

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

The Cedar County Board of Adjustment conducted a Public Hearing on September 26, 2025, in the Large Meeting Room of the Courthouse, Tipton, Iowa. Members present were, Chairperson Laura Twing, Randy Pedersen, Todd Pruess, and Lisa Dircks. Members absent were Jeff Wallick. The meeting was called to order at 3:00 p.m.

The Board members then considered the following petition:

- 1. Casey's Marketing Company, One SE Convenience Blvd., Ankeny, IA (Contract Buyer) and Matthew Bowers, 2184 Old Muscatine Rd., Wilton, IA (Owner/Seller) -** Requesting a variance of the permitted height and square footage of permitted signs, as written in Chapter 11, subsection F2, of the C-2 Highway Commercial District Regulations, Cedar County Zoning Ordinance, Number 10, to allow placement of a proposed 100 foot tall sign with an area of 352 square feet at the site of a proposed convenience store on property located in the SE ¼, NE ¼, Section 23, T-79N, R-2W, in Sugar Creek Township, consisting of 5.36 acres more or less.

Zoning Administrator LaRue asked the Board to do their review in accordance with Chapter 17.18 (3) of the Cedar County Zoning Ordinance 10. ZA LaRue stated there were no written or verbal objections on file. Jeff Laubuch with SB Engineering spoke about the petition and stated that he has done a couple variance petitions within Iowa this year. Jeff also stated that the old determination for sign height was completed by renting a crane, flying a flag, adjusting the height, and driving on the road to see how high they would want it. Now, they utilize a drone and he provided drone photos from 30 feet, 80 feet, and 100 feet with the petition. Petersen asked if there was a specific sight distance for the sign. Laubuch said there is not documented distance for how far away you can see the sign in either direction. Laubuch stated that the grade of the overpass is 755 feet, and the sign would be 738 feet which is 17 feet lower than the bridge.

Chairperson Twing asked for clarification that this would be the first sign at this intersection and asked that with the signs from Iowa Department of Transportation stating what gas and food is available at the next exit if that changed what Casey's would want for a sign. Laubach stated he has not heard that has influenced Casey's decision before. ZA LaRue stated that conversation did occur with a previous sign variance request for Kum & Go when they wanted to be seen first and before the Pilot gas station at the Atalissa exit. ZA LaRue also stated that Kum & Go has requested four additional times to enlarge the sign, and all requests have been denied by the Board of Adjustment. ZA LaRue read Chapter 17.18 (3) and what is required to submit a variance.

Laubuch stated that the proposed site of the sign is at a lower elevation of the rest of the site and stated that part of the need to have a 100-foot sign instead of an 80-foot sign is to get over some trees. Pruess asked if they had intentions of changing the grade where they were wanting to put the sign. Laubuch responded by saying they were going to adjust the grade by about two feet to provide drainage from the sign location. The corner piece is the closest to the highway that is at the lowest elevation and is part of the reason for putting the sign where they choose. If the sign was moved further east to a higher elevation, they might have asked it to be higher to increase the sight distance. Laubuch stated that the sign might be relatively the same because there is about a 20-foot change in grade from the lower elevation to a higher elevation. Petersen asked for

clarification on the change in elevation from the first proposed option to the secondary option. Laubuch stated it is 16 feet. Dircks asked if there were any rules or regulations on why they had originally chosen the first location. Laubuch stated that he believes they were trying to have it as close as possible to the west bound lanes of the interstate to increase that sight distance.

Pruess asked ZA LaRue if he has seen something in the past where the board has set a precedence before and then changed that precedence. ZA LaRue stated the board would be stuck with the decision because there had been a variance done before. Dircks asked if there is already a Casey's in town. ZA LaRue stated there is a Casey's located in Wilton with a pylon sign outside the building. Laubuch stated that the finished floor of the building would be 758 feet and the finished grade of the sign is 738 feet. Pruess stated that he felt the sign would be at the same height either way. Dircks asked how far the sign would be moving if the board did not approve the 100-foot sign. Laubuch stated it would be moved about 200 feet. More discussion occurred regarding placement of sign and height of sign if the placement was moved. Dircks stated that if the sign was moved to a higher elevation you will be able to get more height to the sign so she would like to have the sign height at 80 feet and move it to a higher elevation. Pruess stated he would agree with what Dircks said and reiterated what Chairperson Twing stated with having signs back a half mile stating food and gas available at the next exit. Petersen said his opinion depends on where the final sign would be placed and he would like final confirmation on where the sign would go if they set a height restriction. Petersen also stated that later down the road each variance is case by case so he believes that if we approved one sign at a certain height, does not mean we have to approve the next sign at that same height.

With no further discussion, Pruess motioned to approve an 80-foot-tall sign and allow the 352 square feet. Dircks seconded the motion. Ayes: All. Motion to approve variance request for 80 ft tall sign with an area of 352 square feet approved.

Chairperson Twing asked if the board had reviewed the minutes from the last meeting on October 24, 2024, and were previously sent to the members. Pederson motioned to approve the minutes. Motion was seconded by Pruess. Ayes: All

Chairperson Twing declared the meeting adjourned at 4:00 pm

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Chairperson, Laura Twing

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Secretary, Caitlin Boyle