

CEDAR COUNTY PLANNING & ZONING COMMISSION MINUTES

March 18, 2026

The Cedar County Planning & Zoning Commission conducted a Public Hearing on Wednesday, March 18, 2026, at 6:30 p.m., in the Large Meeting Room in the basement of the Cedar County Courthouse, Tipton, Iowa. Members present for this meeting were: Brandenburg, Crist, Hartelt, Stuart, and Zoning Administrator LaRue. Absent were members Timmerman and Yutesler.

Acting Chairperson Crist called the meeting to order at 6:37 p.m. The members then reviewed the following petitions:

1. **James and Judy Petersen, 401 240th St., West Branch 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 property located in the NW $\frac{1}{4}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$, except Parcel "G" Section 5, T-80N, R-4W, in Gower Township. Said petition is to rezone 1.73 acres of a proposed 7.29 acres tract.

Zoning Administrator LaRue informed the members there were no written or verbal written objections on file for this petition. He advised them to do their review in accordance with Chapter 18.2(3) of the Cedar County Zoning Ordinance #10 in making a recommendation to the Cedar County Board of Supervisors. He explained that this proposal will be the second split from this tract and if approved by the Board of Supervisors, then minor subdivision platting will be required.

The petitioner, Jim Petersen, his daughter, Karri Kerr and her fiancé, Nick Amthauer, were present. Mr. Petersen, explained that the land is of no real use to him and he needs to raise some money. He then explained that his daughter will be constructing a home (dwelling replacement) immediately to the south of this tract with its own access.

The email from Kevin Stoolman, Fire chief, West Branch Fire Department, was then reviewed. It stated that they will be able to provide emergency services to the property. The email stated that it is the owner's responsibility to construct and maintain a driveway of suitable width and a turnabout area to allow access by large emergency equipment. The letter received from Rob Fangmann, Cedar County Engineer, was then reviewed. It stated that this site is located on a surfaced route (Baker Ave.) and should have minimal impact on the existing infrastructure. An approved entrance permit is on file with his office.

The soil evaluation was then reviewed. The report indicated one soil type, with two differing degrees of slope: M163D2, M163F, Fayette Clay Till. The limitations for building a dwelling are moderate in the M163D2 series and severe in the M163F series. The limitations for septic systems are severe due to both slow water movement and steep slope in these Fayette till soils. An alternative on-site wastewater system will be most likely needed for this site. For agriculture, the CSR on the M163D2 was 47 points, and the M163F was 21 points. The average CSR was 21 points for agricultural land use as a timbered ravine. There was then brief discussion on erosion concerns expressed by Terry Hamer, the pond owning neighbor to the north. Mr. Petersen explained he has had this discussion with Mr. Hamer since

he first bought the property and does not feel that an erosion issue will occur because of the amount of brush downslope in the ravine.

The Cedar County Land Use Plan 2018-2038 was then reviewed. The Land Use Plan indicates moderate support for this site due to the close proximity to two other residential properties. The LESA evaluation score was 2870 points, a strong finding for preservation despite the proximity of the two residential land uses and the presence of the Edgewood Subdivision 2000 feet to the south on Baker Avenue.

Following additional discussion regarding the steep, erodible soils at this site and concerns about dwelling placement, Brandenburg moved to recommend approval by the Board of Supervisors for a single (1) dwelling only. The motion was seconded by Hartelt. Ayes: all.

- 2. Jeffery and Joanna Reichert, 876 247th St., Tipton, IA (Owners) and Matthew and Justine Wagaman, 1159 330th St., Moscow, IA (Buyers) –** Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential for the purpose of constructing a single family dwelling on property described as Parcel G, located in the SW ¼, SW ¼, Section 16, T-80N, R-3W, in Center West Township. Said petition is to rezone 3.3 acres of a 23.12 acre tract.

Zoning Administrator LaRue informed the members that there were no written or verbal objections on file for this petition and advised them to do their review in accordance with Chapter 18.2(3) of the Cedar County Zoning Ordinance #10 in making a recommendation to the Cedar County Board of Supervisors. Access to this property is through an access easement 250 feet in length from Indian Avenue.

The buyers/petitioners, Matt and Justine Wagaman, were present. Mrs. Wagaman then explained their plan to construct a new home much closer to their families, and matt is planning to farm the property and help her father with the farm.

The letter from Sean Paustian, Tipton Fire chief, was then reviewed. It stated that this site is in Tipton's response area and shares an ISO class 10 rating because it lies outside of 5-mile radius from the Tipton fire station, and it is the owner's responsibility to maintain a suitable driveway to provide access to responding emergency vehicles. The letter received from Rob Fangmann, Cedar County Engineer, was then reviewed. It stated the site is on a gravel route, Indian Avenue, and should have minimal impacts on the existing infrastructure. There is an approved entrance permit on file in his office for the use of the existing entrance.

The soil evaluation was then reviewed. The report indicated one soil type with differing degrees of slope: M163B, M163C2, M163D2, Fayette Clay Till. Limitations for building are moderate. Limitations for septic systems is severe due to the amount of clay, but with proper siting and care not to compact the soils, a conventional septic system is possible. For agriculture, the CSR on the M163B was 84 points, for the M163C2 was 76 points and the M163D2, a CSR of 47 points. The CSR average was 69 points.

The Cedar County Land Use Plan 2018-2038 was then reviewed. The plan encourages clustering of residential land use rather than scattered or spot zoning. The commission noted that there is one residentially zoned dwelling within 1320 feet (Gary Helmold's, to the east at 870 247th St., Tipton). The second closest is the residence at the corner of Indian Avenue and Cedar Valley Road, over 1320 feet

away. The LESA scoring was then reviewed. The site scored a total of 2970 points which includes 500 points added for familial relations. This score indicates a strong finding for preservation. The commission expressed concern with removing agricultural land from crop production despite the fact that at this location there will be row crop production between the dwelling site and Indian Avenue. Hartelt stated that he'd feel better about this if the land were in pasture instead of row crops. He then asked about the access easement from Indian Avenue and its width due to the trees along the field edge at the access point. Mr. Wagaman explained that the easement route follows a buried electric easement which lies in the tree line just to the north and parallel to the access route through the field edge. Options for on-site wastewater treatment were then again briefly discussed.

With no additional discussion, Hartelt made a motion to approved the petition. The motion was seconded by Stuart. Ayes: all.

Minutes from the last meeting held on February 26, 2026, were previously sent to the members. Hartelt made a motion, with Crist seconding approval, of the minutes as presented. Ayes: all.

With no further business to discuss at this time, the meeting was adjourned at 7:40 p.m. Ayes: all.

Acting Chairperson
Josh Crist

Secretary Pro-tem
Philip LaRue