shared concerns about the water that his property already takes and problems that could arise if that land use changes and would be row cropped. Wondered if a wetland would be a good use of the land. Expressed one homeowner had to replace their septic due to the issues and there is potential for 3 more to have to replace. Having had more bad, wet springs than good dry springs. Logue added that he and Kelley have gone down with small equipment and tried to remedy some of the issues by cutting out a small swale. Kelley said they have not had not issues with Logues and that all parties have worked together to try to remedy the water issues. Brown questioned/clarified with parties present that they were only concerned with the second petition that was the 3.85 acres that is currently zoned R-1. They advised that was correct. Subdivision homeowners present (Rod Kelley, Carissa Kelley, Stacey Hrabak, Jason Hrabak, Pamela Martin, Charles Martin and Karen Martin) indicated that they have no issue with Logues and they have been great to work with, but previous owners of the property and worries of future owners and what they will do with the land if turned back to ag are concerns for them.

Logue shared he has big concerns about city annexing him leading to the ability to no longer use his property the way he wishes if it is not ag. Twing questioned if there was a timeline of how soon this area could be annexed to the City of Lisbon. Based on multiple meetings and information Kelley has obtained he advised the money is not there for Lisbon to annex. Logue added that is still a big concern for him. Crist asked Logue if his main objectives were tax incentives and annexation adding that the city says it is not in the 30 year plan, but things can change quickly. Logue stated it was a concern and that a grant could come along at some point and allow for the annexation, etc. Discussion of a conditional zoning agreement limiting the number of animals that could be on the land would be an option of keep residential neighbors free of worry about too many animals damaging ground and being close to their homes. Logue indicated he would likely have no more than 20 alpacas. La Rue questioned if he would build and maintain the fence and not apply the right hand rule. Logue stated he would handle the fence and costs himself. Crist questioned if he could fence it as residential and graze livestock on it as is. La Rue advised if a complaint was received the property owner would have to apply for a special use permit so that it would be allowed. The Board of Adjustment could approve with provisions such as must be fenced, fencing paid for and maintained by the livestock owner, only so many head of livestock, and no manure accumulation. Crist added he was as concerned for Logue if the current residential property owners leave as the residential property owners are for the Logues to relocate and they are faced with unknowns of what kind of new ag neighbor they would have. Brown told Logue it is not the Boards job to take your property. Crist added that yes

Rue shared that Lot 5 really should have been an outlot for the residential subdivision. La Rue explained that he wants to turn in back to its original zoning and use so that the issue of someone trying to build a home on it did not occur. Discussion of homeowners in the subdivision doing boundary line adjustments to their existing properties and purchasing the additional 3.5 acres that is currently residential was discussed. Brandenburg questioned Logue about plans for the acres that are currently residential and part of petition #2 regarding a fence. Her presumption was if water issues are not resolved he will leave as is and if they are resolved maybe move the fence south and create a pasture so not to have to buy as much hay. Logue advised in short that answer was yes. Some sort of temporary fence so that he can run alpacas there. Stacey Hrabak shared that she was concerned her dog may cause problems if he moved the fence that close to their property. Logue stated he would only be haying the 3.86 acres that are currently commercial. Rod Kelley shared concerns about the water that his property already takes and problems that could arise if that land use changes and would be row cropped. Wondered if a wetland would be a good use of the land. Expressed one homeowner had to replace their septic due to the issues and there is potential for 3 more to have to replace. Having had more bad, wet springs than good dry springs. Logue added that he and Kelley have gone down with small equipment and tried to remedy some of the issues by cutting out a small swale. Kelley said they have not had not issues with Logues and that all parties have worked together to try to remedy the water issues. Brown questioned/clarified with parties present that they were only concerned with the second petition that was the 3.85 acres that is currently zoned R-1. They advised that was correct. Subdivision homeowners present (Rod Kelley, Carissa Kelley, Stacey Hrabak, Jason Hrabak, Pamela Martin, Charles Martin and Karen Martin) indicated that they have no issue with Logues and they have been great to work with, but previous owners of the property and worries of future owners and what they will do with the land if turned back to ag are concerns for them.

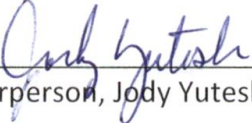
Logue shared he has big concerns about city annexing him leading to the ability to no longer use his property the way he wishes if it is not ag. Twing questioned if there was a timeline of how soon this area could be annexed to the City of Lisbon. Based on multiple meetings and information Kelley has obtained he advised the money is not there for Lisbon to annex. Logue added that is still a big concern for him. Crist asked Logue if his main objectives were tax incentives and annexation adding that the city says it is not in the 30 year plan, but things can change quickly. Logue stated it was a concern and that a grant could come along at some point and allow for the annexation, etc. Discussion of a conditional zoning agreement limiting the number of animals that could be on the land would be an option of keep residential neighbors free of worry about too many animals damaging ground and being close to their homes. Logue indicated he would likely have no more than 20 alpacas. La Rue questioned if he would build and maintain the fence and not apply the right hand rule. Logue stated he would handle the fence and costs himself. Crist questioned if he could fence it as residential and graze livestock on it as is. La Rue advised if a complaint was received the property owner would have to apply for a special use permit so that it would be allowed. The Board of Adjustment could approve with provisions such as must be fenced, fencing paid for and maintained by the livestock owner, only so many head of livestock, and no manure accumulation. Crist added he was as concerned for Logue if the current residential property owners leave as the residential property owners are for the Logues to relocate and they are faced with unknowns of what kind of new ag neighbor they would have. Brown told Logue it is not the Boards job to take your property. Crist added that yes

Minutes from the prior meeting held on April 20, 2022 were previously read by the members. Brown made a motion to approve the minutes. Crist seconded. Ayes: All

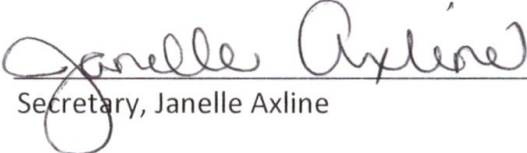
Additional business included general discussion defining a farm and how it is defined by similar counties. A request was made by the Commission that a solar farm ordinance be drafted in order to protect valuable farm ground and landowners. Discussion will continue and an ordinance drafted as regulations by the state evolve and become clear.

General discussion about a possible upcoming petition took place.

Brandenburg made a Motion to adjourn. Brown seconded. Ayes: All Meeting adjourned at 8:25 P.M.



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.iowa.gov
www.cedarcounty.iowa.gov



CEDAR COUNTY, IOWA

July 1, 2022

LEGAL NOTICE

PUBLIC NOTICE is hereby given that the Cedar County Board of Supervisors will be conducting a Public Hearing on Tuesday, July 19, 2022, at 9:00 a.m., and Tuesday, July 26th, 2022, 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. Johnathan and Brooke Logue, 14 Old Lincoln Highway, Lisbon, IA, (Owners)** - Requesting a change in zoning from C-1 Local Commercial to A-1 Agricultural for the purpose of aligning the lands zoning with its present and future use and eliminating an unused zoning classification a parcel of land described as a Tract North of Lot 5, Schoff's 1st Subdivision located in the NW ¼, NW ¼, Section 18, T-82N, R-4W, in Pioneer Township. Said petition is to rezone 3.86 acres m/l of a proposed lot consisting of 5.5 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

Notice emailed 07/01/2022 to:

Tipton Conservative
Mt Vernon-Lisbon Sun
Engineer Rob Fangmann
Auditor Cari Dauber, Angela Driscoll

Notice mailed 07/06/2022 to:

Jonathan & Brook Logue (requested not certified)
14 Old Lincoln Hwy
Lisbon, IA 52253

Loren Pike
5 122nd St
Lisbon, IA 52253

William Barnes
9 122nd St
Lisbon IA 52253

Carissa & Rodney Kelley
11 122nd St
Lisbon, IA 52253

Rachelle & Martin Biderman
15 122nd St
Lisbon IA 52253

Jason & Stacey Hrabak
19 122nd St
Lisbon IA 52253

William Striegel
9925 Spur Creek Ct
Fort Wayne IN 46825

Paul & Mary Schnipkoweit
211 Adams Ave
Lisbon IA 52253

Connor & McKenna Woodward
207 Adams Ave
Lisbon IA 52253

David & Tami Paulsen
200 Meadowview Dr
Lisbon IA 52253

Trey & Laura Sedenka
204 Meadowview Dr.
Lisbon IA 52253

Terri Sedenka
Richard Schumacher
228 Meadowview Dr
Lisbon IA 52253

Joseph & Carolyn Kilburg
232 Meadowview Dr
Lisbon IA 52253

John McPhail
218 Adams Ave
Lisbon IA 52253

Brent & Sue Mollenhauer
20 122nd St
Lisbon IA 52253

Brandon & Kiley Boesenberg
18 122nd St
Lisbon IA 52253

Kenneth & Joan Kohl Trust
14 122nd St
Lisbon IA 52253

William & Pamela Martin
10 122nd St
Lisbon IA 52253

Alan & Lori Arnold
8 122nd St
Lisbon IA 52253

George & Nancy Kindl
6 122nd St
Lisbon IA 52253

Thomas & Janet Mattson Revocable Trust
PO Box 1002
Lisbon IA 52253

Scott & Jacquelyn Morningstar
181 Adams Ave
Lisbon IA 52253

Linn County

Charles & Karen Martin
1010 Windy Ridge Rd
Lisbon IA 52253

Janet Clark
1016 Windy Ridge Rd
Lisbon IA 52253

Todd & Kathy Norton
1019 Windy Ridge Rd
Lisbon IA 52253

Wanda Ledford
1015 Windy Ridge Rd
Lisbon IA 52253

Calvin & Carolyn Reiling
1011 Windy Ridge Rd
Lisbon IA 52253



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

May 11, 2022

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 May because no petitions have been filed.

Sincerely,

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

Phil La Rue
Zoning Administrator

PDL/bja

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.iowa.gov
www.cedarcounty.iowa.gov



CEDAR COUNTY, IOWA

April 27, 2022

LEGAL NOTICE

PUBLIC NOTICE is hereby given that the Cedar County Board of Supervisors will be conducting a Public Hearing on Tuesday, May 17, 2022, at 8:45 a.m., and Tuesday, May 24, 2022, at 8:45 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. Barrett and Sandy Crock, P.O. Box 7, Tipton, Iowa (Buyers) and Steven Johnson, 2795 120th Street, Wilton, 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 on Lot D in the NE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 2, T-79N, R-3W, in Rochester Township. Said petition is to rezone 1 acre m/l of a proposed lot consisting of 5 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

Notice emailed 04/28/2022 to:

Tipton Conservative

Cedar County Auditor Cari Dauber

Cedar County Auditor 1st Deputy – Angela Driscoll for website

Notice mailed 04/29/2022 to:

Barrett & Sandy Crock (certified)

PO Box 7

Tipton IA 52772

Hal Leurs

1089 285th St

Tipton IA 52772-9225

Steven Johnson

2795 120th St

Wilton IA 52778-9335

Minutes, Questionnaire and site drawing given to BOS on 04/26/2022

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 4-16-22

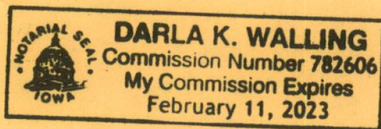
[Signature]

Subscribed and sworn to before me this 8

Day of April A.D. 2022

[Signature]
Notary Public in and for Cedar County, Iowa

Printer's fee \$ 19.87



Legal Notice

April 1, 2022

PUBLIC NOTICE

The Cedar County Planning & Zoning Commission will be conducting a Public Hearing on Wednesday, April 20, 2022, at 6:30 p.m., in the Large Meeting Room, in the basement of the Cedar County Courthouse, Tipton, Iowa.

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

1. Barrett and Sandy Crock, P.O. Box 7, Tipton, Iowa (Buyers) and Steven Johnson, 2795 120th Street, Wilton, 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 on Lot D in the NE ¼, NE ¼, Section 2, T-79N, R-3W, in Rochester Township. Said petition is to rezone 1 acre m/l of a proposed lot consisting of 5 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
C 14



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

April 5, 2022

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 **April 20, 2022** at **6:30 p.m.** I will address the petition as listed on the legal notice.

1. **Barrett and Sandy Crock, P.O. Box 7, Tipton, Iowa (Buyers) and Steven Johnson, 2795 120th Street, Wilton, 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 on Lot D in the NE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 2, T-79N, R-3W, in Rochester Township. Said petition is to rezone 1 acre m/l of a proposed lot consisting of 5 acres m/l.

This is located on gravel route 285th St. 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". The signature is fluid and cursive.

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

CEDAR COUNTY PLANNING AND ZONING PUBLIC HEARING

April 20, 2022, ~~2021~~ - 6:30 P.M.

Joel Brown

Yann T.

Jody Gutsale

Brian Hill

Janelle Aylmore

Her Mann

Barrett Good

T.D. John

Ann Blandin

Josh

CEDAR COUNTY PLANNING & ZONING COMMISSION MINUTES

April 22, 2022

The Cedar County Planning & Zoning Commission conducted a Public Hearing on Wednesday, April 20, 2022, 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, Brown, Crist, and Twing, Brandenburg and Leiser. Absent was Dornfeld.

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

1. **Barrett and Sandy Crock, P.O. Box 7, Tipton, Iowa (Buyers) and Steven Johnson, 2795 120th Street, Wilton, 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 on Lot D in the NE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 2, T-79N, R-3W, in Rochester Township. Said petition is to rezone 1 acre m/l of a proposed lot consisting of 5 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 were no written or verbal objections on file and that a letter from Cedar County Engineer, Rob Fangmann stated that it is located on a gravel route and there would be minimal impacts, driveway permit is on file. A letter from Sean Paustian, Tipton Fire Chief, requested that Crocks ensure that access to their property be adequate for emergency vehicles. Soils are Fayette – Chelsea – Tell Complex and Fayette Silt. Limitations for building are moderate, limitations for ag are severe. CSR was 27 on Fayette – Chelsea – Tell and CSR was 50 on the Fayette Silt. Limitations for septic are severe. Ground does not want to take water, so conventional system is not an option. Perc Test results from March were 75 minutes per inch and anything over 60 minutes per inch results in an alternate system like a sand filter being required. Slope of the property allows for that and should not be a problem. Under the LESA assessment the property scored 2,480 points which is strong indication for preservation. Property buyer Barrett Crock shared with the Commission that he and his wife Sandy Crock intend to buy 5 acres from his father-in-law. Their original plan was to buy the whole farm on contract, buying just 5 acres to start, but that was not going to work out in the best interest of all parties. Intent is for it to be a farm, but the definition of a farm according to the zoning ordinance could not be met, so petitioners chose to proceed with a rezoning request. The situation of surveying off the 5 acres is only temporary until they can buy the rest of the farm per Mr. Crock. Mr. Crock has farmed the entire farm (193 acres, approximately 135 tillable) for seven years and plans to farm all of the ground for many more years. Where they are building the home has very poor CSR and is not really good for any other type of crop. They are aware and have had septic challenges in the past and he feels this property will be well suited to handle an alternate system. Property owner Steven Johnson shared that the entire farm was in CRP for 40 years then over time portions of it were taken out and farmed. Some CRP remains and there are wetlands

and bumper strips along the creeks. Brown questioned if the farm was all CRP type ground and Mr. Johnson said yes, a lot a of rolling ground and the rest poor soils.

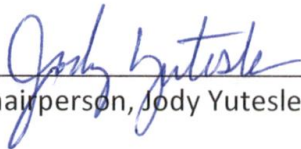
Crist made a motion to recommend approval of the change in zoning from A-1 to R-1 to the Board of Supervisors. Twing then seconded the motion. No further discussion. Ayes: All

ZA La Rue advised possible dates that the BOS hearing would be set for and that the petitioners would be notified via certified mail of the dates once set.

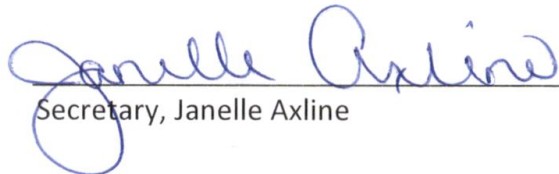
Minutes from the prior meeting held on January 19, 2022 were previously read by the members. Brandenburg made a motion to approve the minutes, Brown seconded. Ayes: All.

Additional business included general discussion defining a farm and how it is defined by similar counties. A request was made by the Commission that a solar farm ordinance be drafted in order to protect valuable farm ground and landowners. Discussion will continue and an ordinance drafted as regulations by the state evolve and become clear. No further business.

Chairperson Yutesler declared the meeting adjourned at 7:43 PM.



Chairperson, Jody Yutesler



Secretary, Janelle Axline



**OFFICE OF THE PLANNING AND ZONING
ADMINISTRATOR**

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

April 1, 2022

PUBLIC NOTICE

The Cedar County Planning & Zoning Commission will be conducting a Public Hearing on Wednesday, April 20, 2022, at 6:30 p.m., in the Large Meeting Room, in the basement of the Cedar County Courthouse, Tipton, Iowa.

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

1. **Barrett and Sandy Crock, P.O. Box 7, Tipton, Iowa (Buyers) and Steven Johnson, 2795 120th Street, Wilton, 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 on Lot D in the NE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 2, T-79N, R-3W, in Rochester Township. Said petition is to rezone 1 acre m/l of a proposed lot consisting of 5 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 emailed 04/01/2022 to:

Tipton Conservative

Notice emailed 04/04/2022 to:

Cedar County Engineer Rob Fangmann

Notice mailed 04/05/2022 to:

Barrett & Sandy Crock (certified)
PO Box 7
Tipton, IA 52772

Hal Leurs
1089 285th St
Tipton IA 52772-9225

Steven L Johnson
2795 120th St
Wilton IA 52778-9335

All Zoning Commission members



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

March 7, 2022

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 no petitions have been filed.

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

January 7, 2022

PUBLIC NOTICE

The Cedar County Planning & Zoning Commission will be conducting a Public Hearing on Wednesday, January 19, 2022, at 6:30 p.m., in the Large Meeting Room, in the basement of the Cedar County Courthouse, Tipton, Iowa.

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

1. **Jesse Shield, 1922 170th Street, West Liberty, Iowa (Buyer) and James D. and Donna R. Stagg, 1638 100th Street, West Liberty, 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 SE $\frac{1}{4}$, SW $\frac{1}{4}$, Section 31, T-79N, R-3W, in Iowa Township. Said petition is to rezone 1.12 acres m/l of a proposed lot consisting of 3.37 acres m/l.
2. **Cedar County Joint 911 Service Board, 1892 Union Ave., Wilton, IA (Owner)**- Requesting approval of a Special Use Permit authorizing the location of a public safety communication tower on property described as Lot A, in the SW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 4, T-79N, R-1W, in Farmington Township. Said property is zoned A-1 Agricultural District.
3. **Cedar County Joint 911 Service Board, 1735 170th St., Clarence, IA (Buyer)**- Requesting approval of a Special Use Permit authorizing the location of a public safety communication tower on property located in the SE $\frac{1}{4}$, SW $\frac{1}{4}$, Section 1, T-82N, R-2W, in Fairfield Township. Said property is zoned A-1 Agricultural District.
4. **Cedar County Joint 911 Service Board, 527 Indian Ave., Mechanicsville, IA (Buyer)**- Requesting approval of a Special use Permit authorizing the location of a public safety communication tower on property located in the NE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 32, T-82N, R-3W, in Fremont Township. Said property is zoned A-1 Agricultural District.
5. **Cedar County Joint 911 Service Board, 480 270th St., West Branch, IA (Buyer)**- Requesting approval of a Special Use Permit authorizing the location of a public safety communication tower on property located in the NW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 35, T-80N, R-4W, in Gower Township. Said property is zoned A-1 Agricultural District.

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

Philip LaRue
Zoning Administrator

Notice mailed 01/11/22 to:

(for Shields Petition)

JAMES & DONNA STAGG
1638 100TH ST
WEST LIBERTY IA 52776-9051

ROBERT & ELAINE REHMKE TRUST
1905 VERDANT AVE
NEOSHO MO 64850-8893

JESSE SHIELD (Certified)
1922 170TH ST
WEST LIBERTY IA 52776

ROBERT RISDALE (Muscatine Co)
7573 32nd AVE
NORWAY IA 52318

LARRY STREETS FAMILY FARMS LLC (Muscatine Co)
2394 BAKER AVE
WEST BRANCH IA 52358

(for 911 Service Board Petitions)

CEDAR CO. JOINT 911 SERVICE BOARD
C/O JODI FREET (mailbox at Courthouse)
CEDAR COUNTY EMA
400 CEDAR ST
TIPTON IA 52772

WAYNE & EUNICE RALFS
128 S LOCUST
PO BOX 268
BENNETT IA 52721-0268

REBECCA & STEVEN BERRY
2009 290TH ST
WILTON IA 52778

JCO LTD
605 W 2ND AVE
PO BOX 70
DURANT IA 52747-0070

GOLDEN JUBILEE FARM LLC
% PEGGY TIMM
122 W 8TH ST
TIPTON IA 52772

KIM GEADELMANN
1730 170TH ST
CLARENCE IA 52216

DREW & ASHLEY SCHROEDER
711 ROSE AVE
CLARENCE IA 52216

MARILYN HIEMDAL
26208 180TH ST
FARMERSBURG IA 52047

DANA PRUESS
506 INDIAN AVE
MECHANICSVILLE IA 52306-7632

SAUER FAMILY REVOCABLE TRUST
105 COTTAGE DRIVE
MECHANICSVILLE IA 52306-9714

ELAINE B HOY (1/2 LE)
604 W 1ST ST
MECHANICSVILLE IA 52306

CEDAR COUNTY, IOWA (mailbox at Courthouse)
400 CEDAR ST
TIPTON IA 52772

DONNA TUCKER LE
TUCKER GREGORY J ET AL
1651 FRANKLIN AVE
WEST BRANCH IA 52358

KENNETH MATHER REVOCABLE TRUST
799 290TH ST
WEST LIBERTY IA 52776-9036

DUSTON ANDERSON
1660 CHARLES AVE
WEST BRANCH IA 52358-8661

ALL COMMISSION MEMBERS

ENGINEER, ROB FANGMAN (via email)

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

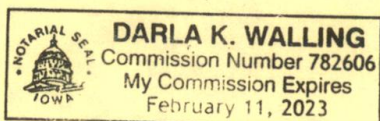
To wit on 1-12-22

Subscribed and sworn to before me this 14

Day of Jan A.D. 20 22

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

Printer's fee \$ 41.02



Legal Notice

January 7, 2022

PUBLIC NOTICE

The Cedar County Planning & Zoning Commission will be conducting a Public Hearing on Wednesday, January 19, 2022, at 6:30 p.m., in the Large Meeting Room, in the basement of the Cedar County Courthouse, Tipton, Iowa.

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

1. Jesse Shield, 1922 170th Street, West Liberty, Iowa (Buyer) and James D. and Donna R. Stagg, 1638 100th Street, West Liberty, 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 SE 1/4, SW 1/4, Section 31, T-79N, R-3W, in Iowa Township. Said petition is to rezone 1.12 acres m/l of a proposed lot consisting of 3.37 acres m/l.

2. Cedar County Joint 911 Service Board, 1892 Union Ave., Wilton, IA (Owner)- Requesting approval of a Special Use Permit authorizing the location of a public safety communication tower on property described as Lot A, in the SW 1/4, SW 1/4, Section 4, T-79N, R-1W, in Farmington Township. Said property is zoned A-1 Agricultural District.

3. Cedar County Joint 911 Service Board, 1735 170th St., Clarence, IA (Buyer)- Requesting approval of a Special Use Permit authorizing the location of a public safety communication tower on property located in the SE 1/4, SW 1/4, Section 1, T-82N, R-2W, in Fairfield Township. Said property is zoned A-1 Agricultural District.

4. Cedar County Joint 911 Service Board, 527 Indian Ave., Mechanicsville, IA (Buyer)- Requesting approval of a Special use Permit authorizing the location of a public safety communication tower on property located in the NE 1/4, NE 1/4, Section 32, T-82N, R-3W, in Fremont Township. Said property is zoned A-1 Agricultural District.

5. Cedar County Joint 911 Service Board, 480 270th St., West Branch, IA (Buyer)- Requesting approval of a Special Use Permit authorizing the location of a public safety communication tower on property located in the NW 1/4, NE 1/4, Section 35, T-80N, R-4W, in Gower Township. Said property is zoned A-1 Agricultural District.

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

Philip LaRue
Zoning Administrator
C 2

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

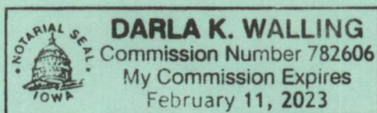
To wit on 1-13-22

Subscribed and sworn to before me this 14

Day of Jan A.D. 20 22

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

Printer's fee \$ 4.02



Legal Notice

January 7, 2022
PUBLIC NOTICE

The Cedar County Planning & Zoning Commission will be conducting a Public Hearing on Wednesday, January 19, 2022, at 6:30 p.m., in the Large Meeting Room, in the basement of the Cedar County Courthouse, Tipton, Iowa.

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

1. Jesse Shield, 1922 170th Street, West Liberty, Iowa (Buyer) and James D. and Donna R. Stagg, 1638 100th Street, West Lib-

erty, 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 SE 1/4, SW 1/4, Section 31, T-79N, R-3W, in Iowa Township. Said petition is to rezone 1.12 acres m/l of a proposed lot consisting of 3.37 acres m/l.

2. Cedar County Joint 911 Service Board, 1892 Union Ave., Wilton, IA (Owner)- Requesting approval of a Special Use Permit authorizing the location of a public safety communication tower on property described as Lot A, in the SW 1/4, SW 1/4, Section 4, T-79N, R-1W, in Farmington Township. Said property is zoned A-1 Agricultural District.

3. Cedar County Joint 911 Service Board, 1735 170th St., Clarence, IA (Buyer)- Requesting approval of a Special Use Permit authorizing the location of a public safety communication tower on property located in the SE 1/4, SW 1/4, Section 1, T-82N, R-2W, in Fairfield Township. Said property is zoned A-1 Agricultural District.

4. Cedar County Joint 911 Service Board, 527 Indian Ave., Mechanicsville, IA (Buyer)- Requesting approval of a Special Use Permit authorizing the location of a public safety communication tower on property located in the NE 1/4, NE 1/4, Section 32, T-82N, R-3W, in Fremont Township. Said property is zoned A-1 Agricultural District.

5. Cedar County Joint 911 Service Board, 480 270th St., West Branch, IA (Buyer)- Requesting approval of a Special Use Permit authorizing the location of a public safety communication tower on property located in the NW 1/4, NE 1/4, Section 35, T-80N, R-4W, in Gower Township. Said property is zoned A-1 Agricultural District.

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

Philip LaRue
Zoning Administrator
SN 2

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*

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 JAN 13 2022

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 JAN 13 day of

[Signature]



Cedar County Planning & Zoning Commission

PUBLIC NOTICE

The Cedar County Planning & Zoning Commission will be conducting a Public Hearing on Wednesday, January 19, 2022, at 6:30 p.m., in the Large Meeting Room, in the basement of the Cedar County Courthouse, Tipton, Iowa.

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

1. Jesse Shield, 1922 170th Street, West Liberty, Iowa (Buyer) and James D. and Donna R. Stagg, 1638 100th Street, West Liberty, 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 SE ¼, SW ¼, Section 31, T-79N, R-3W, in Iowa Township. Said petition is to rezone 1.12 acres m/l of a proposed lot consisting of 3.37 acres m/l.

2. Cedar County Joint 911 Service Board, 1892 Union Ave., Wilton, IA (Owner)- Requesting approval of a Special Use Permit authorizing the location of a public safety communication tower on property described as Lot A, in the SW ¼, SW ¼, Section 4, T-79N, R-1W, in Farmington Township. Said property is zoned A-1 Agricultural District.

3. Cedar County Joint 911 Service Board, 1735 170th St., Clarence, IA (Buyer)- Requesting approval of a Special Use Permit authorizing the location of a public safety communication tower on property located in the SE ¼, SW ¼, Section 1, T-82N, R-2W, in Fairfield Township. Said property is zoned A-1 Agricultural District.

4. Cedar County Joint 911 Service Board, 527 Indian Ave., Mechanicsville, IA (Buyer)- Requesting approval of a Special use Permit authorizing the location of a public safety communication tower on property located in the NE ¼, NE ¼, Section 32, T-82N, R-3W, in Fremont Township. Said property is zoned A-1 Agricultural District.

5. Cedar County Joint 911 Service Board, 480 270th St., West Branch, IA (Buyer)- Requesting approval of a Special Use Permit authorizing the location of a public safety communication tower on property located in the NW ¼, NE ¼, Section 35, T-80N, R-4W, in Gower Township. Said property is zoned A-1 Agricultural District.

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

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

January 11, 2022

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 **January 19, 2022 at 6:30 p.m.** I will address the petition as listed on the legal notice.

1. **Jesse Shield, 1922 170th Street, West Liberty, Iowa (Buyer) and James D. and Donna R. Stagg, 1638 100th Street, West Liberty, 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 SE $\frac{1}{4}$, SW $\frac{1}{4}$, Section 31, T-79N, R-3W, in Iowa Township. Said petition is to rezone 1.12 acres m/l of a proposed lot consisting of 3.37 acres m/l.

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

2. **Cedar County Joint 911 Service Board, 1892 Union Ave., Wilton, IA (Owner)**- Requesting approval of a Special Use Permit authorizing the location of a public safety communication tower on property described as Lot A, in the SW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 4, T-79N, R-1W, in Farmington Township. Said property is zoned A-1 Agricultural District.

This is located on paved route Union Ave. (Y14) and should have minimal impact on the existing infrastructure. An approved entrance permit is on file with my office.

3. **Cedar County Joint 911 Service Board, 1735 170th St., Clarence, IA (Buyer)**- Requesting approval of a Special Use Permit authorizing the location of a public safety communication tower on property located in the SE $\frac{1}{4}$, SW $\frac{1}{4}$, Section 1, T-82N, R-2W, in Fairfield Township. Said property is zoned A-1 Agricultural District.

This is located on gravel route 170th St. and should have minimal impact on the existing infrastructure. An approved entrance permit is on file with my office.



OFFICE OF THE CEDAR COUNTY ENGINEER
COURTHOUSE; 400 CEDAR ST.
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EMAIL: engineer@cedarcounty.org

4. Cedar County Joint 911 Service Board, 527 Indian Ave., Mechanicsville, IA (Buyer)-

Requesting approval of a Special use Permit authorizing the location of a public safety communication tower on property located in the NE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 32, T-82N, R-3W, in Fremont Township. Said property is zoned A-1 Agricultural District.

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

5. Cedar County Joint 911 Service Board, 480 270th St., West Branch, IA (Buyer)- Requesting approval of a Special Use Permit authorizing the location of a public safety communication tower on property located in the NW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 35, T-80N, R-4W, in Gower Township. Said property is zoned A-1 Agricultural District.

This is located on gravel route 270th St. and should have minimal impact on the existing infrastructure. An approved entrance permit is on file with my office. The entrance must be constructed to ensure drainage is into the ditches and not onto the county road.

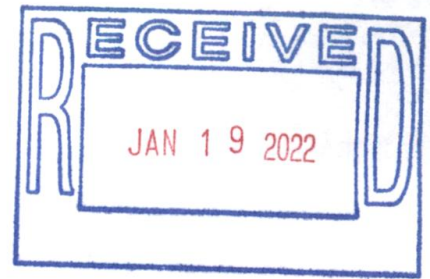
Sincerely,

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

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

Cedar County Planning and Zoning Commission

January 19, 2022



I am unable to make the zoning commission meeting on January 19, 2022. However, I would like the below shared with the Commission.

My name is Kathryn Cox and I live at 478 280th St. West Branch Iowa. I live approximately one mile directly south of the West Branch proposed radio tower. I would like to be on record as opposing the rezoning of the agricultural land at NW ¼, NE ¼, Section 35, T-80N, R-4W in Gower Township, such that a radio tower can be built. Although I do not know the exact height of the proposed tower, I am assuming the tower will be more than 200 ft tall, which will require it to have a continuously flashing light under FCC rules. The proposed tower is within 3 miles of the cite of the William Maxxon house, an underground railroad stop where John Brown spent the winter of 1857-1858. Under the National Environmental Policy Act, agencies must consider and disclose the environmental effects of its actions to improve decision-making and encourage transparency, public participation, and accountability. Effects are defined broadly to include ecological, aesthetic, historic, social, and cumulative and indirect effects. I have not seen any impact statement on how this tower may potentially impact an area that could be eligible for inclusion on the historical register or is a historically significant cite.

Further, as I can see the housing on 270th Street from my bedroom window, I can also only assume that this flashing light will be visible from my house and my bedroom. I suffer from migraines, which can be exacerbated by flashing lights. I am also worried that the light will disrupt my sleep. In the event that this tower negatively impacts my health, I will be forced to file a nuisance lawsuit. As I'm sure the zoning commission is aware, light pollution can be an actionable nuisance in Iowa.

I am also disappointed with how some in the county have handled the purchase of land for this project. When I first voiced my objections about the project to Commissioner Jon Bell in June 2021, I was threatened. He told me over the phone (from his work phone nonetheless) that he hopes that I don't ever have the need for emergency services. I was a little taken aback as attorneys generally don't expect to be threatened by publically elected officials. In the interest of full disclosure, I did subsequently have a couple of very productive professional discussions with Warren Wethington, who appears to be trying to make this right for as many Cedar county citizens as possible. I really wish that the county would have notified all owners of nearby residences of the zoning meetings. Notifying only those that own land within 500 ft of a 200+ ft tower that will have 24 hour lighting seems a bit like the county is trying to hide the ball.

We all want our 911 responders to be safe. However, I find it hard to believe that in a county with less than 19,000 people, that parcels that don't significantly upset the neighbors cannot be found. We need to think outside the box. A large amount of federal grant money for this project has been given to the county for this project. Maybe some of this money could instead be used to put infrastructure in place such that the tower could be placed further from residences?

In closing, I believe there are other options and I would like to voice my opposition to the current plan.

/Kathryn E. Cox/

CEDAR COUNTY PLANNING AND ZONING PUBLIC HEARING

January 19, 2022 - 6:30 P.M.

P.D. Lohre

Jim Stagg

Chris Stagg

Joseph Hall

Jenna Shield

Ben

Sally Lienthal

Steve Berger

Becky Berry

Jodi Freet

Joel Gray

John Freeman

Mike Freeman

Beni Uno

Josh Guteser

~~Theresa L. Lohre~~

Janelle O'Brien

Laurie Blandy

Josh C.

Stacy

Don

Brian Tucker

Maynor Tucker

CEDAR COUNTY PLANNING & ZONING COMMISSION MINUTES

January 19, 2022

The Cedar County Planning & Zoning Commission conducted a Public Hearing on Wednesday, January 19, 2022, 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, Leiser, Brandenburg and Twing. Chairperson Yutesler called the meeting to order at 6:30 p.m. The members then reviewed the following petitions:

1. **Jesse Shield, 1922 170th Street, West Liberty, Iowa (Buyer) and James D. and Donna R. Stagg, 1638 100th Street, West Liberty, 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 SE ¼, SW ¼, Section 31, T-79N, R-3W, in Iowa Township. Said petition is to rezone 1.12 acres m/l of a proposed lot consisting of 3.37 acres m/l.

Zoning Administrator La Rue informed the members there were no written or verbal objections on file for this petition. Letters on file from West Liberty Fire Department that they can service the location and letter on file from Cedar County Engineer gravel route, approved driveway permit on file, minimal impacts. 120B Tama Silt Loam, excellent farm land. Challenges are that there was never a home on the building site and the request is to remove tillable acres from production. Septic has moderate limitations no expectations of a high water table or bedrock. Building limitations are moderate as well as agriculture having moderate limitations with a CSR of 95. La Rue advised Chapter 5(G7) states there is a rebuttable presumption that areas with more than 25% of the soils having CSR ratings of 75 or more should remain farming and the burden to explain why it should be taken out of production lies with the petitioner. He stated the Cedar County Comprehensive Land Use Plan discourages scattered residential development. La Rue informed the Commission that the nearest home is the owner across the road. LESA scoring was 1468.52 which is a strong finding for preservation. 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.

Petitioner Jesse Shield advised he farms 46 acres in Muscatine County, it is in the flood plain and levy protected. In 2008 there were multiple levy breaches and it flooded his property so he is unable to build there. His uncle has provided him the opportunity to buy a small piece of his farm to build on their family's farm.

La Rue asked why he was taking land out of crop production and could not place it within the existing building site. Shield advised he wanted to keep the existing barn that his great grandfather built, keep the trees and go on the west side of the property to give an element of privacy as his uncle is directly across the road from the building site. Shield stated the existing building site is a low area and could lead to potential water issues in the basement and does not want any more water issues after going through flooding at his current property in Muscatine County. Shield indicated he did not want a barn in front of his home and did not want to tear the buildings that were built by his great grandfather down.

General discussion about future owners and problems that continue to arise when those not accustomed to rural living move into the country/own the property next took place.

Brandenburg questioned how long it has been in farm production. Jim Stagg stated 25 years or so. Prior to that it was pasture and hay rotations.

Yutesler briefly explained that this scoring system/land use plan used as part of the review process was designed to create uniformity, explained how petitions were reviewed and the Commission used guidelines

for allowing rezoning of land that should continue to be farmed. Discussion among the Commission regarding what the LESA score would have been had the request for rezoning been the grassy area of the building site. La Rue shared the CSR was 85 in the grassy area so would have placed it at approximately 1900 points. A moderate score for preservation is achieved at 3999 points. Jenna Shield questioned what the LESA score was for JJ Nichting. It was explained that is a different scenario due to being a business and other variables.

Crist made a motion to approve the petition. Twing seconded the motion. Motion passed, 4:2.

Brown added that he understands the emotion attachment and he would like to have Shields there, but the legal system has set a precedence for these situations. Crist added his decision was because the land was being added to an existing acreage and did not stand alone.

- 2. Cedar County Joint 911 Service Board, 1892 Union Ave., Wilton, IA (Owner)-** Requesting approval of a Special Use Permit authorizing the location of a public safety communication tower on property described as Lot A, in the SW ¼, SW ¼, Section 4, T-79N, R-1W, in Farmington Township. Said property is zoned A-1 Agricultural District.

La Rue stated there are no written or verbal objections on file. Informed another meeting would be held next Thursday, January 27th at 3:00 PM in the large meeting room (same location we are in) with the Board of Adjustment. Asked Commission to complete their review in accordance with Chapter 17.18(2) Special Use Permits. County Engineer letter states on hard surface road minimal impacts and local fire department states no problems servicing the location.

Jodi Freet, EMA and 911 Director presented information to the Commission and public sharing that the County currently utilizes a VHF p25 radio system and it has reached the end of it's life and can no longer keep first responders and residents safe. Parts can no longer be ordered. Current parts must come from Australia. They have problems with the current vendor servicing the existing system as well. Coverage is very lacking in current sites. Freet presented a map showing the current coverage areas and she and Warren Wethington, Cedar County Sheriff and Chair of the Cedar County Joint 911 Service Board shared that portable radios will not work in those areas where there is no service. Freet shared another map of the coverage areas after the new towers and system are installed. Sheriff Wethington shared that law enforcement, fire and ambulance will use the system. Towers have a 50 year life, new SARA system, study was done of two systems and this is the solution they came to. The towers speak to each other, radio communication goes to the tower then the tower gets it back to the Law Enforcement Center.

Crist questioned if this would go county to county. Sheriff Wethington shared that it could/would.

Yutesler questioned if satellites had anything to do with this system. Sheriff Wethington explained it was radio microwave. 18 inch beam, 250 feet in the air so no radiation where people are.

Ron Godava, MCM Consulting Group explained Cedar County is currently operating on 150 MHz and it is a very crowded band now/there is no room for expansion as far as getting more channels. The channels are all used, there are only 800 across the US, so trying to find channels is impossible. FCC has allocated other frequency bands. 450MHz and 700/800 MHz. 700/800 is the one that is most available and open with channels right now, State agencies are using it right now, it has a high frequency and it is very penetrable into buildings, etc. (metal, brick, etc.). The new system requires better infrastructure so these towers are needed as placement on water towers, etc. would not be adequate. They have confirmed with appropriate authorities that there are channels available.

Crist questioned if there is a system that would last longer than the one being proposed. Freet answered that they typically go on 15-20 year cycles. Our current system has not lasted that long due to various issues including changes the FCC made in narrowing the band which took away channels. This is when more significant issues started with the current system. Freet shared a recent situation where the system failed that caused a dangerous situation for firefighters in a burning building at a fire in Mechanicville and then an additional call came into 911 of a resident needing medical assistance. The dispatcher had to choose whether to interrupt the channel to page out the ambulance. This is just not safe or acceptable. Sheriff Wethington added there is a 5 to 7 year lifespan for car radios, 50-year lifespan on the tower. Twing questioned if that was just the tower or if the functional parts had that long of a lifespan as well. 10 year lifespan on the equipment and that a load assessment is being done to ensure that changes can be made to have those towers function for their lifespan. Crist questioned if additional towers may be needed in the future. Wethington explained that would really be dependent upon if FCC makes changes. Sheriff Wethington added once we are up and running we can use neighboring counties on the SARA system's (shared area radio agreement) towers and they can use ours. He added that they have been guaranteed to have 95% coverage from day one everywhere in the county. Freet shared that we will be able to communicate with neighboring counties. We are essentially an island now and that will change with the new system. Iowa State Patrol is on another network and Cedar County currently cannot communicate with them during car chases and other matters. This will also be resolved with the new system through a "patch" with the ISP.

Twing questioned if grain dust can interfere with the system during harvest since this site is near a grain elevator and Yutesler added is there anything that can interfere with transmissions. Ron Godova, MCM Consulting advised no, these things would not interfere. He said microwave could be interfered with, but it would have to be a solid wall of snow or rain and we just don't see that here.

Yutesler questioned if there would be harm to wildlife. Godova said a portion of the process when putting up a tower is taking into consideration the path and habits of migratory birds. The radio signals people are concerned about are the same as signals you get from listening to the radio and unless you are going to climb the tower and be in front of the microwave or antenna there is no risk to humans.

Twing questioned wind testing. Godova said wind loading test is 150 mph with microwaves, antenna and other equipment attached. He explained a tornado could certainly take one out, but the self-supporting design makes them fall upon themselves and makes them stable.

La Rue shared that as part of the Telecommunications Act of 1996, FCC and FAA rules would have to be followed and the 911 Service Board would need approval/permit from FCC and FAA. Small medium density marker lights half way up the tower (130 feet) on top is a flashing beacon white in day and red at night. The lenses reflect the light upwards at night for aircraft, not down to the ground so aircraft can see them. Flash rate is low (30 flashes per minute) which is less than a turn signal on a car.

Marjorie Tucker asked how big the tower was at the base, would all the towers be the same size. Freet indicated that three of the towers are the same height at 260 feet and the West Branch tower is 275 feet tall due to topography. Glenn Reynolds, RACOM Corporation shared the towers are 27 feet to 30 feet across from one leg to another. Brian Tucker asked how deep the counter weights were into the ground. Reynolds stated that they are 28-33 feet in the ground and are 30 inches across.

Steve Berry questioned if the county would be liable if it fell on their property. Elaine Berry said she was not 100% sure how close it was to her property. Yutesler questioned how the insurance worked. Jon Bell, Cedar County Supervisor and Vice-Chair Cedar County Joint 911 Service Board indicated that the county would own and insure the towers. Wethington added that towers are designed to crumple not fall over, but heavy winds could possibly cause them to fall over.

Twing questioned who would supply the tower with power. Alliant is the energy company in that area per Berrys and generators will be at each of the tower sites.

Crist questioned if a tower goes down will the system still work. Wethington said yes, it will reroute. Freet shared that they may then bounce off neighboring towers.

Sally Lilienthal said she once called 911 and her call was routed to Scott County because that was the closest cell phone tower. Freet said that would not change as cell phone networks are different from this network. She thought the \$1 she paid each month was going to that and wondered when that issue would be resolved. Wethington and Freet explained that \$1 everyone pays each month amounts to \$240,000 per year and that, that in addition to the \$250,000 that the county puts toward it runs dispatch here in Cedar County. Bell added that the 911 issue related to her cell phone further supports the need for this system in the event that cell phone communication from cell phone to cell phone goes down.

Bell added that this was a very difficult process to secure these locations and that a lot of time and effort went into this process. He said he did not want to pressure anyone, he simply wanted everyone to know that if one tower moves, all of the towers have to move.

Crist Motioned that Petition Number 02-22 goes to the Board of Adjustment for review. Brown seconded the motion. No further discussion. Ayes, all. Motion passed.

3. Cedar County Joint 911 Service Board, 1735 170th St., Clarence, IA (Buyer)-

Requesting approval of a Special Use Permit authorizing the location of a public safety communication tower on property located in the SE ¼, SW ¼, Section 1, T-82N, R-2W, in Fairfield Township. Said property is zoned A-1 Agricultural District.

La Rue stated there are no written or verbal objections on file. Asked Commission to complete their review in accordance with Chapter 17.18(2) Special Use Permits.

Brown Motioned that Petition Number 03-22 goes to the Board of Adjustment for review. Twing seconded the motion. No further discussion. Ayes, all. Motion passed.

General discussion of not being able to co-locate on the towers due to regulations as well as the inability for anyone or anything (other towers, wind turbines) to interfere with these towers due to FCC and FAA regulations.

4. Cedar County Joint 911 Service Board, 527 Indian Ave., Mechanicsville, IA (Buyer)-

Requesting approval of a Special use Permit authorizing the location of a public safety communication tower on property located in the NE ¼, NE ¼, Section 32, T-82N, R-3W, in Fremont Township. Said property is zoned A-1 Agricultural District.

La Rue stated there are no written or verbal objections on file. Asked Commission to complete their review in accordance with Chapter 17.18(2) Special Use Permits.

Jon Freeman, asked what landowners are being paid and what is the CSR on the ground. Bell shared that the CSR was used to assist in the process and that a times factor is used starting with the assessed value for the land then multiplied for example by 5 or 12 like the Engineer does when needing to acquire ground for bridge or road projects. He indicated that there is variability in what they are being paid, but it solely dependent on the assessed value. Freet added that the sites are one acre in size and that the

compound is 75 feet x 75 feet. The rest of the ground outside that fenced area can then be farmed by the landowner. Crist questioned if the tower is decommissioned. Freet and Bell added the county is responsible for taking care of that and that they would follow the rules that were written by the county regarding decommissioning of towers. Freeman questioned if the tower is decommissioned will the landowner get to buy the land back. Freet stated how the process would work would be determined by the county. Bell added a small portion of land with no use to the county would likely not be kept. The landowner would likely get first opportunity to buy back.

Twing questioned if the next technology could be supported by these towers. Freet and other commission members said we likely cannot answer that due to evolution of technology. Freet added that the county is very conscious of their use of taxpayer dollars and facilities and that if they own these towers they are going to do everything in their power to make this technology last as long as they can.

Brandenburg asked if the farmer chooses not to plant or maintain the area, will the county do so. Bell added that most of the farmers they have talked to plan to maintain or plant crops in the remaining acre outside the fenced compound. Bell stated that the county would control the weeds/maintain the property if the adjoining land owner did not choose to.

Freeman asked if he would be able to build a hog confinement or house. La Rue indicated that state and county zoning requirements would need to be followed and the house would need to stay at least half the height of the tower away. If a farm it is exempt and hog confinement would need to consider residential neighbors.

Steve Weets shared that he felt that this prohibits the use of the neighboring property and that he has seen these towers go over and not collapse as designed. It was reiterated that the county carries insurance for this reason in the event that the design fails.

Brandenburg Motioned that Petition Number 04-22 goes to the Board of Adjustment for review. Twing seconded the motion. No further discussion. Ayes, all. Motion passed.

5. Cedar County Joint 911 Service Board, 480 270th St., West Branch, IA (Buyer)-

Requesting approval of a Special Use Permit authorizing the location of a public safety communication tower on property located in the NW ¼, NE ¼, Section 35, T-80N, R-4W, in Gower Township. Said property is zoned A-1 Agricultural District.

Asked Commission to complete their review in accordance with Chapter 17.18(2) Special Use Permits. One letter of objection on file from Kathryn Cox. ZA La Rue read the letter to the Commission and public. The letter is included in the file of Petition Number 05-22 and included concerns about it being a historical site, lights on the towers causing issue with her migraines, felt that notice should be given to property owners further than 500 feet and that they did not adequately research other locations.

Bell stated no grant money has been used for this project.

Freet indicated that the house was torn down in 1990 so the opportunity to make it a historical site has passed, the proposed tower location is over 3 miles from the site Cox questioned and there is an existing tower that is 1.27 miles away and much closer than the county tower.

Reynolds shared that NEPA (National Environmental Policy Act) process uses of ¾ of a mile unless the state office would bring up a location further away.

Brian Tucker asked if money had been exchanged between the county and property owners. Bell responded no money had been exchanged and that they have to get approval from the Zoning Commission and Board of Adjustment before they can proceed with anything. La Rue added that even if both the Commission and Board of Adjustment approve this, it will still have to go before the FCC and FAA for final approval to get the federal permits. Brandenburg added that the concerns about it being a historical site would be looked at by the FCC and FAA.

Brian and Marjorie Tucker stated they were not against the tower, just the location. They felt this was not thoroughly looked at. Tuckers stated it could be down the dirt road or in an area that where no one could see it. They shared they will be looking right out their front window at the tower. It will be approximately ¼ of a mile from their home. General discussion occurred about what it will look like from their home. Freet and Bell replied that it could not. Sheriff Wethington and Freet shared that in the West Branch area they contacted all property owners in a one mile radius. Were very thorough and have run out of options if it is not placed here.

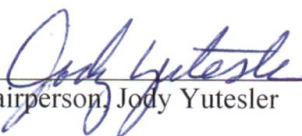
Sheriff Wethington shared that at site at 280th Street and Franklin Avenue would have been the ideal location, but family situations and opposition of the location from several neighbors made that location no longer a viable option. Consideration to go further west on 280th Street was made, but there were neighbors that again showed opposition. The Mather location then came about and they moved it as far away from the Tucker residence as they possibly could. Mather shared that they would have gladly used land east of Franklin Avenue but that was not a viable option due to topography. Sheriff Wethington empathizes with their and shared he had offered to have the Indian Avenue tower in his backyard, but his home is too far out of the circle. Tucker questioned why it could not be located near the county shed. Reynolds shared topography issues and having enough land to make the appropriate compound were factors there. were also a factor in this area. Tucker asked why the tower could not be taller. Sheriff Wethington explained it is \$1100 per foot and their septic was an issue.

Crist Motioned that Petition Number 05-22 goes to the Board of Adjustment for review. Twing seconded the motion. No further discussion. Ayes, all. Motion passed.

Minutes from the prior meeting held on December 15, 2021 were previously sent to members. Brown made a motion to approve the minutes, Crist seconded. Ayes, all. Motion passed.

La Rue informed the Commission that he hoped to work with them in the coming months to revise the Zoning Ordinance.

No further business, motion to adjourn was made by Brown, seconded by Lieser. Meeting adjourned 8:50 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

January 26, 2022

LEGAL NOTICE

PUBLIC NOTICE is hereby given that the Cedar County Board of Supervisors will be conducting a Public Hearing on Tuesday, February 8, 2022 at 9:00 a.m., and Tuesday, February 15, 2022, 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. Jesse Shield, 1922 170th Street, West Liberty, Iowa (Buyer) and James D. and Donna R. Stagg, 1638 100th Street, West Liberty, 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 SE $\frac{1}{4}$, SW $\frac{1}{4}$, Section 31, T-79N, R-3W, in Iowa Township. Said petition is to rezone 1.12 acres m/l of a proposed lot consisting of 3.37 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

Notice mailed 01/27/22 to:

JAMES & DONNA STAGG
1638 100TH ST
WEST LIBERTY IA 52776-9051

ROBERT & ELAINE REHMKE TRUST
1905 VERDANT AVE
NEOSHO MO 64850-8893

JESSE SHIELD (Certified)
1922 170TH ST
WEST LIBERTY IA 52776

ROBERT RISDALE (Muscatine Co)
7573 32nd AVE
NORWAY IA 52318

LARRY STREETS FAMILY FARMS LLC (Muscatine Co)
2394 BAKER AVE
WEST BRANCH IA 52358

Notice Emailed 01/27/22 to:

AUDITOR CARI DAUBER

TIPTON CONSERVATIVE



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

January 5, 2022

Bobbie Lieser
916 Dixon Ave
Tipton, IA 52772

Dear Mrs. Lieser:

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. If you wish to have a hard copy of these documents, please contact our office and one will be provided for you. 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. I would like the opportunity to meet with you prior to our hearing on January 19, 2022. Please call the office to set up a time that is convenient for you.

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:bj
Enclosures



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

January 5, 2022

Laurie Brandenburg
1600 Hwy 38
Tipton, IA 52772

Dear Ms. Bradenberg:

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. If you wish to have a hard copy of these documents, please contact our office and one will be provided for you. 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. I would like the opportunity to meet with you prior to our hearing on January 19, 2022. Please call the office to set up a time that is convenient for you.

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:bj
Enclosures

Janelle Axline

From: Cari Dauber
Sent: Monday, January 3, 2022 2:25 PM
To: Phil LaRue; Janelle Axline
Subject: appointments

The board approved the following today. Please let me know if you need anything.

ZONING BOARD OF ADJUSTMENT 5YR

	<u>Term Exp Date</u>
Laura Twing	12/31/2022
Chuck Hoy	12/31/2022
Bill Lenker	12/31/2023
Sheila Budelier	12/31/2024
Bruce Barnhart	12/31/2025

PLANNING & ZONING COMMISSION 3YR

Bobbie Lieser	12/31/2024
Jody Yutesler	12/31/2022
Joel Brown	12/31/2022
Laura Twing	12/31/2022
John Dornfeld	12/31/2023
Josh Crist	12/31/2023
Laurie Brandenburg	12/31/2025

Cari A. Dauber
Cedar County Auditor & Commissioner of Elections
400 Cedar Street
Tipton, Iowa 52772
563-886-3168

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