

CEDAR COUNTY BOARD OF ADJUSTMENT MINUTES

The Cedar County Board of Adjustment conducted a Public Hearing on October 24, 2024, in the Large Meeting Room of the Courthouse, Tipton, Iowa. Members present were, Chairperson Laura Twing, Randy Pedersen, Todd Pruess, and Jeff Wallick. The meeting was called to order at 2:58 p.m.

The Board members then considered the following petition:

1. **Craig and Jennie Handbury, d.b.a. Herky's Bed and Biscuits, 2059 220th St., Bennett, Iowa (Owners)** – Requesting a Special Use Permit authorizing the location of a dog boarding kennel on property described as Lot E, located in the SW ¼, SE ¼, Section 33, T-81N, R-1W, Springfield Township, consisting of 9.59 acres more or less. Said property is currently zoned A-1 Agricultural District.

Zoning Administrator LaRue asked the Board to do their review in accordance with Chapter 17.18 (2) of the Cedar County Zoning Ordinance 10. ZA LaRue stated today's meeting is a formality because this dog kennel operated under Special Permit 32-92 with Don and Sheryl Grant the Starlight Academy heading. Typically, a special permit for this would require also a review by the zoning commission. However, this petition had been out this dog facility had been out there for many years and so it did not seem that it would be necessary. Previously, the Board of Adjustment has reviewed 4 different Special Use Permits over the years where ownership changed. Chairperson Twing asked if the former special use permit was still current. ZA LaRue stated that the previous permit (32-92) was still current and after this hearing we would rescind special use permit 32-92. Chairperson Twing asked the petitioner if there were any major changes done to the building, structure, or cement work. The petitioners responded by saying they didn't make any big changes just spruced it up a bit. Chairperson Twing asked the petitioner if they were neighbors to this facility prior to their purchase or why they decided to buy the property? Jennie Handbury stated they were not neighbors to the home prior. She continued by saying she is a nurse and was looking towards retirement and wanting to buy some land and this property came up for sale. ZA LaRue asked if there were any requirements under IDALS (Iowa Department of Agriculture Land Stewardship) other than their annual licensing and inspection. The Handburys responded that the annual licensing and inspection is all that they are requiring. ZA LaRue stated he had a letter from the county engineer stating he had no objections. There are minimal impacts to the current road but parking is not allowed on 220th St. Wallick stated he could add a little bit about the property as well. When it was first listed he had shown the property and had talked to the previous owners about the possibility of auctioning off the property. He stated that this property is something the county needs because there is no place like this in the county. The Handburys stated they were aware of this and added some additional off street parking for their customers. Pedersen asked if the Wilkins bin site was close to the property. Handburys stated yes they were right before the grain bins. He followed up by asking if the other neighbors around were good with the operation too. The petitioners stated they had talked to the neighbors and they were good with them operating this business. Chairperson Twing asked if they planned on carrying a full contingent of dogs every week if they can or was the petitioner going to start slow.

Jennie Handbury stated that they had actually already started and it went quicker than she thought. She stated that they had 13 dogs as their highest at one time but they can house up to 34 dogs. She continued by saying that if they have 34 dogs, she will need to hire some help. Chairperson Twing asked if there were restrictions on size of dogs at the facility. Jennie Handbury stated there was not a restriction on size. They also have 3 cats that are being boarded but they stay in the office area. She was also asked to board a hedgehog recently too.

With no further discussion, Pedersen motioned to approve the Special Use Permit with an annual review. Pruess seconded the motion. Ayes: All. Motion to recommend approval of the Special Use Permit with annual review carried.

Chairperson Twing asked if the board had reviewed the minutes from the last meeting on May 23, 2024, and were previously sent to the members. Pederson motioned to approve the minutes. Motion was seconded by Wallick. Ayes: All

ZA LaRue stated that we needed a motion to rescind SUP 32-92 that was previously approved for Starlight Academy. Pederson motioned to rescind Special Use Permit 32-92. Wallick seconded the motion. Ayes: All

Chairperson Twing declared the meeting adjourned at 3:08 pm

Chairperson, Laura Twing

Secretary, Caitlin Boyle