

**Buck's UPI, Inc.**  
**20966 Monroe Street**

***Figure 1***

Looking at the west half of Area 1



August 20, 2019, J. Robbins

***Figure 2***

Looking at the east half of Area 1



August 20, 2019, J. Robbins



**Figure 3**

Looking at Area 2 from Monroe Street on the east side of Monroe Street



August 20, 2019, J. Robbins

**Figure 4**

Looking at the main building for the salvage yard operation on the west side of Monroe Street



August 20, 2019, J. Robbins



**Figure 5**

Looking at the main salvage yard inventory storage area in the M-2 Heavy Industrial District



August 20, 2019, J. Robbins

**Figure 6**

Looking at the southern part of Lots 1 and 2, Winnebago Heights, on the east side of Monroe Street



August 20, 2019, J. Robbins



***Figure 7***

Looking at the area in the R-1 Single Family Residential District



June 12, 2019, J. Robbins







**Buck's UPI, Inc.**  
**SUPPLEMENTAL SITE REVIEW INFORMATION**

This information is intended to satisfy Policy 6.1.4 of the Comprehensive Plan. This policy encourages the use of the "same criteria...for evaluating proposed special uses when considering request to rezone property to an industrial classification." These criteria are stated below with analysis following. The criteria are based on the provisions of Section 24.4(A)(2)(a-g) of the Zoning Ordinance.

**1) HARMONY AND ACCORD WITH GENERAL PRINCIPLES AND PROPOSALS OF ZONING ORDINANCE -**

The Zoning Ordinance states that, "The M-2 Heavy Industrial District is one of heavy uses designed to serve the needs of Cerro Gordo County for industrial activity generally offensive if located near commercial and residential uses." The ordinance then places further restrictions on uses in the district. Uses in the M-2 District are prohibited from emitting "offensive odors, dust, noxious gas, noise, vibration, smoke, heat, glare, refuse matter or water-carried waste beyond the boundaries of the lot."

Noise is the largest potential emission from a salvage yard in the process of crushing and wrecking of vehicles. The wrecking of vehicles is planned to occur within a large machine building currently under construction that was issued a Zoning Permit on August 2, 2019. Noise will be significantly mitigated by occurring in an enclosed building.

Other emissions such as dust when using heavy equipment to move vehicles or fumes for activities such as welding are also a possibility. Much of this activity also will occur within an enclosed building. Additionally, significant vegetative buffers and fencing already exist along the perimeter of the salvage yard, which further helps to mitigate these potential impacts. There are three houses located relatively close to the salvage yard, all owned by the previous owners. There is no record of complaint regarding the salvage yard since at least the 1980's.

Article 20.2 of the Zoning Ordinance also requires a Special Use Permit granted by the Board of Adjustment to be received for the operation of a salvage yard. As described in the staff report, a Special Use Permit is required for the rezoned areas at a minimum. The ordinance allows the owner 12 months to bring the areas into compliance. The requested rezoning of Area 1 and Area 2 are a necessary part of the process.

**2) COMPATIBILITY OF USE WITH APPEARANCE AND ESSENTIAL CHARACTER OF AREA -**

The property is currently used and will continue to be used for the salvage yard operation. Land to the north and northeast of the site is in agricultural production. All other adjacent land to the salvage yard is residential. The closest residences to Area 1 and Area 2 are at 15272 North Street and 15325 North Street. The existing vegetative buffers and fencing helps to mitigate some of the impact of the salvage yard. The salvage yard has existed in the area since 1955, and the requested rezoning does not change the existing use.

**3) IMPACT ON EXISTING AND FUTURE USES, VICINITY, AND COMMUNITY AS A WHOLE -**

The proposed and continued use of the property as a salvage yard will not increase traffic or create additional negative impacts. The potential noise and other impacts are the same as they have been for decades. The rezoning request does not change the nature of the area, as no change of use will occur.

**4) ADEQUACY OF PUBLIC SERVICES (i.e., highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, or schools) -**

North Street and Monroe Street are paved. All other streets leading to the salvage yard are also paved. Average daily vehicles have not been calculated on either North Street or Monroe Street. US Highway 65 is a major thoroughfare and carries 5,200 daily vehicles past the salvage yard. 300<sup>th</sup> Court carries about 340 vehicles daily into

the general neighborhood. No significant increase in traffic is foreseen as a result of the proposed change of zone, as the use will remain the same.

Law enforcement protection is provided by the Cerro Gordo County Sheriff's Department. Fire protection is provided by the Mason City Fire Department. The proposed use should not result in a change in demand for either service.

The site is not located within a flood hazard area or drainage district.

Refuse disposal is the responsibility of the applicant. There are existing water and wastewater facilities already servicing the salvage yard. The use should not have an impact on schools.

#### **5) PUBLIC COST FOR ADDITIONAL PUBLIC FACILITIES AND SERVICES -**

No increase or additional cost to public facilities are anticipated as a result of the proposed rezoning.

#### **6) POTENTIAL DETRIMENTS TO PERSONS, PROPERTY, OR GENERAL WELFARE (i.e., excessive traffic, noise, smoke, fumes, glare, or odors) -**

The existing use will be maintained with the proposed rezoning, so no significant increase in traffic is anticipated.

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Other emissions such as dust when using heavy equipment to move vehicles or fumes for activities such as welding are also a possibility. Much of this activity also will occur within an enclosed building. Additionally, significant vegetative buffers and fencing already exist along the perimeter of the salvage yard, which further helps to mitigate these potential impacts. There are three houses located relatively close to the salvage yard, all owned by the previous owners. There is no record of complaint regarding the salvage yard since at least the 1980's.

Glare is not typically an impact associated with salvage yards.

#### **7) COMPATIBILITY AND CONSISTENCY WITH THE INTENT AND PURPOSE OF THE ZONING DISTRICT -**

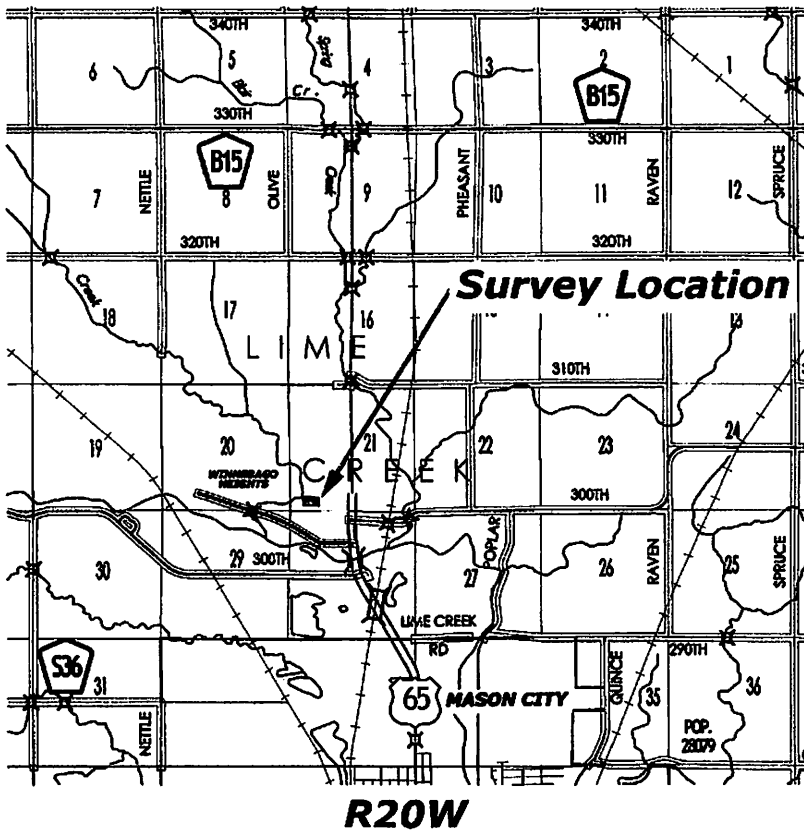
Salvage yards are a permitted use in the M-2 District with a Special Use Permit granted by the Board of Adjustment. The existing vegetative buffers and fencing already provide significant mitigation for potential impacts from the salvage operation. The ordinance requires a 6-foot buffer wall or 60-foot buffer park between agricultural or residential and industrial zoning districts. The requirement for a buffer wall or park may be waived where the district boundary follows a road right-of-way as long as the waiver does not permit undesirable features of the use to be seen by the public. The waiver of this requirement would also have to be approved by the Board of Adjustment. No new buffer parks or fencing are required at this time by the request because additional development to the existing salvage yard is unlikely to take place.

Index Legend	
Prepared by & Returned to: Mark D. McClenathan, PLS 24510	
HRS, LLC - 805 Buddy Holly Place, Clear Lake IA 50428	
County: Cerro Gordo	
Section: 21	
Township: T97N	
Range: R20W	
Aliquot Part: SW1/4 - SW1/4	
Proprietor: Van Horn Auto Parts	
Requested By: Buck Leake	

Number: 2019-4315  
BK: 2019 PG: 4315  
Recorded: 8/8/2019 at 2:16:00.0 PM  
County Recording Fee: \$22.00  
Iowa E-Filing Fee: \$3.00  
Combined Fee: \$25.00  
Revenue Tax:  
COLLEEN PEARCE, RECORDER  
Cerro Gordo County, Iowa

Plat of Survey









**Parcel F in the SW 1/4 - SW 1/4 of  
Section 21 - T97N - R20W, Cerro Gordo County, Iowa.**



**Basis of Bearing:**  
The Coordinate Basis for this survey and the subsequent Basis of Bearing is the Iowa State Plane Coordinate System North Zone (1401) Horizontal Control NAD 83 (1996), Vertical Control NAVD88 (Geoid 96C) Control was acquired by localizing into the Cerro Gordo County GPS Control System utilizing Points 146, 147, 148, 153, 154, 155, 161, 162, 163 and projected from the cross of 146-163 & 148-161. Scale factor 1.000060834 applied.  
Projection Point:  
Northing = 3,904,440.63'  
Easting = 4,984,624.61'

**Notes:**  
See Sheet 1 for Location Map.  
See Sheet 2 for Section Control.  
See Sheet 3 for Survey Details.  
See Sheet 4 for Legal Description.

**Map Not to Scale**  
Map Courtesy of the Iowa Department of Transportation  
<http://www.iowadot.gov/maps/>

LEGEND	
	= Section Corner Found
	= Set 5/8"Ø Rebar w/BPC PLS 24510
	= Fd. 1/2"Ø Rebar w/YPC PLS 13804
	= Fd. 5/8"Ø Rebar w/OPC PLS 19211
	= Fd. 5/8"Ø Rebar
	= Fd. 3/4"Ø Pipe w/YPC PLS 6705
	= Fd. Axle
RPC,YPC,OPC,BPC = Red, Yellow, Orange, Blue Plastic Cap	
	= Survey Boundary Line
(0.00')	= Recorded Dimension

**Herold-Reicks  
Surveying**

New Hampton      Waverly      Clear Lake  
641-394-2725      319-483-5187      641-231-8092  
[www.hrsurveying.com](http://www.hrsurveying.com)

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

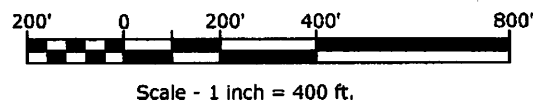
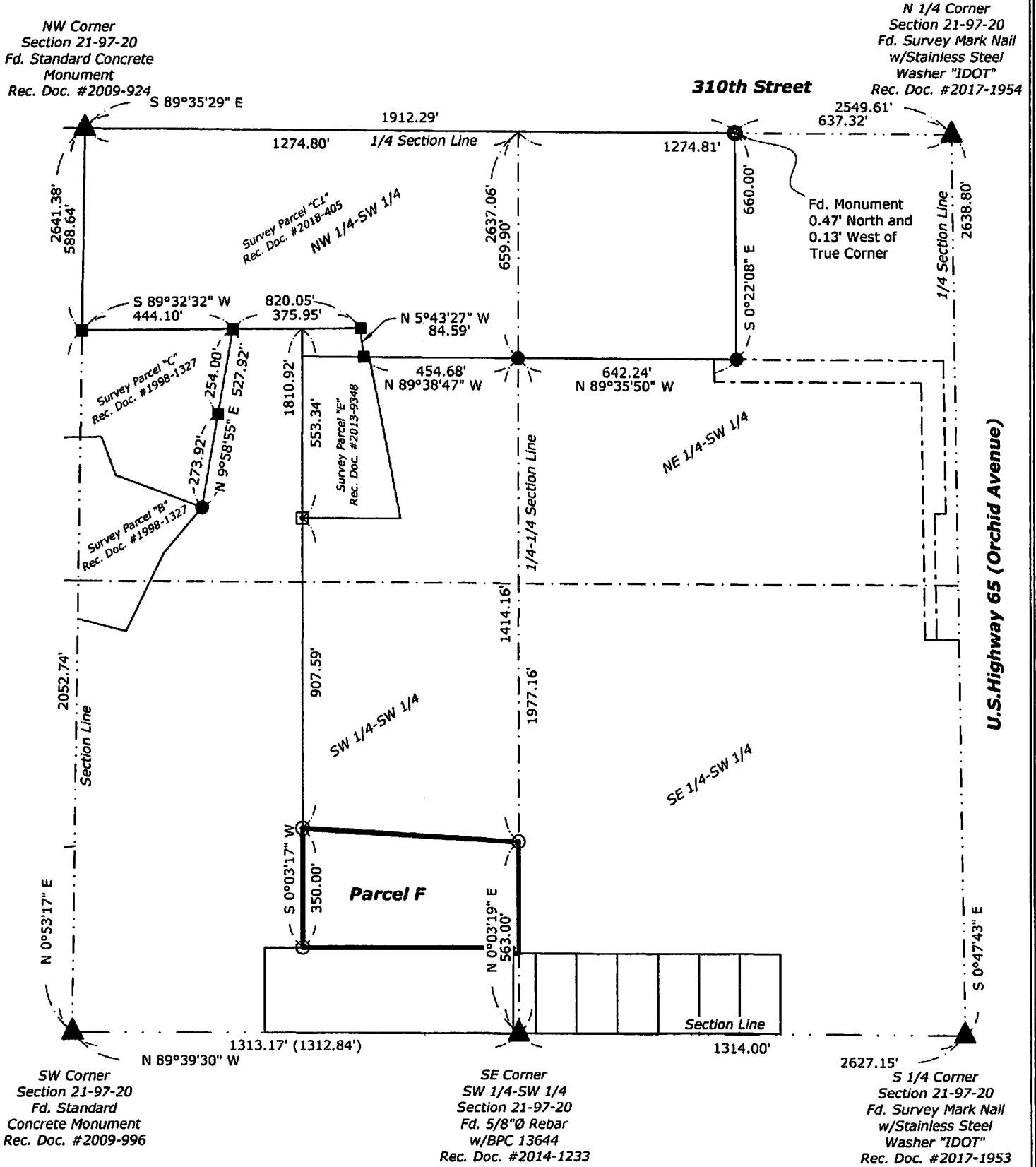
Mark D. McClenathan      Date: 8-8-19

License number 24510  
My license renewal date is December 31, 2019.  
Sheets covered by this seal: 1-4



Plat of Survey

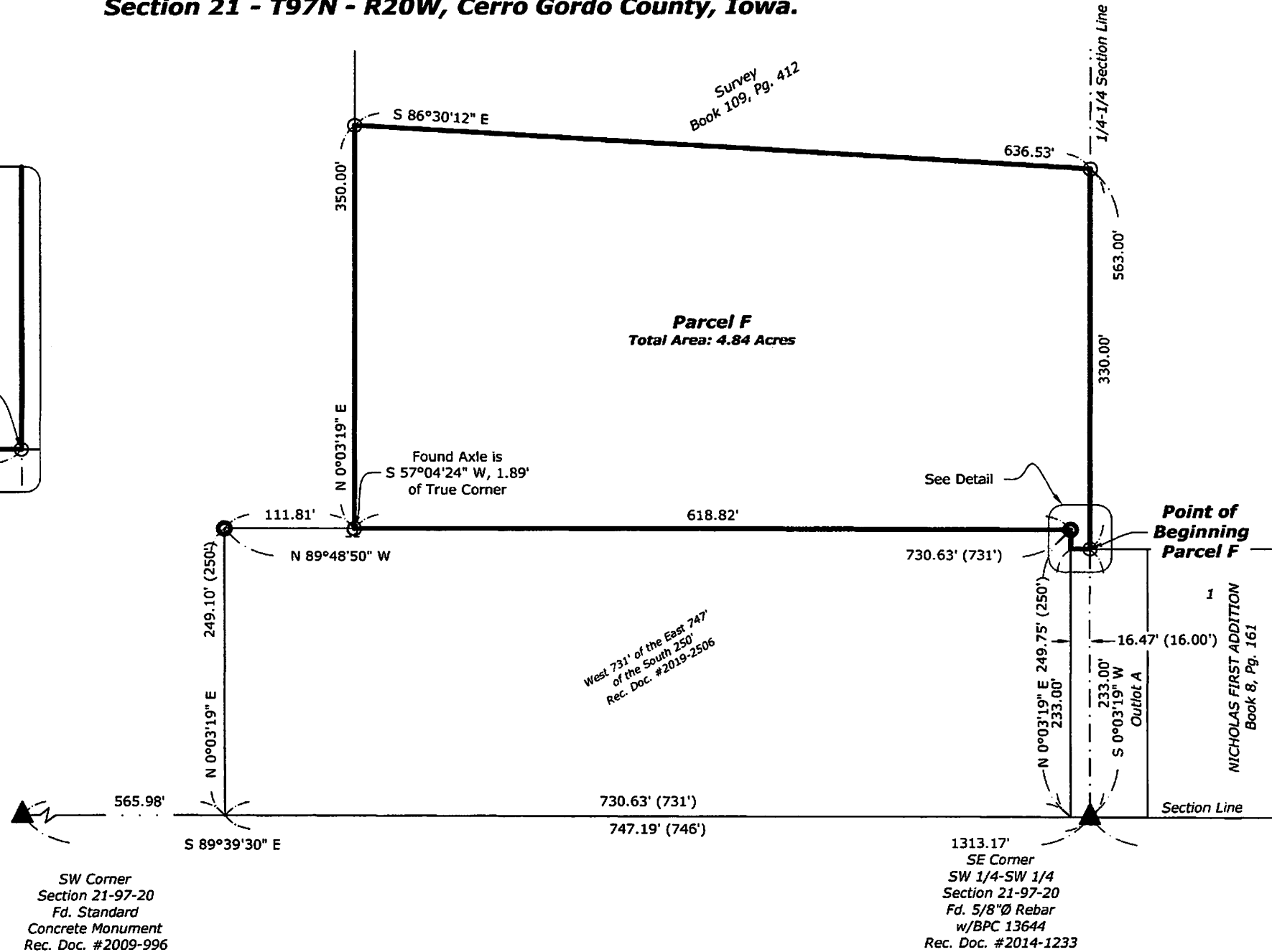
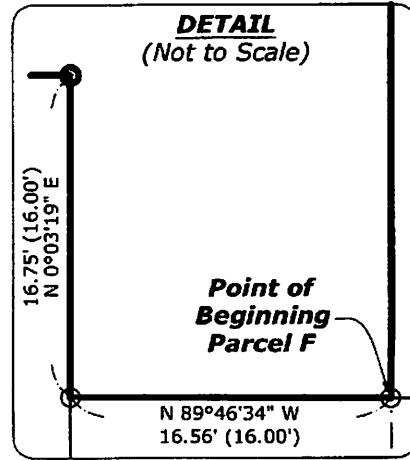
**Parcel F in the SW 1/4 - SW 1/4 of  
Section 21 - T97N - R20W, Cerro Gordo County, Iowa.**



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	= Fd. 5/8"Ø Rebar
	= Fd. 3/4"Ø Pipe w/YPC PLS 6705
	= Fd. Axle
RPC, YPC, OPC, BPC = Red, Yellow, Orange, Blue Plastic Cap	
	= Survey Boundary Line
(0.00')	= Recorded Dimension



Plat of Survey  
**Parcel F in the SW 1/4 - SW 1/4 of  
 Section 21 - T97N - R20W, Cerro Gordo County, Iowa.**





*Plat of Survey*

**Parcel F in the SW 1/4 - SW 1/4 of  
Section 21 - T97N - R20W, Cerro Gordo County, Iowa.**

**Legal Description:**

**Parcel F** in the Southwest Quarter of the Southwest Quarter of Section 21, Township 97 North, Range 20 West of the 5th P.M., Cerro Gordo County, Iowa, and more particularly described as follows:

Commencing at the Southeast Corner of the Southwest Quarter of the Southwest Quarter of said Section;

Thence **North 00°03'19" East, 233.00 feet** along the East Line of said Quarter-Quarter Section to the North Line of Nicholas First Addition as recorded in Book 8, Page 161, on file in the Cerro Gordo County Recorder's Office, Mason City, Iowa, and the Point of Beginning;

Thence **North 89°46'34" West, 16.56 feet;**

Thence **North 00°03'19" East, 16.75 feet;**

Thence **North 89°48'50" West, 618.82 feet;**

Thence **North 00°03'19" East, 350.00 feet** all along South and West Lines of said Survey and Plat;

Thence **South 86°30'12" East, 636.53 feet** to the East Line of said Quarter-Quarter Section;

Thence **South 00°03'19" West, 330.00 feet** along said East Line to the Point of Beginning.

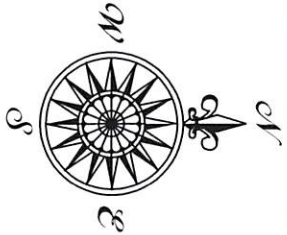
Containing **4.84 Acres**, subject to any easements recorded or unrecorded.

Note: The Bearings and Distances indicated in this Legal Description are to the Monuments "Found or Set" as indicated on the attached "Plat of Survey" and the calls along the courses in this Description are to those Monuments as indicated.



North Street

Monroe Street



*Herold-Reicks Surveying*  
www.hrsurveying.com

10 East Main Street  
New Hampton IA 50659  
641-394-2725

2206 East Bremer Avenue  
Waverly IA 50677  
319-483-5187

805 Buddy Holly Place  
Clear Lake IA 50428  
641-231-8092

FILED FOR RECORD

September 5 1962

at 9:30 o'clock A.M. and recorded in

book 6 of Plat page 713

Bernice Pitt Recorder

Lailla Hall Deputy

150 due  
to me

RESOLUTION

WHEREAS, the Cerro Gordo County Zoning Commission, after study, has recommended that the change of Zoning classification of a certain area hereinafter described, be made, and

WHEREAS, a public hearing has been held with notice as required by law;

NOW THEREFORE, BE IT RESOLVED, by the Cerro Gordo County Board of Supervisors, that the Zoning Ordinance of Cerro Gordo County, Iowa, and the Zoning Maps of Cerro Gordo County, Iowa, which is a part thereof, is hereby amended by changing the District boundaries thereof so as to change the classification of the following described property from "R-1" Single Family District to "I-H" Heavy Industrial District, to-wit:

Lot One (1) and Lot Two (2) in Winnebago Heights Addition to Cerro Gordo County, Iowa, in the Northeast Quarter (NE $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section Twenty-eight (28), Township Ninety-seven (97) North, Range Twenty (20) West of the Fifth P. M., except the North 125 feet of said Lots One (1) and Two (2), and the North 330.7 feet of the East 349 feet of the Northwest Quarter (NW $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section Twenty-eight (28), Township Ninety-seven (97) North, Range Twenty (20) West of the Fifth P. M., and

Also to amend the Cerro Gordo County, Iowa, Zoning Ordinance by changing the classification of the following described real estate from "R-1" Single Family District to "C" Commercial District, to-wit:

The North 125 feet of Lot One (1) and the North 125 feet of Lot Two (2), all in Winnebago Heights Addition to Cerro Gordo County, Iowa, in the Northeast Quarter (NE $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section Twenty-eight (28), Township Ninety-seven (97) North, Range Twenty (20) West of the Fifth P. M.;

and that, this Ordinance shall be in full force and effect from and after its passage.

Motion was made by Supervisor Elmer Luscomb, seconded by Supervisor Elmer S. Smith, that the foregoing resolution be adopted.

Resolution adopted this 4th day of September, 1962.

J. C. Dickinson  
J. C. Dickinson, Chairman of the Board of Supervisors, Cerro Gordo County

I, Ward B. Hammond, County Auditor of Cerro Gordo County, Iowa, hereby certify the above to be true and exact copy of said Resolution as adopted by the Cerro Gordo County Board of Supervisors at its regular meeting held on the 4th day of September, 1962.

Ward B. Hammond  
Ward B. Hammond, County Auditor

By: Shirley Easton, Deputy