

**ALLAMAKEE COUNTY PLANNING AND ZONING COMMISSION MEETING**  
**December 16, 2019**  
**Board of Supervisors Room, Courthouse, Waukon, Iowa**

Meeting was called to order at 6:00 P. M. by Chairperson Pladsen.

Roll call of Commission Members:			Term Expires
	Marlene Duffy	Present	2020
Vice-Chair	Jack Knight	Present	2021
	Colleen Gragg	Present	2022
Chair person	James Pladsen	Present	2023
	Duane Leppert	Present	2024

Staff present: Tom Blake, Zoning Administrator. All Board members voting "AYE" unless noted. MCU means Motion Carried Unanimously.

Gragg made a motion to approve the agenda. Knight seconded. MCU.

Gragg made a motion to approve the November 18, 2019 minutes. Knight seconded. MCU.

Public Comments: None.

Public Hearings: None.

Old Business:

- A. Farm Land Preservation Methods; Discussed land divisions and Agland Development. It was discussed about approaching NRCS. Knight asked if there was a way to control loss of farmland without regulations? Possibly we could look at how small farms are being preserved in the east.

New Business

- a) The commission reviewed the Tayek subdivision plat. After discussion and review, Duffy made a motion to recommend approval to the Supervisors. Gragg seconded. MCU.
- b) The commission reviewed the Haskell subdivision plat. Consensus to table the plat until it is known whether the easement serving the parcel meets access requirements.
- c) The commission reviewed the Strelow subdivision plat. Gragg made a motion to recommend denial until easement issues are addressed, correcting the 66 foot wide easement (cabin located on it) and providing an access to the field. Duffy seconded. MCU.

Blake gave an update regarding the Robinson's development on Blue Heron and the three enforcement issues being pursued. Commission was reminded about the Comprehensive Planning meeting on December 17<sup>th</sup>.

Leppert made a motion to adjourn. Knight seconded. MCU.

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Thomas Blake, Zoning Administrator

**ALLAMAKEE COUNTY PLANNING AND ZONING COMMISSION MEETING**  
**November 18, 2019**  
**Board of Supervisors Room, Courthouse, Waukon, Iowa**

Meeting was called to order at 6:00 P. M. by Chairperson Pladsen.

Roll call of Commission Members:			Term Expires
	Duane Leppert	Present	2019
	Marlene Duffy	Present	2020
Vice-Chair	Jack Knight	Present	2021
	Colleen Gragg	Present	2022
Chair person	James Pladsen	Present	2023

Staff present: Tom Blake, Zoning Administrator. All Board members voting "AYE" unless noted. MCU means Motion Carried Unanimously.

Gragg made a motion to approve the agenda. Leppert seconded. MCU.

Leppert made a motion to approve the October 21, 2019 minutes. Duffy seconded. MCU.

Public Comments: None.

Public Hearings: None.

Old Business: None

**New Business**

- a) The Commission reviewed differing methods of Farm Land Preservation initiatives that could be incorporated into a zoning ordinance. After presentation by Blake, the Commission members discussed the information presented and the pro's and cons of preservation methods. Blake agreed to send the members a link to the information so that the members could review for the next meeting.
- b) The commission reviewed the Kathleen Regan subdivision plat. After discussion and review, Leppert made a motion to recommend approval to the Supervisors. Knight seconded. MCU.
- c) The commission reviewed the Heffern, Schulte, Fahey and Fahey subdivision plat. Gragg made a motion to recommend approval to the Supervisors. Duffy seconded. MCU.
- d) Discussion was held regarding regarding changing the meeting hours to 5:00 PM for the winter months. Consensus to change the meeting time was approved.

Blake gave an update regarding the KNEI site, Veenschoten site, the Samanator plat and the Dorchester School site.

Gragg made a motion to adjourn. Knight seconded. MCU.

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Thomas Blake, Zoning Administrator

**ALLAMAKEE COUNTY PLANNING AND ZONING COMMISSION MEETING**  
**October 21, 2019**  
**Board of Supervisors Room, Courthouse, Waukon, Iowa**

Meeting was called to order at 6:00 P. M. by Chairperson Pladsen.

Roll call of Commission Members:			Term Expires
	Duane Leppert	Present	2019
	Marlene Duffy	Present	2020
Vice-Chair	Jack Knight	Present	2021
	Colleen Gragg	Present	2022
Chair person	James Pladsen	Present	2023

Staff present: Tom Blake, Zoning Administrator. All Board members voting "AYE" unless noted. MCU means Motion Carried Unanimously.

Knight made a motion to approve the agenda. Gragg seconded. MCU.

Knight made a motion to approve the August 21, 2019 minutes. Leppert seconded. MCU.

Knight made a motion to approve the September 16, 2019 minutes. Gragg seconded. MCU.

Public Comments: None.

Public Hearings: None.

Old Business:

Blake presented an application for a variance to reduce a front yard setback requirement from 40 feet to 10 feet filed by the Veenschoten's for their property on Majestic View Lane. The request was being made due to the small buildable area and the proximity to steep slopes. The Commission had visited this site and had recommended moving the new structure to a location as close to the access road/cul de sac as was feasible. The variance would allow the structure to be located closer to the road and would help provide a more suitable site for a drainfield, away from the steep slope areas. Due to the previous Commission visit and action, Blake asked if the Commission would like to make a recommendation to the Board of Adjustment regarding the variance request. After discussion, Knight made a motion recommending that the Board of Adjustment approve the variance request in accordance with the site plan submitted by Veenschoten. Leppert seconded. MCU.

New Business

- a) The commission reviewed the Hogendorf property known as the KNEI radio building site. The owners were requesting that the Commission approve a lot size of .81 acres for the business structure (which has been used as a residence (upper floor) and a business storage (lower floor) for the past couple of decades.) The remaining property would be as one parcel of approximately 6.16 acres. Discussion was held regarding septic and possible alternative sites if the system would fail. Leppert made a motion to approve the lot sizes as requested, with the dividing line to be along current Assessor Parcel lines, allowing the total property to be two parcels. Gragg seconded. MCU.
- b) The commission reviewed the ATMS. LLC, Subdivision Plat. Gragg made a motion to recommend approval of the plat. Duffy seconded. Ayes; Duffy, Gragg, Knight and Pladsen. Nays; Leppert (due to loss of ag land). Motion carried.
- c) The commission reviewed the Samanator Trust Subdivision Plat. Leppert made a motion to recommend denying approval of the plat due to the loss of agricultural use land. Knight seconded. Ayes; Leppert, Knight, Duffy. Nays; Pladsen, Gragg. Motion carried.

- a. The commission reviewed the Request to Remove the Agriculture Exempt Legend/Use restriction from the land subject of the Samanator Trust Subdivision Plat. Gragg made a motion to lift the Ag Use restriction from the Saminator Trust Plat property. Pladsen seconded. MCU. (If the Supervisors fail to approve the Saminator Trust Plat, this motion will be of no consequence since the plat would not be recorded.)
- d) Knight made a motion to approve the Schlitter Subdivision Plat. Leppert seconded. MCU.
- e) Gragg made a motion to approve the Stammeyer Plat. Duffy seconded. Ayes; Gragg, Duffy, Knight, Pladsen. Leppert abstains. Motion carried.
- f) Discussion was held regarding the request to divide the industrial zoned property known as the Dorchester School property. Due to the existence of flood plain, septic on one lot (per request) and well on the other, with no area for additional or replacement leach field, Gragg made a motion to deny request and/or permitting the reduction in lot/parcel sizes for this property. Duffy seconded. MCU.

Knight made a motion to adjourn. Gragg seconded. MCU.

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Thomas Blake, Zoning Administrator

**ALLAMAKEE COUNTY PLANNING AND ZONING COMMISSION MEETING**  
**September 16, 2019**  
**Board of Supervisors Room, Courthouse, Waukon, Iowa**

Meeting was called to order at 6:00 P. M. by Chairperson Pladsen.

Roll call of Commission Members:			Term Expires
	Duane Leppert	Present	2019
	Marlene Duffy	Present	2020
Vice-Chair	Jack Knight	Present	2021
	Colleen Gragg	Present	2022
Chair person	James Pladsen	Present	2023

Staff present: Tom Blake, Zoning Administrator. All Board members voting "AYE" unless noted. MCU means Motion Carried Unanimously.

Gragg made a motion to approve the agenda. Knight seconded. MCU.

Knight made a motion to approve the August 19, 2019 minutes. Duffy seconded. MCU.

Public Comments: None.

Public Hearings: None.

Old Business: None.

**New Business**

- a) The commission reviewed the Ashbacher, George and Belva, Larry and Lisa Subdivision Plat. The changes requested from the last meeting had been made to the plat. Gragg made a motion to recommend approval. Duffy seconded. MCU.
- b) The commission reviewed the Richard Sullivan d/b/a Northeast Iowa Land Company, Kenneth and Yvonne Pladsen Subdivision Plat. Gragg made a motion to recommend denying approval of the plat unless the service road right of way was increased to a minimum of 66 feet wide. Knight seconded. MCU.
- c) The commission reviewed the Lawrence Donahue Subdivision Plat. Leppert made a motion to recommend approval. Knight seconded. MCU.
- d) The commission reviewed the Ralph L and Kathleen J and Robert R and Kandice D Hammel Subdivision Plat. Knight made a motion to recommend approval. Leppert seconded. MCU.
- e) Discussion was held regarding view shed protections in the ordinance. No action taken.

Knight made a motion to adjourn. Duffy seconded. MCU.

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Thomas Blake, Zoning Administrator

**ALLAMAKEE COUNTY PLANNING AND ZONING COMMISSION MEETING**  
**August 21, 2019**  
**Convened On Site, Majestic View property owned by Veenschoten, Lansing, Iowa**

Meeting was called to order at 6:00 P. M. by Chairperson Pladsen.

Roll call of Commission Members:			Term Expires
	Duane Leppert	Present	2019
	Marlene Duffy	Present	2020
Vice-Chair	Jack Knight	Present	2021
	Colleen Gragg	Absent	2022
Chair person	James Pladsen	Present	2023

Staff present: Tom Blake, Zoning Administrator. All Board members voting "AYE" unless noted. MCU means Motion Carried Unanimously.

Old Business: The members reviewed the site and the proposed building layout. Consensus to have owner move building as close to the cul-de-sac as allowed under the ordinance, citing concerns about the slope of the land and possible erosion and bluff stability concerns.

There being no further business, the Chair declared the meeting adjourned.

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Thomas Blake, Zoning Administrator

**ALLAMAKEE COUNTY PLANNING AND ZONING COMMISSION MEETING**  
**August 19, 2019**  
**Board of Supervisors Room, Courthouse, Waukon, Iowa**

Meeting was called to order at 6:00 P. M. by Chairperson Pladsen.

Roll call of Commission Members:			Term Expires
	Duane Leppert	Present	2019
	Marlene Duffy	Present	2020
Vice-Chair	Jack Knight	Present	2021
	Colleen Gragg	Absent	2022
Chair person	James Pladsen	Present	2023

Staff present: Tom Blake, Zoning Administrator. All Board members voting "AYE" unless noted. MCU means Motion Carried Unanimously.

Leppert made a motion to approve the agenda. Knight seconded. MCU.

Knight made a motion to approve the July 15, 2019 minutes. Duffy seconded. MCU.

Public Comments: None.

Public Hearings: Valle Vu Estates Subdivision—Consider amending the zoning ordinance and map to change the zoning district boundaries for this subdivision near New Albin. Blake advised that he had received no written comments regarding the proposal. Mike Reburn was present to ask if he would be able to develop his second lot if this was changed. Blake advised that any lot of one acre or more could be developed independent of a second lot under the same ownership, if the zoning district was changed. Blake recommended the Commission recommend the change from A-1 to R-2. This change was in compliance with the comprehensive plan since it was a residential subdivision less than one mile from a community. Matthew and Rita Mooney were present to ask if it would have any impact on RE taxes. Blake advised that it should not have an impact. Duffy made a motion to recommend the Supervisors amend the zoning district from A-1 to R-2 on the condition that no variances be granted for the development of Lot 8 and Lot 9 owned by James Strong. Leppert seconded. MCU.

Old Business: None.

**New Business**

- a) The commission reviewed the Delpha and David Trappe Subdivision Plat. Knight made a motion to recommend approval. Duffy seconded. MCU.
- b) The commission reviewed the Earl and Linda Schulte Subdivision Plat. Knight made a motion to recommend approval. Duffy seconded. MCU.
- c) The commission reviewed the Larry and Sharon Snitker Subdivision Plat. Leppert made a motion to recommend approval. Duffy seconded. MCU.
- d) The commission reviewed the Keikbusch, Schroeder, Schroeder, Eckelberg Trust Subdivision Plat. Knight made a motion to recommend approval. Duffy seconded. MCU.
- e) The commission reviewed the Thomas Guider Estate Subdivision Plat. Duffy made a motion to recommend approval. Pladsen seconded. Pladsen, Leppert, Duffy voted Aye. Knight Nay.
- f) The commission reviewed the John Veehschoten Bluffland Development Site Plan. After discussion and questions, it was decided to schedule a site visit for August 21<sup>st</sup>, 2019 at 6:00 PM onsite at 1872 Majestic View Lane, Lansing, IA..

Duffy made a motion to adjourn. Knight seconded. MCU.

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Thomas Blake, Zoning Administrator

**ALLAMAKEE COUNTY PLANNING AND ZONING COMMISSION MEETING**  
**July 15, 2019**  
**Board of Supervisors Room, Courthouse, Waukon, Iowa**

Meeting was called to order at 6:00 P. M. by Chairperson Pladsen.

Roll call of Commission Members:

			Term Expires
	Duane Leppert	Present	2019
	Marlene Duffy	Present	2020
Vice-Chair	Jack Knight	Absent	2021
	Colleen Gragg	Present	2022
Chair person	James Pladsen	Present	2023

Staff present: Tom Blake, Zoning Administrator. All Board members voting "AYE" unless noted. MCU means Motion Carried Unanimously.

Gragg made a motion to amend the agenda by removing item VII. C. and D. (ATMS LLP plat and Samanator Trust Plat) and to approve the agenda as amended. Duffy seconded. MCU.

Blake advised that the June 17, 2019 minutes were not yet available for approval. Gragg made a motion to table. Duffy seconded. MCU.

Public Comments: None.

Public Hearings: None.

Old Business: None.

New Business

- a) The commission reviewed the Joyce Regan Subdivision Plat. Leppert made a motion to recommend approval. Gragg seconded. MCU.
- b) The commission reviewed the Vicky Hanson Revocable Trust Plat. Gragg made a motion to recommend approval. Duffy seconded. MCU.

Blake reported that the Board of Adjustment would be meeting on July 24<sup>th</sup> to hear two applications for communication towers. Also brought the Commission up to date regarding the proceedings regarding the Robinson residence building on Blue Heron Lane. Blake advised that an appeal of his decision to issue a building permit for the residence was filed and would be considered by the BOA.

Duffy made a motion to adjourn. Gragg seconded. MCU.

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Thomas Blake, Zoning Administrator

**ALLAMAKEE COUNTY PLANNING AND ZONING COMMISSION MEETING**  
**June 17, 2019**  
**Board of Supervisors Room, Courthouse, Waukon, Iowa**

Meeting was called to order at 6:00 P. M. by Chairperson Pladsen.

Roll call of Commission Members:			Term Expires
	Duane Leppert	Present	2019
	Marlene Duffy	Present	2020
Vice-Chair	Jack Knight	Present	2021
	Colleen Gragg	Present	2022
Chair person	James Pladsen	Present	2023

Staff present: Tom Blake, Zoning Administrator. All Board members voting "AYE" unless noted. MCU means Motion Carried Unanimously.

Gragg made a motion to approve the agenda as presented. Duffy seconded. MCU.

Duffy made a motion to approve the May 20, 2019 minutes. Leppert seconded. MCU.

Public Comments: None.

Public Hearings: None.

Old Business: None.

**New Business**

- a) The commission reviewed the John Sweeney Subdivision Plat. Gragg made a motion to recommend approval. Leppert seconded. MCU.
- b) Hanover Heights Subdivision
  - a. The commission reviewed the Allison/O'Regan preliminary plat of the Hanover Heights Subdivision Plat. Gragg made a motion to approve the Preliminary Plat upon the condition that the owners pursue changing the zoning district from A1 to R1. Knight seconded. Leppert-Nay, Duffy, Knight, Gragg, Pladsen-Aye. Motion Carried.
  - b. The commission reviewed the final plat of the Hanover heights Subdivision Plat. Gragg made motion to approve the Final Plat upon the same condition as the preliminary plat. Knight seconded. Leppert-Nay, Duffy, Knight, Gragg, Pladsen-Aye. Motion Carried.
- c) Blake presented an proposed amendment to the Zoning Ordinance, eliminating the need to mail variance and conditional use notices via certified mail. Knight made a motion to proceed with the amendment and to establish a public hearing therefore. Leppert seconded. MCU.

Reports: Blake updated the Commission on the recent Board of Adjustment action on Wennes Communication, Interstate Power and Northeast Iowa tower applications.

Knight made a motion to set the Stone request for a change in zoning district boundaries and to hold a public hearing thereon. Gragg seconded. MCU.

Duffy made a motion to adjourn. Leppert seconded. MCU.

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Thomas Blake, Zoning Administrator

**ALLAMAKEE COUNTY PLANNING AND ZONING COMMISSION MEETING**  
**May 20, 2019**  
**Board of Supervisors Room, Courthouse, Waukon, Iowa**

Meeting was called to order at 5:00 P. M. by Chairperson Pladsen.

Roll call of Commission Members:			Term Expires
	Duane Leppert	Present	2019
	Marlene Duffy	Present	2020
Vice-Chair	Jack Knight	Present	2021
	Colleen Gragg	Absent	2022
Chair person	James Pladsen	Present	2023

Staff present: Tom Blake, Zoning Administrator. All Board members voting "AYE" unless noted. MCU means Motion Carried Unanimously.

Knight made a motion to approve the agenda as presented. Duffy seconded. MCU.

Knight made a motion to approve the April 15, 2019 minutes. Leppert seconded. MCU.

Public Comments: None.

Public Hearings: None.

Old Business: None.

**New Business**

- a) The commission reviewed the Richard Shindoll Subdivision Plat. Leppert made a motion to recommend approval. Duffy seconded. MCU.
- b) The commission reviewed the lot sizes for the Northeast Iowa Land Company (Richard Sullivan). This property is NE of the intersection of Highways 76 and 9. Blake recommended that the internal road be increased in size to allow a semi truck to enter, turn around, and exit. Discussion was held regarding the uses of the properties and that future owners should recognize that a lot can only support a building and use per the size of the lot and that a future owner that needed additional area should acquire more than one lot. Sullivan advised that additional area would be available on each lot for truck maneuvering. Leppert made a motion to approve the lot size of Lot 1 (.82 acres), Lot 2 (1.3 acres), Lot 3 (1.28 acres) and Lot 4 (1.06 acres) upon the condition that the easement access be 66 feet wide where it abuts Highway 76.. Duffy seconded. MCU.
- c) Blake advised that James Strong wanted to rezone a lot in Valle Vu Estates subdivision so that he could divide his property and build a new house on the second lot. Duffy made a motion to set the public hearing for 6:00 PM on June 17<sup>th</sup>, 2019. Knight seconded. MCU.

Reports: Blake updated the Commission on the recent Board of Adjustment action on Wennes Communication, Interstate Power and Northeast Iowa tower applications. Blake advised that the Mary Kruse subdivision plat has been changed to an agricultural subdivision plat and was approved by the Supervisors. A nuisance property notice has been filed by the County Attorney and Environmental Health Department. No new nuisance ordinance has been presented to the Supervisors at this time. Blake advised that he would be attending the County Zoning Officials conference and Spring School in Ankeny later in the week.

Knight made a motion to adjourn. Duffy seconded. MCU.

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Thomas Blake, Zoning Administrator

**ALLAMAKEE COUNTY PLANNING AND ZONING COMMISSION MEETING**  
**April 15, 2019**  
**Board of Supervisors Room, Courthouse, Waukon, Iowa**

Meeting was called to order at 5:00 P. M. by Chairperson Pladsen.

Roll call of Commission Members:			Term Expires
	Duane Leppert	Present	2019
	Marlene Duffy	Present	2020
Vice-Chair	Jack Knight	Present	2021
	Colleen Gragg	Present	2022
Chair person	James Pladsen	Present	2023

Staff present: Tom Blake, Zoning Administrator. All Board members voting "AYE" unless noted. MCU means Motion Carried Unanimously.

Gragg made a motion to approve the agenda as presented. Knight seconded. MCU.

Gragg made a motion to approve the March 18, 2019 minutes. Knight seconded. MCU.

Public Comments: None.

Public Hearings:

Kelly Rentals – Blake advised that Chad Kelly has withdrawn his application for a change in zoning due to opposition/issues with the neighbors. No action taken.

Ashbacher, George – Blake presented a staff report and neighbor responses to the request. A map of the zoning in the vicinity was presented. Knight inquired into what the impacts from cell towers are in residential subdivisions. What are the setbacks? Blake advised that most have a setback that equals the height of the tower, but impacts on values vary between studies. Sis Sommer advised the Commission that he bought his house 8 months ago and was opposed to a cell tower being next door. Pattera, Chris was concerned with the impact to property values. Brian Kabat, Buell Consulting spoke on behalf of Verizon and Ashbachers regarding the tower and zoning change request. Gragg asked Ashbacher if he had any concerns about the impact of a cell tower on the rest of his ground that he is trying to develop as residential subdivision. Ashbacher advised no, but that they were planning on dropping the residential subdivision plans. After reviewing the site plans and neighbor comments, Gragg was concerned about this zoning for a cell tower being located in the middle of an R1 zone. Kabat advised that they could withdraw and resubmit a request for all of the R1 area owned by Ashbachers, which was a majority of the area around the tower. Gragg made a motion to recommend the Supervisors deny the request for a change in zoning since it is in the middle of a proposed residential development/zoned area. Kabat indicated that they were willing to withdraw. Gragg advised that they could pull it after zoning decision, citing a point of order. Leppert seconded the motion. Ayes: Leppert, Knight, Gragg, Duffy. Nays: Pladsen. Motion Carried. Request Denied.

- a) Old Business: The commission reviewed the David Vorwald Subdivision Plat. Gragg made a motion to approve. Knight seconded. MCU.

New Business

- a) The commission reviewed the Gerald and Linda Nelson Subdivision Plat. After discussion and review, Gragg made a motion to recommend approval of the plat. Duffy seconded. MCU.
- b) The commission reviewed the Dennis and Sandra Koenig subdivision plat. After review and discussion, Knight made a motion to recommend approval of the plat. Gragg seconded. MCU.

- c) The commission reviewed the Mark and Terry Bader subdivision plat. After review and discussion, Leppert made a motion to recommend approval of the plat. Gragg seconded. MCU
- d) The commission reviewed the Charles and Dorothy Byrnes. subdivision plat. After review and discussion, Gragg made a motion to recommend approval of the plat. Duffy seconded. MCU.
- e) The commission reviewed the Mary Kruse Emerson subdivision plat (1) after review and discussion, Knight made a motion to require the plat include the Ag Legend due to the small lot size not meeting zoning requirements. Gragg seconded. MCU
- f) The commission reviewed the Mary Kruse Emerson subdivision plat (2) after review and discussion, Leppert made a motion to approve. Duffy seconded. MCU

Blake advised the Commission on the questions raised by the Board of Adjustment. The Commission discussed the intent of the conditional use ordinance language and felt no change was necessary. The language conveyed the intent of the ordinance. Blake advised that the text change regarding tower setbacks in the bluffland has been tabled by the Supervisors but that it will not result in the way the ordinance is applied by Blake. Blake also advised that the County Attorney and Environmental Health were pursuing enforcement of a nuisance property through State Code at this time.

Leppert made a motion to adjourn. Gragg seconded. MCU.

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Thomas Blake, Zoning Administrator

**ALLAMAKEE COUNTY PLANNING AND ZONING COMMISSION MEETING**  
**March 18, 2019**  
**Board of Supervisors Room, Courthouse, Waukon, Iowa**

Meeting was called to order at 5:00 P. M. by Chairperson Pladsen.

Roll call of Commission Members:			Term Expires
	Duane Leppert	Present	2019
	Marlene Duffy	Absent	2020
Vice-Chair	Jack Knight	Present	2021
	Colleen Gragg	Present	2022
Chair person	James Pladsen	Present	2023

Staff present: Tom Blake, Zoning Administrator. All Board members voting "AYE" unless noted. MCU means Motion Carried Unanimously.

Gragg made a motion to approve the agenda as presented. Knight seconded. MCU.

Gragg made a motion to approve the February 18, 2019 minutes. Knight seconded. MCU.

Public Comments: Paus, Fruechte and Schuttenmeier near State Line Drive, Dorchester, were present to discuss the process for a proposed radio tower near their properties. The Commission assured the owners that they will receive proper notice and nothing will occur until notice and hearing in front of the Board of Adjustment.

Public Hearings:

Kelly Rentals – Knight made a motion to set the public hearing for this request for April 15<sup>th</sup>, 2019 at 6:00 PM. Gragg seconded. MCU.

Ashbacher, George – Gragg made a motion to set the public hearing for this request for April 15<sup>th</sup>, 2019 at 6:00 PM. Leppert seconded. MCU.

Old Business: None

New Business

- a) The commission reviewed the Oswald and Carol Lee Goettler Subdivision Plat. After discussion and review, Gragg made a motion to recommend approval of the plat. Knight seconded. MCU.
- b) The commission reviewed the David Vorwald Subdivision Plat. After discussion and review, Easement documentation was reviewed. It was determined that two exhibits were not included and the waterway definition was not clear and the easement had no width. Consensus to recommend no action to approve by the Supervisors due to these issues.
- c) The commission reviewed the Dennis and Judy Byrnes subdivision plat. After review and discussion, Leppert made a motion to recommend approval of the plat. Knight seconded. MCU.
- d) The commission reviewed the Lanny and Linda Scheffert subdivision plat. After review and discussion, Leppert made a motion to recommend approval of the plat. Gragg seconded. MCU
- e) The commission reviewed the Dan Cole, Sr. subdivision plat. After review and discussion, Leppert made a motion to recommend approval of the plat. Knight seconded. MCU

The Commission discussed the meeting time and consensus was obtained to return to 6:00 PM time for the summer/fall. Knight made a motion to adjourn. Gragg seconded. MCU.

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Thomas Blake, Zoning Administrator

**ALLAMAKEE COUNTY PLANNING AND ZONING COMMISSION MEETING**  
**February 18, 2019**  
**Board of Supervisors Room, Courthouse, Waukon, Iowa**

Meeting was called to order at 5:00 P. M. by Chairperson Pladsen.

Roll call of Commission Members:			Term Expires
	Duane Leppert	Present	2019
	Marlene Duffy	Present	2020
Vice-Chair	Jack Knight	Present	2021
	Colleen Gragg	Present	2022
Chair person	James Pladsen	Present	2023

Staff present: Tom Blake, Zoning Administrator. All Board members voting "AYE" unless noted. MCU means Motion Carried Unanimously.

Gragg made a motion to approve the agenda as presented. Knight seconded. MCU.

Gragg made a motion to approve the January 22, 2019 minutes. Knight seconded. MCU.

Public Comments: None

Public Hearings: None

Old Business: None

**New Business**

- a) Rooming, Lodging and Boarding House—Mike Betts, a Deer Tracks Community member (Past HOA president) updated the Commission regarding a change in the HOA Board and other Board action regarding the existing short rentals.
- b) Gragg made a motion to set the following public hearings,
  - a. Kelly Rentals zoning district change public hearing was set for March 18, 2019, at 5:00 PM.
  - b. George Ashbacher/Verizon Wireless public hearing was set for March 18, 2019, at 5:00 PM.

Duffy seconded. MCU.

- c) The commission reviewed the Jeffrey and Mary Kelly Subdivision Plat. After discussion and review, Leppert made a motion to recommend approval of the plat. Knight seconded. MCU
- d) The commission reviewed the David Vorwald Subdivision Plat. After discussion and review, Gragg made a motion to recommend no action be taken on the plat due to an incomplete file regarding access easement. Duffy seconded. MCU.
- e) The commission reviewed the Kathleen Regan subdivision plat. After review and discussion, Gragg made a motion to recommend approval of the plat. Duffy seconded. MCU.

**Reports:**

- a) Blake advised the Commission regarding HSB155, an amendment to the Iowa Cell Siting Act that removed local decision regarding siting cell towers that serve the First Net System. Knight made a motion to recommend the Supervisors contact the State Legislature and other rural counties to oppose this legislation. This recommendation is being made because there is already a process

in place to appeal decision of the Board of Adjustment that has not been followed by the applicant, AT&T. Leppert seconded. MCU.

Gragg made a motion to adjourn. Leppert seconded. MCU.

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Thomas Blake, Zoning Administrator

**ALLAMAKEE COUNTY PLANNING AND ZONING COMMISSION MEETING**

**January 22, 2019**

**Board of Supervisors Room, Courthouse, Waukon, Iowa**

Meeting was called to order at 5:00 P. M. by Chairperson Pladsen.

Roll call of Commission Members:

			Term Expires
	Duane Leppert	Present	2019
	Marlene Duffy	Present	2020
Vice-Chair	Jack Knight	Present	2021
	Colleen Gragg	Present	2022
Chair person	James Pladsen	Present	2023

Staff present: Tom Blake, Zoning Administrator. All Board members voting "AYE" unless noted. MCU means Motion Carried Unanimously.

Gragg made a motion to appoint Jack Knight as Vice Chair and James Pladsen and Chair for the 2019 calendar year. Duffy seconded. MCU.

Gragg made a motion to add Kelly Rentals under new business and to approve the agenda as amended. Knight seconded. MCU.

Gragg made a motion to approve the December 17, 2018 minutes. Knight seconded. MCU.

Public Comments: Doug Mullen approached the Commission regarding timber harvesting as an agricultural activity and would therefore be exempt from zoning regulations. The neighbors had complained about work in the bluffland, and Zoning Administrator had visited his property with Cory Fritzler (Mullen is selling to Fritzler on contract). Fritzler had claimed drive was for timber harvest and also provides access to a field. Administrator had told Fritzler that he would advise whether his work in the Bluffland would be exempt from regulation, or not. Blake has not yet ruled on this issue. Gragg inquired into the status or use of the road once harvest was complete. Commission would like to have this item on a subsequent meeting agenda, prior to issuing decision regarding exempt, or not.

Public Hearings: None

Old Business: None

New Business

- a) Rooming, Lodging and Boarding House—Blake presented history and data regarding regulation of the use. Advised that the use is defined in the ordinance, but is not a permitted or conditional use in any zoning district. Blake advised some research shows that this use existed throughout the County. The commission is to decide the appropriate zone it will be permitted in and under what conditions, if any.
  - a. Blake advised that complaints has been brought to him regarding this use (short term rentals) existing in the Deer Tracks Subdivision. After review, he had told residents there that the HOA should enforce the existing covenants (if they felt the use did not meet standards set in covenants) and that he would bring this use topic to the Commission for discussion and action.
    - i. The Chair called on Cory Fritzler (owner of several lots and cabins in Deer Tracks who is now operating a short term rental business) to gather information regarding the his use of these properties. Cory advised that he had a very big following. People want to visit the Driftless Area and need this type of housing. Larger groups/families come to hunt, leaf look or just tour or enjoy the area. Cory says he has three cabins in Deer Tracks and others in the County rural areas that are not in subdivisions. All are individual, single family structures. Cory likes to stick to a 3 night minimum over a weekend, but single night stays have been allowed. He owns all of the Deer Track properties that he manages. Cory indicated that he usually manages, checks people in and repairs the units himself, hiring help during busy seasons.

- ii. Deer Tracks owners told the Commission some issues they had with Fritzlers use of the properties—This is a commercial use that does not fit in Deer Tracks, guests stopping at private homes, looking for assistance, increased traffic on private roads, Gun fire and other violations of covenants, noise and other nuisances, use of pond and other facilities but people not authorized, multiple vehicles parked around properties, reduction in peaceful enjoyment of properties and possible impacts to property values. Concerns that this use will change the neighborhood. 9 of 33 properties could be rented by Fritzler.
  - iii. Mullen advised that he had a rental at the end of his driveway that Fritzler manages and he has had no problems.
  - iv. The Commission discussed the inputs and felt that the HOA needs to enforce covenants. It is not a County regulation. Pladsen felt that the 'scale' of the use in the Deer Tracks was having a greater impact on the neighborhood. Members reviewed the impacts to the subdivision, the number of properties listed on Air BnB (55 homes in County), the need for this type of service/housing and the impact to tourism in the County.
  - v. The Commission felt that they had enough input at this time and directed Blake to place on next agenda and they would start to review options regarding regulation, if any.
- b) Blake advised that an application from Verizon Wireless/George Ashbacher for a change in zoning was received. Gragg made a motion to set a public hearing for the request on February 18<sup>th</sup>, 2019 at 6:00 PM. Duffy seconded. MCU.
  - c) The commission reviewed the JoAnn Tangen Subdivision Plat. After discussion and review, Gragg made a motion to recommend approval of the plat. Knight seconded. MCU.
  - d) The commission reviewed the Vernon and Eilene Cooper and Ronald and Angela Cooper Subdivision Plat. After discussion and review, Gragg made a motion to recommend approval of the plat upon the condition that the lot, by itself, cannot be used for non-farm residential purposes. Knight seconded. MCU
  - e) The commission reviewed the Dennis and Betty Regan Subdivision Plat. After discussion and review, Gragg made a motion to recommend approval of the plat. Duffy seconded. MCU.
  - f) The commission reviewed the Dale and Merlene Donahue Subdivision Plat. After discussion and review, Knight made a motion to recommend approval of the plat. Duffy seconded. MCU.
  - g) The commission reviewed the Triple M Ridge Farms LLC subdivision plat. After review and discussion, Gragg made a motion to recommend approval of the plat. Duffy seconded. Ayes; Pladsen, Duffy, Knight, Gragg. Nays; Leppert. Motion Carried.
  - h) The commission reviewed the Ian and Amy McCormick Subdivision Plat. After discussion and review, Gragg made a motion to recommend approval of the plat. Duffy seconded. MCU.
  - i) Blake advised the Commission that another zoning amendment application was forthcoming from Kelly Rentals. Gragg made a motion to set the public hearing on 2/18/2019 at 6:00 PM, if application was completed in time. Leppert seconded. MCU.

Reports:

- a) Blake advised the Commission regarding Rare Metals Mining that had been in the news recently, the activity would need a permit under the Extraction Pits section of the zoning ordinance.
- b) Blake advised the Commission that his driving record has led to being unable to drive a vehicle in the performance of his duties for the County. Options were discussed and Blake assured the Commission that he would keep them apprised..

Gragg made a motion to adjourn. Duffy seconded. MCU.

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Thomas Blake, Zoning Administrator