A quorum of members of the Jones County Board of Adjustment was achieved at approximately 5:00 p.m., at which the meeting was called to order. The meeting started with introductions of the visitors, Board of Adjustment and staff.

Moved by Douglas, seconded by Hall to open the public hearing at 5:05 p.m. to consider an application for a Special Permitted Use Home-Based Industry in the A- Agricultural zoning district for applicant Matthew Scranton representative of Scranton Enterprises, LLC. Applicant is proposing a firearms business at 7981 218th Ave, Martelle. All aye. Motion carried.

Cindy Hall opened the discussion by having the applicant Matthew Scranton explain his proposed home-based industry. He explained that no firing of the guns will take place on the property and office hours are by appointment only. This will be a one-on-one business with delivery of the products to a UPS store for someone to sign for them. From the store, Matthew will deliver the product to the customer. He will have no inventory in his home and only on occasion will he have the customer’s product only while in transit. At times he may manufacture his own firearms. This entails buying a kit and putting together the parts of the firearm. It does require some tools including a small mill lathe similar to what a gunsmith would use.

The discussion was then opened up to the visitors. Visitor Mike Egge commented that according to the restrictive covenants for the subdivision that no home based businesses were allowed. Michele Lubben read aloud #3 and #12 of the restrictive covenants for Timberwood Additions.

The next question to the applicant was to explain the firearm classes. Applicant explained that these classes are about four hours that include a power point presentation explaining the parts of a gun and Iowa laws, and do not include any firing of the guns. These classes normally take place in a rented hotel
space or if he has it at his home will only include approximately six people and only take place once or twice a month.

Neighbors showed concern for advertising the address over the Internet. Applicant indicated that the address would only list the town of Anamosa or Martelle and his phone number which is a US Cellular Cedar Rapids phone number.

The applicant has his own personal firearms within his home and any firearms in transit will be located in a locked closet inside his home. Inside the locked room is the safe that will hold the firearms.

Catherine Davies reminded the applicant that a home-based industry cannot occupy more than 20% of the floor area of one floor of the dwelling. Applicant indicated if his business grows, he will purchase a store front. Applicant is limited by the A.T.F to the size of the firearms he sells. He is restricted to a Class 7, which includes pistols, rifles, and shotguns. The Federal ATF has a yearly inspection and the applicant will be required to renew his license with the ATF every three years. The applicant’s A.T.F application is on file with the Jones County Sheriff’s Office. The application contains his certificate from the state of Iowa, sales tax certificate and federal income tax information. His main occupation is with the Cedar Rapids School District and plans to continue that as his main occupation.

Motion made by Rick Douglas seconded by Cindy Hall to close the public hearing at 5:23 p.m. All aye. Motion carried.

Appointed Chairman Rick Douglas called for a vote on the application of Matthew Scranton for a proposed firearms business on his property located at 7981 218th Ave Martelle, based on the provisions for a Home-Based Industry in Article VII of the Jones County Zoning Ordinance. All ayes. Motion carried.

Moved by Douglas and seconded by Hall to approve the minutes from December 27, 2012. All ayes. Motion carried.

Next the group reviewed various land use/zoning matters addressed by the Land Use Administrator.

1. Monti Home Improvements, Dan Kraus - He owns 5.04 acres in the Agricultural District and wants to split off 3.04 acres for residential purposes. He would not have the frontage of 150 feet if this was split into two parcels. The split would make a flag lot which is not recommended by Planning and Zoning.

2. John Rees proposed Farm Exemption application. He owns two parcels that equal 26 acres. He is proposing to split off two acres and sell the agricultural ground. Rick Douglas requested a more specific opinion from the county attorney regarding the ability to divide farmland or a farmstead if there is not 40 acres remaining after the split.

3. Wendling Quarries - since there no quarries, mining, or extractions in the ordinance. Since there is no verbiage in the ordinance, he will be completing the Variance Application and dropping it off on Friday to bring before the Board of Adjustment for their March meeting.

4. Rick Douglas requested an update on the previously approved Variance for a restaurant in the Agricultural District for Debra Behrends. The restaurant is called Teddy’s Barn and Grill. The health inspection is scheduled for March 5th. They are working with a consultant on the recipes and pricing on the menu and are hoping to be completed with that by mid-March. Possibly the restaurant could open as soon as March 14th, but could be early April. The Land Use Administrator also posed the question of a windmill being moved to the location. It is possibly a 55 feet tall structure that will have an illuminated upper portion with the blades. The Land
Use Administrator will also send a copy of the Lighting Requirements Article XV to Debra Behrends. A Sign Application needs to be sent for the sign that will be painted on site.

5. A sign application that was received on February 21, 2012 from Ted Kraus, owner of Heights Supper Club. He is replacing a reader sign that burned in 2011. We discussed possibly this may be appealed to the next Board of Adjustment for consideration at the next meeting.

Next meeting was discussed to be held on Monday, March 19th at 6:00 p.m. Written reports for any applications and meeting minutes will be sent out to the Board of Adjustment prior to the meeting.

Rick Douglas requested that the fees for the applications be reviewed and requested Michele to gather fee information from other counties.

Moved by Douglas seconded by Davies to adjourn the meeting at 6:30 p.m. All aye. Motion carried.

Michele Lubben – Land Use Administrator

Jones County Board of Adjustment Meeting Minutes March 19, 2012 6:00 p.m.

Members present:
   Cindy Hall
   Catherine Davies
   Rick Douglas
   Dominic Hogan
   Jeb Supple

Staff present:
   Michele Lubben, Jones County Land Use Administrator

Visitors present:
   Dan Kraus – applicant 19538 144th Ave. Monticello
   Becky Kraus – 19538 144th Ave. Monticello
   Mike McDonough – realtor for 19306 Dales Ford Rd. Scotch Grove
   William Rees – applicant 19306 Dales Ford Rd. Scotch Grove
   Brad Stephen – owner Heights Supper Club 21592 Business Hwy 151, Monticello
   Ted Kraus – owner of Heights Supper Club 21592 Business 151, Monticello
   Sarah Kraus – 22289 150th Ave. Monticello

A quorum of members of the Jones County Board of Adjustment was achieved at approximately 6:00 p.m., at which the meeting was called to order. The meeting started with introductions of the visitors, Board of Adjustment and staff and an explanation of the variance requests and appeal being heard at the evening’s meeting.

Moved by Cindy Hall, seconded by Dominic Hogan to open the first public hearing at 6:05 p.m. to consider a variance application for a proposed split of 5.04 acres with the A- Agricultural zoning district for applicant Daniel Kraus. All aye. Motion carried.

Rick Douglas opened the discussion by having the applicant Dan Kraus explain his proposed parcel split. Dan Kraus stated that splitting this parcel for residential purposes would result in more taxable income for Jones County. The one split will not result in a subdivision. He is currently land locked by the Monticello Regional Airport and does not have the required acres according to the ordinance for a farmland split. He also does not have the frontage of 150 feet according to the Jones County Zoning ordinance. According to Michele Lubben the parcel has a lot frontage of approximately 183 feet and
splitting that could result in a flag lot. Cindy Hall asked if easement could be on the south side to allow the frontage? The applicant had considered it, however with slope and culvert it is not a good option. Rick Douglas asked if the applicant could explain the buildings. The large building on the parcel is for cold storage. The separate Monti Home Improvements building is a wood mill shop. Catherine Davies asked if there could be access from Valerie Road. There is a homeowners association that owns that easement. Rick Douglas asked for the process the applicant has gone through to get to the Board of Adjustment. Michele Lubben explained that according to the Jones County Zoning Ordinance, a variance request would not go to the Planning and Zoning Commission or the Board of Supervisors. Rick Douglas questioned the applicant regarding annexation within Monticello. Dan Kraus indicated Monticello was not interested in annexing, however Doug Herman from the City of Monticello was ok with the potential residential development and would possibly only put a height restriction on the structure of 35 feet according to FAA regulations. Rick Douglas asked about a proposal to expand the airport. Dan Kraus indicated it would most likely expand to the south as it currently did several years ago. Jeb Supple asked when the applicant purchased the property. Dan Kraus indicated he had purchased it 5-7 years ago. Rick Douglas indicated that the Board of Adjustment does not set precedence, however look at each case individually. Dan Kraus indicated when the airport went regional it land locked them. Catherine Davies asked for clarification on whether the Board of Adjustment was setting precedence. Rick Douglas indicated that he has been on the board for 3 years and was told initially that the Board is here to approve or deny a variance. The board does not set precedence and needs to review each case individually. Michele Lubben referred to the Jones County Zoning Ordinance and how this property is a pre-existing non-conforming property. Catherine Davies asked a question regarding rezoning this property to Residential. Michele Lubben responded that if this property was zoned Residential they would not be required to go before the Board of Adjustment. A rezoning request would go before the Planning and Zoning Commission for a map amendment. Rick Douglas discouraged “pushing the can down the road” and having Planning and Zoning review the area to rezone as Residential. Michele Lubben commented that waiting for Planning and Zoning to rezone areas within Jones County to Residential could take up to one year since they are in the early stages of the discussion. Motion made by Dominic Hogan seconded by Catherine Davies to close the public hearing at 6:20 p.m. All aye. Motion carried.

Roll call vote.

Douglas – approve variance request
Supple – deny variance request
Hall – approve variance request
Hogan – deny variance request
Davies – deny variance request

Motion denied. Variance not approved.

Moved by Rick Douglas, seconded by Jeb Supple to open the second public hearing at 6:40 p.m. to consider a variance application to divide the existing farmhouse and building from the agricultural land for residential purposes. The property is within A- Agricultural zoning district in Richland township for applicant William Kraus. All aye. Motion carried.

Realtor Mike McDonough handed out a more recent survey from Bill Burger of the property. The proposal is to divide 2 acres containing the farmhouse and building from the agricultural land. According to the Jones County Zoning ordinance, this came before the Board of Adjustment because the applicant does not have the required 42 acres for a farmstead split within the Agricultural District.
Ultimately the use is not changing. The new owner is buying the timber ground (agricultural land) for personal recreational purposes. The new owner wants his own personal ground for turkey and mushroom hunting. Michele Lubben explained the farmland and farmstead split within the Jones County Zoning ordinance. The property has been has not been split and has continued as pre-existing non-conforming since 1996. According to the ordinance, the property is allowed one farmland split and one farmstead split since December 1, 2005. Mike McDonough indicated he has several properties that are essentially pre-existing non-conforming that may want to be split and would not fit into the ordinance. Catherine Davies indicated that continuous splits of property is not want the county wants. Mike McDonough indicated that no residence could be built there. Michele Lubben indicated that according to the written report, the variance could be approved with modifications. The 2 acre parcel could continue to be used for residential purposes and the remaining 24 acre agricultural land be used as personal recreational ground. No future development other than those permitted within the Jones County Zoning Ordinance would be allowed. Catherine Davies asked if it was possible for the new owner could lease the land with an option to buy. William Rees indicated that his 95 year old father owns the property with a mortgage on it and would rather see future buyer Scott Lightner buy the property rather than property going back to the bank. Scott is nature and conservation minded. This is not potential CRP land and is not tillable. The access to the parcel is a Level B road that goes to the river.

Motion made by Catherine Davies seconded by Jeb Supple to close the public hearing at 6:50 p.m. All aye. Motion carried.

Roll call vote.

Douglas – approve variance request
Supple – approve variance request
Hall – approve variance request
Hogan – approve variance request
Davies – approve variance request

Motion approved with modifications. The use of the land should not change. The 2 acre parcel should continue to be used for residential purposes and the remaining 24 acre agricultural land be used for personal recreational ground. No future development other than those permitted within the Jones County Zoning Ordinance would be allowed. Once the sign is returned, a variance permit will be issued to the applicant.

Moved by Jeb Supple, seconded by Dominic Hogan to open the third public hearing at 6:58 p.m. to consider a sign appeal for applicant Brad Stephen and Ted Kraus as owners of Investment Opportunities LLC., representing the Heights Supper Club located at 21592 Business Hwy 151, Monticello. The original sign application was denied due to altering a pre-existing non-conforming sign within the Residential zoning district. The Heights is replacing a message reader board sign that burned about a year ago. All aye. Motion carried.

Ted Kraus explained that the Heights Supper Club pays Commercial liquor license and Commercial food license but Jones County has no Commercial Zoning. Michele Lubben explained the original sign is pre-existing non-conforming. It is larger and taller than the zoning ordinance allows. The message reader board will display specials, school events, community activities. It was explained that altering a pre-existing sign is not allowing in the Jones County Zoning ordinance. The new reader message board is approximately 2 feet by 8 feet which is half the size of the original. Catherine Davies questioned the
possibility of the property being zoned Commercial. There was agreement that it may be possible for it
to be requested to be zoned Commercial. It was noted that the 24 square feet requirement for the area
of a sign is the same in the Agricultural, Residential and Commercial districts. Ted Kraus did indicate that
the nearest neighbor was not in conflict with the sign. In the Commercial district, a sign on the building
was allowed not to exceed 25 percent of the area on the building. Rick Douglas requested the cost of
the sign. Ted Kraus indicated that the digital reader sign was a $17,000 investment. Rick Douglas made
a comment that the Board is unable to give approval for replacing the entire sign if something was to
happen to it. Rick Douglas commented that it would be in the Heights interest to petition to the
Planning and Zoning Commission to update the sign ordinance.

Motion made by Dominic Hogan seconded by Jeb Supple to close the public hearing at 7:10 p.m. All aye.
Motion carried.

Roll call vote.

Douglas – approve variance request
Supple – approve variance request
Hall – approve variance request
Hogan – approve variance request
Davies – approve variance request

Motion to approve the appeal with modifications. The Board of Adjustment is making a
recommendation for the Jones County Planning and Zoning Commission to review Article XVI Sign
Requirements within the Jones County Zoning ordinance for the Agricultural, Residential and
Commercial districts throughout the county. Secondly, any full replacement or future modifications of
the sign will be required to follow the Jones County Zoning ordinance Sign Requirements at that time.
Appeal approval will be sent once the sign is returned.

Wendling Quarries had the following representatives:

John Tuthill – Property manager
Dave Clark – Drilling and Blasting Superintendent
Mark Whitman – Quarry Development Manager
John Kulper – Safety and Environmental Director
Tom Kramer – Bennett Explosives Blasting Coordinator
Dave Chester – Autocad and Geotechnical Engineering

Moved by Cindy Hall seconded by Dominic Hogan to open the fourth public hearing at 7:51 p.m. to
consider a variance application for Wendling Quarries. The proposal is to begin quarry operations in the
Wyoming North Quarry.

John Tuthill gave a presentation regarding Wendling Quarries. The presentation contained information
on Wendling Quarries parent company Manatts, Inc., general quarry operations, quarry equipment,
location of the property, Phase 1 of the operation, regulations within the industry, and community
involvement. It was noted that complaints received by neighbors that are received by the county can be
referred onto the State Fire Marshall. Most information in the presentation was also presented in the
packets to the Board of Adjustment. Rick Douglas had a question regarding wear and tear on the
highway. It is a state highway and can handle the loads. The current Wendling South Quarry is located on State Hwy 136 and this location is on State Hwy 64. Catherine Davies asked about a Phase 2. John Tuthill mentioned that Phase 2 is so far out in the future and estimates that things will be different by then due to recycling. John Tuthill explained for reclamation on this site, they will be required to follow all regulations at the time. It was noted that most likely this will be a “dry” quarry and not go below the water table. Quarry operations are highly regulated by many different agencies depending on water, soil, and noise operations.

Motion made by Catherine Davies seconded by Dominic Hogan to close the public hearing at 8:10 p.m. All aye. Motion carried.

Roll call vote.

Douglas – approve variance request
Supple – approve variance request
Hall – approve variance request
Hogan – approve variance request
Davies – approve variance request

Variance application is approved. A variance permit will be issued when the sign is returned, however the signs have incorrect phone number so Michele Lubben is not concerned with the sign.

It was suggested by Rick Douglas and other members to take the Dan Kraus variance denial to the Board of Supervisors for their thoughts.

Moved by Jeb Supple seconded by Rick Douglas to adjourn the meeting at 8:25 p.m. All aye. Motion carried.

Michele Lubben – Land Use Administrator

Jones County Board of Adjustment Meeting Minutes May 15, 2012 7:00 p.m.

Members present:
   Rick Douglas - Chairman
   Cindy Hall
   Catherine Davies

Members absent:
   Dominic Hogan
   Jeb Supple

Staff present:
   Michele Lubben, Jones County Land Use Administrator

Visitors present
A quorum of members of the Jones County Board of Adjustment was achieved at approximately 7:30 p.m. at which the meeting was called to order.

Moved by Cindy Hall and seconded by Catherine Davies to approve the March 19, 2012 meeting minutes. All aye. Motion carried.

Moved by Cindy Hall and seconded by Catherine Davies to open the public hearing at 7:31 p.m. The meeting is for an amendment to a previously approved Special Permitted Use for a gun repair business. The amendment is to include the retail sales of firearms and other related items.

Lynda and Bruce Ary were there for support of the applicant. They have no objections to the proposed amendment. Mark and Debra Cady are good neighbors. According to Lynda Ary, Mark Cady is very ethical, has good judgment and is careful with his firearms. He will not be shooting across the road toward other neighbors.

Johnny Rudish was there in opposition to the proposed amendment. He hates guns and does not think it is safe. He would like it stopped and if anything was to happen he blames the Board of Adjustment.

Land Use Administrator Michele Lubben stated however if all applicable zoning regulations are followed, what would be the reasoning for the denial? He clearly meets all zoning regulations for the Home Based Industry.

Applicant Mark Cady indicated this will not be a large volume of retail sales. The estimated sale will be 10-25 firearms per year. He does not want to carry a large amount of inventory.

Lynda Ary again commented that Mark Cady has good honesty and integrity.

Motion made by Cindy Hall seconded by Catherine Davies to close the public hearing at 7:50 p.m. All aye.

Motion to approve the amendment to include retail sales of firearms and related items.
Rick Douglas – approve
Cindy Hall – approve
Catherine Davies – approve

An amendment to the previously approved Special Permitted Use for a Home-Based Industry for gun repair has been approved. An amendment will be sent by mail to Mark and Debra Cady and a copy via
email will be sent to Bruce Anderson from the Alcohol, Tobacco and Firearms division. Mark Cady did return his zoning sign at the meeting.

Following the approval, discussion regarding the special meeting and residential dwellings in the A-Agricultural District took place.

Motion made by Catherine Davies seconded by Cindy Hall to adjourn the meeting at 8:10 p.m.

Jones County Board of Adjustment Meeting Minutes May 24, 2012 6:00 p.m.

Members present:
   Cindy Hall – Acting Chairman
   Jeb Supple
   Rick Douglas

Members absent:
   Catherine Davies
   Dominic Hogan

Staff present:
   Michele Lubben, Jones County Land Use Administrator

Visitors present:
   Rick Fritz – applicant
   Staci Fritz – applicant
   Walker Burgess – applicant
   Shawn Little – business partner to Walker Burgess

A quorum of members of the Jones County Board of Adjustment was achieved by having Rick Douglas conferenced in via speakerphone in the Jones County Boardroom at approximately 6:30 p.m. at which the meeting was called to order.

Moved by Rick Douglas and seconded by Jeb Supple to approve the May 15, 2012 meeting minutes. All aye. Motion carried.

Moved by Rick Douglas and seconded by Jeb Supple to open the public hearing at 6:31 p.m. The first public hearing is a proposal to build a residential dwelling in the A-Agricultural District from applicants Rick and Staci Fritz. The property is located in Castle Grove Township Section 21 and is briefly described as Parcel 2005-113 in SE SW.
Rick Fritz opened the discussion with the background of talking with the Land Use Administrator, Jones County Sanitarian, and Jones County Assessor’s office on building a residential dwelling on the property. With the proposal they will keep all contractor work within Jones County and will employ approximately 30 people for approximately 180 days. Their intent when buying the property was as a residential dwelling.

The current land use regulation in relation to residential dwellings was discussed. The current zoning ordinance allows farmland splits for residential purposes where as of December 1, 2005, an existing farm with or without a farm residence has forty-two (42) or more contiguous acres, a single parcel may be split for a non-farm use. The property to be separated must contain no less than two acres. After separation, the parent farm shall have forty (40) or more acres remaining. The applicants are aware of the ordinance from 2002 in which this property was split from and wish to be “grandfathered” in to allow a residential dwelling. The 2002 ordinance allowed a residential dwelling as a Special Permitted Use as long as it met certain criteria and went before the Board of Adjustment.

Clarification between taxation class and the zoning district was discussed. The assessor’s office determines the class in which it is taxed. However, the taxation class is separate from the zoning district.

Land Use Administrator discussed a statement made by adjoining landowner Billy Wilson Jr. Mr. Wilson called questioning the letter he received. He was not opposed to a residential dwelling in that location.

Motion made by Rick Douglas seconded by Jeb Supple to close the public hearing at 6:40 p.m. All aye.

Motion to approve the variance for building a residential dwelling in the A-Agricultural District.

Rick Douglas – approve
Cindy Hall – approve
Jeb Supple – deny

The motion for the variance is denied. It is required by a five member board to have a concurring vote of three members to effect any variance of the ordinance.

The Board of Adjustment shall issue its decision in writing specifying the reason for its decision. The reason for the denial is it does not comply with the current zoning ordinance. The written decision will be sent to the applicants.

Moved by Rick Douglas and seconded by Jeb Supple to open the second public hearing at 6:45 p.m. The second public hearing is a special permitted use applicant for a home-based industry for a hunting supply store for applicant Walker Burgess. The property is located at 19643 115th St. Anamosa.
Applicant Walker Burgess explained the proposed business. The intent is to open a small “mom and pop” supply store. The business will help supply hunting and archery needs within the community. The business will be located in the existing building in the front portion not to exceed 20% of the building. The previous map amendment request was discussed.

A statement from Matt McQuillen representing adjoining landowner Dave and Patti Larson was read.

Motion made by Rick Douglas seconded by Jeb Supple to close the public hearing at 6:50 p.m. All aye.

Motion to approve the Home-Based Industry Special Permitted Use application for a hunting supply business to applicant Walker Burgess.

Rick Douglas – approve
Cindy Hall – approve
Jeb Supple – approve

The motion for the special permitted use is approved. A special permitted use permit will be issued since the applicant returned the zoning sign.

Motion made by Rick Douglas seconded by Jeb Supple to adjourn the meeting at 6:53 p.m.

Michele Lubben – Land Use Administrator

Jones County Board of Adjustment Meeting Minutes June 19, 2012 7:00 p.m.

Members present:
   Rick Douglas
   Cindy Hall
   Paul Thomsen
   Catherine Davies

Members absent:
   Jeb Supple

Staff present:
   Michele Lubben, Jones County Land Use Administrator

Visitors present:
   Elizabeth and Jerry Hunt – applicants 17442 Langworthy Rd., Monticello
   Tim Fay – 19948 Shooting Star Rd., Anamosa
   Dennis Carstensen – property owner 6003 Hwy 64, Wyoming
A quorum of members of the Jones County Board of Adjustment was achieved promptly at 7:00 p.m. at which the meeting was called to order. Introductions of the Board and visitors took place. We welcomed new Board of Adjustment member Paul Thomsen.

Motion by Cindy Hall seconded by Catherine Davies to approve the evening’s agenda. All aye. Motion by Paul Thomsen seconded by Catherine Davies to approve the minutes as presented for the May 24, 2012 meeting. All aye.

Moved by Cindy Hall seconded by Catherine Davies to open the public hearing at 7:05 p.m. The first public hearing is a proposal from Elizabeth and Gerald Hunt owners of parcel 2006-13 in NE SW and SE SW. The variance is to erect a structure to retail local farm products, artwork and pottery.

Elizabeth Hunt initiated the public hearing by explaining the proposal. They had purchased the property from the DOT in 2008 in which the DOT had removed all the topsoil from the property. It is unable to be used for agriculture. Trees were planted on the property. Agriculture ground is not being taken from production. They will retail local farm produce and eventually will become compliant to retail pork. There will also be a room to retail local artwork and pottery. It is located on a hard surfaced road on the intersection of Hwy 151 and Langworthy Rd. The DOT had created a compliant access for the property. The applicant has researched the sign requirements from the ordinance. Rick Douglas indicated that all sign requirements (including size) within the ordinance would need to be met. Discussion regarding the type of products sold took place. It was noted that the variance permit is issued to the owners and does not run with the land. Any different uses of the property would require a new permit. The property owner is working with Environmental Services to become compliant with the USDA for selling produce and meat within the structure. They also have organic produce available. A question on outdoor lighting was presented. Possibly a security light in the back of the building will be the only additional lighting. It was suggested to check with DOT for lighting so that it does not interfere with the highway. Any additional lighting for the building would be required to comply with the lighting requirements within the ordinance. A picture of the proposed building was presented.

Motion to close the public hearing at 7:25 p.m. by Cindy Hall seconded by Catherine Davies.

Motion made by Catherine Davies and seconded by Cindy Hall to approve the Variance to erect a building to sell local farm products, pottery and artwork for applicants Elizabeth and Gerald Hunt. Roll call vote.

Cindy Hall – aye
Paul Thomsen – aye
Catherine Davies – aye
Rick Douglas – aye
All aye. Motion carried. Land Use Administrator noted that the Variance sign was returned therefore, the variance permit will be granted. Also included with the variance permit will be Article XV Lighting Requirements and Article XVI Sign Requirements.

A second public hearing is on the agenda for Applicant SSC, Inc. representing Verizon Wireless is proposing a 300 ft. self-support tower capable of multiple wireless carriers to be located on property owned by Dennis and Beverly Carstensen at 6003 Hwy 64 Wyoming.

Motion made by Cindy Hall seconded by Paul Thomsen at 7:30 p.m. to open the public hearing. All aye. Justin Anderson from SSC, Inc. initiated the hearing with an overview of the proposed tower. It will be located within a 100 ft. by 100 ft. lease area. The fenced area will be 77 ft. by 77 ft. that will support Verizon’s ground equipment. The tower is 300 ft. in height and there will not have anything outside of the fenced area. It will comply to the FAA specifications with white strobe daytime lighting and red nighttime lighting. The location of the tower is at the junction of Highways 136 and 64 and will have a 7 mile circumference for coverage area. The nearest Verizon tower is 10 miles away which will connect with this site. The setbacks are compliant within the ordinance. The lot size versus the parcel size was discussed. County Attorney Phil Parsons confirmed that the it is clear that the lot size within the ordinance is equal to the parcel size so the lease area of 10,000 sq. ft. does not have equal a 20,000 sq. feet requirement. In this proposal, the lot size is greater than 20,000 sq. ft. and the lot size/parcel size is 37.51 acres. The ordinance does not require a lease area equal to the height of the tower. The setbacks are for the fall zone. An Engineer report will be provided to the county with the engineer’s stamp of approval. It was also noted that the ordinance states in Article XIV Section 7. B. that Towers in Jones County requiring lighting shall be painted aviation red and white according to FAA specification with a red night time beacon lighting system only. White daytime strobes are prohibited. The application to the FAA should be amended to include this information to avoid future issues. The lease agreement was provided to the county and provides for a renewal every 5 years. There is additional space within the area for multiple carriers and it was determined there was no other space on towers in the area for Verizon.

Motion by Cindy Hall seconded by Catherine Davies to close the public hearing at 7:50 p.m. All aye. Motion to approve the Special Permitted for applicant SSC, Inc. representing Verizon Wireless for a communication tower located on property owned by Dennis Carstensen at 6003 Hwy 64 Wyoming.

Roll call vote
Paul Thomsen – aye
Catherine Davies – aye
Rick Douglas – aye
Cindy Hall – aye

All aye. Motion carried. Land Use Administrator noted that the Special Permitted Use sign was returned therefore, the Special Permitted Use permit will be granted.
Following the public hearing, discussion regarding the pending comprehensive plan by the Board of Supervisors took place. Tim Fay encouraged members to attend the July 3rd meeting of the Board of Supervisors in which a decision on the 2012 Comprehensive Plan will take place.

The Land Use Administrator explained two pending DNR Construction Permit Applications received for the Board of Supervisors. The first application is for Scott Tenley of Swine City LLC in Section 24 of Oxford Township is proposing two 2400 head swine confinement buildings. The second application is for Lori and Lee Crock in Section 36 of Greenfield Township. In 2011 they built a 350 head beef finishing building and when combining the manure management plans it required them to go through the Construction Permit Application process.

It was noted that the Anamosa Hillclimb sign needs to be put back down for the year. The Land Use Administrator will contact Dennis Schultz to have the sign put back down until next year.

The Land Use Administrator mentioned a goal for fall is to have a work session with Planning and Zoning, Board of Adjustment and the Board of Supervisors.

Motion made by Cindy Hall seconded by Paul Thomsen to adjourn the meeting at 8:25 p.m.

Michele Lubben – Land Use Administrator

Jones County Board of Adjustment Meeting Minutes July 17, 2012 4:00 p.m.

Members present:
   Rick Douglas
   Cindy Hall
   Paul Thomsen
   Catherine Davies

Members absent:
   Jeb Supple

Staff present:
   Michele Lubben, Jones County Land Use Administrator
   Wayne Manternach, Jones County Board of Supervisors

Visitors present:
   Frances J. Jensen – applicant 12335 County Road E-45, Olin
   Joseph P. Jensen – son/adjoining landowner 12375 County Road E-45, Olin
A quorum of members of the Jones County Board of Adjustment was achieved at 4:02 p.m. at which the meeting was called to order. Introductions of the Board and visitors took place.

Motion by Cindy Hall seconded by Paul Thomsen to approve the evening’s agenda. All aye. Motion by Paul Thomsen seconded by Cindy Hall to approve the minutes as presented for the June 19, 2012 meeting. All aye. Motion carried.

Moved by Catherine Davies seconded by Cindy Hall to open the public hearing at 4:07 p.m. The public hearing is a proposal from Frances J. Jensen who has applied for a variance to the A-Agricultural Zoning District for property described as N ½ NW NE in Section 7 of Hale Township. The variance is to divide the existing farmhouse from the agricultural land for residential purposes.

Frances J. Jensen started by explaining her proposal to divide the house from the adjacent farmland. Her intentions are to keep the farmland for income purposes. Keeping the adjacent farmground also allows her son to have easement to his property and would allow a front yard. Eventually, Joseph would like to own the farmland himself and does not wish to allow any residential development on the property. The split of the property was clarified. The house and buildings will be split so that it will include a minimum of 2 acres. However, since the swamp-ground to the east will be included with the property it could more than 2 acres. The applicants have contacted the Environmental Services department to upgrade the septic system. The leech field will be within the area to be divided. Joseph Jensen currently shares a well with both Frances Jensen and adjoining landowner Donald Jensen and understands he will most likely need to obtain his own well.

Motion to close the public hearing at 7:15 p.m. by Cindy Hall seconded by Catherine Davies.

Motion made by Cindy Hall and seconded by Paul Thomsen to approve the Variance to divide the existing farmhouse from the agricultural land for residential purposes with modifications to include no further residential development on the remaining farmland. Roll call vote.

Rick Douglas – aye
Cindy Hall – aye
Catherine Davies – aye
Paul Thomsen – aye

All aye. Motion carried. Land Use Administrator noted that the Variance sign was returned therefore, the variance permit will be granted.

Following the public hearing, Paul Thomsen made a motion to adopt the current Administrative Rules as presented. Catherine Davies seconded the motion. All aye. Motion carried.

Paul Thomsen made a motion seconded by Catherine Davies to appoint Rick Douglas as the acting chairman for the upcoming year. All aye. Motion carried.
The next meeting was scheduled for Wednesday, August 22, 2012 at 4:00 p.m.

Motion made by Cindy Hall seconded by Paul Thomsen to adjourn the meeting at 4:50 p.m. All aye. Motion carried.

Michele Lubben – Land Use Administrator

**Jones County Board of Adjustment  Meeting Minutes  August 22, 2012 4:00 p.m.**

Members present:
- Rick Douglas
- Cindy Hall
- Paul Thomsen
- Catherine Davies

Members absent:
- Jeb Supple

Staff present:
- Michele Lubben, Jones County Land Use Administrator

Visitors present:
- Jon and Aimee Scranton – applicant 306 E 1st. St. Anamosa

A quorum of members of the Jones County Board of Adjustment was achieved at 4:02 p.m. at which the meeting was called to order. Introductions of the Board and visitors took place.

Motion by Cindy Hall seconded by Catherine Davies to approve the evening’s agenda. All aye. Motion carried. Motion by Cindy Hall seconded by Catherine Davies to approve the minutes as presented for the July 17, 2012 meeting. All aye. Motion carried.

Moved by Paul Thomsen seconded by Cindy Hall to open the public hearing at 4:03 p.m. The public hearing is a proposal from Jonathan and Aimee Scranton who have applied for a variance to the A-Agricultural Zoning District for property described as Parcel 2009-111 in SW SE of Wayne Township. The variance is to build a residential dwelling in the A-Agricultural District.

Applicant Jonathan Scranton started by explaining how they bought the property. They currently reside in the Goettsch Funeral home due to Jon’s occupation and were looking for other alternatives. They came upon this property and contacted the realtor involved. It was noted that the realtor involved was Bob Walderbach. Also, after verifying the zoning on the property with the Land Use Administrator, it
was realized that the title opinion was read incorrectly by attorney, Emily Stork. The parcel is recently paid for and they are wanting to proceed with building the house next year. It was noted there is a clearing in the center of the parcel. The applicant indicated they had started clearing those trees. The parcel is currently in the Forest Reserve program due to the large amount of trees. Also, the parcel has steep slopes to the north and east. The proposal is to keep as many trees as possible to maintain the rural character. Previously, the applicant had found remnants of a meth lab on the property and the Jones County Sherriff’s office was contacted.

Discussion continued regarding the zoning and Board of Adjustment process. The property is located 1200 ft. from the unincorporated town of Amber and is on a hard surfaced road near and adjacent to other residential houses. It was discussed that the entire area is highly residential and recommended by members of the Board to have Planning and Zoning consider rezoning the area to Residential. In consideration for the applicant’s time, discussion will continue on moving the county forward in the zoning process.

Moved by Paul Thomsen seconded by Cindy Hall to close the public hearing at 4:20 p.m.

Motion made by Paul Thomsen seconded by Cindy Hall to approve the Variance to allow building residential dwelling in the A-Agricultural District. Roll call vote.

Catherine Davies – aye
Paul Thomsen – aye
Cindy Hall – aye
Rick Douglas – aye

All aye. Motion carried. Land Use Administrator noted that once the Variance sign is returned therefore, the variance permit will be granted.

It was mentioned the next Planning and Zoning meeting will be September 11, 2012 at 7:00 p.m.

There is an application for a September meeting. It will be for a variance to the 150 ft. lot frontage verbiage in the A-Agricultural District.

The next meeting was scheduled for Wednesday, September 19, 2012 at 4:00 p.m.

Motion made by Paul Thomsen seconded by Cindy Hall to adjourn the meeting at 5:10 p.m.

Michele Lubben – Land Use Administrator
Members present:
  Cindy Hall
  Paul Thomsen
  Catherine Davies

Members absent:
  Jeb Supple
  Rick Douglas

Staff present:
  Michele Lubben, Jones County Land Use Administrator

Visitors present:
  Lois Gardner – daughter of applicant
  Dorothy Feldman – applicant
  Gwyn McMann – daughter of applicant

A quorum of members of the Jones County Board of Adjustment was achieved promptly at 4:00 p.m. at which the meeting was called to order by acting chairperson Cindy Hall. Introductions of the Board and visitors took place.

Motion by Paul Thomsen seconded by Catherine Davies to approve the evening’s agenda. All aye. Motion carried. Motion by Paul Thomsen seconded by Catherine Davies to approve the minutes as presented for the August 22, 2012 meeting. All aye. Motion carried.

Moved by Catherine Davies seconded by Paul Thomsen to open the public hearing at 4:02 p.m. The public hearing is a proposal from Dorothy Feldman who has applied for a variance to the A-Agricultural Zoning District for property described as SW NW in Rome Township. The variance is to the required 150 feet frontage requirement within the Jones County Zoning Ordinance Article V. Section 1. B. 6. (e.).

Gwyn McMann opened the discussion explaining that their father passed away earlier in the year, and the applicant Dorothy Feldman has moved to a condo in Tipton. Gwyn’s daughter and her family moved to the farm and are interested in purchasing it. In order to sell it, they need to split the farm/buildings from the adjacent farmland. The frontage of the lane is approximately 54 feet since it is long and narrow. They do not wish to have to take farmland out of production; therefore, they are requesting a variance to the 150 ft. frontage requirement. They will be granting an easement in order to continue the farming operation.

Moved by Paul Thomsen seconded by Catherine Davies to close the public hearing at 4:04 p.m.
Motion made by Paul Thomsen seconded by Catherine Davies to approve the Variance to allow a farmstead split with a frontage of less than 150 feet in the A-Agricultural District. Roll call vote.

Catherine Davies – aye
Paul Thomsen – aye
Cindy Hall – aye

All aye. Motion carried. Land Use Administrator noted that the Variance sign has been returned therefore, the variance permit will be granted. The applicant has checked with the Environmental Health department on the septic and well requirements and will be contacting a surveyor to survey the proposed split.

It was mentioned that there are no pending applications for the Board of Adjustment and that the deadline for filing for a next month’s meeting will be Wednesday, September 26, 2012.

Next, a discussion was held on last week’s Planning and Zoning meeting in which Paul Thomsen and Jim McElheny attended.

Motion made by Catherine Davies seconded by Paul Thomsen to adjourn the meeting at 4:25 p.m.

Michele Lubben – Land Use Administrator

Jones County Board of Adjustment Meeting Minutes October 16, 2012 5:00 p.m.

Members present:
  Rick Douglas
  Cindy Hall
  Paul Thomsen
  Catherine Davies

Members absent:
  Jeb Supple

Staff present:
  Michele Lubben, Jones County Land Use Administrator

Visitor present:
  Dale Mescher – area manager representing Bard Materials
A quorum of members of the Jones County Board of Adjustment was achieved promptly at 5:00 p.m. at which the meeting was called to order by Chairperson Rick Douglas. Introductions of the Board and visitor took place.

Moved by Cindy Hall seconded by Catherine Davies to open the public hearing at 5:02 p.m. The public hearing is a proposal from applicant Lange Sign Group and owner Bard Materials for a variance to the sign regulations within the R-Residential District. The proposed sign exceeds 24 square foot and 6 feet in height according to the Jones County Zoning Ordinance Article XVI Sign Requirements, Section 3. General Provisions for Sign Regulations, C. Sign regulations by district (requiring a permit). 2. All R-Residential Districts.

Dale Mescher representing Bard Materials opened the public hearing by explaining that Bard Materials has recently changed their name from Bard Concrete and are standardizing all the signs for the Bard Material locations. They have been at this current location since June 1978. They have recently put the signs at the Anamosa, Dyersville, and Guttenberg locations. They have not had any other issues with the sign for those other locations. Dale brought photos of neighboring signs for Walnut Acres and Monticello Auto Center which most likely were set up before the county zoning ordinance took effect therefore those signs are considered non-conforming or grandfathered within the ordinance.

The design of the sign was discussed and the slope in which the sign has beneath Hwy 38. Catherine Davies mentioned she would like to see the size of the sign itself be reduced by removing the space beneath the logo and having just two columns. Dale Mescher mentioned that this is a standardized sign that they will have at all locations and is unable to make those changes. Even with those changes, it would still require a variance to the height restriction of no greater than 6 feet above ground level. The slope/grade was discussed of the location of Hwy 38 to the Bard Material location. Possibly the ordinance could be updated to take into effect the slope or grade of the area.

Dale Mescher questioned why this is zoned Residential when they pay Industrial taxes? There are very few residential houses in that area. Their neighbors include Commander Buildings, storage units, and auto service shops. There is a subdivision with residential houses just north of the Commander building location; however the location of Bard Materials has never been residential. It was noted by the Land Use Administrator that even if the parcel was properly zoned to Industrial, the sign would still not fit within the ordinance since the size requirements of a sign are the same throughout all the zoning districts. According to the ordinance, an on-premise sign must not exceed 24 square feet in area and exceed 6 feet in height above ground level. For the Industrial district, the ordinance is contradictory indicating that a sign may not exceed a height of 15 feet above the actual building height which could only be referring to the on-premise sign attached to the front wall of the building occupied by the business.

Rick Douglas mentioned that the incorrect zoning classification and restrictive sign regulations should be addressed with Planning and Zoning.
Moved by Paul Thomsen seconded by Cindy Hall to close the public hearing at 5:25 p.m.

Motion made by Paul Thomsen seconded by Cindy Hall to approve the Variance to allow the proposed sign for Bard Materials. Roll call vote.

Paul Thomsen – aye
Cindy Hall – aye
Rick Douglas – aye
Catherine Davies - nay

Motion carried with a three to one vote. Three votes constitute approval according to the Jones County Zoning Ordinance. The Land Use Administrator noted that the Variance sign has been returned therefore, the variance permit will be granted.

There are no items for next month’s agenda; however a meeting time was set for Tuesday, November 20, 2012 at 4:00 p.m. in case an application is presented by the deadline of October 31, 2012.

Motion made by Paul Thomsen seconded by Catherine Davies to adjourn the meeting at 5:40 p.m.

Michele Lubben – Land Use Administrator

Jones County Board of Adjustment Meeting Minutes November 20, 2012 6:00 p.m.

Members present:
   Cindy Hall
   Paul Thomsen
   Catherine Davies
   Jeb Supple - via conference call

Members absent:
   Rick Douglas

Staff present:
   Michele Lubben, Jones County Land Use Administrator

Visitor present:
   Kevin and Lisa Miller - applicant

A quorum of members of the Jones County Board of Adjustment was achieved promptly at 6:00 p.m. at which the meeting was called to order by acting chairperson Cindy Hall. Introductions of the Board and visitors took place.
Motion by Paul Thomsen seconded by Catherine Davies to approve the evening’s agenda. All aye. Motion carried. Motion by Paul Thomsen seconded by Catherine Davies to approve the minutes as presented for the September 19, 2012 and October 16, 2012 meetings. All aye. Motion carried.

Moved by Paul Thomsen seconded by Catherine Davies to open the public hearing at 6:02 p.m. The Land Use Administrator explained the public hearing is a proposal from applicants Kevin and Lisa Miller for a variance to the sign regulations for property described as SW NW N of Road. The proposal is for a sign that is greater than the 24 square feet in area and 6 feet in height as listed in Article XVI, Section 3., C. 1. A.

The applicants were encouraged to discuss their proposed sign. Kevin Miller explained that the sign is approximately 140 feet from the highway. Utilities in the area are in the ground. There is one utility pole near the sign. The applicants looked into the DOT destination/tourist oriented signs and feel that the fees and the size of those signs would not be as effective. Applicants indicate there will be no other signs before the entrance of the property. Board member Catherine Davies is concerned about the height of the sign and wind problems. A discussion started regarding the slope of the area. Board member Paul Thomsen thought the slope could be 12 to 15 feet. He also suggested adding a berm to raise the grade and mount the sign. The sign is described as a wine bottle that a local artist is painting. The sign is described as attractive with attention to detail by the applicant Lisa Miller. Board member Catherine Davies offered suggestions for an eye catching sign that may not require such a tall sign by using different design and color. The sign is a two sided sign so that each side can be visible going both ways along Hwy 151. A discussion continued on the height of the sign and the slope of the area. Review of the DOT regulations and options were discussed. According to Brent Christian, Right of Way agent for the Iowa DOT, the applicants qualify for a DOT on-premise sign. The sign must be located within the access easement, completely on private property, should not encroach on the highway right of way. An on-premise sign would not require a permit from the DOT. Since they qualify for an on-premise sign, the applicants may not qualify for the tourist oriented or directional sign from the DOT. It was noted that a hardship would be created if the applicant was not able to have a visible sign. The four options for the Board of Adjustment were reviewed. The options are to approve the application in full, approve the application subject to modifications, table the application and request a review from the Board of Supervisors, or deny the application and provide reasoning for the denial.

Moved by Paul Thomsen seconded by Catherine Davies to close the public hearing at 6:22 p.m.

It was requested by the Board of Adjustment in order to make a decision; they want to receive more information. They would like an actual picture of what the sign will look like and the actual grade of the slope.
Motion made by Paul Thomsen seconded by Catherine Davies to table the variance application and request a review by the Board of Supervisors. Roll call vote.

Paul Thomsen – aye
Catherine Davies - aye
Jeb Supple – aye
Cindy Hall – aye

Motion carried. Once the required information is presented to the Land Use Administrator, it will be added to the next Board of Supervisors agenda.

Motion made by Paul Thomsen seconded by Cindy Hall to adjourn the meeting at 6:40 p.m.

Michele Lubben – Land Use Administrator

Jones County Board of Adjustment Meeting Minutes November 29, 2012 5:00 p.m.

Special Session to take action on Variance application to sign regulations for Kevin and Lisa Miller Section 3 Richland Township

Members present:
Cindy Hall
Paul Thomsen
Catherine Davies
Jeb Supple - via conference call

Members absent:
Rick Douglas

Staff present:
Michele Lubben, Jones County Land Use Administrator

A quorum of members of the Jones County Board of Adjustment was achieved and the meeting was called to order at 5:02 p.m. by acting chairperson Cindy Hall. This meeting is to take action on a variance application tabled from the November 20, 2012 meeting.

Meeting was opened with a discussion regarding the proposed variance application. The application was tabled at the November 20, 2012 meeting and sent to the Board of Supervisors for a review and recommendation. The recommendation from the Board of Supervisors at their November 27, 2012 meeting was to approve the application as presented. The Board of Adjustment continued to discuss the height of the proposed sign and the sign regulations with the ordinance. It was noted by the Land Use Administrator that the Board of Supervisors feel comfortable with updating the ordinance to reflect a change in the size of the signs to reflect 32 square feet and updating the ordinance to reflect the grade
and/or slope. The Iowa Code for granting variances was reviewed citing a variance should only be granted if provisions of the ordinance will result in unnecessary hardship.

Motion by Catherine Davies seconded by Paul Thomsen to approve the variance application with modifications. The sign should be no greater than 32 square feet and the height is not to exceed 7 feet above the road.

Roll call vote.

Paul Thomsen – aye
Catherine Davies - aye
Jeb Supple – aye
Cindy Hall – aye
All aye. Motion carried.

Motion made by Paul Thomsen seconded by Catherine Davies to adjourn the meeting at 5:25 p.m.

Michele Lubben – Land Use Administrator

2013 Meeting Minutes

Jones County Board of Adjustment Meeting Minutes March 19, 2013 5:00 p.m.

Members present:
   Rick Douglas, Chairman
   Cindy Hall
   Catherine Davies

Members absent:
   Paul Thomsen
   Jeb Supple

Staff present:
   Janine Sulzner, Auditor, in the absence of Michele Lubben, Jones County Land Use Administrator

Visitor present:
   Don Peters representing Greg Kromminga

A quorum of members of the Jones County Board of Adjustment was achieved at 5:00 p.m. at which time the meeting was called to order by Chairman Rick Douglas.
The Chairman provided introductions of members and visitors.

Motion by Hall seconded by Davies to approve the meeting’s agenda. All aye. Motion carried.

Motion by Hall seconded by Davies to approve the minutes of the November 20, 2013 and November 29, 2012 meetings. All aye.

Motion by Davies seconded by Hall to open the public hearing at 5:01 p.m. on the request from applicant Greg Kromminga on behalf of Kromminga Motors, Inc. to grant a variance to the setback provisions of the Jones County Zoning Ordinance for property located at 19415 Business Hwy 151, Monticello. All aye.

Don Peters, representing owner Greg Kromminga, was present to explain the proposal and answer questions. Peters explained that they were planning to remove the existing building on the north end of the building complex and replace it with a shop and cold storage area for the business. The new building would connect to the existing primary building and the west line of the new building would be in line with the west line of the existing primary building which is actually about six feet closer to the property line than the building to be removed. The existing primary building is approximately three to five feet from the property line. Peters explained that Andy Ballou, adjacent property owner, had visited with him today regarding the location of the new building and indicated they were agreeable to the proposal.

Hall questioned whether there would be any new driveways. Peters stated there would not be. Douglas questioned when construction would begin. Peters stated likely in June after their busy season had slowed down.

The Auditor read an e-mail received on Saturday, March 16, 2013 from Robert Ballou, adjacent landowner stating his concern regarding the variance and his desire that the building footprint and drip line be no closer to the property line than it currently is, and that seeding be put in place in the steep area along the fence line to stop the persistent problem of soil erosion from the Ballou property. Peters stated that he had discussed drainage concerns with Andy Ballou, and that he wanted either gravel or gutters to control any new runoff. Peters stated that Kromminga was willing to do that, and that it would also benefit the Kromminga property as well as the Ballou property. He stated that the ground level will not change.

Davies suggested that the drainage issue be included as a condition should the proposal be approved. She also stated that she had viewed the property and had no concerns regarding the existing non-conforming use, but wondered if the rear setback might be a concern for future use of the adjacent property, that, while currently a farm field, is in the R-Residential district.

The Auditor confirmed that the following information had been provided to the Board members, and a copy sent to the applicant: application, maps, and Land Use Administrator’s report.
The Board was apprised of their four options for action on the proposal. The options are to:

- approve the application in full
- approve the application subject to modifications
- table the application and request a review from the Board of Supervisors
- or deny the application and provide reasoning for the denial

*As there are only three members of the Board of Adjustment present, all must agree, or the request must be denied.

Motion by Hall seconded by Davies to close the public hearing at 5:13 p.m. All aye.

Motion by Hall seconded by Davies to approve the application subject to the following modifications:

Approval is conditioned upon the owner (Kromminga Motors, Inc.) abiding by the concerns of Robert Ballou regarding infringement upon the adjacent Ballou property and runoff drainage concerns, and that further the solution for resolving the drainage and runoff concerns is addressed by mutual agreement between the owner and Robert Ballou. The west line of the new building may be no closer to the property line than the existing primary building that will remain in place.

Roll call vote:

Davies: Aye
Hall: Aye
Douglas: Aye

A copy of the approval stating the conditions shall be sent to owner Kromminga Motors, and to Robert Ballou. A copy of the Ballou e-mail will be provided to the owner.

Peters noted that the variance sign cannot be found. That was placed about 10 feet from the main driveway entrance. Hall noted that the sign was not present a few days ago when she viewed the property. Peters stated they would return the sign if they ever found it.

The next meeting is tentatively scheduled for Tuesday, April 16, 2013 at 5:00 p.m., should there be any applications to address.

Motion by Davies seconded by Hall to adjourn the meeting at 5:16 p.m. All aye. Motion carried.
Paul Thomsen

Members absent:
  Jeb Supple

Staff present:
  Janine Sulzner, Auditor, in the absence of Michele Lubben, Jones County Land Use Administrator

Visitors present:
  Ivan & Linda Eden, property owner  
  Chad Kreele, applicant  
  Mike McDonough, realtor  
  Mark Willey, adjacent property owner  
  Jim McElheny

A quorum of members of the Jones County Board of Adjustment was achieved at 4:58 p.m. at which time the meeting was called to order by Chairman Rick Douglas.

Motion by Hall seconded by Davies to approve the minutes of the March 19, 2013 meetings. All aye. Motion carried.

Motion by Thomsen seconded by Hall to approve the meeting’s agenda. All aye. Motion carried.

Motion by Hall seconded by Thomsen to open the public hearing at 5:00 p.m. on the request from applicant Chad and Kari Kreele, for property owned by Ivan and Linda Eden, to grant a variance to the farmstead split and permitted use provisions of the Jones County Zoning Ordinance for property located at 10737 100th Ave, Center Junction. All aye.

The Chairman provided introductions of members and visitors.

Applicant Kreele explained his proposal to move the property line for the smaller parcel further to the north to include at least some additional farm buildings, and further that he plans to keep the remaining property to use for pasture and hay ground, and at some point in the future to possibly build a personal dwelling on the large parcel. Currently raise cattle.

Realtor McDonough explained that the listing including the both parcels has made it more difficult to sell. He indicated he could sell off the house and garage, but the current parcel line goes through an existing building which is creating difficulties. It was noted by board members that it appears the property has not been surveyed. The applicant agreed if a variance was granted, a survey would be obtained to define the property line.
Chairman Douglas asked if the applicant had any intention of building a house in the near future. The applicant indicated that the intention was not to build a house in the near future. All present agree that a variance could not be addressed at this meeting for a new dwelling. Variances are only valid for one year and the applicant stated that construction would not occur for many years. The applicant indicated the general plan for five-ten years is pasture and hay ground for cattle herd. The applicant intends to use the pasture to increase his cattle herd. He may demolish some buildings and may re-arrange some of the portable buildings.

The owner state that the “farm” has been thirty acres for as long as they owned it -22 years- and for some time prior to that.

Discussion regarding the ordinance and qualifications for a farmstead split and definition of farm followed.

The variance requested would be to extend the boundary of the smaller parcel to the north but not to exceed the current building site depending on the buyer of the smaller parcel. The applicant indicated they were purchasing the entire listing, but will not be living in any of the existing houses on the property. Any future dwelling would be required to go back before the Board of Adjustment.

Discussion followed regarding the property boundary location.

The chairman asked if there were any further comments.

The Auditor confirmed that the following information had been provided to the Board members, and a copy sent to the applicant and property owner: application, maps, and Land Use Administrator’s report.

The Auditor also reported that all adjacent property owners had been notified of the hearing by certified mail sent on March 29, 2013, and that no written or verbal comments had been received regarding the proposal.

Motion by Hall seconded by Thomsen to close the public hearing at 5:28 p.m. All aye. Motion carried.

The Board was apprised in writing of their four options for action on the proposal. The options are to:

- approve the application in full
- approve the application subject to modifications
- table the application and request a review from the Board of Supervisors
- or deny the application and provide reasoning for the denial

*At least three members of the Board of Adjustment present, all must agree, or the request must be denied.

Motion by Thomsen seconded by Hall to approve the application for a variance to the farmstead split provisions of the Zoning Ordinance; approval subject to the following conditions:
The farmstead split shall be surveyed by a licensed land surveyor, and shall include no more than the currently fenced area of the existing farmstead building site in the northeast quarter and southeast quarters of section 16 of Madison Township (maximum parcel size being approximately 3.15 acres net of road right of way, containing all of tax parcel 11-16-200-005 and a portion of the southeast corner of tax parcel 11-16-200-003)

Roll call vote:
- Davies: aye
- Hall: aye
- Thomsen: aye
- Douglas: aye

It is noted that the portion of the variance request for a dwelling in the northeast quarter of section 16 of Madison Township was voluntarily withdrawn by the applicant as the proposed change in use would not occur for several years, at which time the applicant may seek a variance for approval for the proposed dwelling. Applicant understands that variances are only valid for one year and due to the unknown timeline for the new dwelling proposal action would not be taken at this time.

A copy of the approval stating the conditions shall be sent to the applicant and the owner.

Brief discussion related to the 50’ setback required for commercial uses (C1 & C2) adjacent to residentially zoned properties (Article V, Section 3.F, and Section 4.F.), when the residentially zoned property is a pre-existing non-conforming commercial/industrial use. More specifically the Behrends Quarry north of Monticello is located in an R-Residential zoning district, but is a pre-existing commercial/industrial use. The owner of the adjacent commercially zoned property to the south is inquiring whether they must abide by the 50’ setback provision when the residentially zoned property is being used for commercial/industrial purposes as a pre-existing non-conforming use; and further whether they will need to apply for a variance to those provisions.

Jim McElheny presented a written document supporting his recommendation that the Board of Adjustment has latitude regarding this matter.

The next meeting is tentatively scheduled for Wednesday, May 22, 2013 at 5:00 p.m., should there be any applications to address.

Motion by Thomsen seconded by Hall to adjourn the meeting at 5:35 p.m. All aye. Motion carried.

Michele Lubben – Land Use Administrator
Members present:
  Rick Douglas, Chairman
  Cindy Hall
  Catherine Davies
  Paul Thomsen

Members absent:
  Jeb Supple

Staff present:
  Michele Lubben, Jones County Land Use Administrator

A quorum of members of the Jones County Board of Adjustment was achieved at 5:00 p.m. The meeting was called to order by Chairman Rick Douglas at 5:04 p.m.

Motion by Hall seconded by Thomsen to approve the meeting’s agenda. All aye. Motion carried.

Motion by Thomsen seconded by Hall to approve the minutes of the April 16, 2013 meeting. All aye. Motion carried.

Motion by Thomsen seconded by Davies to open the public hearing at 5:08 p.m. on the request from applicant Jason Zamastil to grant a special permitted use within the Jones County Zoning Ordinance for property described as NW SE Section 26 of Madison Township. The property is located north of Hwy 64 just east of 8904 Hwy 64. All aye.

The Board indicated that the application appears to be in conformance with the Jones County Zoning Ordinance requirements. It meets all lot and setback requirements. Board member Davies presented Findings and Recommendations to other members and Land Use Administrator. The Findings and Recommendations will be kept on file with the application.

The location of the warehouse in relation to the flood plain was discussed. Additional permits will be required to be obtained by the applicant from the DNR, Corp of Engineers and the Jones County Flood Plain Coordinator. These additional permits are independent of the special permitted use. The applicant has been notified of the additional permits required for building within the flood plain via email.

The Board has four options for action on the proposal. The options are to:
  • approve the application in full
  • approve the application subject to modifications
Motion by Thomsen seconded by Hall to close the public hearing at 5:15 p.m. All aye. Motion carried.

Motion by Thomsen seconded by Hall to approve a warehouse building for seed corn sold direct to the farm which qualifies as a Special Permitted Use as outlined in the Jones County Zoning Ordinance Article V. Section 1. D. 11.

Roll call vote:
- Davies: Aye
- Hall: Aye
- Douglas: Aye
- Thomsen: Aye

A copy of the approval shall be sent to the applicant once the red zoning sign has been returned.

The next meeting is tentatively scheduled for Wednesday, June 19th, 2013 at 5:00 p.m., should there be any applications to address.

Motion by Hall seconded by Davies to adjourn the meeting at 5:35 p.m. All aye. Motion carried.
Motion by Thomsen seconded by Hall to approve the minutes of the May 22, 2013 meeting. All aye. Motion carried.

Motion by Hall seconded by Thomsen to open the public hearing at 4:03 p.m. on the request from applicant Diane Casper for a special permitted use for a home-based industry as indicated in the Jones County Zoning Ordinance for property described as Parcel 97-21 in NE SW of Section 22 in Fairview Township. All aye. Motion carried. Board member Catherine Davies arrived at 4:05 p.m.

The Board was sent a copy of the application, the Land Use Administrator’s written report, and aerial map. The Board was presented with comments received in the office from adjacent landowner Dan Rickels. The written comments also included photos of the property. The Land Use Administrator addressed the items in the comments. The comments will be kept on file with the application. The applicant did move the red zoning sign to a more visible location on the property. The engineer was consulted on the comment regarding the five year road plan. The engineer commented that the location of the home-based industry did not affect any future secondary road projects. The home-based industry did receive a permit for an accessory use in July 2012 for a private garage and met all required zoning setbacks on the application. The signs were discussed. The Board did not feel the property contained too many signs. It was noted that the main sign is a 6 x 4 feet sign made by Iowa Prison Industries. Comments from the Board indicated that it was easy to find and signage was adequate and not over-bearing. The home-based industry application appears to be in conformance with the Jones County Zoning Ordinance requirements. The sign is being addressed with this application also since it is not in conformance with the Jones County Zoning Ordinance sign requirements (Article XVI). Home-based businesses may erect a sign not to exceed twelve (12) square feet. Other sign requirements within the Agricultural District limit on-premise signs to 24 square feet. The sign for the home-based business is larger than twelve (12) square feet and is mounted on the wall of the building.

The Board has four options for action on the proposal. The options are to:

- approve the application in full
- approve the application subject to modifications
- table the application and request a review from the Board of Supervisors
- or deny the application and provide reasoning for the denial

Motion by Thomsen seconded by Hall to close the public hearing at 4:13 p.m. All aye. Motion carried.

Motion by Thomsen seconded by Hall to approve a home-based industry for Diane Casper operating as Jerry’s Bait Shop which qualifies as a Special Permitted Use as outlined in the Jones County Zoning Ordinance Article V. Section 1. D. 6. and approval for a home-based industry sign larger than twelve (12) square feet located as a wall sign on the home-based industry.

Roll call vote:
Hall: Aye
Davies: Aye
Thomsen: Aye
Douglas: Aye

A copy of the approval shall be sent to the applicant since the red zoning sign has been returned.

Moved by Hall seconded by Thomsen to appoint Rick Douglas as chairperson for FY 2013-2014.

Moved by Davies seconded by Thomsen to table the adoption of the administrative rules for FY 2013-2014 to review and incorporate verbiage to include board member meeting regulations. The Land Use Administrator will review and research to present to the board at their next meeting.

Discussion on enforcement of a possible zoning violation for property in Lovell 34 for a five (5) year temporary permit for a mobile home located on Stephen’s campground issued in 2001. Suggestion was to have the parcel rezoned to Commercial to reflect the primary uses of the parcel. Discussion followed for a new structure in Fairview 14 for Anamosa Veterinary Clinic. Suggestion was to send a second letter indicating a date the paperwork is required otherwise zoning penalties may occur.

The Land Use Administrator updated the Board on possible future zoning ordinance amendments as discussed by the Planning and Zoning Commission at their last meeting.

The Board discussed property on Newport Rd in Rome Township Section 6 containing 1.25 acres for a seasonal dwelling or future residence. No options were presented at this time.

The Board was given a copy of a “Guide to Country Living” that was recently created by the Land Use Administrator. It was discussed that it could be distributed to realtors and attorneys in the county.

The next meeting is scheduled for Tuesday, September 17, 2013 at 4:00 p.m., and there is one application to address for that meeting.

Motion by Thomsen seconded by Hall to adjourn the meeting at 5:15 p.m. All aye. Motion carried.
Members present:
  Rick Douglas, Chairman
  Cindy Hall
  Paul Thomsen

Members absent:
  Jeb Supple
  Catherine Davies

Staff present:
  Michele Lubben, Jones County Land Use Administrator

Visitors present:
  Jacquelyn Hein, applicant
  Marci and Charlie Summers, 9701 148th Ave., Olin
  Doug Ricklefs, adjoining landowner, Stone City Estates
  Tim and Lori Greif, applicant

A quorum of members of the Jones County Board of Adjustment was achieved at 3:55 p.m. The meeting was called to order by Chairman Rick Douglas at 3:57 p.m.

Motion by Hall seconded by Thomsen to approve the meeting’s agenda. All aye. Motion carried.

Motion by Thomsen seconded by Hall to approve the revised minutes of the August 20, 2013 meeting. All aye. Motion carried.

Introductions took place of the visitors present at the meeting and the Board of Adjustment. Motion by Hall seconded by Thomsen to open the public hearing at 4:00 p.m. on the request from applicant Jacquelyn Hein for a special permitted use for a home-based industry and a variance to the sign regulations in the A- Agricultural Zoning District as indicated in the Jones County Zoning Ordinance for property described as SW SE Section 29 in Lovell Township. All aye. Motion carried.

The Board was sent a copy of the application, the Land Use Administrator’s written report, and aerial map. Hall noticed the small addendum signs that were hanging below the original sign were now down. The applicant stated that they would like to put the hours of the business on those addendum signs. A berm was added to the base of the sign so that it is approximately now 6 feet in height instead of the 9 feet in height originally on the application. The Board of Adjustment mentioned the Board of Supervisors intention to increase the sign regulations to 32 square feet. The sign was professionally made. The home-based industry conforms to all ordinance provisions.
The Board has four options for action on the proposal. The options are to:

- approve the application in full
- approve the application subject to modifications
- table the application and request a review from the Board of Supervisors
- or deny the application and provide reasoning for the denial

Motion by Thomsen seconded by Hall to close the public hearing at 4:08 p.m. All aye. Motion carried.

Motion by Thomsen seconded by Hall to approve a home-based industry for Jacquelyn Hein operating as About Face which qualifies as a Special Permitted Use as outlined in the Jones County Zoning Ordinance Article V. Section 1. D. 6. and approval for a home-based industry sign larger than twelve (12) square feet for the home-based industry.

Hall: aye
Thomsen: aye
Douglas: aye
All aye, motion carried.

The permit will be issued once the red zoning sign is returned to the auditor’s office.

Motion made by Thomsen seconded by Hall to open the second public hearing at 4:09 p.m. for a special permitted use for a seasonal dwelling unit in the A-Agricultural Zoning District for property described as NE SW S of Rd. in Section 23 of Jackson Township, and generally located at 14645 Hwy 64, Olin.

The Board was sent a copy of the application, the Land Use Administrator’s written report, and aerial map. Douglas inquired about the assurance of this becoming a permanent residence. The Greif’s indicated that in approximately two years they would make this a permanent residence. There will not be another home built on the property. Discussion regarding the soil conservationist comments regarding silt fences most likely pertained to new construction or future disturbances, however, the comments indicated no further disturbances will take place. The Summers’ concerns were regarding the temporary use of the seasonal unit. Does it allow for two months or two weeks or just weekends? According to the ordinance, a seasonal dwelling unit is for temporary dwelling only and not for year-round occupancy. It does not specify the requirements for temporary use. Summers’ were also concerned with whether it can be rented out. It cannot be rented out. There is a motor home there, but there is to not to be a campground. The access is off the highway which was approved through the Iowa DOT. It is noted that when this becomes their permanent dwelling, it is not required to go before the board again.

Motion by Thomsen seconded by Hall to close the public hearing at 4:15 p.m. All aye. Motion carried.
The Board has four options for action on the proposal. The options are to:

- approve the application in full
- approve the application subject to modifications
- table the application and request a review from the Board of Supervisors
- or deny the application and provide reasoning for the denial

Motion by Hall seconded by Thomsen to approve a seasonal dwelling unit for Tim and Lori Greif which qualifies as a Special Permitted Use as outlined in the Jones County Zoning Ordinance Article V. Section 1. D. 10. and Article XI.

Hall: aye
Thomsen: aye
Douglas: aye
All aye, motion carried.

The red zoning sign has been returned; therefore the permit will be issued.

Discussion on enforcement of a possible zoning violation for property in Lovell 34 for a five (5) year temporary permit for a mobile home located on Stephen’s campground issued in 2001. A recommendation from Jim McElheney was distributed to the board members. No resolution at this time, a possible solution will be to go before the Board of Adjustment again.

The Land Use Administrator updated the Board on possible future zoning ordinance amendments as discussed by the Planning and Zoning Commission at their last meeting.

The next meeting is scheduled for Thursday, September 26, 2013 at 4:00 p.m., due to a special application received.

Motion by Thomsen seconded by Hall to adjourn the meeting at 5:00 p.m. All aye. Motion carried.

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Jones County Board of Adjustment
Meeting Minutes Special Session
September 26, 2013 4:00 p.m.

Members present:
   Rick Douglas, Chairman
   Cindy Hall
   Paul Thomsen
Members absent:
   Jeb Supple
   Catherine Davies

Staff present:
   Michele Lubben, Jones County Land Use Administrator

Visitors present:
   Michael and Victoria Kuper, applicants

A quorum of members of the Jones County Board of Adjustment was achieved at 3:50 p.m. The meeting was called to order by Chairman Rick Douglas at 4:00 p.m.

Motion by Hall seconded by Thomsen to approve the meeting's agenda. All aye. Motion carried.

Motion by Hall seconded by Thomsen to approve the minutes of the September 17, 2013 meeting. All aye. Motion carried.

Motion by Thomsen seconded by Hall to open the public hearing at 4:03 p.m. on the request from applicants Michael and Victoria Kuper for a special permitted use for an auxiliary dwelling unit in the A-Agricultural Zoning District for property described as NW SE exc S 400' of W 600'; and exc parcel 2009-112 and exc N 941' E 350' in Section 9 of Scotch Grove Township and generally located at 10388 172nd St., Scotch Grove. All aye. Motion carried.

The Board was previously given a copy of the application, the Land Use Administrator’s written report, and aerial map. The Land Use Administrator discussed the application and the process of an auxiliary dwelling unit. Normally, an application for an auxiliary dwelling unit would be granting the authority to build an auxiliary dwelling unit on the property, however in this instance; the auxiliary dwelling unit is existing. The applicant’s goal is to build a primary dwelling unit on the property near the auxiliary dwelling unit and according to Article IV Section 2.; there cannot be more than one (1) dwelling per lot, except for auxiliary and seasonal dwelling units. An agricultural exemption application has been submitted for the primary dwelling unit.

The board asked when they were looking to start the project. They indicated they have sold their house and would like to start this fall. The applicant’s father resides in the auxiliary dwelling and requires more care. Chairman Rick Douglas discussed the letter from the Board of Health regarding the approved septic. The Board of Health approved the system with the requirement that the auxiliary dwelling unit is converted back to a garage once un-occupied. The applicant does not need to upgrade the septic, but does need to increase the leach field which will require a new perk test to be completed. The site plan was reviewed and discussed.
It was noted by the Land Use Administrator that the application conforms to all requirements within Article XI Section 1. within the Jones County Zoning Ordinance.

The Board has four options for action on the proposal. The options are to:

- approve the application in full
- approve the application subject to modifications
- table the application and request a review from the Board of Supervisors
- or deny the application and provide reasoning for the denial

Motion by Thomsen seconded by Hall to close the public hearing at 4:25 p.m. All aye. Motion carried.

Motion by Thomsen seconded by Hall to approve a special permitted use under Article V. Section 1.1 and Article XI. for an auxiliary dwelling unit in the A-Agricultural Zoning District in Section 9 of Scotch Grove Township, and generally located at 10388 172nd St., Scotch Grove.

Hall: aye
Thomsen: aye
Douglas: aye

All aye, motion carried.

The red zoning sign was returned to the Land Use Administrator and the zoning permit will be issued immediately. The applicant should contact the E911 Coordinator regarding whether an additional E911 address should be issued.

On Monday, September 23, 2013, the Land Use Administrator received a verbal resignation from District 3 Board of Adjustment representative Jeb Supple. Possible replacement representatives were discussed for Joe Cruise’s district. It is the Land Use Administrator’s intention to have a replacement appointed by the next meeting.

The next meeting is scheduled for Tuesday, October 15, 2013 at 4:00 p.m.

Motion by Thomsen seconded by Hall to adjourn the meeting at 4:45 p.m. All aye. Motion carried.
Members present:
    Cindy Hall
    Paul Thomsen
    Catherine Davies
    Nicole Stecklein

Members absent:
    Rick Douglas, Chairman

Staff present:
    Michele Lubben, Jones County Land Use Administrator

Visitors present:
    Jim McElheny

A quorum of members of the Jones County Board of Adjustment was achieved at 4:00 p.m. The meeting was called to order by acting Chairperson Cindy Hall at 4:03 p.m.

Motion by Thomsen seconded by Davies to approve the meeting’s agenda. All aye. Motion carried.

Motion by Thomsen seconded by Davies to approve the minutes of the September 26, 2013 meeting. All aye. Motion carried.

Introductions took place of the Board of Adjustment to welcome new member Nicole Stecklein.

Motion by Davies seconded by Stecklein to open the public hearing at 4:06 p.m. on the request from applicant Paul T. Weitz for a special permitted use for a home-based industry in the A- Agricultural Zoning District as indicated in the Jones County Zoning Ordinance for property described as Parcel A in SW NW and SW SW in Section 6 of Rome Township and generally located at 6574 Co. Rd. X-40, Anamosa. More specifically, the home-based industry is to operate a store selling organic produce, bulk grains, fermented foods, herbs and spices on the property. All aye. Motion carried.

The Board was sent a copy of the application, the Land Use Administrator’s written report, and aerial map. Written comments received by adjoining landowner Margaret Doermann were presented and discussed with the Board. A written response by the Land Use Administrator was sent to Margaret Doermann on the same day addressing the concerns. It was noted that the home-based industry conforms to all other ordinance provisions.

The Board has four options for action on the proposal. The options are to:
• approve the application in full
• approve the application subject to modifications
• table the application and request a review from the Board of Supervisors
• or deny the application and provide reasoning for the denial

Motion by Thomsen seconded by Davies to close the public hearing at 4:15 p.m. All aye. Motion carried.

Motion by Thomsen seconded by Stecklein to approve a home-based industry for Paul T. Weitz to operate a store selling organic produce, bulk grains, fermented foods, herbs and spices on the property which qualifies as a Special Permitted Use as outlined in the Jones County Zoning Ordinance Article V. Section 1. D. 6. The home-based business must comply with all other Jones County Zoning regulations, specifically relating to the Article XVI – Sign Regulations and Article XVIII – Off-Street Parking Regulations.

Davies: aye
Thomsen: aye
Hall: aye
Stecklein: aye
All aye, motion carried.

The permit will be issued since the red zoning sign was returned to the auditor’s office.

The Board discussed property in Section 18 of Lovell Township which contains one acre and is located at 18562 Timber Rd. Monticello. The mobile home was removed from the property in May or June 2013 and the property owner is looking at options for selling the parcel. Currently, according to Article VI Non-conforming Uses, Section 2., the re-establishment of a use after more than one year has passed from the date of the non-conforming use of the land has ceased or been discontinued or the establishment of any new use would require consideration by the Board of Adjustment.

The next meeting is scheduled for Tuesday, November 19, 2013 at 4:00 p.m., should there be any applications to review.

Motion by Thomsen seconded by Davies to adjourn the meeting at 4:40 p.m. All aye. Motion carried.
Members present:
Rick Douglas, Chairman
Cindy Hall
Paul Thomsen

Members absent:
Catherine Davies
Nicole Stecklein

Staff present:
Michele Lubben, Jones County Land Use Administrator

Visitors present:
Terry Harris, representative for Crop Production Services
Becky DirksHaugsted, Anamosa Journal-Eureka

A quorum of members of the Jones County Board of Adjustment was achieved at 4:00 p.m. The meeting was called to order by Chairperson Rick Douglas.

Motion by Thomsen seconded by Hall to approve the meeting’s agenda. All aye. Motion carried.

Motion by Thomsen seconded by Hall to approve the minutes of the October 15, 2013 meeting. All aye. Motion carried.

Introductions of the Board of Adjustment and visitors took place.

Motion by Hall seconded by Thomsen to open the public hearing at 4:02 p.m. on an application from Crop Production Services for a special permitted use in the Agricultural Zoning District for property legally described as Parcel 2006-105 in SW NW and NW SW of Section 32 and in NE SE of Section 31 in Wyoming Township, and generally located at 5999 75th St., Wyoming. More specifically, the proposal is to add an additional 30,000 gallon anhydrous ammonia tank to the existing site.

Board member Hall visited the site. Harris indicated the tank is at the site currently and needs to be put on slabs. Harris hopes to have work on the tank done this summer and operational by fall. Douglas questioned why the application had to be heard by the Board. The Land Use Administrator and Harris explained the application was upon the request of Crop Production Services in order to satisfy state
requirements. The Land Use Administrator indicated no verbal or written comments were received on the application. The notice was published in all three official newspapers the week of January 6, 2014. All county departments listed within the ordinance were notified of the application and no issues were noted.

Motion by Thomsen seconded by Hall to close the public hearing at 4:05 p.m. All aye. Motion carried.

Motion by Thomsen seconded by Hall to approve the special permitted use for Crop Production Services to add an additional 30,000 gallon anhydrous ammonia tank to the existing site. Roll call vote:
  - Hall - aye
  - Thomsen - aye
  - Douglas - aye

The red zoning sign was returned and the Land Use Administrator will send out the approval to Crop Production Services by mail.

Next a spreadsheet listing the Board of Adjustment actions from 2012-2013 were reviewed. The Board met seven times in 2013 and received eight applications. There were six special permitted uses and two variances approved during 2013.

Board discussed attending the ISU Extension Intro to Planning and Zoning workshop being held on April 14, 2014 at the Clarion Hotel in Cedar Rapids. More information will be sent via email at a later date for interested members.

Next meeting, if needed, is scheduled for February 18, 2014 at 4:00 p.m. Deadline for applications for this meeting is Wednesday, January 29, 2014.

Motion by Hall seconded by Thomsen to adjourn at 4:30 p.m. All aye. Motion carried.
A quorum of members of the Jones County Board of Adjustment was achieved at 4:00 p.m. The meeting was called to order by Chairman Rick Douglas.

Motion by Hall seconded by Davies to approve the meeting’s agenda. All aye. Motion carried.

Motion by Stecklein seconded by Hall to approve the minutes of the January 21, 2014 meeting. All aye. Motion carried.

Introductions of the Board of Adjustment and visitor took place.

Motion by Hall seconded by Davies to open the public hearing at 4:04 p.m. on an application from owners Jesse A. and Patience L. Carlson, for a variance in the A-Agricultural Zoning District for property described as Parcel 97-14 in NE SE, in Section 32 of Fairview Township, and generally located at 7240 230th Ave., Martelle IA. More specifically, the variance is to request approval to build a residential dwelling on the parcel as the approval on May 16, 2000 has expired.

The Board was mailed copies of the application, Land Use Administrator’s written report, aerial map, and meeting minutes from May 16, 2000 meeting. In addition, the original Land Use file was sent via email to the members.

Jesse and Patience Carlson bought the property in 2006 from Gary and Barb Carlson who was issued the original variance approval in 2000. Applicant indicated the intention is to sell the parcel and the buyer will build a residential dwelling. Applicant indicated currently the parcel is mowed to keep the weeds down. Board member Hall indicated that adding a dwelling could increase the tax base. Board member Davies has concerns that re-granting a variance could endorse that further development could occur in the Agricultural District. The Land Use Administrator explained that further development would be required to go through the rezoning and subdivision process. Chairman Douglas indicated this Board reviewed each application on a case by case basis and re-granting a variance would not permit further development in the Agricultural District.

Land Use Administrator indicated verbal comments were received from adjoining landowners to the south and east. Faye Davis, adjoining agricultural landowner to the south indicated that she had no objections to a new dwelling on the parcel. In addition, Chris Meyer, adjoining landowner to the east also indicated that there were no objections to the proposed application.
The Land Use Administrator indicated that the development in this quarter-section should have been completed as a subdivision initially. There are currently six parcels within the quarter-section (40 acres). Five of the parcels are for residential use and the remaining 23.34 acres is agricultural. Since this property is not located within a subdivision, it is not required to abide by any restrictive covenants. Any type of home would be allowed on the parcel.

Motion by Hall seconded by Stecklein to close the public hearing at 4:16 p.m. All aye. Motion carried.

Motion by Hall seconded by Davies to approve the variance with a condition for owners Jesse and Patience Carlson for property described as Parcel 97-14 in NE SE, Section 32 of Fairview Township and generally located at 7240 230th Ave., Martelle. The variance approval is to extend the non-conforming use which was approved on May 16, 2000. No additional non-farm development will be allowed to occur within that quarter-section unless approved through the Jones County Zoning and Subdivision Regulations.

Roll call vote:
  Hall - aye
  Stecklein - aye
  Davies - aye
  Douglas - aye
All aye. Motion carried.

The red zoning sign was returned and the Land Use Administrator will send out the variance permit to Jesse and Patience Carlson.

Planning and Zoning Commission member Jim McElheny presented information regarding the Variance process. He gave a background of his planning experience along with a background of zoning within Jones County. He explained the duties of the Board of Adjustment and reviewed the Variance Fact Sheet from the Iowa State Extension Introduction to Planning and Zoning Workshop materials.

The Land Use Administrator updated the Board on recent text amendments approved by the Board of Supvisors.

Next meeting, if needed, is scheduled for May 20, 2014 at 4:00 p.m. Deadline for applications for this meeting is Wednesday, April 30, 2014.

Motion by Hall seconded by Davies to adjourn at 5:26 p.m. All aye. Motion carried.
Jones County Board of Adjustment  Meeting Minutes  May 20, 2014 4:00 p.m.

Members present:
   Rick Douglas, Chairman
   Cindy Hall
   Catherine Davies
   Paul Thomsen
   Nicole Stecklein – as noted in the minutes

Staff present:
   Michele Lubben – Land Use Administrator

Visitors present:
   Gerald Muller – 323 N Sycamore St., Monticello
   Julie Picray – applicant
   Doug and Carrie Yates – 21953 Stone Bridge Rd., Monticello
   Tom and Kim Durgin – 23035 Fish House Rd., Anamosa

A quorum of members of the Jones County Board of Adjustment was achieved at 4:03 p.m. The meeting was called to order by Chairman Rick Douglas.

Motion by Thomsen seconded by Hall to approve the meeting’s agenda.  All aye.  Motion carried.

Motion by Hall seconded by Davies to approve the minutes of the April 15, 2014 meeting.  All aye.  Motion carried.

Introductions of the Board of Adjustment and visitors took place.

Motion by Hall seconded by Thomsen to open the public hearing at 4:04 p.m. on an application from owner Julie Picray, for a variance in the A-Agricultural Zoning District for property in SE NW, Section 18 of Lovell Township, generally located at 18566 Timber Rd., Monticello IA. More specifically, the variance is to request re-establishment of a residential use after more than one year has passed subject to Section 2. of Article VI Non-Conforming Uses within the Jones County Zoning Ordinance.

The Board was mailed copies of the application, Land Use Administrator’s written report and aerial map.

Picray explained since the application was submitted, someone has expressed interest in buying the parcel, but was hesitant to make any final action due to the variance application. She indicated it has always been used for residential purposes and not agricultural. A history on the parcel was given by the owner.
It was noted that the septic system will need to be replaced or possibly be added onto in order to bring it up to code. Any changes will need to be approved through the Jones County Environmental Services Department.

Board member Nicole Stecklein arrived at 4:20 p.m.

Yates indicated that the house plans in the application were a back-up plan if the parcel could not be sold. They planned to build something before the year timeframe has passed in order for the parcel not to revert back to its Agricultural Zoning status.

Discussed the two-mile review process as it pertains to the zoning ordinance and the cities. Generally, variance requests are not presented to the city for review. Only subdivision plats or plats of survey within the two-mile of any city are required to be reviewed by the respective city.

The Jones County Zoning Ordinance was discussed and the original options given to the applicant. Rezoning was an option, however, it appears rezoning could be considered spot zoning and would not be a favorable option for the Planning and Zoning Commission. The applicant chose the Variance application to extend the non-conforming use of the parcel.

Land Use Administrator indicated verbal comments were received from adjoining landowners to the south. Curtis Barnhart indicated verbally that he is not opposed to a residential dwelling as long as it does not interfere with the neighboring farming operations. In addition, Eli Lawrence, adjoining landowner, indicated he preferred not to have a residential dwelling there for safety concerns on the road and potential issues with the septic and well.

Motion by Hall seconded by Stecklein to close the public hearing at 4:43 p.m. All aye. Motion carried.

Discussion continued by the Board. Davies requested a condition be added to the application. The condition should state that continuation of the residential use does not condone future residential dwellings in that area.

Motion by Thomsen seconded by Stecklein to approve the variance with a condition for owner Julie Picray, for a variance in the A-Agricultural Zoning District for property in SE NW, Section 18 of Lovell Township, generally located at 18566 Timber Rd., Monticello IA. No additional non-farm development will be allowed to occur within that quarter-section unless approved through the Jones County Zoning and Subdivision Regulations.
Roll call vote:
- Hall - aye
- Stecklein - aye
- Davies - aye
- Douglas – aye
- Thomsen -aye
All aye. Motion carried.

The red zoning sign was returned and the Land Use Administrator will send out the variance permit to Julie Picray.

Next meeting, if needed, is scheduled for June 17, 2014 at 4:00 p.m. Deadline for applications for this meeting is Wednesday, May 28, 2014.

Motion by Thomsen seconded by Davies to adjourn at 4:55 p.m. All aye. Motion carried.

Jones County Board of Adjustment

Meeting Minutes

June 17, 2014 4:00 p.m.

Members present:
- Rick Douglas, Chairman
- Catherine Davies
- Paul Thomsen

Member absent:
- Cindy Hall
- Nicole Stecklein

Staff present:
- Michele Lubben – Land Use Administrator

Visitors present:
- George Snyder-17427 Newport Rd., Anamosa
- James and Virginia Young – 17567 Newport Rd., Anamosa
- Richard Ellison – 316 E. Cherry St., Monticello
- Harold Ellison – 407 E. Sycamore St., Anamosa
- Shane & Heather Ellison – 17682 Newport Rd., Anamosa

A quorum of members of the Jones County Board of Adjustment was achieved at 4:01 p.m. The meeting was called to order by Chairman Rick Douglas.
Motion by Thomsen seconded by Davies to approve the meeting’s agenda. All aye. Motion carried.

Motion by Davies seconded by Thomsen to approve the minutes of the May 20, 2014 meeting. All aye. Motion carried.

Introductions of the Board of Adjustment, staff and visitors took place.

Motion by Thomsen seconded by Davies to open the public hearing at 4:04 p.m. on an application from owner Charlene Ellison and applicant Shane Ellison, have applied for a special permitted use in the A-Agricultural Zoning District for property briefly described as NE NW north of the road, Section 5 of Rome Township, generally located at 17684 Newport Rd., Anamosa IA. More specifically, the special permitted use is to request an auxiliary dwelling unit according to Article XI of the Jones County Zoning Ordinance.

The Board was mailed copies of the application, Land Use Administrator’s written report and aerial map. Shane Ellison gave an overview of the application. His intention is to add a mobile home onto the property to care for his mother Charlene Ellison. He indicated when she passes away, then his intention would be to have his son move into the mobile home and he would move into the house. Board member Douglas asked if the applicants had reviewed the costs of the new septic system, electrical, LP, and permits for a new mobile home and when their intentions were to start the project. The applicant indicated they would like to start the project within the next month. The mobile home has not been purchased so an exact size had not been determined. The mobile home would be a model newer than 1993. It would be put on blocks as a foundation.

The aerial map was reviewed and where the mobile home would be placed on the property. It was discussed about the future of the mobile home once the owner no longer occupies the primary dwelling. Board member Davies thought it may be better to remodel the house to include an addition rather than add a mobile home to the property. An adjoining landowner commented that the neighborhood was not set up for a mobile home.

The Land Use Administrator discussed Article IV Section 2., which states that there shall be no more than one (1) dwelling per parcel, except for auxiliary dwellings. The Board would want to avoid future violations to the ordinance by allowing two dwellings per parcel. Board members agreed to limit the allowable time frame for the mobile home. Future violations of the ordinance could be issued by filing a civil penalty through the court and issued a fine as listed in Article XXII Section 6.

Motion by Thomsen seconded by Davies to close the public hearing at 4:27 p.m. All aye. Motion carried.

Discussion continued by the Board. Board members were not in favor of the mobile home being a permanent solution, and would only allow it on a temporary basis.

Motion by Thomsen seconded by Davies to approve the special permitted use with a condition for owner Charlene Ellison and applicant Shane Ellison, to add an auxiliary dwelling unit (mobile home) in
the A-Agricultural Zoning District for property in NE NW, Section 5 of Rome Township, generally located at 17684 Newport Rd., Anamosa IA. The condition added to the permit will be that the auxiliary dwelling unit must be removed and site reclaimed within ninety (90) days of the owner no longer occupying the primary dwelling unit on a permanent basis.

Roll call vote:
Thomsen - aye
Davies - aye
Douglas – aye
All aye. Motion carried.

The red zoning sign was returned and the Land Use Administrator will send out the special permitted use permit to the owner and applicant.

Next meeting, if needed, is scheduled for July 15, 2014 at 4:00 p.m. Deadline for applications for this meeting is Wednesday, June 25, 2014.

Motion by Thomsen seconded by Davies to adjourn at 4:55 p.m. All aye. Motion carried.

Jones County Board of Adjustment Meeting Minutes August 19, 2014 4:00 p.m.

Members present:
Rick Douglas, Chairman
Catherine Davies
Paul Thomsen
Cindy Hall
Nicole Stecklein

Member absent:
None

Staff present:
Michele Lubben – Land Use Administrator

Visitors present:
Herold and Betty Rehmke - 5312 Co. Rd X-64, Oxford Junction
Rebecca and Kirk Clark – 22952 County Rd E-34, Anamosa
Penny Boyd – 3439 Elm Dr., North Liberty
Louise Lorenz – 23042 County Rd E-34, Anamosa
Kathy Leeper – 1746 60th Ave, Oxford Junction
James Vacek – 1746 60th Ave., Oxford Junction
A quorum of members of the Jones County Board of Adjustment was achieved at 4:00 p.m. The meeting was called to order by Chairman Rick Douglas.

Motion by Hall seconded by Stecklein to approve the meeting’s agenda. All aye. Motion carried.

Motion by Davies seconded by Thomsen to approve the minutes of the June 17, 2014 meeting. All aye. Motion carried.

Introductions of the Board of Adjustment, staff and visitors took place.

Motion by Thomsen seconded by Hall to approve the Board of Adjustment Administrative rules for FY 14/15. The Land Use Administrator will have the rules signed by the chairperson and placed on file in the Land Use office.

Davies nominated and motioned for Cindy Hall to be the FY 14/15 Board of Adjustment chairperson. Douglas seconded the motion and asked for any other nominations. Motion approved. Cindy Hall will be the new chairperson starting with the September meeting.

Motion made by Thomsen seconded by Davies to open the public hearing at 4:07 p.m. for applicant, Rebecca Clark owner of R C Grooming, who has applied for a special permitted use for a home based industry in the R-Residential Zoning District for property in Section 16 of Fairview Township currently owned by Christopher and Jessica Damm briefly described as Speirs Addition Lot 1 excepting parcels 2001-169 and 2001-170 and generally located at 22952 Co. Rd E-34, Anamosa IA. More specifically, the home based industry is to operate R C Grooming, a pet grooming business in an existing garage on the property.

The Board was mailed copies of the application, Land Use Administrator’s written report and aerial map.

Clark previously rented space from The Pet Place for the R C Grooming business. Clark has recently bought the property at 22952 Co. Rd E-34 and would like to operate the business from an existing garage on the property. There will be no boarding of animals on the property. There will be a turnaround area in the current driveway so that customers do not back out onto the county road. No animals are outside unless they are on a leash.

The Land Use Administrator did not receive any verbal or written comments regarding the application. Adjoining landowner Louise Lorenz welcomed the business to the neighborhood.

Discussed sign regulations within the county. Also discussed that the property is on the Fairview Wastewater System which is under the management of EIRUSS. Mark Schneider from EIRUSS spoke.
with the applicant. Applicant indicated a drain trap will be installed to catch the hair from grooming in the trap. Tentatively the business is set to open on September 9, 2014.

Motion by Thomsen seconded by Hall to close the public hearing at 4:13 p.m. All aye. Motion carried.

Motion by Thomsen seconded by Hall to approve the special permitted use for applicant Rebecca Clark for a home based industry in the R-Residential Zoning District for property in Section 16 of Fairview Township currently owned by Christopher and Jessica Damm briefly described as Speirs Addition Lot 1 excepting parcels 2001-169 and 2001-170 and generally located at 22952 Co. Rd E-34, Anamosa IA.

Roll call vote:
   Thomsen – aye
   Stecklein - aye
   Davies – aye
   Hall - aye
   Douglas – aye

All aye. Motion carried.

The red zoning sign was returned and the Land Use Administrator will send out the special permitted use permit to the applicant.

Motion by Stecklein seconded by Davies to open the public hearing at 4:16 p.m. on an application from owners Jimmy R. & Coralie Beck, who have applied for a special permitted use in the A-Agricultural Zoning District for property in SW NE, Section 32 of Oxford Township, generally located at 1748 60th Ave., Oxford Junction IA. More specifically, the special permitted use is for a Commercial Recreation Use according to Article IX for a hunting and lodging business.

Discussed the joint road agreement provided by Attorney Matt McQuillen. The document is general in nature and does not specify commercial use. Benhart’s described the use and explained the newspaper article advertising the property as hosting parties. Oxford Junction is a small town and does not provide lodging. Discussed that Oxford Junction has vacant homes or other commercial property more suitable for lodging purposes. This property can sleep 15 people. No expansion is intended. Benhart’s indicated it was an avenue to help the community and provide lodging if someone has an event at the Oxford Junction Legionnaire’s Ballroom.

Beck’s indicated their primary endeavor was to provide deer and turkey hunting on the property. Discussed no tree stands, hunting season and safety of surrounding property. Generally, they allow small groups of 2-4 to hunt on the property. They sign a liability waiver. Beck’s run a hunting preserve in Sabula and thinks that a private hunting area is safer than public hunting areas. Generally, hunters that pay to hunt have all the proper licenses and know the safety regulations when hunting. They do not cross fences and are contentious. Previously, people have been known to hunt in the area illegally and do not abide by the limits.
Attorney Matt McQuillen stated if approved, an active deer management plan should be submitted indicating the number of game the property can support harvesting. McQuillen also indicated that the Vacek’s main concern was that the private lane was being for a commercial use.

Board discussed putting limitations on the number of social gatherings on the property and restricting the use to primarily hunting and lodging for hunters.

Beck indicated he does own an access to the property and could create his own driveway to the property.

Adjoining landowner Boyd was concerned with the safety of hunters being close to her property and she also has a renter with cattle and horses.

Safety, poaching, trespassing were all concerns and discussed during the meeting.

Motion by Thomsen seconded by Hall to close the public hearing at 4:58 p.m.

The Board continued their discussion regarding game management, the controlled environment and limiting the social gatherings not related to hunting, hours of operation, and other conditions.

Motion by Thomsen to approve the special permitted use for Jimmy R. & Coralie Beck with the condition that the approval is strictly for lodging for hunting purposes and to not permit other social gatherings on the property. Motion died for a lack of a second.

Motion by Hall seconded by Stecklein to table the request of for a special permitted use for Jimmy R. & Coralie Beck and to request a recommendation from the Board of Supervisors at their next meeting.

Roll call vote:

Thomsen –nay
Stecklein - aye
Davies – aye
Hall - aye
Douglas – aye

Motion carried with a 4 – 1 vote.

The Land Use Administrator indicated that the Supervisors meet each Tuesday at the courthouse. The Land Use Administrator will add this request to the August 26, 2014 agenda at 10:00 a.m. It will not be a public hearing; however the Board sometimes allows public comment. The Land Use Administrator will provide the written report, application and aerial map to the Board.
The Board of Adjustment will then meet on August 26, 2014 at 4:00 p.m. to take action on the application.

Alex Hatfield, property owner of 4.75 acres in Greenfield Township Section 15 wanted to speak with the Board informally regarding the property he owns and the current zoning ordinance. Currently requirements would not allow a residential use in the Agricultural Zoning District. A variance would be required.

Next meeting, if needed, is scheduled for August 26, 2014 at 4:00 p.m. for action on the earlier application. However, if a September meeting is needed, it will be on September 16, 2014. Deadline for applications for this meeting is Wednesday, August 27, 2014.

Motion by Thomsen seconded by Stecklein to adjourn at 5:36 p.m. All aye. Motion carried.

Jones County Board of Adjustment Meeting Minutes August 26, 2014 4:00 p.m.

Members present:
   Cindy Hall, Chairperson
   Rick Douglas
   Catherine Davies
   Paul Thomsen

Member absent:
   Nicole Stecklein

Staff present:
   Michele Lubben – Land Use Administrator

Visitors present:
   James and Kathy Vacek – 1746 60th Ave., Oxford Junction
   Lori Vacek – 6523 Danbern Ln. NE, Cedar Rapids
   Matt McQuillen – Attorney with Remley, Willems, McQuillen and Voss, Anamosa
   Coralie and Jimmy Beck – 944 613th Ave., Sabula
   Don and Sherrie Benhart – 1281 45th Ave., Oxford Junction
   Robert Crozier – Anamosa Journal-Eureka
   Jim McElheny – Planning & Zoning member

A quorum of members of the Jones County Board of Adjustment was achieved at 4:00 p.m. The meeting was called to order by Chairperson Cindy Hall.

Land Use Administrator reviewed the Board of Supervisor meeting that took place earlier in the day. Rick Douglas and the Land Use Administrator discussed the application with the Board of Supervisors.
The Board of Supervisors were given an aerial map, copy of the application, Land Use Administrator’s written report, website info and prior Midland Times articles.

The Board of Supervisors did decide to take comment from the public at the meeting. Many of the same issues from last week’s meeting were discussed. The Land Use Administrator discussed the procedure in which the Board of Adjustment tabled their decision in order to receive a review and recommendation from the Board of Supervisors. The Board of Supervisors reviewed the issue at hand and decided not to take action at this time.

The Land Use Administrator met with County Attorney, Phil Parsons after the Board of Supervisor meeting to discuss next steps with the Board of Adjustment. According to the County Attorney, the Board of Adjustment will still hold the August 26, 2014 4:00 p.m. meeting and has several options. The Board of Adjustment can proceed with making decision (taking action) without the Board of Supervisor recommendation or if the Board of Adjustment wants to wait until the Board of Supervisors review and provide a recommendation, the Board of Adjustment will need to table their final action until a later meeting.

Also in speaking with the County Attorney, any conditions imposed on the application should be directly related to the zoning ordinance, Article IX. Commercial Recreation Use, Section 1. Intent, items A. - G. A copy of Article IX was provided to each Board of Adjustment member for reference. The County Attorney also indicated that the road agreement disputes should be handled privately and should not be a responsibility of the Board of Adjustment.

Rick Douglas wanted to point out that there are several issues with the proposal. The shared lane issue including traffic and liability on the lane, the land being over-hunted, and a safety concern for nearby landowners. He has no concerns with the over-hunting and safety issue but would suggest approving the special permitted use with a condition to open their own lane and limit the permit to hunting purposes only. Douglas made a motion to approve the special permitted use with a condition that no more than ten (10) occupants are allowed to limit the traffic volumes.

Catherine Davies wanted to second the motion if she could add that the permit be non-transferrable, the website be modified for the new conditions, limit the occupancy of the residence to no more than ten (10) to control traffic volumes and allow provision for emergency services. She also requested that the condition be limited to hunting during the deer and turkey hunting season only and to be continued to be monitored by reservation only. Discussed having hours of operation.

The previous motion was withdrawn as to include conditions. The Land Use Administrator again stressed that any conditions imposed should be directly related to items within the zoning ordinance, Article IX, Section 1. A.- G. Any conditions imposed that did not directly relate to the ordinance would be difficult to administer.

Motion by Paul Thomsen, seconded by Rick Douglas to approve the special permitted use for in the Agricultural Zoning District for property in SW NE, Section 32 of Oxford Township, generally located at 1748 60th Ave., Oxford Junction IA for owners Jimmy and Coralie Beck for a Commercial Recreation Use according to Article IX for a hunting and lodging business with the condition that the property shall be used for deer and turkey hunting and lodging relating to the hunting business only. The residence shall not exceed twelve (12) occupants for hunting purposes.
Roll call vote:
Rick Douglas – aye
Catherine Davies – nay
Paul Thomsen – aye
Cindy Hall – aye

Motion carries with three affirmative votes. The Land Use Administrator will issue the permit to the owners since the red zoning sign was returned at a previous meeting.

Beck’s then requested to withdraw their application and requested the procedure on how to build their own access to their property. The Land Use Administrator indicated that the Board of Adjustment has acted on the application and that access permits off a county road are issued by the Jones County Engineer’s office.

Motion by Paul Thomsen seconded by Catherine Davies to adjourn at 4:33 p.m. Next meeting if needed will be September 16, 2014.
Motion by Douglas seconded by Davies to open the public hearing at 4:02 p.m. for applicant, Ryan Kay of Hertz Farm Management and property owner Merville D. Brunscheen who has applied for a variance to the Jones County Zoning Ordinance for property located in the SW ¼ NW ¼ Section 6 Oxford Township containing 12.49 acres and generally located at 6637 Co Rd X-75, Wyoming, IA. More specifically, the proposal is to separate the existing farmhouse and additional outbuildings located within the Agricultural Zoning District from the agricultural land for residential purposes. Said variance is being requested because the farm is less than the forty-two (42) acre minimum required for a farmstead split. All aye. Motion carried.

The Board was mailed copies of the application, Land Use Administrator’s written report and aerial maps. The Land Use Administrator did not receive any verbal or written comments regarding the application.

Applicant Ryan Kay explained that owner Merville Brunscheen is now in a nursing home outside of the county and wants to sell his dwelling and have the remaining approximate 10 acres of farmland be kept in the family and sold to Olimar Farms. The property is to be surveyed and contain no less than two acres net of the road. The well and septic time of transfer paperwork has been completed and given to Environmental Health. The well and septic are all contained within the proposed two acre split.

Motion by Thomsen seconded by Douglas to close the public hearing at 4:08 p.m.

The Board discussed a previous Board of Adjustment decision for Frances Jensen in July 2012 for a similar case. Thomsen agreed this is on a hard surfaced road and would make a good acreage. The Board agreed this is not taking farmland out of production. The Board waived the Variance qualifications, checklist and other considerations checklist as listed in the written report.

Motion by Douglas seconded by Davies to approve the variance to separate no less than two acres to include the existing farmhouse and additional outbuildings for property located in the SW ¼ NW ¼ Section 6 Oxford Township containing 12.49 acres and generally located at 6637 Co Rd X-75, Wyoming, IA with the condition that there shall be no further residential development on the remaining farmland.

Roll call vote:
Thomsen – aye
Douglas – aye
Davies – aye
Hall – aye

All aye. Motion carried. The red zoning sign was returned and the variance permit will be issued to the applicant and owner immediately.

The Board discussed the previous month’s Board of Adjustment decision, a possible appeal application for next month’s meeting, and a future joint meeting with the Board of Supervisors and the Planning and Zoning Commission.

Motion by Thomsen seconded by Douglas to adjourn at 4:30 p.m. Next meeting if needed will be October 21, 2014. Applications are due in the office of the Land Use Administrator no later than October 1, 2014 for this meeting.
A quorum of members of the Jones County Board of Adjustment was achieved at 4:01 p.m. The meeting was called to order by Chairperson Cindy Hall.

Motion by Thomsen seconded by Douglas to approve the meeting’s agenda. All aye. Motion carried.

Motion by Douglas seconded by Davies to approve the meeting minutes for September 18, 2014. All aye. Motion carried.

Introductions of the Board of Adjustment, staff and visitors took place.

Motion by Douglas seconded by Davies to open the public hearing at 4:02 p.m. for applicant, Anamosa Chamber of Commerce and property owners John W. and Jill A. Parham, for a variance to the C-1 Commercial Zoning District for property described as described as Lot 2 except the west 20 acres and except platted and Parcel D of Section 14 of Fairview Township (see document 2012-3906) located at 10626 Shaw Rd., Anamosa IA containing 9.09 acres. More specifically, the proposal is for a variance to the C-1 Commercial District sign regulations.

The Board was mailed copies of the application, Land Use Administrator’s written report and aerial maps. The Land Use Administrator did not receive any verbal or written comments regarding the application.

Scott Minzenmeyer explained the proposal and reasoning for the sign. Parham has agreed to give the Anamosa Chamber a lifetime lease agreement for the land in which the sign will be placed. Parham wanted the sign placed on the property so that it would not deter a future buyer of the property. The
Anamosa Chamber worked with Brent Christian of the Iowa Department of Transportation on the sign requirements. The proposed sign is 12 ft. by 24 ft. The wording at the bottom of the sign indicating next exit will be made reflective. The sign will not otherwise contain lighting. The Anamosa Chamber will maintain the sign. Alliant Energy will supply 5 poles for installation of the sign. From the ground to the top of the sign it will be approximately 16-17 ft. tall. The Chamber wanted the sign to promote tourism for the City of Anamosa.

The Land Use Administrator explained the ordinance as it refers to the definition of a directional sign and a previous Board of Adjustment decision for a Monticello Chamber of Commerce sign in Lovell Section 14. As noted in the written report, the Land Use Administrator disagreed with the previous interpretation which is the reason for this application.

Davies has a concern regarding granting variances and setting precedence within the county. Davies would rather see the language changed within the ordinance allowing this type of sign rather than granting a variance. The Land Use Administrator explained that changing the ordinance would take at least six months and the Chamber expressed urgency in putting up the sign before winter.

The Land Use Administrator explained taxation of signs within the county. The Chamber could apply to have the sign exempt from taxes if an exemption certificate was completed within the Assessor’s office.

The Board felt that the sign should promote the community and not be used for any other purpose in the future.

Motion by Thomsen seconded by Douglas to close the public hearing at 4:38 p.m. The Board did not review the Variance qualification factors, checklist or other considerations listed in the written report.

The Board discussed wording a motion to restrict the sign to promote the community and prohibit it from any for-profit commercial advertising.

Motion by Douglas seconded by Thomsen to approve the Variance application requested by the Anamosa Chamber of Commerce along with property owners John W. and Jill A. Parham, to the C-1 Commercial Zoning District for property described as described as Lot 2 except the west 20 acres and except platted and Parcel D of Section 14 of Fairview Township (see document 2012-3906) located at 10626 Shaw Rd., Anamosa IA containing 9.09 acres with the condition that the sign has a restricted use to promote the Anamosa community only and expressly prohibits any for profit commercial advertising. Any changes to the approved graphics on this sign must be approved by the Land Use Administrator.

Roll call vote:
Thomsen – aye
Douglas – aye
Davies – aye
Hall – aye

All aye. Motion carried. The red zoning sign was returned and the variance permit will be issued to the applicant and owner immediately.

Motion by Thomsen seconded by Douglas to adjourn at 4:58 p.m. Next meeting, if needed, will be November 18, 2014. Applications are due in the office of the Land Use Administrator no later than October 29, 2014 for this meeting.
Jones County Board of Adjustment  Meeting Minutes  November 18, 2014 5:00 p.m.

Members present:
   Cindy Hall, Chairperson
   Rick Douglas
   Catherine Davies
   Paul Thomsen
   Nicole Stecklein

Staff present:
   Michele Lubben – Land Use Administrator

Visitors present:
   Craig and Barbara Decker – applicants
   Ned Rohwedder – Board of Supervisor Chairman
   Jim McElheny – Planning & Zoning Commission member
   Robert Crozier – Anamosa Journal-Eureka

A quorum of members of the Jones County Board of Adjustment was achieved at 5:00 p.m. The meeting was called to order by Chairperson Cindy Hall.

Motion by Thomsen seconded by Davies to approve the meeting’s agenda. All aye. Motion carried.

Motion by Thomsen seconded by Douglas to approve the October 21, 2014 meeting minutes. All aye. Motion carried.

Introductions of the Board of Adjustment, staff and visitors took place.

Motion by Thomsen seconded by Stecklein to open the public hearing at 5:03 p.m. for applicant and property owners, Craig D. & Barbara J. Decker who have applied for a variance to the Sign Regulations within the Agricultural Zoning District for property in Section 13 of Lovell Township, described as Parcel 2000-78 and generally located at 22768 Hwy 151 Monticello, IA. All aye. Motion carried.

The Board was mailed copies of the application, Land Use Administrator’s written report, aerial map, and spreadsheets regarding sign applications received by the Land Use Administrator since 2012. The Land Use Administrator did not receive any verbal or written comments regarding the application.

Craig and Barbara Decker explained the reason the sign should be allowed to remain in its current location and at its current height. The property is located along Hwy 151 on which traffic is traveling 65 mph, the traffic is going up a hill and the property has a sweet corn patch which could hinder the visibility of the sign at certain times of the year. The Decker’s indicated they did not know about the Jones County Sign Regulations when they installed the sign in July 2013.
The Board of Adjustment reviewed the timeline of correspondence sent to the Decker’s, the civil citation issued on October 7, 2014 and the October 28, 2014 Board of Supervisors meeting.

The Board of Adjustment discussed the green dog boarding signs located on the north and south boundaries of the property. These signs are similar in appearance to the Iowa Department of Transportation directional signs. They are green and appear to be located in the right-of-way. Decker’s have indicated that those signs have been removed.

The Board discussed possible alternatives for the sign that could comply with the ordinance. The sign could be lowered to 6 feet in height or could be placed on either side of the building at any height (attached to the building). Stecklein indicated that the sign was a beautiful sign and appears that a lot of thought went into the sign, but unfortunately some action on the owner’s part should have taken place in order to make sure the sign met county requirements before installing the sign.

The Board discussed the pre-existing non-conforming billboards along Hwy 151. These were put in place before the sign regulations and are allowed to continue until their removal or abandonment.

Rohwedder discussed promoting small businesses and discouraged any obstacles that would interfere with small business owners. He indicated all the Jones County Supervisors have visited the site. He thinks the sign does not interfere with the neighbors and could be left as is. He recommended that the Planning and Zoning Commission should continue to review the sign regulations.

McElheny indicated that the Planning and Zoning Commission had reviewed the sign ordinance earlier this year in response to previous Board of Adjustment approvals. The Commission made a side by side comparison to neighboring counties. In review, Jones County had a significantly more restrictive sized sign at 24 square feet. The Commission decided to increase the size of the signs to 32 square feet to be more in line with neighboring counties. The recent sign regulation update would not have addressed the request for this sign as the sign is above 6 feet in height. According to the 2012 Comprehensive Plan, the Planning and Zoning Commission would like to review and propose a Hwy 151 Corridor Plan which would address alternative setbacks, regulations and possibly signage option for properties along Hwy 151.

Motion by Thomsen seconded by Stecklein to close the public hearing at 5:32 p.m. The Board reviewed the Variance qualification factors, checklist and other considerations listed in the written report. The Board discussed that this application was a self-created problem that did not contain a hardship. The Board agreed that there were alternatives available to the applicant. The Board did not think lowering the sign to 6 feet in height or relocating the sign so that it was attached to the building was unreasonable.

The Land Use Administrator reviewed the options for the application with the Board of Adjustment.

Motion by Douglas seconded by Davies to deny the Variance application requested by the property owners, Craig D. & Barbara J. Decker who have applied for a variance to the Sign Regulations within the Agricultural Zoning District for property in Section 13 of Lovell Township, described as Parcel 2000-78 and generally located at 22768 Hwy 151 Monticello, IA.
Roll call vote:
Douglas – Aye
Thomsen – Aye
Davies – Aye
Stecklein – Nay
Hall – Nay

The motion to deny the variance application is carried with a 3-2 vote. The variance application is denied.

The Board of Adjustment shall issue its decision in writing specifying the reason for its decision. The reason for the denial is that the application is not in compliance with the existing zoning ordinance, that no hardship is incurred and there are alternatives to remedy the situation.

The written decision will be sent to the applicants. The red zoning sign was not returned because the applicants indicated it was frozen to the ground.

Motion by Stecklein seconded by Douglas to adjourn at 5:50 p.m. All aye. Motion carried.

Next meeting, if needed, will be December 16, 2014. Applications are due in the office of the Land Use Administrator no later than November 26, 2014 for this meeting.

Jones County Board of Adjustment Meeting Minutes December 29, 2014 4:00 p.m.

Members present:
    Cindy Hall, Chairperson
    Rick Douglas
    Catherine Davies
    Paul Thomsen

Member absent:
    Nicole Stecklein

Staff present:
    Michele Lubben – Land Use Administrator

Visitors present:
    Jeffrey R. Booze, applicant
    Ned Rohwedder, Jones County Supervisor Chairman
    Jon Zirkelbach, Jones County Supervisor Elect
    Robert Crozier, Anamosa Journal-Eureka
A quorum of members of the Jones County Board of Adjustment was achieved at 4:01 p.m. The meeting was called to order by Chairperson Cindy Hall.

Motion by Rick Douglas seconded by Catherine Davies to approve the meeting’s agenda. All aye. Motion carried.

Motion by Rick Douglas seconded by Paul Thomsen to approve the November 18, 2014 meeting minutes. All aye. Motion carried.

Introductions of the Board of Adjustment, staff and visitors took place.

Motion by Paul Thomsen seconded by Rick Douglas to open the public hearing at 4:05 p.m. for applicant and property owner, Jeffrey R. Booze for a special permitted use in the Agricultural Zoning District for property legally described as Parcel 2005-130 in W ½ NE of Section 23 in Jackson Township, and generally located at 14385 Hwy 64, Anamosa. More specifically, the proposal is for a winery which includes producing and selling wine. All aye. Motion carried.

The Board was mailed copies of the application, Land Use Administrator’s written report, and aerial map. The Land Use Administrator did not receive any verbal or written comments regarding the application.

The Land Use Administrator explained the previous Administrator’s decision on an agricultural exemption from June, 2005. The previous approval exempted the property owner from zoning requirements because it was considered a farm operation. It exempted the residential house, commercial (wine tasting room) and/or agricultural (vineyard) purposes. Under the Code of Iowa 335.2, zoning requirements are exempt from land, farm houses, farm barns, farm outbuildings which are primarily adapted by reason of nature and area, for use for agricultural purposes, while so used. So while possibly the previous approval was adequate at the time, to approve wine production does require approval by the Board of Adjustment. The Land Use Administrator noted that the application meets all criteria set within the zoning ordinance.

Applicant, Jeffrey Booze presented information to the board including previous approval information and other information regarding the proposed winery.

Supervisor Rohwedder was appreciative of the Board’s actions for the special meeting. It was noted that the applicant requested the special meeting fee ($100) and application fee ($225) be waived by the Board of Supervisors due to the lack of clarity in the permitted uses authorized by the County in 2005 for use of the property. The Board permitted the waiver at their December 16, 2014 meeting.

Motion by Paul Thomsen seconded by Catherine Davies to close the public hearing at 4:12 p.m.

Motion by Rick Douglas seconded by Paul Thomsen to approve the application for Jeffrey R. Booze for a special permitted use for a winery in the Agricultural Zoning District. The application includes wine production.
Roll call vote:
Douglas – Aye
Thomsen – Aye
Davies – Aye
Hall – Aye

All aye. Motion carried. The red zoning sign was returned and the special permit will be issued to the applicant immediately. The Land Use Administrator indicated to the applicant to pay particular attention to the sections within the ordinance pertaining to signage, lighting requirements and off-street parking. Also, as noted within the written report, additional requirement need to be met with the Jones County Sanitarian regarding the public well, upgrading the existing septic system, and food license.

Chairman Cindy Hall updated the Board on the Decker dog board sign in section 13 of Lovell Township. The sign frame has been removed.

Supervisor elect Jon Zirkelbach introduced himself to the Board members.

Motion by Paul Thomsen seconded by Catherine Davies to adjourn at 4:15 p.m. All aye. Motion carried.

Next meeting, if needed, will be January 20, 2015. Applications are due in the office of the Land Use Administrator no later than December 31, 2014 for this meeting. The Land Use Administrator notified the Board of a possible joint meeting with the Board of Adjustment, Planning & Zoning Commission and the Board of Supervisors.
Visitors present:
   Charlie Becker – Director, Camp Courageous
   Jim McElheny – Planning and Zoning Commission member
   Norm and Peg McCormick – 12174 190th St., Monticello
   Jon Zirkelbach – Jones County Supervisor

Introductions of the Board of Adjustment, staff and visitors took place.

A quorum of members of the Jones County Board of Adjustment was achieved at 4:01 p.m. The meeting was called to order by Chairperson Cindy Hall.

Motion by Rick Douglas seconded by Nicole Stecklein to approve the meeting’s agenda. All aye. Motion carried.

Motion by Rick Douglas seconded by Catherine Davies to approve the December 29, 2014 meeting minutes. All aye. Motion carried.

Motion by Rick Douglas seconded by Catherine Davies to open the public hearing at 4:02 p.m. on a request from Camp Courageous for a special permitted use in the Agricultural Zoning District for property legally described as the east 990 feet of the north 1,320 feet of the NE 1/4 of Section 6 in Scotch Grove Township, and generally located at 12101 and 12081 190th St., Monticello. More specifically, the proposal is for a new dwelling and pavilion. All aye. Motion carried.

The Board was mailed copies of the application, Beacon reports of existing Camp Courageous structures, drawings of the new dwelling and pavilion, Land Use Administrator’s written report, and aerial map. The Land Use Administrator did not receive any verbal or written comments regarding the application. The Land Use Administrator recommends a condition with the possible approval to include permitting all existing structures for Camp Courageous and any new expansion or future structures will be required to go before the Board of Adjustment.

Charlie Becker started by explaining that the new dwelling is being built for two volunteers that have dedicated themselves to the camp. The main level will be for the volunteers and the downstairs will be similar to a bed and breakfast that will also be able to house additional staff or volunteers. The caboose that was recently added can also be used for volunteer or staff housing.

Charlie Becker discussed the future pavilion. The pavilion will be used for camp activities. Many camp activities use tents with sensory activities and these tents can be set up and used by many campers. Generally, now the tents have to be set up in the main lodge and then removed before dining activities. Downstairs the pavilion will hold a future bowling alley and facilities for campers to clean up after water activities. The parking lot for the pavilion will contain handicapped only parking spaces. Charlie indicated for larger events parking could be located at the main lodge and participants could walk on the
trail or take the train to the pavilion. The pavilion could be rented out similar to other camp facilities. The lake side of the pavilion will contain a patio area with a bonfire pit. The lake has a depth of 14 feet and will be stocked with fish. The campers can use the lake to canoe and fish instead of being transported to Central Park.

Charlie Becker discussed additional property owned by Camp Courageous and future plans. He discussed that 90% of staff live on the property. Safety of their campers is their number one priority. The camp has a high demand for their services. Their travel program is also very popular camp option.

Board discussed the soil erosion control plan. The camp does have an up to date DNR Storm Water Plan on file. Charlie Becker indicated that silt fences and erosion control plans are in place to prevent soil erosion. Pheasants Forever has pledged to plant native wildflowers and grasses in and around Lake Todd to also prevent soil erosion. Re-forestation of the area has also taken place with 5,000 black hills spruce. Charlie Becker indicated that the base camp is currently upgrading their septic system which has been approved by the DNR.

Board discussed a maximum population, parking, soil erosion control, sanitation permits, and fire protection. Camp Courageous is an emergency back-up for the City of Monticello. The camp is never without power. They work with Jones County Emergency Management Services for conducting drills.

Motion by Nicole Stecklein seconded by Catherine Davies to close the public hearing at 4:37 p.m. All aye. Motion carried.

Motion by Catherine Davies seconded by Rick Douglas to approve the application for Camp Courageous for a special permitted use in the Agricultural Zoning District for a new dwelling and pavilion with the following conditions:

- This approval includes all existing structures located at Camp Courageous. Any future additions or expansion will require additional approval by the Board of Adjustment.
- All general provisions will be met under Section 1. Article IX Commercial Recreation Use.
- No parking will be allowed on either side of 190th Street which is a county maintained road. According to the County Engineer, signs will need to be posted during large events indicating no parking.

Roll call vote:
Douglas – Aye
Stecklein – Aye
Davies – Aye
Hall – Aye

All aye. Motion carried. The red zoning sign was returned and the special permit will be issued to the applicant immediately. The Land Use Administrator indicated to the applicant to pay particular attention to the sections within the ordinance pertaining to signage, lighting requirements and off-street
parking. Also, as noted within the written report, additional requirements need to be met with the Jones County Environmental Health Department regarding the septic system.

The Land Use Administrator distributed a spreadsheet listing applications heard by the Board of Adjustment in 2014.

The Land Use Administrator discussed with the Board a possible meeting for April. The Land Use Administrator is scheduled for out of the office training for the normally scheduled day of April 21, 2015. If needed, the meeting can be rescheduled to April 20th or the week of April 27th. Applications are due in the office of the Land Use Administrator no later than March 31, 2015 for this meeting.

Motion by Catherine Davies seconded by Nicole Stecklein to adjourn at 5:00 p.m. All aye. Motion carried.

Jones County Board of Adjustment Meeting Minutes May 19, 2015 4:00 p.m.

Members present:
Cindy Hall, Chairperson
Paul Thomsen
Catherine Davies
Nicole Stecklein

Member absent:
Rick Douglas

Staff present:
Michele Lubben – Land Use Administrator

Visitors present:
Brenda Broulik – applicant, 1618 Hwy 38, Olin
Lindsey Nielson – applicant, 18682 Landis Rd., Anamosa
Ned Rohwedder – Jones County Supervisor
Jon Zirkelbach – Jones County Supervisor

A quorum of members of the Jones County Board of Adjustment was achieved at 4:01 p.m. The meeting was called to order by Chairperson Cindy Hall.

Introductions of the Board of Adjustment, staff and visitors took place.
Motion by Catherine Davies seconded by Paul Thomsen to approve the meeting’s agenda. All aye. Motion carried.

Motion by Catherine Davies seconded by Nicole Stecklein to approve the March 17, 2015 meeting minutes. All aye. Motion carried.

Motion by Paul Thomsen seconded by Catherine Davies to open the public hearing at 4:04 p.m. on a request from Brenda L. Broulik for a special permitted use in the Agricultural Zoning District for property generally located at 1618 Hwy 38, Olin, IA and legally described in document 94-3163 in NW 1/4 of section 36 in Rome Township. More specifically, the proposal is for the production and manufacturing of wine in an accessory building on the property. All aye. Motion carried.

The Board was mailed copies of the application, Land Use Administrator’s written report, and aerial map. The Land Use Administrator did not receive any verbal or written comments regarding the application.

Applicant and owner Brenda Broulik explained that they have grown grapes for six years and have sold them to Cedar Ridge Winery. They plan to keep the grapes and produce approximately 800-1,000 gallons of wine per year. They plan to have both red and white varieties. They will have production and retail operations within an existing accessory building on the property. They will not be open to the general public as a winery. It will not have a tasting room. Future plans for retail expansion would be to their store front property in Mount Vernon.

Motion by Paul Thomsen seconded by Catherine Davies to close the public hearing at 4:07 p.m. All aye. Motion carried.

Motion by Paul Thomsen seconded by Catherine Davies to approve the special permitted use in the Agricultural Zoning District for property generally located at 1618 Hwy 38, Olin, IA for production and manufacturing of wine in an accessory building on the property.

Roll call vote:
Stecklein – Aye
Davies – Aye
Thomsen - Aye
Hall – Aye

All aye. Motion carried. The red zoning sign was returned and the special permit will be issued to the applicant immediately.

Motion by Paul Thomsen seconded by Nicole Stecklein to open the public hearing at 4:08 p.m. for a request made by Lindsey Nielson for a special permitted use in the Residential Zoning District for property generally located at 18682 and 18684 Landis Rd., Anamosa and legally described as NE SW
section 19 of Jackson Township. More specifically, the proposal is to allow an auxiliary dwelling unit according to Article XI of the Jones County Zoning Ordinance.

The Board was mailed copies of the application, Land Use Administrator’s written report, and aerial map. The Land Use Administrator did not receive any verbal or written comments regarding the application.

Applicant and owner Lindsey Nielson explained there has been two dwellings on the property since approximately the 1940’s. The proposal is to tear down the larger, older home that has remained unoccupied for approximately 20 years and replace it with a new modular home on the same foundation. The smaller home would remain occupied by the owner’s mother who is 91 years old.

The Board reminded the applicant of the Board of Health regulations regarding septic tanks. The Land Use Administrator did discuss a previous application that was able to share an existing system with an enlarged leach field with approval from the Board of Health, otherwise each house must contain its own functioning septic system.

Motion by Paul Thomsen seconded by Catherine Davies to close the public hearing at 4:14 p.m.

Motion by Paul Thomsen seconded by Nicole Stecklein to approve the special permitted use in the Residential Zoning District for property located at 18682 and 18684 Landis Rd., Anamosa to convert an existing dwelling to an auxiliary dwelling unit under Article XI. Auxiliary and Seasonal Dwelling Units to allow a primary dwelling unit to be built under the Agricultural Exemption with the condition that the auxiliary dwelling unit ceases to be a residence once the occupant leaves the dwelling.

Roll call vote:
Stecklein – Aye
Davies – Aye
Thomsen - Aye
Hall – Aye

All aye. Motion carried. The red zoning sign was returned and the special permit will be issued to the applicant immediately.

The Land Use Administrator and the Board discussed the previous approval of Camp Courageous and the condition imposed regarding no parking along 190th St. The Land Use Administrator will contact Charlie Becker to clarify the restriction.

The Land Use Administrator reviewed various land use and zoning applications received since January 2015.

The Land Use Administrator discussed with the Board a possible meeting for June. The Board set a next meeting date of June 16, 2015 at 4:00 p.m. Applications are due in the office of the Land Use Administrator no later than May 27, 2015 for this meeting.
Motion by Paul Thomsen seconded by Catherine Davies to adjourn at 4:53 p.m. All aye. Motion carried.

Jones County Board of Adjustment Meeting Minutes June 16, 2015 4:00 p.m.

Members present:
   Cindy Hall, Chairperson
   Paul Thomsen
   Catherine Davies

Member absent:
   Rick Douglas
   Nicole Stecklein

Staff present:
   Michele Lubben – Land Use Administrator

Visitors present:
   Jon Zirkelbach – Jones County Supervisor
   Leo Bonifazi – Schnoor Bonifazi Engineering & Surveying
   Grace Zimmerman – applicant and owner
   Philip Smith – Walnut Acres Campground owner

A quorum of members of the Jones County Board of Adjustment was achieved at 4:02 p.m. The meeting was called to order by Chairperson Cindy Hall.

Introductions of the Board of Adjustment, staff and visitors took place.

Motion by Paul Thomsen seconded by Catherine Davies to approve the meeting’s agenda. All aye. Motion carried.

Motion by Paul Thomsen seconded by Catherine Davies to approve the May 19, 2015 meeting minutes. All aye. Motion carried.

Motion by Paul Thomsen seconded by Catherine Davies to open the public hearing at 4:04 p.m. on a request from applicant Grace H. Zimmerman for a variance in the A-Agricultural Zoning District for property legally described as the NE NW and W 2 ¾ acres NW NE, Section 35 of Cass Township, generally located at 13909 Old Cass Rd., Anamosa, IA. More specifically, the variance is to allow an existing farm
dwelling to be split from the adjacent farmland and allow the farmstead parcel to contain less than the minimum lot area of two acres. All aye. Motion carried.

The Board was mailed copies of the application, Land Use Administrator’s written report, and aerial map. The Land Use Administrator did receive one verbal comment regarding the application from an adjoining landowner Carroll Humpal stating that other splits in the area have followed the rules set forth in the ordinance. Such splits have been completed by Price, Humpal, and Remley and all contain at least two acres.

Surveyor Leo Bonifazi explained the reason behind the variance application. Initially, the house was to be surveyed off and sold to the applicant’s granddaughter. However, the applicant noted during the hearing that it was no longer going to be sold. Leo Bonifazi has completed surveys in Jones County before but they were in the Residential Zoning District which has a minimum acreage requirement of one acre. He was not aware of the two acre minimum within the Agricultural Zoning District for farmstead splits. The farmstead has natural buffers and is surrounded by agricultural production. The current survey was based on existing boundaries.

Bonifazi and the Board discussed allowing one acre minimums in rural subdivisions. Rural subdivisions also have shared wells and restrictive covenants. They also discussed the current waste disposal/septic system for this property.

Bonifazi and the Board discussed preserving farmland. An alternative to obtain the two acre requirement without extending the survey into the crop ground would be to include the farm buildings with the survey and lease the use of the buildings back to the farmer. The Land Use Administrator discussed how boundary corrections are currently handled on encroachments or corrections to fence lines.

Motion by Paul Thomsen seconded by Catherine Davies to close the public hearing at 4:24 p.m. All aye. Motion carried.

Board discussion took place. The Board of Adjustment was concerned with setting a precedent by allowing the variance and discussed alternatives for the applicant to obtain the two acre minimum. The Board reviewed the variance qualification factors, variance checklist, and other considerations as stated within the written report and agreed the spirit of the ordinance was not observed by not meeting the parcel size requirements for a farmstead split within A-Agricultural District, and the variance request did not constitute a hardship.

Motion by Paul Thomsen seconded by Catherine Davies to approve the variance application with the condition that the survey must conform to the two (2) acre minimum acreage requirement as set forth within the ordinance.

Roll call vote:
All aye. Motion carried. The red zoning sign was returned and the Land Use Administration will issue the written decision to the applicant via mail.

Philip Smith owner of Walnut Acres Campground located in Lovell Township Section 15 and generally located at 22128 Hwy 38, Monticello came to informally discuss with the Board of Adjustment his pre-existing non-conforming sign located within the Iowa DOT right-of-way. He received a letter from the Iowa DOT that the sign must be removed from the Hwy 38 right-of-way. Last week he informally discussed his situation with the Planning & Zoning Commission. The sign is approximately 400 square feet in size and is larger and taller than allowed within the Zoning Ordinance. The property is currently zoned Residential due to the proximity to the City of Monticello. Philip Smith discussed the large motor homes that travel to his business and trouble with visibility because of the nearby vegetation. The Board discussed the DOT signs available to him and new sign regulations the county is reviewing for properties along Hwy 151. The Board and Philip Smith discussed the following three options the Land Use Administrator gave to Philip Smith earlier in the week:

1. Take existing sign and move onto private property. – This action would require a Variance ($225) through the Board of Adjustment. They meet the 3rd Tuesday of the month. A special meeting fee of $100 can possibly move the meeting up to June 23rd.
2. New sign. – This would require Rezoning to C-2 Highway Commercial. P&Z would hear the application on the 2nd Tuesday of the month. Possibly they could hear it sooner with a special meeting fee of $100. Then goes to the BOS. The soonest this would be effective would be July 31, 2015. Then a sign permit could be obtained if the C-2 Highway Commercial sign regulations could be met. Currently they are 32 square feet, 6 ft. above the road, wall sign, or sign mounted no greater than 15 ft. on the roof of the building.
3. TODS – Tourist Oriented Destination Sign by the DOT – Check to see if the DOT can install a sign along Hwy 38 from both directions allowing time and visibility.

The Board set their next meeting date for July 15th at 4:00 p.m.

Motion by Catherine Davies seconded by Paul Thomsen to adjourn at 5:05 p.m. All aye. Motion carried.
Member absent:
   Rick Douglas
   Nicole Stecklein

Staff present:
   Michele Lubben – Land Use Administrator

Visitors present:
   Judith Tuetken – applicant 23004 150th Ave., Monticello

A quorum of members of the Jones County Board of Adjustment was achieved at 4:00 p.m. The meeting was called to order by Chairperson Cindy Hall.

Introductions of the Board of Adjustment, staff and visitor took place.

Motion by Paul Thomsen seconded by Catherine Jones Davies to approve the meeting’s agenda. All aye. Motion carried.

Motion by Paul Thomsen seconded by Catherine Jones Davies to approve the June 16, 2015 meeting minutes. All aye. Motion carried.

Motion by Paul Thomsen seconded by Catherine Jones Davies to open the public hearing at 4:01 p.m. on a request from applicant and owner Judith Tuetken, has applied for a special permitted use for a home based industry in the A-Agricultural Zoning District for property legally described in Book 125 Page 88, in SW SW Section 11 of Lovell Township, and generally located at 23004 150th Ave., Monticello. More specifically, the home-based industry is to operate the retail store J.T. Hadherway out of an existing garage on the property. All aye. Motion carried.

The Board was mailed copies of the application, Land Use Administrator’s written report, and aerial map. The Land Use Administrator did not receive any verbal comments regarding the application. The applicant was also mailed a copy of the written report.

Applicant and owner Judith Tuetken wanted to clarify from the written report that she (Phillip & Judith Tuetken) own the driveway leading back to their home and business. She will continue to maintain the driveway back to the business. Judith had concerns regarding the E911 addressing in the area and Secondary Road signage for 230th Street. The Land Use Administrator suggested talking to Derek Snead, the Jones County Engineer regarding the signage for 230th Street and the E911 Coordinator regarding the sequencing of the E911 addresses in the area.

The Land Use Administrator discussed the signage for the business. Currently, a small sign is posted at the entrance off 150th Ave. on what is described as a sandwich board. Discussion took place regarding
temporary signs. The Land Use Administrator will review the ordinance and report back to the applicant regarding signage for the home-based business.

Motion by Paul Thomsen seconded by Catherine Jones Davies to close the public hearing at 4:04 p.m. All aye. Motion carried.

Motion by Catherine Jones Davies seconded by Paul Thomsen to approve the special permitted use for a home based industry for applicant and owner Judith Tuetken to operate the retail store J.T. Hadherway out of an existing garage on the property.

Roll call vote:
Thomsen – Aye
Davies – Aye
Hall – Aye

All aye. Motion carried. The red zoning sign was returned and the Land Use Administration will issue the written decision to the applicant immediately.

Discussion of the annual appointment of the chairperson and administrative rules took place. Motion by Catherine Jones Davies seconded by Paul Thomsen to appoint Cindy Hall as the chairperson for FY 15/16. All aye. Motion carried.

The Board discussed the administrative rules and would like to review and possibly make amendments to the current administrative rules. Motion by Paul Thomsen seconded by Catherine Jones Davies to table adoption of the administrative rules until the next meeting. All aye. Motion carried.

The Board set their next meeting date for August 18, 2015 at 4:00 p.m. Applications for this meeting are due in the office of the Land Use Administrator no later than July 29, 2015.

Motion by Paul Thomsen seconded by Catherine Jones Davies to adjourn at 4:35 p.m. All aye. Motion carried.

Jones County Board of Adjustment   Meeting Minutes   August 18, 2015 4:00 p.m.

Members present:
   Cindy Hall, Chairperson
   Paul Thomsen
   Catherine Davies
   Rick Douglas
   Nicole Stecklein

Member absent:
   None
Staff present:
   Michele Lubben – Land Use Administrator

Visitors present:
   Matthew Scranton – applicant 7981 218th Ave., Martelle
   Diane and Wes Terry – owner 9461 215th Ave., Anamosa

A quorum of members of the Jones County Board of Adjustment was achieved at 4:01 p.m. The meeting was called to order by Chairperson Cindy Hall.

Introductions of the Board of Adjustment, staff and visitors took place.

Motion by Rick Douglas seconded by Catherine Davies to approve the meeting’s agenda. All aye. Motion carried.

Motion by Rick Douglas seconded by Nicole Stecklein to approve the July 15, 2015 meeting minutes. All aye. Motion carried.

Motion by Rick Douglas seconded by Catherine Davies to open the public hearing at 4:02 p.m. on a request from owner Diane M. Terry along with applicant Matthew S. Scranton, who have applied for a special permitted use for a modification of a previous home based industry permit in the A-Agricultural Zoning District for property described as Parcel 97-21 in NE SW, in Section 22 of Fairview Township, and generally located at 9461 215th Ave, Anamosa. More specifically, the home-based industry is to continue to operate Terry’s Bait Shop with the addition of Conceal This Firearms in an accessory building on the property. All aye. Motion carried.

The Board was mailed copies of the application, Land Use Administrator’s written report, and aerial map. The Land Use Administrator did not receive any verbal comments regarding the application. The applicant was also mailed a copy of the written report.

The applicant and owners discussed the signage on the property. The owners and applicant are currently requesting the blue Iowa DOT Tourist Oriented Destination Signs (TODS) signage along Hwy 151. The other current signage was updated with the new business names. Sign requirements have been updated since the last Home-Based Business approval, therefore, it was not required to have a separate approval for the signage.

The Board discussed whether this application was considered one or two Home-Based businesses. The Land Use Administrator explained that the application is considered one Home-Based business since Diane and Wes Terry live at this location. Matthew Scranton would be considered the only non-family member employed by the business. There will be no outside sales or shooting. If shooting is required, Scranton goes to the Isaac Walton. Persons taking classes may use the restroom facilities within the house. All other requirements under Article VII Home-Based Industry requirements appear to be met.
Motion by Paul Thomsen seconded by Catherine Davies to close the public hearing at 4:20 p.m. All aye. Motion carried.

Motion by Rick Douglas seconded by Catherine Davies to approve the special permitted use for a home based industry for owner Diane M. Terry along with applicant Matthew S. Scranton with the condition that with the addition of Conceal This Firearms, the Home-Based Industry is still restricted to not employ more than one person who is not a member of the family.

Roll call vote:
Thomsen – Aye
Davies – Aye
Hall – Aye
Stecklein – Aye
Douglas - Aye

All aye. Motion carried. The red zoning sign was returned and the Land Use Administration will issue the written decision to the applicant immediately.

Discussion of the administrative rules took place. Motion by Nicole Stecklein seconded by Catherine Davies to adopt the administrative rules as presented. All aye. Motion carried.

The Board set their next meeting date for September 22, 2015 at 4:00 p.m. Applications for this meeting are due in the office of the Land Use Administrator no later than September 2, 2015.

Motion by Nicole Stecklein seconded by Paul Thomsen to adjourn at 4:40 p.m. All aye. Motion carried.
Staff present:
   Michele Lubben – Land Use Administrator

Visitors present:
   Jim McElheny - Planning & Zoning member
   Jon Zirkelbach – District 3 Supervisor

A quorum of members of the Jones County Board of Adjustment was achieved at 4:00 p.m. The meeting was called to order by Chairperson Cindy Hall at 4:04 p.m.

Motion by Paul Thomsen seconded by Catherine Davies to approve the meeting’s agenda. All aye. Motion carried.

Motion by Paul Thomsen seconded by Catherine Davies to approve the August 18, 2015 meeting minutes. All aye. Motion carried.

Introductions of the Board of Adjustment, staff and visitors took place.

The Land Use Administrator reviewed the Board of Adjustment applications and actions from 2015. The Land Use Administrator discussed the different types of applications reviewed by the Board of Adjustment.

The Land Use Administrator discussed the 2016 Planning & Zoning objectives. The Land Use Administrator discussed that the focus for Planning & Zoning for 2016 will be the collaboration with the UNI Geography Department on a Hwy 151 Corridor Study.

The Board set their next meeting date for March 15, 2016 at 4:00 p.m. One application has been received and a second possible application is pending. Applications for this meeting are due in the office of the Land Use Administrator no later than February 24, 2016.

Motion by Nicole Stecklelin seconded by Ethan Zumbach to adjourn at 4:40 p.m. All aye. Motion carried.
None

Staff present:
Michele Lubben – Land Use Administrator

Visitors present:
Jim McElheny - Planning & Zoning member
Michelle Ahrendsen – applicant, 23356 Fairview Rd., Anamosa
Morris and Kelly Beatty – applicant, 13554 114th St., Center Junction

A quorum of members of the Jones County Board of Adjustment was achieved at 3:55 p.m. The meeting was called to order by Chairperson Cindy Hall at 4:00 p.m.

Motion by Stecklein seconded by Davies to approve the meeting’s agenda. All aye. Motion carried.

Motion by Thomsen seconded by Zumbach to approve the February 16, 2016 meeting minutes. All aye. Motion carried.

Introductions of the Board of Adjustment, staff and visitors took place.

Motion by Thomsen seconded by Zumbach to open the public hearing for applicant Michelle Ahrendsen, who has applied for a variance in the R-Residential Zoning District for property legally described as Parcel 97-71 SW SE Section 17 of Fairview Township, generally located at 23356 Fairview Rd., Anamosa, IA. More specifically, the variance is to allow expansion of a pre-existing, non-conforming dog boarding business in the R-Residential District. All aye. Motion carried.

The Board and applicant discussed the expansion proposal. The applicant attached a plan to the application that includes a half acre fenced enclosure and two 12 x 24 buildings to expand her kennel business. The applicant indicated that currently 35 dogs is the maximum amount that the applicant handles with her business at one time. The new buildings will be for families of dogs. This means that there could be one dog or several dogs housed in the new buildings but they will contain only the dogs from each family. Thomsen indicated he viewed the property and talked with a neighbor. The neighbor indicated no problems with the kennel or dogs barking. The Board and Land Use Administrator discussed the timeline and zoning regulations.

Motion by Thomsen seconded by Stecklein to close the public hearing at 4:13 p.m. All aye. Motion carried.

The Board and Land Use Administrator continued the discussion of the application. The applicant is requesting a variance to the requirements within Article XVII Kennel and Animal Shelter Requirements. Currently this property is located within the Residential district and within a ½ mile from other residences.

Motion by Thomsen seconded by Zumbach to approve the variance for Michelle Ahrendsen to expand the pre-existing, non-conforming dog boarding business in the R-Residential District.

Roll call vote:
Thomsen – Aye
Davies – Aye
Zumbach – Aye
Stecklein – Aye
Hall – Aye

All aye. Motion carried. When the red zoning sign will be returned, the Land Use Administration will issue the written decision to the applicant via mail.

The next applicants were introduced to the Board of Adjustment.

Motion by Thomsen seconded by Davies to open the public hearing at 4:16 p.m. for applicant Morris Beatty and owner Kelly Beatty who have applied for a variance in the A-Agricultural Zoning District for property legally described as Lot 6 Marling First Addition in section 12 of Jackson Township, generally located at 13554 114th St., Center Junction, IA. More specifically, the variance request is to allow an accessory building to have a side yard setback less than the minimum ten (10) feet.

The Land Use Administrator started by asking the dimensions of the accessory building. The applicants state that the building is 32 ft. x 32 ft. The applicant indicated that they did string a line at the property line and determined that the accessory building is approximately 7 feet from the corner of the building to the property line. The written statement from the neighbor Mike Marling was discussed. The applicant also discussed the reasoning for the placement of the structure in relation to electrical and water lines. The Board and applicant discussed the option to buy additional land from the neighbor, however, the neighbor is not interested in selling any land to him. The Board discussed the process in which to obtain a permit through the County and reason of why which one was not obtained.

The Board reviewed the Land Use Administrator’s written report and reviewed together the Variance Qualification Factors, Checklist and Other Considerations. The Board discussed options for remediation of the situation. The applicant is not over the property line, however, is encroaching on the setback as regulated within the Jones County Zoning Ordinance.

The Board agreed proper channels were not followed when building a structure within the county and that this issue was self-created. The Board agreed more information was required in order to make a decision.

Jones County Board of Adjustment Meeting Minutes March 31, 2016 9:30 a.m.

Members present:
    Cindy Hall, Chairperson
    Paul Thomsen
    Ethan Zumbach

Member absent:
    Catherine Davies
    Nicole Stecklein

Staff present:
Michele Lubben – Land Use Administrator

Visitors present:
   Trevor and Emily Martensen - applicants

A quorum of members of the Jones County Board of Adjustment was achieved at 9:30 a.m. The meeting was called to order by Chairperson Cindy Hall at 9:30 a.m.

Motion by Zumbach seconded by Thomsen to approve the meeting’s agenda. All aye. Motion carried.

Motion by Thomsen seconded by Zumbach to approve the March 15, 2016 meeting minutes. All aye. Motion carried.

Introductions of the Board of Adjustment, staff and visitors took place.

Motion by Thomsen seconded by Zumbach to open the public hearing at 9:32 a.m. for applicant Trevor Martensen for a special permitted use in the Agricultural Zoning District for property generally located at 15403 140th Ave., Scotch Grove, IA and legally described as Parcel 94-39 in NE SE of Section 23 in Wayne Township. More specifically, the proposal is for a home based business called Front Range Gear in an accessory building on the property. All aye. Motion carried.

The Land Use Administrator reported that the written report was sent to the Board members and the applicant. There were no written or verbal comments regarding the application. The Land Use Administrator did discuss the application with the neighbor Tom Collum, who did not oppose the application, however, was interested in the process and how it would affect his property taxes. The Land Use Administrator indicated this was not a rezoning application. This application runs with the property owner and not with the land. If the property were to be transferred and a new owner wanted to conduct a different business out of the building, they would also require a separate special permitted use application.

Thomsen and Hall mentioned they viewed the property before the hearing. The application and types of travel trailers that would be sold were discussed. The applicant is requesting outdoor storage of 2-3 units to be displayed on the property on an adjacent pad of concrete.

Motion by Thomsen seconded by Zumbach to close the public hearing at 9:37 a.m. All aye. Motion carried.

Motion by Thomsen seconded by Zumbach to approve the special permitted use for a home based business called Front Range Gear for applicant and owner Trevor Martensen.

Roll call vote:
Thomsen – Aye
Zumbach – Aye
Hall – Aye
All aye. Motion carried. The red zoning sign was returned. The application was approved as presented which included outdoor storage of 2-3 units on an adjacent pad of concrete. The business does not appear to create any traffic or delivery concerns or diminishment or impairment of property values. The Land Use Administrator will issue the written decision to the applicant immediately via email and regular mail.

The Land Use Administrator gave an update on the upcoming April 19, 2016 meeting. There will be five (5) applications heard at the next meeting. Copies of applications were distributed to the three (3) members present to save on postage. Thomsen will be absent for the April meeting. The next meeting will be held at 9:30 a.m. and each application will have a set public hearing time.

Motion by Thomsen seconded by Zumbach to adjourn at 9:51 a.m. All aye. Motion carried.

**Jones County Board of Adjustment Meeting Minutes April 19, 2016 9:30 a.m.**

Members present:
- Cindy Hall, Chairperson
- Ethan Zumbach
- Catherine Davies
- Nicole Stecklein

Member absent:
- Paul Thomsen

Staff present:
- Michele Lubben – Land Use Administrator

Visitors present:
- Jim and Lindsey Kraus – 17432 County Rd D-62, Monticello
- Sean Janssen – 8757 County Rd E-17, Scotch Grove
- Darin Grice – CR Signs for Prull Properties, LLC
- Julia Bean – 7731 148th St., Scotch Grove
- Rod Chally – 13284 Hwy 151, Anamosa
- Jan Jemison – came with Rod Chally, lives in Linn County

A quorum of members of the Jones County Board of Adjustment was achieved at 9:30 a.m. The meeting was called to order by Chairperson Cindy Hall at 9:30 a.m.

Motion by Stecklein seconded by Davies to approve the meeting’s agenda. All aye. Motion carried.
Motion by Stecklein seconded by Davies to approve the March 31, 2016 meeting minutes. All aye. Motion carried.

Introductions of the Board of Adjustment, staff and visitors took place.

Motion by Stecklein seconded by Davies to open the public hearing at 9:32 a.m. for owner Jim Kraus and applicant Lindsey Kraus, who have applied for a special permitted use for a home based industry in the A-Agricultural Zoning District for property in Section 29 of Lovell Township briefly described as Parcel 2001-101 in NW NE and generally located at 17432 County Rd. D-62, Monticello, IA. More specifically, the home based industry is to operate The Dog Shop LLC, a pet grooming business in an accessory building on the property. All aye. Motion carried.

The Land Use Administrator reported that the written report was sent to the Board members and the applicant. There were no written or verbal comments regarding the application.

The applicant explained that the proposal is for a dog grooming business and no kenneling of dogs will take place. There should be no noise or sanitation issues. According to the application, will could be approximately five (5) vehicles per day that visit the business. The septic system has been inspected by Sue Ellen Hosch from Linn County. Currently, they are working with the neighbors since their house and well are currently over the property line. They are working with attorneys for the boundary correction.

Motion by Stecklein seconded by Davies to close the public hearing at 9:36 a.m. All aye. Motion carried.

Motion by Stecklein seconded by Davies to approve the special permitted use for a home based business called The Dog Shop LLC, for applicant Lindsey Kraus and owner Jim Kraus.

Roll call vote:
Stecklein – Aye
Zumbach – Aye
Davies – Aye
Hall – Aye

All aye. Motion carried. The red zoning sign was returned. The application was approved as presented. The Land Use Administrator will issue the written decision to the applicant immediately via email and regular mail.

Introductions of the Board of Adjustment, staff and visitors took place.

Motion by Stecklein seconded by Davies to open the public hearing at 9:40 a.m. for owner Sean J. Janssen who has applied for a special permitted use for a home based industry in the A-Agricultural Zoning District for property in Section 14 of Scotch Grove Township briefly described as Parcel 2007-48 in S ½ SW and generally located at 8775 County Rd E-17, Scotch Grove, IA. More specifically, the application is to build a 50 x 100 ft. building to house and repair equipment for his business, Superior Steel & Concrete Construction. All aye. Motion carried.
The Land Use Administrator reported that the written report was sent to the Board members and the applicant. There were no written or verbal comments regarding the application.

The applicant explained that the proposal is for a 50 x 100 ft. building for his business Superior Steel & Concrete Construction business. Setbacks from property lines were discussed. The building cannot be located in the front yard. According to the application, it will not be located in the front yard and will meet the side and rear setbacks. The Jones County Secondary Road Department and Engineer did view the area and will be surveying the area to correct the excess right-of-way in that area. The building will be 20 ft. high and a single slope. The business does employ more than one person that is not a family member, however, the employees do not regularly congregate at this location. Many times the employees travel directly to the job sites and only will go here to repair and house their equipment.

Motion by Davies seconded by Stecklein to close the public hearing at 9:45 a.m. All aye. Motion carried.

Motion by Stecklein seconded by Davies to approve the special permitted use for a home based business called Superior Steel & Concrete Construction, for applicant and owner Sean Janssen.

Roll call vote:
Stecklein – Aye
Zumbach – Aye
Davies – Aye
Hall – Aye

All aye. Motion carried. The red zoning sign was returned. The application was approved as presented. The Land Use Administrator will issue the written decision to the applicant immediately via regular mail.

Introductions of the Board of Adjustment, staff and visitors took place.

Motion by Stecklein seconded by Davies to open the public hearing at 9:50 a.m. for owner Prull Properties LLC and applicant CR Signs, Inc., who have applied for a variance to the A-Agricultural Zoning District for property in Section 34 of Lovell Township, described as Parcel 2005-173 and generally located at 15952 197th St., Monticello, IA. More specifically, the proposal is to reface a pre-existing, non-conforming sign. All aye. Motion carried.

The Land Use Administrator reported that the written report was sent to the Board members and the applicant. There were no written comments regarding the application. There was one verbal comment from Lloyd Welter who did not have any objections to the variance request.

The applicant explained that the proposal is to reface the current sign. The new sign will be approximately one foot taller and 2 foot wider than the existing sign. The existing sign is also in need of repair in certain areas. Hall discussed that this sign was actually much smaller than the signs in the general area. There are several larger business signs (Goodyear, Kromminga Motors, Triangle Ag) and also a large billboard along Business Hwy 151. The Land Use Administrator discussed the zoning districts in the general area in relation to the corporate limits of Monticello.

Motion by Stecklein seconded by Davies to close the public hearing at 9:55 a.m. All aye. Motion carried.
Motion by Stecklein seconded by Davies to approve the variance for Prull Properties LLC and applicant CR Signs, Inc.

Roll call vote:
Stecklein – Aye  
Zumbach – Aye  
Davies – Aye  
Hall – Aye

All aye. Motion carried. The red zoning sign was returned. The application was approved as presented. The Land Use Administrator will issue the written decision to the applicant immediately via regular mail.

Introductions of the Board of Adjustment, staff and visitors took place.

Motion by Stecklein seconded by Davies to open the public hearing at 10:00 a.m. for owner Doug and Julia Bean and applicant The Bean Farm, have applied for a commercial recreational use in the A-Agricultural Zoning District for property in Section 25 of Scotch Grove Township briefly described as Parcel 2007-128 in East ½ NW and generally located at 7731 148th St., Scotch Grove, IA. More specifically, the proposal is build an addition to an existing barn to allow events and retreats for agritainment and agritherapy. All aye. Motion carried.

The Land Use Administrator reported that the written report was sent to the Board members and the applicant. There were no written or verbal comments regarding the application.

The Bean’s plan to have corporate events and weddings in an existing barn that is being renovated and expanded. It will have a ballroom, sleeping quarters, and private use kitchen for catering use only. Max capacity will be 125 for this summer and 299 when finished connecting the existing barn and new connecting addition. They have adjusted for additional parking and will increase the limestone area used for parking. The facility will also have one handicapped restroom and men’s and women’s restrooms have also been carefully planned out. There will be a new septic system put in to accommodate the new restrooms. Hours of operation will be limited to 10:00 p.m. weeknights and 11:00 p.m. on weekends. Lighting has been addressed and much of the lighting includes motion detected lighting features. Noise and outdoor entertainment was discussed. In addition, vehicle traffic and a bus turnaround was discussed. Total square footage of the facility will be 4,000 square feet once completed.

Motion by Stecklein seconded by Davies to close the public hearing at 10:20 a.m. All aye. Motion carried.

Motion by Stecklein seconded by Zumbach to approve the special permitted use for a Commercial Recreational Use for The Bean Farm with the conditions that all necessary regulations pertaining to septic systems and wells must be complied with as regulated by the Jones County Environmental Services Department in conjunction with the Iowa DNR as needed, and hours of operation shall be until 10:00 p.m. weeknights and 11:00 p.m. on weekends as stated on said application.

Roll call vote:
Stecklein – Aye
Zumbach – Aye
Davies – Aye
Hall – Aye

All aye. Motion carried. The red zoning sign was returned. The application was approved as presented. The Land Use Administrator will issue the written decision to the applicant immediately via regular mail.

Introductions of the Board of Adjustment, staff and visitors took place.

Motion by Zumbach seconded by Davies to open the public hearing at 10:25 a.m. for owner Todd Chally and applicant Rod Chally, who have applied for a special permitted use for an auxiliary dwelling unit within the R-Residential Zoning District for property in Section 36 of Cass Township briefly described in Document 2002 3321 and generally located at 13284 Hwy 151, Anamosa, IA. More specifically, the proposal is to allow an auxiliary dwelling unit according to Article XI of the Jones County Zoning Ordinance. All aye. Motion carried.

The Land Use Administrator reported that the written report was sent to the Board members and the applicant. There were no written or verbal comments regarding the application.

The applicant explained that the proposal is to allow a fifth wheel travel trailer to be an auxiliary dwelling unit according to Article XI. The applicant explained his situation and the reason why he would like to be allowed to continue the use of the auxiliary dwelling unit. Waste disposal is currently being conducted by a dump caddy. According to the Jones County Environmental Services comments regarding the application states the following:

5. Chally
   • Sewage must be properly disposed from the camper. Either have it pumped by a DNR licensed septage pumper, connect the camper to an approved and licensed septic system or properly contain the waste and dispose off site in an approved dump station or wastewater facility.
   • This department does not have a septic record on file for this property. Owner must provide proof that a septic system exists and is properly functioning. A septic inspection must be done by a certified septic contractor to accomplish this. Please submit the inspection report to this department. If a septic system does not exist or is not sized to properly manage the house and camper wastewater, a new septic system must be installed under permit from this department.
   • Recommend annual testing of private wells.

Motion by Davies seconded by Zumbach to close the public hearing at 10:51 a.m. All aye. Motion carried.

Discussion by the Board took place.

Motion by Davies seconded by Stecklein to approve the special permitted use for an auxiliary dwelling unit according to Article XI with conditions that the septic system must be inspected or provide proof that a septic system exists and is properly functioning and the auxiliary dwelling unit is approved for a temporary living situation and the travel trailer must be removed by the end of the two year period. A
subsequent application and fee will be required if the temporary living situation is requested to extend past April 19, 2018.

Roll call vote:
Stecklein – Aye
Zumbach – Aye
Davies – Aye
Hall – Nay

Motion carries 3-1. The red zoning sign was returned. The application was approved with conditions. The Land Use Administrator will issue the written decision to the applicant immediately via regular mail.

Motion by Zumbach seconded by Davies to adjourn at 11:04 a.m. All aye. Motion carried.

Jones County Board of Adjustment Meeting Minutes May 17, 2016 4:00 p.m.

Members present:
   Cindy Hall, Chairperson
   Ethan Zumbach
   Catherine Davies
   Paul Thomsen

Member absent:
   Nicole Stecklein

Staff present:
   Michele Lubben – Land Use Administrator

Visitors present:
   Karen Weishan – applicant 10227 215th Ave., Anamosa
   Steve Forbes – 10227 215th Ave., Anamosa
   Mike and Jackie Forbes 22081 90th St., Anamosa
   Jon Zirkelbach – Jones County Board of Supervisor
   Lara Netolicky- Anamosa Journal Eureka
   Kelly Beatty – 13554 114th St., Center Junction

A quorum of members of the Jones County Board of Adjustment was achieved at 4:00 p.m. The meeting was called to order by Chairperson Cindy Hall.

Motion by Thomsen seconded by Davies to approve the meeting’s agenda. All aye. Motion carried.

Motion by Davies seconded by Zumbach to approve the April 19, 2016 meeting minutes. All aye. Motion carried.
Introductions of the Board of Adjustment, staff and visitors took place.

Motion by Thomsen seconded by Davies to open the public hearing at 4:02 p.m. for applicant Karen Weishan and owners Michael and Jacqueline Forbes for a special permitted use in the Agricultural Zoning District for property generally located at 22081 90th St., Anamosa, IA and legally described as the North 777 feet East 435 feet West 770 feet in NE ¼ NE ¼ of Section 28 in Fairview Township. More specifically, the proposal is for a public or private stable as a special permitted use within the Agricultural Zoning District. More specifically, there will be horse training and lessons by Adoration Equine. All aye. Motion carried.

The Land Use Administrator reported that the written report was sent to the Board members and the applicant. There were no written or verbal comments received regarding the application. All adjoining landowner certified letters were received.

The applicant explained that the proposal is for moving her business to Jones County. The applicant trains horses using natural horsemanship, students learn to work with the horses. Lessons to children also include parental supervision. The application states three separate fenced areas currently for training and lessons. A 12 ft. x 24 ft. lean to building may be placed on skids in the future. The plan is to have six (6) horses there and no more than eight (8) horses total.

Motion by Thomsen seconded by Davies to close the public hearing at 4:07 p.m. All aye. Motion carried.

Discussion by the Board took place. Thomsen indicated this proposal fit within the Agricultural Zoning District.

Motion by Thomsen seconded by Davies to approved the special permitted use for applicant Karen Weishan for a public or private stable located at 222081 90th St., Anamosa.

Roll call vote:
Thomsen – Aye
Zumbach – Aye
Davies – Aye
Hall – Aye

All aye. Motion carried. The red zoning sign will need to be returned. The application was approved as presented. The Land Use Administrator will issue the written decision to the applicant immediately via regular mail.

Next on the agenda was to review a site plan from Kelly Beatty on a previous variance application from March 15, 2016. The site plan/retracement was completed by Brain Engineering and recorded in document 2016-1091. The site plan indicates the distance between the side yard property line and the garage is 1.41’. Options presented to the applicant and Board of Adjustment include the following:
• **Minor boundary correction** – allow a 10 ft. minor boundary correction off lot 8 and transfer ownership to Beatty for them to obtain the necessary side yard setback.

• **Approve Variance** – Land adjacent to lot 6 is essentially an access for lot 8, allow variance because extenuating circumstances indicate the encroachment will have little affect if any on the use of the neighboring property.

• **Deny Variance** – The ordinance is not being followed and the situation has been self-created. Require compliance within a reasonable amount of time set by the Board of Adjustment and methods to verify compliance has been met according to the request. Describe process in which if compliance is not met within the stated amount of time, and the future ramifications of such action.

Discussion by the Board and applicant took place. The Board discussed the minor boundary correction option and the applicant did contact the owner Mike Marling regarding that option. He indicated he is not interested in allowing a minor boundary correction.

The Board discussed sending the request to the Board of Supervisors for a recommendation.

Motion by Thomsen seconded by Zumbach to request a recommendation on the variance application for Kelly Beatty to the Board of Supervisors.

Thomson – Aye
Zumbach – Aye
Davies – Nay
Hall – Nay

Motion failed.

Motion by Thomsen to deny the variance application for Kelly Beatty. Motion died for a lack of a second.

Motion by Zumbach seconded by Thomsen to have a joint meeting with the Board of Supervisors regarding the variance application for Kelly Beatty and to request a recommendation regarding the application.

Thomsen – Aye
Zumbach – Aye
Davies – Aye
Hall – Aye

All aye. Motion carried. The Land Use Administrator will add the joint meeting to the Board of Supervisors meeting on Tuesday, May 24, 2016 at 11:00 a.m.

Motion by Thomsen seconded by Davies to adjourn at 5:00 p.m. All aye. Motion carried.
Cindy Hall, Chairperson
Ethan Zumbach
Catherine Davies
Paul Thomsen

Member absent:
Nicole Stecklein

Staff present:
Michele Lubben – Land Use Administrator

Visitors present:
Kelly Beatty – 13554 114th St., Center Junction
Mike Marling – 11224 136th Ave., Center Junction
Jim McElheny – Planning & Zoning Commission member

A quorum of members of the Jones County Board of Adjustment was achieved at 11:30 a.m. The meeting was called to order by Chairperson Cindy Hall.

Introductions of the Board of Adjustment, staff and visitors took place.

Discussion by the Board and visitors took place. Mike Marling was interested in the Board of Adjustment’s process and indicated that when he developed the subdivision in 2001, he did not create any restrictive covenants because he felt the county regulations were sufficient. Marling again indicated he was not interested in transferring a portion of the 66’ easement to Kelly Beatty to gain the 10’ side yard setback.

Motion by Thomsen seconded by Zumbach to deny the variance application for owner Kelly Beatty and applicant Morris Beatty to allow a detached accessory building with a side yard setback of less than 10 feet due to the following reasons:

- The existing garage substantially fails to comply with Article V, Section 1. E. Accessory building and uses side yard setback requirement of 10 feet. The current garage is 1.41 feet from the property line.
- The property still has reasonable use of the property and denial of the variance will not deprive the owner of all beneficial use of the land.
- The situation is self-created and the hardship results from actions of the property owner.
- The conditions are not widespread or unique to the applicant’s property.
- The variance will alter the essential character of the area.
- The applicant and owner had prior knowledge of the county requirements and failed to comply.
- The owner has ninety (90) days to remove, remediate or take other action to comply with the County Zoning Ordinance before the county may take additional action regarding the violation.

Roll call vote:
Thomsen – Aye
Zumbach – Aye
Davies – Aye
Hall – Aye

All aye. Motion carried. The application was denied. The Land Use Administrator will issue the written decision to the owner and applicant via email and regular mail.

Motion by Thomsen seconded by Davies to adjourn at 11:50 a.m. All aye. Motion carried.

Jones County Board of Adjustment Meeting Minutes July 12, 2016 4:00 p.m.

Members present:
Cindy Hall, Chairperson
Catherine Davies
Paul Thomsen

Member absent:
Nicole Stecklein
Ethan Zumbach

Staff present:
Michele Lubben – Land Use Administrator

Visitors present:
Terry Moore, applicant, 521 Green Valley Court SE, Cedar Rapids
Dan Paulsen, prospective buyer, of Parcel 2001-20, Section 17 Fairview Twp
Mike and Lori Kula, applicant, 108 E. Main St., Prairieburg
Jim Strother, applicant, 14909 Hwy 64, Anamosa
Doug Ricklefs, 10487 Shaw Rd, Anamosa
Jon Zirkelbach, Jones County Supervisor
Jim McElheny – Planning & Zoning Commission member

A quorum of members of the Jones County Board of Adjustment was achieved at 4:00 p.m. The meeting was called to order by Chairperson Cindy Hall.

Introductions of the Board of Adjustment, staff and visitors took place.

Motion by Davies seconded by Thomsen to approve the agenda for the meeting. All aye. Motion carried.

Motion by Thomsen seconded by Davies to approve the minutes from the May 17 and May 24, 2016 meetings respectively.
Motion by Thomsen seconded by Davies to open the public hearing at 4:02 p.m. for owners Terry and Boni Moore, who have applied for a variance in the A-Agricultural Zoning District for property in the SE ¼ SW ¼ legally described as Parcel 2001-20, Section 17 of Fairview Township, generally located on the south side of Fairview Rd., Anamosa, IA and contains approximately 8.25 acres. More specifically, the variance is to build a residential dwelling within the A-Agricultural Zoning District.

The Land Use Administrator indicated no written or verbal comments were received on the application. Several calls were taken regarding the red zoning sign. All adjacent landowner certified letters were delivered. Thomsen indicates that a residential use fits in with development in that area. Moore referenced and read the summary attached within his application. He initially bought the property from Doug Ricklefs back in 2001. At the time, the land use ordinance in place indicated that in order to build a residence, the land must be changed to “non-conforming”. At the time, it could have been approved as such and allowed as a “variance”. The approval would have been good for one year and since the residence was not built upon and would have went back to its original designation. In 2007, the Jones County Zoning Ordinance was enacted and the zoning districts were created. Moore feels his only option for transferring his property is to obtain the variance. Paulsen, potential buyer of the property is interested in putting land back into agricultural production and eventually building a residence. If the dwelling is not commenced within a year, the variance is null and void. Future options to build a residence could be to claim an Agricultural Exemption. If the owner could provide a site plan, business plan and Tax Schedule F in accordance with the ordinance, the owner could build a house after the one (1) year has passed.

Motion by Thomsen seconded by Davies to close the public hearing at 4:15 p.m.

Motion by Davies seconded by Thomsen to approve the variance request for Terry and Boni Moore for property in Section 17 of Fairview Township.

Roll call vote:
Thomsen – Aye
Davies – Aye
Hall – Aye

All aye. Motion carried. The application was approved. The red zoning sign was returned. The Land Use Administrator will issue the approval to the owner via email and regular mail.

Motion by Thomsen seconded by Davies to open the public hearing at 4:16 p.m. for owner Lori Kula and applicant Mike Kula, who have applied for a variance in the A-Agricultural Zoning District for property in the NW ¼ NE ¼ legally described as Parcel 96-54, Section 24 of Jackson Township, generally located at 13429 Madison Rd., Center Junction, IA. More specifically, the variance is to request re-establishment of a residential use after more than one year has passed subject to Section 2. of Article VI Non-Conforming Uses within the Jones County Zoning Ordinance.
The Land Use Administrator did receive one written comment from Gloria Snyder, adjacent landowner in favor of the proposal. The written comment was read to the public and presented to the Board before the hearing. The Land Use Administrator did receive one verbal comment from James Ward, adjacent landowner. The verbal comment did have some concerns, but no objections to the proposal. The comment was read to the public. All adjacent landowners received their notification by certified mail.

Kula indicated the intention is to build a structure for part time residential use at this time. Possible future use could be on a more permanent basis.

Hall noted the comments from the Engineer, Flood Plain Coordinator, and Environmental Health departments. A small portion of the property is in the flood plain. No building can take place within the designated area. The property owner has discussed this with the Flood Plain Coordinator.

Davies generally has concerns with residences within the rural portions of the county, however, but understands it is a previous acreage. Davies also wanted to make sure the owner and applicant understand the agricultural activities that takes place in that district.

Motion by Thomsen seconded by Davies to close the public hearing at 4:26 p.m. All aye. Motion carried.

Motion by Davies seconded by Thomsen to approve the variance request for owner Lori Kula and applicant Mike Kula generally located at 13429 Madison Rd., Center Junction.

Roll call vote:
Thomsen – Aye
Davies – Aye
Hall – Aye

All aye. Motion carried. The red zoning sign was returned. The Land Use Administrator will issue the zoning permit by regular mail.

Motion by Thomsen seconded by Davies to open the public hearing at 4:29 p.m. for James Strother, who has applied for a special permitted use in the Agricultural Zoning District for property located at 14909 Hwy 64, Anamosa IA. More specifically, the proposal is for a home-based industry for a retail gun shop and gunsmithing, consignment of sporting goods and related goods and services.

The Land Use Administrator did not receive any verbal or written comments regarding the application. The adjacent landowner letters were all received by certified mail. Strother indicated that he is currently changing jobs and is looking to open this home based business on a part time basis. He is interested in having hours from 6 am to noon possibly three (3) days a week or by appointment. He is
looking to obtain his federal firearms license for this location. The building will have a secure storage container that will be alarmed to hold the merchandise. The consignment of sporting goods includes gun holsters, rifle slings and firearms related items for purchase.

Hall discussed options for traffic turnaround on the property. According to the application 20-40 vehicles per day could be expected. It was noted that this was a high expectation for special circumstances.

Signage for the business was discussed and referred to the zoning ordinance for future reference.

Motion by Thomsen seconded by Davies to close the public hearing at 4:38 p.m. All aye. Motion carried.

Motion by Thomsen, seconded by Davies to approve the special permitted use application for James Strother for property located at 14909 Hwy 64, Anamosa.

Roll call vote:
Thomsen – Aye
Davies – Aye
Hall – Aye

The special permitted use is approved. The red zoning sign was returned. The zoning permit will be available for the owner to pick it up at the office on Thursday, July 14, 2016.

Next meeting, if needed, will be Tuesday, August 16, 2016 at 4:00 p.m.

Motion by Thomsen seconded by Davies to adjourn at 4:40 p.m. All aye. Motion carried.
Visitors present:
   Brian Champeau – 1778 170th Ave., Mechanicsville
   Warren and Cindy Nebergall – 1700 Meadow Ridge Dr., Anamosa
   Kasey Nebergall – 16857 25th St., Mechanicsville
   Jim McElheny – Planning & Zoning Commission member
   Everett Lehrman - 3190 Sunburst Ave., Marion (as indicated)

A quorum of members of the Jones County Board of Adjustment was achieved at 5:30 p.m. The meeting was called to order by Chairperson Cindy Hall.

Introductions of the Board of Adjustment, staff and visitors took place.

Motion by Thomsen seconded by Davies to approve the agenda for the meeting. All aye. Motion carried.

Motion by Davies seconded by Zumbach to approve the minutes from the July 12, 2016 meeting. All aye. Motion carried.

Motion by Thomsen seconded by Zumbach to open the public hearing at 5:31 p.m. for owner Brian K. Champeau, who has applied for a special permitted use in the Agricultural Zoning District for property located at 1778 170th Ave., Mechanicsville IA. More specifically, the proposal is for a home-based industry special permitted use for a firearms business.

The Land Use Administrator indicated no written or verbal comments were received on the application. Several calls were taken regarding the red zoning sign. All adjacent landowner certified letters were delivered.

Applicant and owner Brian Champeau explained he has a federal firearms license (FFL) for three years already. He recently moved his business from Linn County to Jones County and had to reapply with the ATF to move his FFL. He would like to participate in gun shows and complete transfers of firearms. He would complete all the necessary paperwork. He would not have any inventory on hand. Nebergall’s questioned whether there would be shooting at the location. The applicant indicated would be limited shooting and be limited to personal shooting only. Recently, there was a day in which there were a lot of shots going off and Champeau indicated that he and his brother were shooting due to the recent passing of his father. There will be no target practice, demonstrations, or siting firearms. Nebergalls pasture cattle in an adjoining field all winter and expressed concern for the safety of the animals with this type of business.

Motion by Thomsen seconded by Davies to close the public hearing at 5:37 p.m. All aye. Motion carried.
Motion by Davies seconded by Thomsen to approve the special permitted use for a home-based business with the condition that future changes to the business such as an increase in traffic or a change in customer service must be reconsidered by the Board of Adjustment.

Roll call vote:
Thomsen – Aye
Davies – Aye
Zumbach - Aye
Hall – Aye

All aye. Motion carried. The application was approved. The red zoning sign was returned. The Land Use Administrator will issue the approval to the owner via email and regular mail.

Adjoining landowner Everett Lehrman arrived at 5:40 p.m. and was updated to the status of the application and introduced to the owner.

Next meeting, if needed, will be Tuesday, October 18, 2016 at 4:00 p.m.

Motion by Thomsen seconded by Zumbach to adjourn at 5:43 p.m.

Jones County Board of Adjustment Meeting Minutes November 22, 2016 5:00 p.m.

Members present:
   Cindy Hall, Chairperson
   Nicole Stecklein
   Paul Thomsen

Member absent:
   Catherine Davies
   Ethan Zumbach

Staff present:
   Michele Lubben – Land Use Administrator

Visitors present:
   Paul and Kay Pfeiffer – 804 2nd Ave. NW, Cascade
   Tim and Dawn Wold – 3828 202nd St., Cascade

A quorum of members of the Jones County Board of Adjustment was achieved at 5:00 p.m. The meeting was called to order by Chairperson Cindy Hall at 5:05 p.m.
Introductions of the Board of Adjustment, staff and visitors took place.

Motion by Thomsen seconded by Stecklein to approve the agenda for the meeting. All aye. Motion carried.

Motion by Thomsen seconded by Stecklein to approve the minutes from the September 22, 2016 meeting. All aye. Motion carried.

Motion by Thomsen seconded by Stecklein to open the public hearing at 5:06 p.m. for owners, Timothy and Dawn Wold who have applied for a variance to the Jones County Zoning Ordinance for property legally described as Parcel 2009-17 in the NW ¼ SW ¼ Section 27 of Washington Township containing 18.4 acres and generally located at 3828 202nd St., Cascade, IA. More specifically, the proposal is to separate the existing farmhouse and additional outbuildings located within the Agricultural Zoning District from the agricultural land for residential purposes. Said variance is being requested because the farm has had a previous farmstead split completed in 2009, the request does not qualify for a second farmstead split and the farm contains less than the forty-two (42) acres required for a farmstead split.

The Land Use Administrator indicated no written or verbal comments were received on the application. Several calls were taken regarding the red zoning sign. All adjacent landowner certified letters were delivered.

The applicant and Board received the written report. The Board also received copies of the previous farmstead split approved in 2009, aerial map, copies of the application and variance information.

The applicant and owners described the reason for the application. The property does not qualify for secondary market lower interest rates and with recent banking changes does not allow for the owners to qualify for such low rates. If the property was split into a smaller residential piece, it could qualify for the lower rate and meet the requirements set forth by the lending institutions. This parcel was created from a farmstead split in 2009 and according to the Land Use Administrator, each farm only gets one farmstead split. In addition, a farmstead split must have at least 40 acres remaining from their farm in order to qualify for a residential farmstead split. The Pfeiffer’s were in support of the application, however, it was explained that the reason for the original farmstead split was for a family partition, it was not their intention to only sell off the house and buildings which could have been done at that time. The Board of Adjustment used the written report and variance checklist to review the requirements for a variance.

Motion by Stecklein seconded by Thomsen to close the public hearing at 5:39 p.m. All aye. Motion carried.

Motion by Stecklein seconded by Thomsen to deny the variance request to separate the existing farmhouse and additional outbuildings located within the Agricultural Zoning District from the agricultural land for residential purposes because the property received a previous farmstead split, the
situation appears to be self-created, and the request does not meet the requirements within the ordinance.

Roll call vote:
Thomsen – Aye
Stecklein- Aye
Hall – Aye

All aye. Motion carried. The application was denied. The red zoning sign was returned. The Land Use Administrator will issue the written decision to the owner.

Next meeting, if needed, will be Tuesday, December 20, 2016 at 4:00 p.m.

Motion by Thomsen seconded by Stecklein to adjourn at 5:50 p.m.
A quorum of members of the Jones County Board of Adjustment was achieved at 4:00 p.m. The meeting was called to order by Chairperson Cindy Hall at 4:00 p.m.

Introductions of the Board of Adjustment, staff and visitors took place.

Motion by Stecklein seconded by Davies to approve the agenda for the meeting. All aye. Motion carried.

Motion by Stecklein seconded by Davies to approve the minutes from the November 22, 2016 meeting. All aye. Motion carried.

Motion by Thomsen seconded by Stecklein to open the public hearing at 4:01 p.m. for owner North Fork Flats LLC, and applicant Ryan Frasher who have applied for a special permitted use in the A-Agricultural Zoning District for property described as Parcel 2007-11, in Section 26 of Washington Township. More specifically, the special permitted use is for a seasonal dwelling unit according to Article XI Auxiliary and Seasonal Dwelling Units.

The Land Use Administrator indicated no written comments were received on the application. The Land Use Administrator did receive a call from an adjoining landowner questioning whether the property was in the IDNR Forest Legacy program. After researching, this particular parcel is not within the Forest Legacy program. All adjacent landowner certified letters were delivered.

The applicant and Board received the written report.

The Board discussed the road and location of the structure. Minimal timber will be removed and the structure will be located in a clearing. All setbacks will be met. Setbacks according to the Critical Resource Area Overlay District apply. There is a minimum setback of 100 feet between the building and river or stream corridor. The side yard setback shall be a 50 foot minimum.

According to the applicant, the building site has less than a 12% slope. However, it is recommended to install silt fences to prevent erosion. The Land Use Administrator will contact the NCRS to help the applicant prepare an erosion control plan.

Motion by Stecklein seconded by Thomsen to close the public hearing at 4:12 p.m. All aye. Motion carried.
Motion by Thomsen seconded by Stecklein to approve the special permitted use for owner North Fork Flats LLC, and applicant Ryan Frasher for a seasonal dwelling unit according to Article XI Auxiliary and Seasonal Dwelling Unit.

Roll call vote:
Thomsen – Aye
Stecklein- Aye
Davies – Aye
Zumbach -Aye
Hall – Aye

All aye. Motion carried. The application was approved. The red zoning sign was returned. The Land Use Administrator will issue the approval to the owner by mail.

Motion by Stecklein seconded by Davies to open the public hearing at 4:15 p.m. for the Iowa DOT as owner and Scout Services as applicant who have applied for a special permitted use in the A-Agricultural Zoning District for property located in Section 25 of Cass Township and is generally located 19036 140th St., Monticello which is at the intersection of Hwy 151 and E-23 County Home Rd. More specifically, the special permitted use is for a communication tower for the Iowa Statewide Interoperable Communications System (ISICS) according to Article XIV Wind Turbine and Communication Tower Requirements. All aye. Motion carried.

The Land Use Administrator indicated no written or verbal comments were received on the application. All adjacent landowner certified letters were delivered. The applicant and Board received the written report.

Terry Callahan from Scout Services indicates the goal of this project is to enhance public safety by allowing state agencies to be connected all on one frequency. The state is requiring the towers be located on all state owned property. Callahan indicated the existing tower may be able to be removed once the new tower is in place and operational. The public and Board discussed fencing, tower lighting, tower painting, setbacks, noise and emissions. Terry Callahan indicated that no noise or emissions will be produced from the tower. According to the site specifications, the tower will be located within a fenced enclosure, be painted aviation red and white according to the county’s ordinance, and have only red night time beacon lighting. The tower does not appear to comply with the setback regulation that requires a setback to be equal to the tower height. The tower height is 330’ and the setback to the property line is 150’. The company provided a letter from Valmont Structures explaining the engineering of the tower has a zero fall capability and ability to withstand high wind speeds. Tim Fay reported that the Historic Preservation Commission did review the application at their March 21, 2017 meeting and this tower location is not within ¼ mile from a historic view shed.

Motion by Stecklein seconded by Thomsen to close the public hearing at 4:28 p.m. All aye. Motion carried.
Motion by Davies seconded by Stecklein to approve the special permitted use for a communication tower for the Iowa Statewide Interoperable Communications System (ISICS) according to Article XIV Wind Turbine and Communication Tower Requirements.

Roll call vote:
Thomsen – Aye
Stecklein- Aye
Davies – Aye
Zumbach - Aye
Hall – Aye

All aye. Motion carried. The application was approved. The red zoning sign will be picked up by the Land Use Administrator. The Land Use Administrator will issue the approval to the owner and applicant.

Motion by Thomsen seconded by Davies to open the public hearing at 4:31 p.m. for owner and applicant Scott and Carlene Tenley, who have applied for a variance in the A-Agricultural Zoning District for property described as SW NE Section 7 of Hale Township and is generally located at 5499 Lily Rd., Olin. More specifically the variance request is to separate the existing house and outbuilding from the agricultural land for residential purposes. Said variance is being requested because the farm is less than the forty-two (42) acre minimum required for a farmstead split. All aye. Motion carried.

The Land Use Administrator indicated no written or verbal comments were received on the application. All adjacent landowner certified letters were delivered. The applicant and Board received the written report. The Land Use Administrator indicated that this parcel has been only a 40 acre tract as a farm “unit” since at least 1946. Scott Tenley indicated that his family owns approximately 200 acres adjacent to this property. His intention is to split the house from the farmland as an acreage and transfer for sale and retain the farmland for himself. He talked to the adjacent landowners/neighbors regarding the request and none were in objection. Thomsen had a question regarding the property and Tenley indicated the previous owner installed a bomb shelter on the property. The Land Use Administrator also indicated that the geothermal coils are located about 75 yards north of the house and whether the split will include any of these coils or if there will be an easement. It was discussed that a survey would protect the future buyers and property line boundaries would be clearly marked.

Motion by Thomsen seconded by Zumbach to close the public hearing at 4:40 p.m. All aye. Motion carried.

Motion by Davies to approve the variance with a condition that no further residential splits are allowed for property described as SW NE Section 7 of Hale Township. Motion died for a lack of a second. The Board felt that regulations for residential splits are located within the Jones County Zoning Ordinance and would not be allowed unless given a variance through the Board.

Motion by Stecklein seconded by Thomsen to approve the variance for property described as SW NE Section 7 of Hale Township to allow separation of the existing house and outbuilding from the
agricultural land for residential purposes with the condition that the split be completed by a licensed surveyor and contains a minimum of two (2) acres.

Roll call vote:
Thomsen – Aye
Stecklein- Aye
Davies – Aye
Zumbach - Aye
Hall – Aye

All aye. Motion carried. The application was approved. The red zoning sign was returned. The Land Use Administrator will issue the approval to the owner.

Next meeting, if needed, will be Tuesday, April 18, 2017 at 4:00 p.m.

The Land Use Administrator reported on the Beatty garage case from 2016. The case is currently in court and pending removal of more of the structure in order to meet the required setback. The Land Use Administrator will check out the structure in early April for an April 19, 2017 hearing date.

Motion by Stecklein seconded by Zumbach to adjourn at 4:50 p.m.

Jones County Board of Adjustment Meeting Minutes June 20, 2017 4:00 p.m.

Members present:
   Cindy Hall, Chairperson
   Paul Thomsen
   Catherine Davies

Member absent:
   Nicole Stecklein
   Ethan Zumbach

Staff present:
   Michele Lubben – Land Use Administrator

Visitors present:
   Roger and Connie Pegorick – 7741 County Rd X-75, Wyoming
   Shirley Brunscheen – 8097 50th Ave., Wyoming
   Kris Gobeli – 17785 County Rd D-62, Monticello

A quorum of members of the Jones County Board of Adjustment was achieved at 4:09 p.m. Chairperson Cindy Hall called the meeting to order.
Introductions of the Board of Adjustment, staff and visitors took place.

Motion by Thomsen seconded by Davies to approve the agenda for the meeting. All aye. Motion carried.

Motion by Davies seconded by Thomsen to approve the minutes from the March 21, 2017 meeting. All aye. Motion carried.

Motion by Thomsen seconded by Davies to open the public hearing at 4:10 p.m. for applicants, Roger L. and Kyle Pegorick and owner Wanda L. Pegorick, who have applied for a special permitted use in the Agricultural Zoning District for property described as SW ¼ NW ¼ except the East 300’ of the North 300’ of Section 31 of Wyoming Township. More specifically, the proposal is to move their existing direct farm trucking business to this location and build a 50’ x 100’ building and adjacent wash pit.

The Land Use Administrator indicated no written or verbal comments were received on the application. The adjoining landowners received all certified letters. The applicant and Board received the written report.

The applicant explained there were two reasons for wanting to move the trucking business from the current location along Hwy 136 to this location. The first reason is the current location is not big enough for the trucks. Roger and his son Kyle have two trucks with two grain trailers and two livestock trailers. The second reason is that the current location of the business has received flooding six times since November 1, 1981 with at least 14-18 inches of water. With the new county bridge along X-75, a fear is the water will flow at a faster rate allowing more water to flow to his current location. His plans are to sell the current location. He has a few potential buyers and would like the new building to be completed before winter. It is a 50’ x 100’ ft. building. The building will currently be located on land owned by his mother and family. The wash pit will be 10 foot deep and the dimensions are 10 ft. x 52 ft. The pit will contain the excess water from washing trucks for the business. The wash pit will not be for any other commercial purpose. It will be used by the trucking business or for personal farming practices. The water will be pumped from the pit as needed and can be spread out on the ground owned by the Pegorick family. Environmental Services will require a permit for a septic if there is plumbing within the building. NCRS office will require silt fences to prevent soil erosion as listed within the written report.

Motion by Thomsen seconded by Davies to close the public hearing at 4:24 p.m. All aye. Motion carried.

Motion by Thomsen seconded by Davies to approve the special permitted use for a direct farm supply business located in SW ¼ NW ¼ of Section 31 of Wyoming Township.

Thomsen – aye
Davies – aye
Hall – aye.

All aye. Motion carried. The applicant returned the red zoning signs and the approval will be issued by mail.

Next meeting, if needed, will be July 11, 2017 due to out of office of the Land Use Administrator on July 18th.

Motion by Thomsen seconded by Davies to adjourn at 4:30 p.m. All aye. Motion carried.

Jones County Board of Adjustment    Meeting Minutes    July 11, 2017 4:00 p.m.

Members present:
   Cindy Hall, Chairperson
   Paul Thomsen
   Catherine Davies
   Ethan Zumbach

Member absent:
   Nicole Stecklein

Staff present:
   Michele Lubben – Land Use Administrator

A quorum of members of the Jones County Board of Adjustment was achieved at 4:00 and the meeting was called to order at 4:01 p.m. by Chairperson Cindy Hall.

Motion by Davies seconded by Thomsen to approve the agenda for the meeting. All aye. Motion carried.

Motion by Thomsen seconded by Davies to approve the minutes from the June 20, 2017 meeting. All aye. Motion carried.

The Land Use Administrator discussed ground rules for meeting conduct.

Motion by Davies seconded by Zumbach to re-appoint Cindy Hall as Chairperson for 2017-2018. All aye. Motion carried.

Motion by Davies seconded by Zumbach to adopt the Board of Adjustment Administrative Rules as presented. All aye. Motion carried.

The Land Use Administrator and Board discussed the practice of imposing conditions on Board of Adjustment applications. The Land Use Administrator and Board reviewed previous conditions put onto applications since 2012, the ISU Intro to Planning and Zoning information regarding Special Permitted
Uses and Conditional Uses, and incorporating the Land Use Administrator’s written report as part of the approval process. No action was taken.

Next meeting, if needed, will be August 15, 2017 and applications for this meeting will be due no later than Wednesday, July 26, 2017.

Motion by Thomsen seconded by Zumbach to adjourn at 5:07 p.m. All aye. Motion carried.

**Jones County Board of Adjustment**  **Meeting Minutes**  **August 15, 2017 4:00 p.m.**

Members present:
- Cindy Hall, Chairperson
- Paul Thomsen
- Catherine Davies
- Ethan Zumbach

Member absent:
- Nicole Stecklein

Staff present:
- Michele Lubben – Land Use Administrator

Visitors present:
- Mike and Cindy Davies – 23478 County Rd-34, Anamosa
- Bill Coohey – Anamosa Journal-Eureka
- Rick Ellison – applicant/owner
- Ned Rohwedder – Supervisor
- Lloyd Eaken – Supervisor
- Jim McElheny – P&Z member

A quorum of members of the Jones County Board of Adjustment was achieved at 4:00 p.m. and the meeting was called to order by Chairperson Cindy Hall.

Motion by Zumbach seconded by Thomsen to approve the agenda for the meeting. All aye. Motion carried.

Motion by Thomsen seconded by Davies to approve the minutes from the July 11, 2017 meeting. All aye. Motion carried.

Motion by Thomsen seconded by Davies to open the public hearing at 4:02 p.m. for owner and applicant Ricky Ellison who has applied for a variance to the Jones County Zoning Ordinance for property legally
described as Parcel 2001-169 in the NW ¼ SW ¼ Section 16 of Fairview Township containing .77 acres and generally located at 22962 County Rd E-34, Anamosa, IA. More specifically, the proposal is to allow more signage than allowed by Article XVI Sign Requirements Section 3. C. 3. b. on the JoCo Roadhouse building. The Land Use Administrator noted that the Board received the application, written report, and information on previous sign applications. The applicant was sent a copy of the written report. No formal written or verbal comments were received, however, several calls concerning weeds and the business were received, none of the comments were against the signage.

The owner discussed that the variance stems from a misunderstanding and not knowing the sign regulations. There are three signs on the property and at no time can all three signs be seen at the same time. Signs were done by Bret Rickards from Lisbon and he did not realize the sign regulations. Neighbors appear to not have any issues with the current signage. Ellison mentioned that some shrubs and a walnut tree will be removed from the property. The Board discussed the zoning restrictions on the property from when the Planning & Zoning Commission did the rezoning request. The Board members present did not have any complaints on the signs and expressed concern that the sign ordinance is too restrictive.

Motion by Thomsen, seconded by Zumbach to close the public hearing at 4:22 p.m. All aye. Motion carried.

The Board reviewed the Variance Qualification Factors, Variance Checklist, and Other Considerations in the written report.

Motion by Zumbach seconded by Thomsen to approve the variance request to allow more signage than allowed by Article XVI Sign Requirements. Roll call vote:

Thomsen – Aye
Zumbach – Aye
Davies – Nay
Hall – Aye

Motion carries with a vote of 3-1. The red zoning sign was returned and the approval will be issued.

The next meeting date was set for September 19, 2017 at 4:00 p.m.

Motion by Thomsen seconded by Davies to adjourn at 4:36 p.m. All aye. Motion carried.
A quorum of members of the Jones County Board of Adjustment was achieved at 4:00 p.m. and the meeting was called to order by Chairperson Cindy Hall.

Motion by Stecklein seconded by Thomsen to approve the agenda for the meeting. All aye. Motion carried.

Motion by Thomsen seconded by Stecklein to table approval of the August 15, 2017 minutes until the next meeting due to Stecklein was not at the August 15, 2017 meeting. All aye. Motion carried.

Motion by Thomsen seconded by Stecklein to open the public hearing at 4:01 p.m. for owner and applicant Ronald Dean Wood who has applied for a variance to the Jones County Zoning Ordinance for property legally described as Lot 5 of Chipman's Addition, in Section 10 of Fairview Township, containing a total of 1.17 acres and generally located at 21597 County Rd E-34, Anamosa. More specifically, the proposal is to allow more wall signage than allowed by Article XVI Sign Requirements Section 3. C. 3. b. on the Anamosa Storage Mart building.

The Land Use Administrator noted that the Board received the application, written report, and information on previous sign applications. The applicant was sent a copy of the written report. A verbal comment was received from an adjacent landowner, Thomas Byrne who could not be at the meeting today, indicating that he is not opposed to the signage. He is opposed to any future structure being built right on the property line. Also, he wants a retaining wall built on the property line where some previous dirt work was done so that he can plant hedges along his property line. I received a few other phone calls regarding the red zoning sign, however, none of the comments were against the signage. All certified landowner letters were received.
Dean Wood discussed the current signage. He currently has two wall signs on the Anamosa Storage Mart building. It was his understanding after the rezoning that he could have two signs. The post sign indicating Anamosa Furniture Mart was removed near the road and he thought he could replace it with an additional wall sign instead of another post sign. According to the zoning ordinance, C-1 Commercial property is allowed one post sign not to exceed 32 square feet and 6 feet in height and one sign attached to the building (wall sign) not to exceed 25% of the wall of the building. The application also stated a request to add a possible 2 x 8 ft. sign beneath the current signs to advertise a potential tool rental business that will be ran out of a second (depot) building. The Board discussed the sign on the gator. The Land Use Administrator pointed out that according to Article XVI Sign Regulations Section 3.A. 8. that no portable/temporary sign shall be erected, or displayed, which includes signs with wheels or wheels removed, with a chassis or support be transported by a trailer. It was determined that the sign on the gator must be removed, however, the sign could possibly be put as a post sign if approved with a permit and can meet the regulations.

The Board and the visitors discussed the current ordinance, the previous approval for wall signage for Rick Ellison on August 15, 2017, regulations within the ordinance regarding a Variance and possible changes to the sign regulations.

Motion by Stecklein, seconded by Thomsen to close the public hearing at 4:30 p.m. All aye. Motion carried.

The Board discussed revisiting the sign regulations, reviewed the Variance Qualification Factors, Variance Checklist, and Other Considerations in the written report.

Motion by Stecklein seconded by Thomsen to approve the variance request to allow more signage than allowed by Article XVI Sign Requirements due to unique circumstances.

Roll call vote:
Thomsen – Aye
Stecklein – Aye
Hall – Aye
Hall – Aye

All aye. Motion carried. The red zoning sign was returned and the approval will be issued.

Motion by Stecklein seconded by Thomsen to open the public hearing at 4:31 p.m. for owner Arvin & Kathie Danielson Revocable Trust and applicant Arvin Danielson have applied for a special permitted use in the A-Agricultural Zoning District for property described as NE NE except SE corner 4 acres, in Section 9 of Wyoming Township. More specifically, the special permitted use is for a seasonal dwelling unit according to Auxiliary and Seasonal Dwelling Unit Article XI.
The Land Use Administrator noted that the Board received the application, written report, and information on previous sign applications. The applicant was sent a copy of the written report. There were no written or verbal comments received on the application. Two certified letters were delivered, a third letter, adjacent landowner Lorraine LaGrange indicates the Post office attempted delivery, however, action is needed for her PO Box in Wyoming.

Danielson discussed the process in which he bought the property from Lee Kurtenbach and moved from Solon, IA and remodeled the original 600 sq. ft. Sears catalog home. They also remodeled it into a 1000 sq. ft. home and are wanting to build a new house approximately 55 ft. away. He did not realize that you cannot have two houses on one parcel and that is the reason to apply for the seasonal dwelling. He has friends and family come out to hunt and they would have a place to stay. The Board discussed the historical aspects of the original home and reasons to want to keep both as dwellings.

There were no comments from the public.

Motion by Thomsen, seconded by Stecklein to close the public hearing at 4:45 p.m. All aye. Motion carried.

Motion by Thomsen seconded by Stecklein to approve the special permitted use for a seasonal dwelling unit according to Auxiliary and Seasonal Dwelling Unit Article XI.

Roll call vote:
Thomsen – Aye
Stecklein – Aye
Hall – Aye

All aye. Motion carried. The red zoning sign was returned, therefore, the permit will be issued.

The next meeting date was set for October 17, 2017 at 4:00 p.m.

The Board discussed an upcoming joint meeting with the Board of Supervisors and the Planning and Zoning Commission on November 21, 2017 at 6:00 p.m.

Motion by Thomsen seconded by Stecklein to adjourn at 4:50 p.m. All aye. Motion carried.
Member absent:
   Catherine Davies
   Ethan Zumbach

Staff present:
   Michele Lubben – Land Use Administrator

Visitors present:
   Jeb and Jill Supple – 23776 Hwy 136, Cascade
   Chris Wiese – CellSite Solutions LLC representative 1720 I Ave NE Cedar Rapids
   Jerry Muldowney – B + T GRP, Engineer, Mesa, AZ
   Lloyd Eaken – 23252 Fairview Rd, Anamosa - Supervisor

A quorum of members of the Jones County Board of Adjustment was achieved at 3:07 p.m. and the meeting was called to order by Chairperson Cindy Hall.

Introductions of the Board of Adjustment, staff and visitors took place.

Motion by Stecklein seconded by Thomsen to approve the agenda for the meeting. All aye. Motion carried.

Motion by Thomsen seconded by Stecklein to approve the August 15, 2017 and September 19, 2017 meeting minutes. All aye. Motion carried.

Motion by Thomsen seconded by Stecklein to open the public hearing at 3:08 p.m. for deed holders Stephen and Jan Supple and contract holders Jeb & Jill Supple who have applied for a special permitted use in the A-Agricultural Zoning District for property described as SE NW except Parcel 2005-147, in Section 7 of Washington Township generally located along Eby’s Mill Rd. More specifically, the special permitted use is for a communication tower according to Article XIV Wind Turbine and Communication Tower Requirements.

The Land Use Administrator noted that the Board received the application, written report, and information relating to the proposed communication tower. The applicant and owner were sent a copy of the written report. No written or verbal comments were received. All certified landowner letters were received.

Jerry Muldowney, engineer from B+T GRP presented information regarding the proposed tower starting with the primary tenant will be Cover 2 which is a partnership with independent Iowa telephone companies to build a 5S site network across Iowa. The network will be a roam only network, partnered with AT&T, that will provide LTE coverage for AT&T mobility customers and FirstNet subscribers.
FirstNet is a federally commissioned nationwide mobile network for emergency services personnel (police, fire, EMT). Iowa has opted-in as a state and the service will provide priority and preemption for emergency services subscribers at all times so their service is always available during an emergency or crisis. With the addition of FirstNet, they expect the addition of at least two more towers within Jones County within the next year. This tower will be built with extra capacity which will allow for co-location to reduce future towers in the area and it will help pay for the investment in the proposed tower. Mr. Muldowney is in agreement with the Land Use Administrator’s written report and comments from other departments and wished to review the checklist as follows:

- Is co-location on another tower a possibility? According to Mr. Muldowney, co-location was not an option for this site. Even though there is a tower 1500’ away, that tower is only 170’ tall and does not have adequate space at the required height for additional antennae. The best coverage area can be reached at 250’ which is taller than the current tower. Also, adding additional equipment on the nearby tower could cause structural issues. Section 5.A.
- The proposed tower is within the Agricultural Zoning District as provided within the zoning ordinance. Section 5.C.
- The tower will be located on a lot size greater than 20,000 sq. feet. The entire parcel is located on 36.6 acres. Section 6.A.
- The tower is less than 350 feet. The proposed tower is 250 feet. Section 6.B.
- Does the proposed tower meet the setbacks within the ordinance? The current specifications do not meet the required setbacks. Towers are required to have a 100 ft. setback from the property line or a distance equal to the height of the tower, whichever is greater. This would indicate the required setback would be 250 feet, however, with the current design technology and request to preserve the production agricultural ground, the tower has been designed to collapse upon itself in case of damage to the tower. The engineer is not worried about damage to county roads or right-of-way because of the design of the tower and the probability is that the utility lines would be compromised before damage to the tower. In relation to the setback to the property line to the north near the hog confinement, it was noted that ownership is controlled by the same entity. There is contiguous ownership between the two parcels. A letter was provided by Valmont Structures certifying the zero fall radius for the tower. Section 6. C.
- The tower is not within 200 feet of a proposed residence. Section 7.A.
- Is the tower equipped with red night time beacon lighting and painted aviation red and white? According to the specifications, the tower will be in accordance with all local regulations. The requirements were discussed and alternatives such as a dual-lighting system on a steel colored tower. The Land Use Administrator updated the Board of Adjustment on recent discussions with the 911 Coordinator and the Planning & Zoning Commission regarding painting towers aviation red and white and only allowing red night time beacons. The Commission is not wanting to change the ordinance at this time. Section 7. B.
- The tower will not have any other signage or advertising on it. Section 7. C.
- The proposed tower will not interfere with existing or proposed public safety communication. The tower should enhance public safety communication using the FirstNet system. Section 7. D.
- The tower is outside of a flood plain. Section 7. E.
• The application has not been reviewed by the Jones County Historic Preservation Commission. Section 7. F. The Land Use Administrator discussed the application with the chair, Rose Rohr and she will put it on their next agenda on November 14, 2017. It appears the tower could have an impact on the viewshed of Cascade and she will verify from the State Historic Preservation Commission whether this can be approved. Mr. Muldowney also indicated that the tower must be reviewed by federal and state entities for historic places and/or tribes that could be affected. The Board felt that the viewshed of Cascade was not impacted at this location. The viewshed of Cascade is north on Hwy 136 going towards Cascade.

• All tower site plan requirements were outlined within the application. Section 8.

• Information has been received regarding the ownership of the tower, FCC Antenna Structure Registration Number, management of the tower and three contacts and the name of the leasor and lease. Section 11.

Motion by Thomsen, seconded by Stecklein to close the public hearing at 3:50 p.m. All aye. Motion carried.

Motion by Stecklein seconded by Thomsen to approve the special permitted use request for a communication tower according to Article XIV Wind Turbine and Communication Tower Requirements for applicant Jeb Supple with the following conditions:
- Setbacks within the ordinance are less than the required minimum because of the zero fall zone radius and property has contiguous ownership.
- The tower shall be painted aviation red and white and be equipped with red night time beacon lighting only as required by the ordinance unless future changes to the ordinance allow for alternatives approved by the FAA.
- The application is reviewed by the Jones County Historic Preservation Commission.

Roll call vote:
Thomsen – Aye
Stecklein – Aye
Hall – Aye

All aye. Motion carried. The red zoning sign was returned and the approval will be issued.

The Board discussed recent approvals by the Land Use Administrator and an upcoming joint meeting with the Board of Supervisors and the Planning and Zoning Commission on November 21, 2017 at 6:00 p.m. The Board discussed their next meeting will be on Tuesday, November 21, 2017 at 4:00 p.m. for applications to be heard. The November 21, 2017 meeting deadline is Wednesday, November 1, 2017.

Motion by Stecklein seconded by Thomsen to adjourn 4:15 p.m. All aye. Motion carried.
Members present:
  Cindy Hall, Chairperson
  Paul Thomsen
  Nicole Stecklein
  Catherine Davies
  Ethan Zumbach

Member absent:
  None

Staff present:
  Michele Lubben – Land Use Administrator

Visitors present:
  Jay Willems, Attorney – 301 E. Main St., Anamosa
  Jim McElheny, P&Z member – 20263 42nd St., Anamosa
  Dwight Reid, applicant – 117 Deann Dr., Manchester
  Blake Reid, Monument CO
  Shawn Sterk – 3246 70th St., Wyoming
  Lynn Sterk – 5694 30th Ave., Oxford Junction
  Adrian Knuth – Attorney – 320 W. Main St., Anamosa
  Bill Seeley, applicant – 17397 150th St., Monticello
  Jerry Casper, Anamosa
  Richard Wolken – 17324 150th St., Monticello

A quorum of members of the Jones County Board of Adjustment was achieved at 4:30 p.m. and the meeting was called to order by Chairperson Cindy Hall.

Introductions of the Board of Adjustment, staff and visitors took place.

Motion by Stecklein seconded by Davies to approve the agenda for the meeting. All aye. Motion carried.

Motion by Stecklein seconded by Thomsen to approve the October 17, 2017 meeting minutes. All aye. Motion carried.

Motion by Thomsen seconded by Stecklein to open the public hearing at 4:31 p.m. for applicant Dwight Reid, and owners Dwight & Ann Reid, Curtis & Lynette Reid, Reid Family Trust, Reids Ox Bow Inc., and Balance Rock LLC., who have applied for a special permitted use in the A-Agricultural Zoning District for property they own located in Sections 14, 23 and 26 of Clay Township. More specifically, the special permitted use is for a deer hunting/outfitting business according to Article IX Commercial Recreation Uses. A more detailed map and legal descriptions of the affected parcels can be found on the Board of Adjustment page of www.jonescountyiowa.org or by contacting the Land Use Administrator.
The Land Use Administrator noted that the Board received the application, written report, maps and information relating to the proposed special permitted use. The applicant was sent a copy of the written report. No written or verbal comments were received. All certified landowner letters were received.

Applicant Dwight Reid explained the application for the special permitted use is for a proposed hunting business. Dwight explained it will be a family business and family continue to be involved in the farming operation. The family owns this farm ground and much of it is a great natural resource for hunting. They will not be bringing in deer for hunting. They will allow three (3) hunters at a time on the property. They will provide deer stands with tethers. They would like to limit the type of guns used on the property to single shot or musket. No fast acting type guns. The outfitting business will be a pole building that will have equipment and services for hunters. The electric ATV’s will be stored there and showers will be available for hunters. No lodging or food preparation will take place on site. Property boundaries will be clearly marked with signs. The Land Use Administrator distributed the flood plain map. No construction will take place within the flood zone. The new pole building will have to adhere to county and state regulations regarding septic and wells. A new entity called Tin Buck Two LLC will operate the business, however, the land will stay with the family.

Motion by Stecklein, seconded by Thomsen to close the public hearing at 4:53 p.m. All aye. Motion carried.

Motion by Thomsen seconded by Zumbach to approve the special permitted use request for a commercial recreational use according to Article IX Commercial Recreation Use for applicant Dwight Reid.

Roll call vote:
Thomsen – Aye
Stecklein – Aye
Hall – Aye
Zumbach – Aye
Davies - Aye

All aye. Motion carried. The red zoning signs were returned and the approval will be issued.

Motion by Stecklein seconded by Thomsen to open the public hearing at 5:15 p.m. for owner William B. Seeley who has filed an appeal for property described as Dirks Add Lot 2 in Section 29 of Wayne Township generally located at 17397 150th St., Monticello. The appeal is to a Land Use Administrators decision to the Farmstead/Farmland split requirements within Article V. Section 1. B. 6. e. The request is to allow a split of an acreage from a tract less than 42 acres within the Agricultural Zoning District.
The Land Use Administrator noted that the Board received the application, written report, maps and information relating to the proposed appeal. The applicant was sent a copy of the written report. No verbal comments were received. One written comment was received and was read by the Land Use Administrator. All certified landowner letters were received.

Adrian Knuth, representing William Seeley, explained that the Seeley’s wish to split off the farmstead and build a new home on the remaining 10 acres and his interpretation of the ordinance is that the 40 acres remaining is not required to complete a Farmstead split.

Knuth states that according to Iowa Law, any narrow interpretation of zoning should be in benefit of the landowner. And according to the ordinance, in Article V. Section 1. B.6. it explains the split of a bare piece of ground, but the “in addition” portion in e., indicates that if you have a farm of 10 acres or more, it should permit a one time split of a farmstead. He explained the Seeley’s bought the 13.41 acres from Merle and Etta Dirks and it was split at that time into three building lots. Seeley’s bought Lot 2, and Wolken’s own Lot 1 and Lot 3.

The Board did discuss the wording within the ordinance, and the application before them is to decide whether the interpretation of the Land Use Administrator is correct.

Jim McElheny discussed recent text amendments and the redundancies that were removed within the Agricultural Zoning District and to explain the original intent of the zoning ordinance and discussions with previous supervisors and P&Z members.

The Board reviewed information within the written report and discussed previous Variance applications. Again, the Board discussed that before them was to decide if the interpretation of the ordinance is correct.

Motion by Stecklein seconded by Thomsen to close the public hearing at 5:50 p.m. All aye. Motion carried.

Motion by Stecklein seconded by Davies to table the appeal until December 19, 2017 at 4:00 p.m. for consultation with the County Attorney.

Roll call vote:
Thomsen – Aye
Stecklein – Aye
Hall – Aye
Zumbach – Aye
Davies - Aye

All aye. Motion carried. The red zoning sign was returned.
Motion by Stecklein seconded by Zumbach to adjourn at 5:56 p.m. All aye. Motion carried.

The meeting then moved to the Basement Conference Room for a joint meeting with the Board of Supervisors and the Planning & Zoning Commission. Items discussed were legal opinions regarding the zoning ordinance and related matters, policy options regarding violations of the zoning ordinance, review powers of the Board of Adjustment, discuss Sign Requirements, discuss roles of county officials when interacting with other Boards at official meetings, and review the role of continuing education for volunteer boards. No formal action took place.

Next meeting will be Tuesday, December 19, 2017 at 4:00 p.m.

Jones County Board of Adjustment Meeting Minutes December 19, 2017, 4:00 p.m.

Members present:
    Cindy Hall, Chairperson
    Paul Thomsen
    Nicole Stecklein, as indicated
    Catherine Davies
    Ethan Zumbach, as indicated

Member absent:
    None

Staff present:
    Michele Lubben – Land Use Administrator

Visitors present:
    Brian Gavin, ReMax Realtor, Cascade
    Roger Graff, 1508 County Rd D-61, Cascade
    Mike and Cindy Davies, Anamosa
    Bill Seeley, applicant – 17397 150th St., Monticello
    Jerry Casper, Anamosa
    Carter Kramer – CellSite Solutions, Cedar Rapids
    Chris Wiese – CellSite Solutions, Cedar Rapids

A quorum of members of the Jones County Board of Adjustment was achieved at 4:00 p.m. and the meeting was called to order by Chairperson Cindy Hall.

Introductions of the Board of Adjustment, staff and visitors took place.

Motion by Thomsen seconded by Davies to approve the agenda for the meeting. All aye. Motion carried.
Motion by Stecklein seconded by Davies to approve the November 19, 2017 meeting minutes. All aye. Motion carried.

Motion by Thomsen seconded by Stecklein to move the application for the appeal off the table. All aye. Motion carried.

The Board reviewed a letter from Attorney Adrian Knuth regarding the interpretation of the ordinance and the county attorney’s opinion and response to Adrian Knuth. Again, the Board discussed that before them was to decide if the interpretation of the Land Use Administrator was correct.

Davies’ opinion concurs with the Land Use Administrators decision due to the following reasons:

- The request does not comply with Article V, Section 1. A. B. 6. Farmland splits for residential purposes. The request also does not meet the requirements within the ordinance; the intent of the ordinance is to allow a farmstead split for residential purposes and farmstead splits must have a remaining 40 acres from the parent parcel after separation.
- The Land Use Administrator has worked with the Planning & Zoning Commission and the Board of Supervisors on the interpretation of the farmland/farmstead split on multiple occasions. The interpretation allowing a Farmstead and a single Farmland split of a minimum two acres with a residual of 40 acres has been consistent.
- The opinion of the County Attorney concurs with the Land Use Administrator’s decision.
- Variances to the 40 acre requirement have been granted previously by the Board of Adjustment based on individual site conditions, but this request does not come close to meeting the residual requirements and does not have the same intention as previous variances.
- Jim McElheny, a member of the Planning & Zoning Commission, testified at the last meeting on the history and tradition of the “farm split” intent since 1998 based on his discussions with former and current Supervisors and the current Planning & Zoning Commission members.
- The proposed land split/division, would constitute a fourth lot in this pre-existing, non-conforming subdivision, which would not be approved by the Planning & Zoning Commission under the current subdivision regulations because it is in the Agricultural District and is over ½ mile from a hard surfaced road.
- Denial of the appeal does not appear to deprive the owner of reasonable use of the property nor does it create any unnecessary hardship.

Stecklein was torn and is in favor of one’s free use of their property, but can also appreciate the regulations in place for the intent to keep agricultural uses and not for development. The Board discussed the definition of a farm, whether for zoning or tax purposes. Davies indicated the action for the Board is to determine whether the interpretation of the Land Use Administrator was correct based on the ordinance.
Motion by Davies seconded by Thomsen to uphold the ruling of the Land Use Administrator on the appeal application for William B. Seeley in Section 29 of Wayne Township based on the above reasons stated during the hearing.

Roll call vote:
Thomsen – Aye
Stecklein – Aye
Davies – Aye
Hall - Nay

Motion carried with a 3-1 vote. The Board of Adjustment shall issue its decision in writing specifying the reason for its decision. The written decision will be sent to the owner by mail and email. Pursuant to Iowa Code Section 335.18, any landowner aggrieved by a decision rendered under this Ordinance by the Board of Adjustment may file a petition with the District Court within thirty (30) days after the decision has been issued by the Board of Adjustment. (Section 12 of Article XXI of the Jones County Zoning Ordinance)

Board member Zumbach arrived at 4:15 p.m.

Motion by Stecklein seconded by Davies to open the public hearing at 4:15 p.m. for owner Roger Graff who has applied for a Variance in the A-Agricultural Zoning District for property described as Parcel 2017-33, in Section 12 of Washington Township generally located at 1508 County Rd. D-61, Bernard. More specifically, the request is for an additional split of one acre adjacent to a previously approved farmstead split from April 2017. This farm has already completed both the one time farmstead and farmland splits previously in 2017 and is not eligible for further residential splits in the A-Agricultural Zoning District. All aye. Motion carried.

The Land Use Administrator noted that the Board received the application, written report, maps and information relating to the variance application. The applicant was sent a copy of the written report. No written or verbal comments were received. All certified landowner letters were received.

Brian Gavin spoke regarding the application and that the initial buyer of the two (2) acre parcel backed out of the purchase at the last minute. New potential buyers are demanding an additional acre to be split from the adjacent farmground and added to the residential acreage. Stecklein reviewed the Variance Checklist and Qualification factors within the written report. Stecklein agreed that the variance is not contrary to the public interest, to regulations governing septic and well systems, and allows for adequate distance between structures on the lot, and will not substantially alter the character of the locality and the approval best serves the interest of justice. She did not think special conditions exists or enforcement of the provisions would result in an unnecessary hardship or that the site cannot yield a reasonable return if used only as zoned, is not due to unique circumstances, and is a self-created problem.

Motion by Thomsen, seconded by Stecklein to close the public hearing at 4:39 p.m. All aye. Motion carried.
Discussion amongst the Board members regarding setting a precedence and enforcement of the ordinance took place.

Zumbach made a motion to approve the variance application Roger Graff in Section 12 of Washington Township. The motion died for a lack of a second.

Motion by Davies seconded by Stecklein to deny the Variance application for Roger Graff in Section 12 of Washington Township because the request was created by the applicant’s own actions, in not due to unique circumstances, and the owner is not deprived of all beneficial use of the land.

Roll call vote:
Thomsen – Nay
Zumbach – Nay
Davies – Aye
Stecklein – Aye
Hall – Nay

Motion fails 2-3.

Motion by Zumbach seconded by Thomsen to approve the Variance application with a condition for Roger Graff in Section 12 of Washington Township. The condition is that after the property is properly surveyed, there shall be only one 3-acre parcel for residential purposes and is being approved due to circumstances that were beyond the owners control.

Roll call vote:
Thomsen – Aye
Zumbach – Aye
Davies - Nay
Stecklein – Nay
Hall – Aye

Motion carries 3-2. The red zoning sign was returned and the approval will be issued.

Motion by Thomsen seconded by Stecklein to open the public hearing at 4:53 p.m. for the Marcia A. Eichhorn Living Trust and Sandra Etter as owners and Chris Wiese of CellSite Solutions and Commonground Capital as the applicant and Jeffrey A. Monck and applicant Chris Wiese of CellSite Solutions and Commonground Capital as applicant, who have both applied for special permitted uses in the A-Agricultural Zoning District for properties located in Section 24 of Madison Township and is legally described as the S ½ SE SW N & E of Rd. which is approximately .53 miles NW of the Madison Rd and Hwy 64 intersection and Section 7 of Wayne Township and is legally described as the NW NW, located generally along 180th St., Monticello. More specifically, the special permitted uses are for communication towers according to Article XIV Wind Turbine and Communication Tower Requirements.
The Land Use Administrator noted that the Board received the application, written report, and information relating to the proposed communication towers. The applicant and owners were sent a copy of the written report. No written or verbal comments were received. All certified landowner letters were received.

Carter Kramer CEO of CellSite Solutions presented information regarding the proposed towers stating that the primary tenant will be Cover 2 which is a partnership with independent Iowa telephone companies to build a 55 site network across Iowa. The network will be a roam only network, partnered with AT&T, that will provide LTE coverage for AT&T mobility customers and FirstNet subscribers. FirstNet is a federally commissioned nationwide mobile network for emergency services personnel (police, fire, EMT). Iowa has opted-in as a state and the service will provide priority and preemption for emergency services subscribers at all times so their service is always available during an emergency or crisis. These towers will be built with extra capacity which will allow for co-location to reduce future towers in the area and it will help pay for the investment in the proposed tower. The Board reviewed the checklist for both towers.

- Is co-location on another tower a possibility? Co-location was not an option for these sites. These towers will have the opportunity for future co-location options, however, adding additional equipment on the nearby towers could cause structural issues, the height and location of nearby towers did not give the necessary coverage, and co-location was not economically feasible in these scenarios. Section 5.A.
- The proposed towers are within the Agricultural Zoning District as provided within the zoning ordinance. Section 5.C.
- The towers will be located on a lot size greater than 20,000 sq. feet. Section 6.A.
- Both towers are less than 350 feet. Section 6.B.
- Does the proposed tower meet the setbacks within the ordinance? All applicable setbacks can be met with both locations. Section 6.C.
- Neither tower is located within 200 feet of a proposed residence. Section 7.A.
- Is the tower equipped with red night time beacon lighting and painted aviation red and white? According to the specifications, the towers will be in accordance with all local regulations. The requirements were discussed and alternatives such as a dual-lighting system on a steel colored tower. The Land Use Administrator reminded the Board of the requirement for painting towers aviation red and white and only allowing red night time beacons. The Wyoming Tower will be required to be painted red and white and only have red night time beacon lighting. The Langworthy Tower is a monopole structure less than 200 feet and is not required to be painted or lighted due to FAA specifications. Section 7.B.
- The towers will not have any other signage or advertising on it. Section 7.C.
- The proposed towers will not interfere with existing or proposed public safety communication. These towers will enhance public safety communication using the FirstNet system. Section 7.D.
- Both towers are outside of a flood plain. Section 7.E.
- The applications have been reviewed by the Jones County Historic Preservation Commission. Section 7.F.
• All tower site plan requirements were outlined within the applications. Section 8.
• Information will be sent by Chris Wiese regarding the ownership of the tower, FCC Antenna Structure Registration Number, management of the tower and three contacts and the name of the leasor and lease. Section 11.

Board member Stecklein left the meeting at 5:00 p.m.

Motion by Thomsen, seconded by Zumbach to close the public hearing at 5:10 p.m. All aye. Motion carried.

Motion by Thomsen seconded by Davies to approve the special permitted use request for a communication tower according to Article XIV Wind Turbine and Communication Tower Requirements for Marcia A. Eichhorn Living Trust and Sandra Etter as owners and Chris Wiese of CellSite Solutions and Commonground Capital as the for property located in Section 24 of Madison Township for a 300’ guyed communication tower according to Article XIV Wind Turbine and Communication Tower Requirements with the following conditions:
  - The tower shall be painted aviation red and white and be equipped with red night time beacon lighting only as required by the ordinance unless future changes to the ordinance allow for alternatives approved by the FAA.
  - Information will be sent regarding the ownership of the tower, FCC Antenna Structure Registration Number, management of the tower and three contacts and the name of the leasor and lease. Section 11.

Roll call vote:
Thomsen – Aye
Zumbach – Aye
Davies - Aye
Hall – Aye

All aye. Motion carried. The red zoning sign was returned and the approval will be issued.

Motion by Zumbach seconded by Davies to approve the special permitted use request for a 190’ monopole communication tower according to Article XIV Wind Turbine and Communication Tower Requirements for owner Jeffrey A. Monck and applicant Chris Wiese of CellSite Solutions and Commonground Capital as applicant, for property located in Section 7 of Wayne Township and is legally described as the NW NW, located generally along 180th St., Monticello with the following conditions:
  - Information will be sent regarding the ownership of the tower, FCC Antenna Structure Registration Number, management of the tower and three contacts and the name of the leasor and lease. Section 11

Roll call vote:
Thomsen – Aye
Zumbach – Aye
Davies - Aye
Hall – Aye

All aye. Motion carried. The red zoning sign was returned and the approval will be issued.

Next meeting, if needed, will be January 16, 2018 at 4:00 p.m. Deadline for applications for this meeting will be December 27, 2017.

Motion by Thomsen seconded by Zumbach to adjourn the meeting at 5:20 p.m.
A quorum of members of the Jones County Board of Adjustment was achieved at 4:00 p.m. and the meeting was called to order by Chairperson Cindy Hall.

Introductions of the Board of Adjustment and staff took place. Visitors were requested to sign in on the sign in sheet.

Motion by Davies seconded by Thomsen to approve the agenda for the meeting. All aye. Motion carried.

Motion by Thomsen seconded by Davies to approve the December 19, 2017 meeting minutes. All aye. Motion carried.

Motion by Thomsen seconded by Davies to open the public hearing for owner, BSR Land Company LLC. (Bryce Ricklefs) and applicant Tri-County Propane LLC, for a special permitted use in the Agricultural Zoning District for property legally described as NW SE of Section 19 of Fairview Township generally located at 9524/9526 Hwy 151, Anamosa, containing a total of 37.58 acres. More specifically, the proposal is to add an 18,000 LP tank for Tri-County Propane for a refill station to service rural customers in Jones and Linn Counties. All aye. Motion carried.

Stecklein arrived at 4:05 p.m.

Applicant Robert Hinz explained that this proposal is for a refill station for his business, Tri-County Propane. His current business is outside of Monticello and he is currently looking to add a refill station to this location to allow him to service his customers, go to this location to refill instead of driving back to Monticello, waiting for his partner to refill and then go back to finish his route. He explained it will primarily be used for “winter fill” between October and the end of March. His truck will stop once a day, five days a week and a transport truck may stop twice a week to refill the tank. Robert discussed the current lighting at the location needed a new bulb on the farm light. And if needed an explosion proof light will be installed if additional lighting was needed, however, it appeared that additional lighting may not be required. Mounting of the tank was discussed and the requirements from the State Fire Marshall’s Office checklist was reviewed. Alternative locations were discussed and the requirements for separation distances between a public wells and above ground LP tanks. The Land Use Administrator discussed the difference between a Special Permitted Use and a Rezoning request. The applicant addressed concerns from the public regarding the lease, placement of the tank, safety, water quality and using Basham Lane to cut through to Hwy 1. The Land Use Administrator discussed the concern with decreased property values as the Land Use Administrator discussed the concern with the County Assessor who saw no need for decreased property values at the Lakeside subdivisions due to the addition of the LP tank at this location. The Board discussed ways to add visual screening such as trees (arborvitae), shrubs or bushes to visually screen the LP tank from the possible view from the subdivision. The Board discussed that any screening must be approved by the landowner and is of no
fault of the applicant if the screening is unable to survive dry conditions as there is no well on the property.

Motion by Thomsen seconded by Stecklein to close the public hearing at 4:33 p.m. All aye. Motion carried.

Discussion by the Board for visual screening of the LP tank took place.

Motion by Steckelin seconded by Thomsen to approve the special permitted use in the Agricultural Zoning District for property legally described as NW SE of Section 19 of Fairview Township generally located at 9524/9526 Hwy 151, Anamosa for an 18,000 gallon LP tank for a refill station for Tri-County Propane LLC with the condition to provide a visual screening on the east side of the lease area subject to approval from the landowner, applicant and homeowners.

Motion by Stecklein seconded by Thomsen to amend the previous motion to strike out the word “homeowners”.

Roll call vote to approve the amendment:
Thomsen – Aye
Zumbach – Aye
Stecklein - Aye
Davies - Aye
Hall – Aye

All aye. Motion for the amendment is carried.

Motion was reread by the Land Use Administrator as amended. Motion by Stecklein seconded by Thomsen to approve the special permitted use in the Agricultural Zoning District for property legally described as NW SE of Section 19 of Fairview Township generally located at 9524/9526 Hwy 151, Anamosa for an 18,000 gallon LP tank for a refill station for Tri-County Propane LLC with the condition to provide a visual screening on the east side of the lease area subject to approval from the landowner and applicant.

Roll call vote:
Thomsen – Aye
Zumbach – Aye
Stecklein - Aye
Davies - Aye
Hall – Aye

All aye. Motion carried.
The red zoning sign was returned and the approval will be issued.

Next meeting, if needed, will be March 20, 2018 at 4:00 p.m. Board member Nicole Stecklein will not be able to attend this meeting. Deadline for applications for this meeting will be February 28, 2018. Davies and Zumbach may not be able to attend the April meeting date.

Motion by Stecklein seconded by Davies to adjourn the meeting at 4:47 p.m.

Jones County Board of Adjustment Meeting Minutes March 20, 2018 at 4:00 p.m.

Members present:
Cindy Hall, Chairperson
Paul Thomsen
Catherine Davies

Members absent:
Nicole Stecklein
Ethan Zumbach

Staff present:
Michele Lubben – Land Use Administrator

Visitors present:
Mike and Cindy Davies – 23478 Co Rd E-34, Anamosa
Dan Hartman – 23182 Co Rd E-34, Anamosa
Lloyd Eaken – District 5 Supervisor
Steve Supple – 23251 Hwy 136, Cascade
Charlie Becker – Camp Courageous
Pat McAllister – Nesper Sign – 4620 J St. SW, Cedar Rapids, IA
James Kurth – 12605 190th St., Monticello
Ted Weber – 23131 Co Rd E-34, Anamosa
Hollis Weber – Mt. Vernon

A quorum of members of the Jones County Board of Adjustment was achieved at 4:00 p.m. and the meeting was called to order by Chairperson Cindy Hall.

Introductions of the Board of Adjustment and staff took place. Visitors were requested to sign in on the sign in sheet.

Motion by Davies seconded by Thomsen to approve the agenda for the meeting. All aye. Motion carried.
Motion by Thomsen seconded by Davies to approve the February 20, 2018 meeting minutes. All aye. Motion carried.

Motion by Davies seconded by Thomsen to open the public hearing for owner, Camp Courageous for a variance in the Agricultural Zoning District for property legally described as the NW NW of Section 5 in Scotch Grove Township, and generally located at 12007 190th St., Monticello. More specifically, the proposal is to replace an existing non-conforming sign with a new digital message board at the camp’s main entrance. All aye. Motion carried.
The Land Use Administrator noted that both the adjoining landowner letters were received and no verbal or written comments were received and the red zoning sign has been returned.

Pat McAllister from Nesper Sign was available to answer questions regarding the design, size and type of digital message board being requested. The design is 12’ square panels. The current design is slightly smaller than the existing, pre-existing, non-conforming sign. The sign will be used to display information such as a map and camp activity information.

Thomsen asked McAllister if he had a copy of the sign ordinance and how the sign request constituted a hardship. It was brought up that the camp is zoned as Agricultural, however, the use from a sign perspective is hardly Agricultural. Becker noted that the sign is completely digital. Has capabilities for animation, words, photos, videos and could be monitored and programmed for certain hours. Becker noted the intent for the sign is to direct campers and families to their 25 buildings. Becker noted the signs is approximately 300’ from the road. The Board continued discussion on the features of the sign such as “self-dimming”, rate of switching messages, a “dial down” feature. The Board discussed the constraint on Camp Courageous as currently zoned and possibility of rezoning to C-2 Highway Commercial.

Motion by Thomsen seconded by Davies to close the public hearing at 4:46 p.m. All aye. Motion carried.

Motion by Davies seconded by Thomsen to table the variance request and request a review by the Board of Supervisors and a rezoning request to Planning and Zoning Commission within 60 days for Camp Courageous for a proposal to replace an existing non-conforming sign with a new digital message board at the camp’s main entrance.

Roll call vote:
Thomsen – Aye
Davies - Aye
Hall – Aye

All aye. Motion is carried.
Motion by Thomsen seconded by Davies at 4:53 p.m. to open the public hearing for owner, Theodore J. Weber, has applied for a special permitted use for a home based industry in the R-Residential Zoning District for property in Section 17 of Fairview Township briefly described as Fairview Lots 1,2,7,8 of Block 16 and approximately 1.5 acres SE cor SE SE generally located at 23131 County Rd E-34, Anamosa. More specifically, request is to build two accessory buildings for a home based industry for a construction/excavating and machining business. All aye. Motion carried.

Ted and his son Hollis were present to discuss the proposal of building two new, attractive buildings for their businesses. They discussed with the 911 Coordinator about keeping the second blue 911 sign currently on the property listed as 23133 County Rd E-34 for the accessory buildings. The smaller building will be for the lathe and gunsmithing business for Hollis Weber. It will not create any odor, dust or outdoor storage. Ted will have the 40 x 40 building to store equipment and will be used to maintenance the equipment in the winter months. Ted explained how he obtained the property about a year ago and has been working on cleaning up the general area.

Motion by Davies seconded by Thomsen at 5:04 p.m. to close the public hearing.

Motion by Thomsen seconded by Davies to approve the request for owner, Theodore J. Weber for a special permitted use for a home based industry in the R-Residential Zoning District for property in Section 17 of Fairview Township briefly described as Fairview Lots 1,2,7,8 of Block 16 and approximately 1.5 acres SE cor SE SE generally located at 23131 and 23133 County Rd E-34, Anamosa. More specifically, request is to build two accessory buildings for a home based industry for a construction, excavating machining and gunsmithing business.

Roll call vote:

Roll call vote:
Thomsen – Aye
Davies - Aye
Hall – Aye

All aye. Motion is carried.

Next meeting, if needed, will be April 17, 2018 at 4:00 p.m. Deadline for applications for this meeting will be March 28, 2018.

Motion by Davies seconded by Thomsen to adjourn the meeting at 5:10 p.m. All aye. Motion carried.
Members present:
    Cindy Hall, Chairperson
    Paul Thomsen
    Nicole Stecklein
    Ethan Zumbach

Members absent:
    Catherine Davies

Staff present:
    Michele Lubben – Land Use Administrator

Visitors present:
    Mike and Cindy Davies – 23478 Co Rd E-34, Anamosa
    Tanner and Courtney Loewen – Cascade
    Ron and Kevin Miller – Cascade
    Brett and Laura Butler - Bernard

A quorum of members of the Jones County Board of Adjustment was achieved at 4:01 p.m. and the meeting was called to order by Chairperson Cindy Hall.

Introductions of the Board of Adjustment, staff and visitors took place.

Motion by Stecklein seconded by Thomsen to approve the agenda for the meeting. All aye. Motion carried.

Motion by Thomsen seconded by Zumbach to approve the March 20, 2018 meeting minutes. All aye. Motion carried.

Motion by Thomsen seconded by Stecklein to open the public hearing at 4:02 p.m. for owners Ronald and Donna Miller and applicant Kevin Miller for a special permitted use in the Agricultural Zoning District for property legally described as SW NW N of Rd of Section 3 in Richland Township generally located east of 24627 Hwy 151 W. Cascade. More specifically, the proposal is for expansion of the Crimson Sunset Winery to build a new structure to make and store malted barley, hard cider and wine. All aye. Motion carried.

The Land Use Administrator noted that the adjoining landowner letters were delivered and no written comments were received. The red zoning sign will need to be returned to the office. One neighbor called and had no issues with the proposal.
Kevin Miller described the process of malting barley and the process of selling the malted barley. The farm currently has 175 acres of barley being grown on the farm. The Board discussed the building structure, access off Hwy 151 and other departmental comments.

Motion by Stecklein seconded by Thomsen to close the public hearing at 4:09 p.m. All aye. Motion carried.

Motion by Stecklein seconded by Thomsen to approve the special permitted use in the Agricultural Zoning District for property legally described as SW NW N of Rd of Section 3 in Richland Township generally located east of 24627 Hwy 151 W. Cascade. More specifically, the proposal is for expansion of the Crimson Sunset Winery to build a new structure to make and store malted barley, hard cider and wine.

Roll call vote:
Stecklein - Aye
Thomsen – Aye
Zumbach – Aye
Hall - Aye
All aye. Motion is carried.

Motion by Stecklein seconded by Zumbach at 4:10 p.m. to open the public hearing for owners Barry & Edna Riggs and applicant Tanner D. Loewen for a Variance in the A-Agricultural Zoning District for property described as Parcel C in NW NE, in Section 13 of Washington Township generally located at 22900 15th Ave, Bernard. More specifically, the request is to build a house on a 2.53 acre parcel which received a previously approved non-conforming use in 2004 which did not commence such use within the one year period and has therefore expired.
All aye. Motion carried.

The Land Use Administrator noted that the adjoining landowner letters were sent and all were received except one that was refused. Written comments were received and one was received in time to be included with the Board packets. One additional comment from John Stanton was received by mail which was distributed to the Board and read by the Land Use Administrator. The red zoning sign has been returned.

The Land Use Administrator discussed the previous approval and the change from the Land Use Preservation Ordinance in 1998 to the Zoning Ordinance in 2007. This parcel was created in 1991 and the previous approval for a house and workshop was given in 2004. Since the variance was granted in 2004, but the house was never constructed, the Variance is null and void after one year.

The Board discussed the location of the parcel and its relation to the nearby hog confinement buildings and floodplain. The Board discussed the county departmental comments. The Board discussed the current septic system which the Environmental Health office commented is undersized for a permanent
residence. Currently, the parcel is used for recreational purposes. The Board discussed the parcel size and actual size the buildable lot area. Much of the parcel is bluff which is non-buildable area. The area of land able to be built upon is approximately one acre. The Board discussed previous flooding events and high water in the area. The neighbor Brett Butler voiced his concern over the proposed application. His written comments were provided with the Board’s packet. His farm surrounds the property by three sides and is all agricultural ground. He is opposed to a residential house for reasons expressed in his letter. Butler claims he was not notified in 2004 of the proposed garage/house. He is not opposed to the current recreational/personal use of the property. Butler has contacted the owner (Riggs) and has expressed interest in purchasing the property to be brought into his existing farm and can use the area to pasture cattle. Butler indicated that he would buy the property to make the Rigg’s “whole” so they would not incur a financial hardship. Butler believes this would continue with the intent of the Agricultural District to have the ground remain agricultural.

Motion by Stecklein seconded by Thomsen at 4:45 p.m. to close the public hearing. All aye. Motion carried.

Discussion amongst the Board took place. The Board reviewed the Variance Qualification Factors, the Variance Checklist and Other Considerations as listed in the written report and the ordinance. The Board discussed the following: 2012 Comprehensive Plan, the intent of the Agricultural District, the variance does not appear to deprive the owner of reasonable use of the property nor does it create any unnecessary hardship qualifications, the objections from neighboring farmers that a permanent residence in this location could interfere with nearby farm operations and be subject to flooding and runoff from adjoining parcels, and that this location may require an alternative septic system. The Land Use Administrator discussed the options for the Board of Adjustment and that applicant aggrieved by any decision of the Board has the option to go to District Court within 30 days of the written decision.

Motion by Thomsen seconded by Zumbach to approve the variance request for owners Barry & Edna Riggs and applicant Tanner D. Loewen for property described as Parcel C in NW NE, in Section 13 of Washington Township generally located at 22900 15th Ave, Bernard to build a residence on a previously approved non-conforming use in 2004 which did not commence such use within the one year period and has therefore expired.

Roll call vote:
Stecklein – Nay
Zumbach – Aye
Thomsen – Aye
Hall – Nay

Vote is 2-2. Motion fails. According to Article XX Section 6, the concurring vote of three members of the Board of Adjustment shall be necessary to reverse any order, requirement, decisions or determination, or decide in favor of the applicant on any matter upon which it is required to pass under this Ordinance, or to effect any variance of this Ordinance.
According to Article XXI Section 12, Pursuant to 2005 Iowa Code Section 335.18, any landowner, or person aggrieved by a decision rendered under this Ordinance by the Board of Adjustment may file a petition with the District Court within thirty (30) days after the decision has been issued by the Board of Adjustment.

Next meeting, if needed, will be May 15, 2018 at 4:00 p.m. Deadline for applications for this meeting will be April 25, 2018.

Motion by Thomsen seconded by Zumbach to adjourn the meeting at 5:09 p.m. All aye. Motion carried.

Jones County Board of Adjustment Meeting Minutes June 19, 2018 at 4:00 p.m.

Members present:
   Cindy Hall, Chairperson
   Paul Thomsen
   Ethan Zumbach
   Catherine Davies

Members absent:
   Nicole Stecklein

Staff present:
   Michele Lubben – Land Use Administrator

Visitors present:
   James Miossi – 22202 Business Hwy 151, Monticello
   Mike and Cindy Davies – 23478 Co Rd E-34, Anamosa
   Dennis Blunt – 21794 River Rd., Monticello
   Ted and Janet McDonell – 520 S. Maple St., Monticello
   Holly Kelly – 24126 Fairview Rd., Anamosa
   Jake Bouregeois – Anamosa Journal Eureka
   Jim Holub – Anamosa
   Deb Etten – 8094 County Rd X-40, Anamosa
   John and Sheryl McElmeel – 19345 122nd Ave., Monticello

A quorum of members of the Jones County Board of Adjustment was achieved at 4:00 p.m. and the meeting was called to order by Chairperson Cindy Hall.
Introductions of the Board of Adjustment, staff and visitors took place.

Motion by Thomsen seconded by Zumbach to approve the agenda for the meeting. All aye. Motion carried.

Motion by Thomsen seconded by Zumbach to approve the April 17, 2018 meeting minutes. All aye. Motion carried.

Motion by Davies seconded by Thomsen to remove the tabled action for Camp Courageous from the March 20, 2018 meeting. All aye. Motion carried.

The Land Use Administrator and Chairperson updated the Board on the recent events for Camp Courageous with their subsequent filing of a rezoning request to C-2 Highway Commercial. They discussed the recommendation from the Planning & Zoning Commission to C-2 Highway Commercial for just two properties (Base camp and Durgin pavilion) and the remaining three parcels on the application are to remain within the Agricultural Zoning District.

The Board discussed the sign variance application and the intention of Camp Courageous to follow the rules within the C-2 Commercial District and no additional request to allow a sign greater than the sign requirements.

Motion by Zumbach seconded by Davies to deny the variance application from Camp Courageous to replace an existing non-conforming sign with a new digital message board.

Roll call vote:
Thomsen – aye
Davies – aye
Zumbach – aye
Hall – aye

All aye. Motion carried. The Variance application is denied. The reasoning for the denial is because digital signs are prohibited within the Agricultural District and the request for rezoning to C-2 Highway Commercial is moving forward and the applicant will follow the sign regulations within the C-2 Highway Commercial District.

According to Article XXI Section 12, Pursuant to 2005 Iowa Code Section 335.18, any landowner, or person aggrieved by a decision rendered under this Ordinance by the Board of Adjustment may file a petition with the District Court within thirty (30) days after the decision has been issued by the Board of Adjustment.
Motion by Thomsen seconded by Davies to open the public hearing at 4:12 p.m. for Debra S. Etten who has applied for a Special Permitted Use in the A-Agricultural Zoning District for property located in the SE ¼ SW ¼ in Section 25 of Fairview Township generally located at 8094 County Rd. X-40, Anamosa. More specifically, the proposal is to request an auxiliary dwelling unit subject to Article XI of the Jones County Zoning Ordinance. All aye. Motion carried.

The Land Use Administrator noted that the Board received copies of the application, aerial map, and the written report. All adjoining landowner letters were delivered and no written comments were received. The Board discussed the Board of Health recommendation to require a separate septic system for the auxiliary dwelling unit. Etten questioned whether her primary system could be upgraded and allowed to hook into the auxiliary unit. The Land Use Administrator directed that question back to the Board of Health. The Board discussed the requirement for only one dwelling per parcel except for auxiliary dwelling units. The Board discussed the requirements for auxiliary dwelling units and the auxiliary dwelling would not be allowed to be split or separated. The Board discussed a time limit for the park trailer or requirements if it is no longer in use. It cannot be used as a rental unit and must only be used for the family member.

Motion by Thomsen seconded by Zumbach to close the public hearing at 4:21 p.m. All aye. Motion carried.

Motion by Zumbach seconded by Thomsen to approve the Special Permitted Use in the A-Agricultural Zoning District for property located in the SE ¼ SW ¼ in Section 25 of Fairview Township generally located at 8094 County Rd. X-40, Anamosa for an auxiliary dwelling unit.

Roll call vote:
Thomsen – aye
Davies – aye
Zumbach – aye
Hall – aye

All aye. Motion carried. The red zoning zoning sign was returned and approval will be send via regular mail.

Motion by Thomsen seconded by Zumbach to open the public hearing at 4:24 p.m. for a request from Ted and Janet McDonell who have applied for a Special Permitted Use in the R-Residential Zoning District for property they own located in the NW ¼ NE ¼ and SW ¼ NE ¼, in Section 22 of Lovell Township generally located at 21748 and 21752 River Rd., Monticello. More specifically, the request is for a private campground.

The Land Use Administrator noted that the Board received copies of the application, aerial map, and the written report. All adjoining landowner letters were delivered and no written comments were received. The Land Use Administrator distributed a FEMA flood plain map of the property. The south parcel
appears to be within the flood plain, the other two parcels appear to be either within the 500 year flood 
plain or outside of the flood plain. The Land Use Administrator discussed the difference between the 
Residential Zoning and the Special Use permit being requested. Any future permanent dwellings must 
be permitted and possibly have an elevation certificate completed to determine if it outside of the flood 
plain.

McDonell’s explained that there are hookups for three campers that will be there permanently but 
winterized when not in use for the winter. They have one dump station and three additional places for 
electric only. So up to six (6) camping spots would be available to family and friends only and not for 
commercial use.

Neighbor Dennis Blunt commented that he had no problem with the proposal. The Board and McDonell 
discussed the old train car that still remains and may be used for a seasonal camper at some point.

Motion by Thomsen seconded by Davies to close the public hearing at 4:34 p.m. All aye. Motion 
carried.

Motion by Davies seconded by Thomsen to approve the Special Permitted Use in the R-Residential 
Zoning District for property generally located at 21748 and 21752 River Rd., Monticello for up to six 
spots for a private campground.

Roll call vote: 
Thomsen – aye  
Davies – aye  
Zumbach – aye  
Hall – aye

All aye. Motion carried. The red zoning sign was returned and the approval will be issued by mail.

Motion by Thomsen seconded by Davies to open the public hearing at 4:35 p.m. for Scott and Holly Kelly 
who have applied for a Special Permitted Use in the R-Residential District for a Bed and Breakfast 
according to Article VII of the Jones County Zoning Ordinance. The property they own is legally 
described as Parcel 2016-58 in Section 18 of Fairview Township generally located at 24126 Fairview Rd., 
Anamosa. The request is to open a Bed & Breakfast in a three story brick home formerly owned by Ann 
Williams. All aye. Motion carried.

The Land Use Administrator noted that the Board received copies of the application, aerial map, and the 
written report. All adjoining landowner letters were delivered and no written comments were received.

The Land Use Administrator discussed the Environmental Health comments regarding annual testing of 
the well, the septic system and being exempt from food inspection licenses.
Motion by Davies seconded by Thomsen to close the public hearing at 4:41 p.m. All aye. Motion carried.

Motion by Davies seconded by Zumbach to approve a Bed & Breakfast according to Article VII for Scott and Holly Kelly for property located at 24126 Fairview Rd., Anamosa.

Roll call vote:
Thomsen – aye
Davies – aye
Zumbach – aye
Hall – aye

All aye. Motion carried. The red zoning sign was returned and the approval will be issued by email.

Motion by Thomsen seconded by Zumbach to open the public hearing at 4:42 p.m. for James C. Miossi who has applied for a Special Permitted Use within the R-Residential Zoning District for property he owns legally described as Lot 2 of Hollywood Acres subdivision located in Section 14 of Lovell Township and generally located at 22202 Business Hwy 151 Monticello. More specifically, the request is to move a current business called Miossi Gun Works from 22581 Campfire Rd., Monticello to this location. All aye. Motion carried.

The Land Use Administrator noted that the Board received copies of the application, aerial map, and the written report. All adjoining landowner letters were delivered and no written comments were received.

The Land Use Administrator explained the requirement from the FFL to get approval from zoning and the specific wording that must be used when approving such applications. This location does buy, sell and manufacture firearms.

Motion by Davies seconded by Zumbach to close the public hearing at 4:46 p.m. All aye. Motion carried.

Motion by Davies seconded by Thomsen to approve the Special Permitted Use application for James C. Miossi for property located at 22202 Business Hwy 151, Monticello.

Roll call vote:
Thomsen – aye
Davies – aye
Zumbach – aye
Hall – aye
All aye. Motion carried.
The red zoning sign was returned and two copies of the approval will be sent by mail to the applicant.
Motion by Thomsen seconded by Davies to open a public hearing at 4:46 p.m. for owner, John O. McElmeel who has applied for a Variance within the A-Agricultural Zoning District for property briefly described as the North 250’ of the South 17 acres of the NW ¼ SE ¼ of Section 31 in Richland Township and generally located at 19345 122nd Ave., Monticello. More specifically, the request is divide the existing farmhouse and outbuildings from the agricultural land for residential purposes. Said variance is being requested because the farm is less than the forty-two (42) acre minimum required for a farmstead split.

The Land Use Administrator noted that the Board received copies of the application, aerial map, and the written report. All adjoining landowner letters were delivered and no written comments were received.

The applicant explained the proposal regarding splitting two acres with the house from the adjacent farmland. No additional building or development and the remaining 5 acres will stay with the farmland. The Board discussed the parcel split and surveying the parcels into one two acre parcel with the residential house and a survey for the remainder of the farmland which is approximately 37.76 acres and meet the requirements for a farm within the zoning ordinance.

Motion by Thomsen seconded by Davies to close the public hearing a 5:00 p.m. All aye. Motion carried.

Motion by Davies seconded by Paul to approve the Special Permitted Use for John O. McElmeel subject to the following conditions:

- A survey shall be completed for the residential parcel split and the remainder of the farmground (14 acres) on the west side of 122nd Ave so that there are two parcels only.
- This split constitutes the use of the one-time farmstead split and no other farmstead splits will be allowed. (This includes the farmland and house on the east side of 122nd Ave. which is 23.51 acres)
- No future development allowed on the remaining farm ground unless permitted by the Jones County Zoning Ordinance.

Roll call vote:
Thomsen – aye
Davies – aye
Zumbach – aye
Hall – aye
All aye. Motion carried.
The red zoning sign was returned and the approval will be issued by mail.

Next meeting, if needed, will be July 17, 2018 at 4:00 p.m. Catherine Davies will not be able to attend that meeting. Deadline for applications for this meeting will be June 27, 2018.

Motion by Zumbach seconded by Thomsen to adjourn the meeting at 5:08 p.m. All aye. Motion carried.
Jones County Board of Adjustment   Meeting Minutes   July 17, 2018 at 4:00 p.m.

Members present:
   Cindy Hall, Chairperson
   Paul Thomsen
   Ethan Zumbach

Members absent:
   Nicole Stecklein
   Catherine Davies

Staff present:
   Michele Lubben – Land Use Administrator

Visitors present:
   Judy Tuetken – 23004 150th Ave., Monticello
   Ed Mulligan – 16107 80th St., Olin representing the owner
   Chris Wiese – CellSite Solutions
   Tim Fay – P&Z member

A quorum of members of the Jones County Board of Adjustment was achieved at 4:00 p.m. and the meeting was called to order by Chairperson Cindy Hall.

Introductions of the Board of Adjustment, staff and visitors took place.

Motion by Thomsen seconded by Zumbach to approve the agenda for the meeting. All aye. Motion carried.

Motion by Thomsen seconded by Zumbach to approve the June 19, 2018 meeting minutes. All aye. Motion carried.

Motion by Thomsen seconded by Zumbach to open the public hearing at 4:05 p.m. for a request by owner, Delores A. Sullivan and applicant Common Ground Capital LLC. who have applied for a special permitted use for a parcel legally described as NE ¼ NW ¼ of Section 14 of Lovell Township and is generally located near 22776 150th Ave., Monticello. The property was rezoned from the R-Residential District to the A-Agricultural District at the Board of Supervisors meeting on July 17, 2018 and will become effective when published. The Special Use Permit is for a communication tower according to Article XIV Wind Turbine and Communication Tower Requirements. More specifically, the proposed tower is a 250 ft. guyed tower. All aye. Motion carried.

The Land Use Administrator noted that the Board received copies of the application, aerial map, and the written report. All adjoining landowner letters were delivered and a written comment was received.
from Mike and Connie Dirks and a subsequent response was sent to the Dirks’ by the Land Use Administrator with some clarifications to their letter. Chris Wiese discussed the information regarding the proposed tower about the primary tenant will be Cover 2 which is a partnership with independent Iowa telephone companies to build a 55 site network across Iowa. The network will be a roam only network, partnered with AT&T, that will provide LTE coverage for AT&T mobility customers and FirstNet subscribers. FirstNet is a federally commissioned nationwide mobile network for emergency services personnel (police, fire, EMT). Iowa has opted-in as a state and the service will provide priority and preemption for emergency services subscribers at all times so their service is always available during an emergency or crisis. Chris expects that this will be the last tower required for the FirstNet system in Jones County. The Langworthy tower is constructed and almost up and functioning. The Cascade tower will be built this week (Friday 7/20/18) and Wyoming will be built next week (7/23/18). This tower will be built with extra capacity which will allow for co-location to reduce future towers in the area and it will help pay for the investment in the proposed tower. The tower location in this area has complications because of the proximaty of the Monticello Airport. The tower will be built according to county specifications, painted aviation orange and white and only have red nighttime beacon lighting. Neighbor Judy Tuetken has concerns with the visibility of the tower from her location. Chris Wiese explained that this tower is a guyed tower which has a slim profile. Tim Fay questioned the county tower at Amber and the state tower at County Home Rd E-23 and how many towers are needed for emergency response and a possibility of a moratorium on cell towers in order to have companies prove co-location is not possible.

Motion by Thomsen seconded by Zumbach to close the public hearing at 4:25 p.m. All aye. Motion carried.

Motion by Thomsen seconded by Zumbach to approve the Special Permitted Use in the A-Agricultural Zoning District for property located in the NE ¼ NW ¼ of Section 14 of Lovell Township and is generally located near 22776 150th Ave., Monticello.

Roll call vote:
Thomsen – aye
Zumbach – aye
Hall – aye

All aye. Motion carried. The red zoning zoning sign was not returned and approval will be send via regular mail to the owner and email to the applicant once it is returned.

Motion by Thomsen seconded by Zumbach to appoint Cindy Hall as the Chairperson for FY 2018-2019. All aye. Motion carried.

Motion by Thomsen seconded by Zumbach to adopt the administrative rules for 2018. All aye. Motion carried.
Next meeting, if needed, will be August 21, 2018 at 4:00 p.m. Deadline for applications for this meeting will be August 1, 2018.

Motion by Zumbach seconded by Thomsen to adjourn the meeting at 4:35 p.m. All aye. Motion carried.

Jones County Board of Adjustment Meeting Minutes August 21, 2018 at 4:00 p.m.

Members present:
   Cindy Hall, Chairperson
   Ethan Zumbach
   Catherine Davies

Members absent:
   Nicole Stecklein
   Paul Thomsen

Staff present:
   Michele Lubben – Land Use Administrator

Visitors present:
   Carolyn and Kerby Barnes, owners – 10686 1st St., Center Junction

A quorum of members of the Jones County Board of Adjustment was achieved at 4:04 p.m. and the meeting was called to order by Chairperson Cindy Hall.

Introductions of the Board of Adjustment, staff and visitors took place.

Motion by Davies seconded by Zumbach to approve the agenda for the meeting. All aye. Motion carried.

Motion by Davies seconded by Zumbach to approve the July 17, 2018 meeting minutes. All aye. Motion carried.

Motion by Davies seconded by Zumbach to open the public hearing at 4:06 p.m. for a request by owners, Carolyn and Kerby Barnes who have applied for a variance in the R-Residential Zoning District for property legally described as Original Town Lots 16 &17 & the West ¾ Lot 18, all in Block 28 Section 4 of Madison Township, generally located at 10686 1st St., Center Junction, IA. More specifically, the variance request is to allow an accessory building to have a side yard setback less than the minimum ten (10) feet. All aye. Motion carried.
The Land Use Administrator noted that the Board received copies of the application, photos of the site, Engineer’s approved setback variance application, aerial map, and the written report. All adjoining landowner letters were delivered and a verbal comment was received from Sandra Jensen. Jensen did not have any objection to the proposal as long as the structure did not block the view into the street.

The Barnes’ explained the low lying area of their property. They are at the bottom of three hills and during rain events, the rain pools in their location. They wish to put this structure in line with existing structures. Previously, they were within the former city limits of Center Junction and went to the city council for permitting their last building seven years ago. The Barnes’ provided pictures from the August 20, 2018 rain which was between 4-5 inches.

Motion by Zumbach seconded by Davies to close the public hearing at 4:15 p.m. All aye. Motion carried.

Motion by Davies seconded by Zumbach to approve the Variance in the R-Residential Zoning District for property located in the O.T. Center Junction, Block 28 Lots 16 & 17 and the West ¾ of Lot 18 in Section 4 of Madison Township and is generally located 10686 1st St. Center Junction due to the following unusual circumstances:

- The property lies in an area of land that causes flooding during heavy rain events.
- The property is within the village of Center Junction, which was unincorporated in 2015 and brought into the county zoning ordinance.
- The new structure is in line with the existing structures and a variance was granted by the Jones County Engineer and Board of Supervisors to build within 30’ of the road right-of-way.

The Variance allows an accessory building with a side yard setback of less than 10 feet.

Roll call vote:
Davies – Aye
Zumbach – Aye
Hall – Aye

All aye. Motion carried. The red zoning zoning sign was returned and approval will be send via regular mail to the owner.

The Land Use Administrator updated the Board on the FAA letter received for the Special Permitted Use for the Sullivan tower in Section 14 of Lovell Township heard at the July 17, 2018 meeting. The FAA determination letter states that the proposal will only be approved if the structure is less than 200 feet due to the location of the Monticello Regional Airport. Information received from Chris Wiese stated that he will resubmit to the FAA for a tower that will be 190 feet. Only towers over 200 feet require tower painting and lighting, therefore, this tower will not be required to have lighting or be painted. Per Chris, it will continue to be a lattice structure. The Board discussed the impacts of the change. Motion by Zumbach seconded by Davies to not require additional approval for proposed changes to the Sullivan
tower due to the changes are required by the FAA and the impacts are to a lesser degree of impact to surrounding property (no lighting or painting). All aye. Motion carried.

Next meeting, if needed, will be September 18, 2018 at 4:00 p.m. Deadline for applications for this meeting will be August 29, 2018.

Motion by Zumbach seconded by Davies to adjourn the meeting at 4:45 p.m. All aye. Motion carried.

Jones County Board of Adjustment   Meeting Minutes   September 18, 2018 at 4:00 p.m.

Members present:
   Cindy Hall, Chairperson
   Catherine Davies
   Nicole Stecklein
   Paul Thomsen

Members absent:
   Ethan Zumbach

Staff present:
   Michele Lubben – Land Use Administrator

Visitors present:
   Richard and Doris McAtee – 12506 Hwy 64, Wyoming
   Brad Hansen – 12768 County Rd E-45, Olin
   Kasey Brecht owner, via telephone

A quorum of members of the Jones County Board of Adjustment was achieved at 4:00 p.m. and the meeting was called to order by Chairperson Cindy Hall.

Introductions of the Board of Adjustment, staff and visitors took place.

Motion by Stecklein seconded by Thomsen to approve the agenda for the meeting. All aye. Motion carried.

Motion by Davies seconded by Stecklein to approve the August 21, 2018 meeting minutes. All aye. Motion carried.

Motion by Thomsen seconded by Davies to open the public hearing at 4:01 p.m. for a request by owners, Kasey L. & Kimberly R. Brecht, and applicant Zachary K. Brecht who have applied for a special permitted use in the A-Agricultural Zoning District for parcels (14-01-400-008 and 14-01-200-004)
generally located at 6496 Hwy 38 Olin for property legally described in Document 2015-1252, in Section
1 of Rome Township. More specifically, the special permitted use is for an auxiliary dwelling unit
according to Auxiliary and Seasonal Dwelling Unit Article XI. All aye. Motion carried.

The Land Use Administrator noted that the Board received copies of the application, aerial map, copy of
the easement document and the written report. All adjoining landowner letters were delivered and no
verbal comments were received.

The McAtee’s and Hansen both questioned the use of the easement in relation to the proposal. Davies
questioned the square footage of the dwelling versus storage in the building. As stated within the
ordinance, the auxiliary dwelling is to only be used for use of relatives and cannot be rented out or sold
or transferred individually.

Davies noted as stated in the written report that precautions to control soil erosion and sediment runoff
from any development on the site should take place and to work with the Jones Soil & Water
Conservation District to put a construction site erosion control plan in place prior to starting any land
disturbing activity. Davies also noted that the proposal appears to meet the criteria within Article XI
Section 1. Auxiliary Dwelling Units because there will be only one auxiliary dwelling unit on the property,
it will be occupied by the owner’s son, Zachary Brecht, the primary dwelling unit will be occupied by the
primary owners of the property, the square footage is 1,000 sq. ft. or less and they will utilize the
existing driveway or easement for access.

The Land Use Administrator asked if either site plan had been determined at this time. The owner
would prefer the building to be built on the 10 acre piece, however, the applicant would prefer it to be
further away on the 5 acre piece, behind Walshire’s. The Land Use Administrator explained that the
property is zoned Agricultural and is one piece for zoning purposes. It cannot be sold or transferred
individually as the approximately 15 acres is considered a farm within the Agricultural District and
cannot be split. The .6 acre piece owned by Zachary Brecht is too small to build any structure on.

Motion by Stecklein seconded by Thomsen to close the public hearing at 4:30 p.m. All aye. Motion
carried.

Motion by Stecklein seconded by Thomsen to approve the Special Permitted Use within the A-
Agricultural Zoning District for parcels (14-01-400-008 and 14-01-200-004) generally located at 6496
Hwy 38 Olin for property legally described in Document 2015-1252, in Section 1 of Rome Township with
the following conditions:

- A soil erosion control plan must be in place prior to starting any land disturbing activity.
- Septic and well permits must be obtained from the Environmental Services department.
- Contact the 911 Coordinator for a blue emergency sign.
- Items within Article XI Auxiliary Dwelling Units must be adhered to.
- The property is considered one piece for zoning purposes and cannot be sold or transferred as
  individual pieces without being in violation of the Jones County Zoning Ordinance.
Roll call vote:
Davies – Aye
Zumbach – Aye
Hall – Aye

All aye. Motion carried. The red zoning sign will need to be returned before approval can be sent via regular mail.

Next meeting, if needed, will be October 16, 2018 at 4:00 p.m. Deadline for applications for this meeting will be September 26, 2018.

Motion by Thomsen seconded by Davies to adjourn the meeting at 4:35 p.m. All aye. Motion carried.

Jones County Board of Adjustment Meeting Minutes November 20, 2018 at 4:00 p.m.

Members present:
   Cindy Hall, Chairperson
   Catherine Davies
   Paul Thomsen

Members absent:
   Ethan Zumbach
   Nicole Stecklein

Staff present:
   Michele Lubben – Land Use Administrator

Visitors present:
   Neil Schoon – 605 N. Williams St., Anamosa
   David Leytem – PO Box 22 Center Junction
   Ned Rohwedder – Supervisor District 4
   Michael Mead – owner, 10611 Main St., Center Junction

A quorum of members of the Jones County Board of Adjustment was achieved at 4:00 p.m. and the meeting was called to order by Chairperson Cindy Hall.

Introductions of the Board of Adjustment, staff and visitors took place.
Motion by Thomsen seconded by Davies to approve the agenda for the meeting. All aye. Motion carried.

Motion by Thomsen seconded by Davies to approve the September 18, 2018 meeting minutes. All aye. Motion carried.

Motion by Thomsen seconded by Davies to open the public hearing at 4:01 p.m. for a request by Michael D. Mead, owner, who has applied for a variance in the R-Residential Zoning District for property legally described as Original Town Lots 1 & 2 & Lot 3 except W 16.5 feet, all in Block 29 Section 4 of Madison Township, generally located at 10611 Main St., Center Junction, IA. More specifically, the variance request is to allow an accessory building to have a side yard setback less than the minimum ten (10) feet and a rear yard setback of less than fifteen (15) feet. All aye. Motion carried.

The Land Use Administrator noted that the Board received copies of the application, aerial map, Engineer’s documents and the written report. All adjoining landowner letters were delivered and no verbal comments were received.

Michael Mead opened by explaining his proposal to build a 30 x 40 shed for storage of a recreation vehicle (RV camper), bobcat, 2 convertibles and a boat because sitting outside in the weather has caused seals to crack. According to Mead, he can’t move the structure back because he has an underground LP gas line that runs to the house. Thomsen noted it is not hard to move a LP gas line. Mead claims it was costly to have a gas line ran to his existing garage.

The Land Use Administrator noted that the structure is not 5 ft. from the property line as noted on the application. The current pictures clearly show the structure is approximately one foot to the south of the LP tank and not to the north as indicated on the map. So ultimately there is no setback being met on either side of the structure.

Mead states the structure could not be moved to the side yard because of the drop off and it would require a culvert and he stated it would not look as nice if it was in the side yard.

Thomsen noted there are many properties within the former city limits of Center Junction that are encroaching in the right-of-way and noted if he built the building 3 years ago, it would have been approved by the city.

It was discussed about other vehicles and junk in the Center Junction area and this building would keep his items within a building and not sitting out and would make the area look nicer.

Thomsen noted that the problem is with the ordinance and Planning & Zoning should look at amending the ordinance to address these situations.
Hall feels like the Board is in a difficult situation and felt Planning & Zoning should address it and felt this is a disservice for the board to remedy these situations.

There were no objections from the public on the proposal and Supervisor Rohwedder noted that the Supervisors approved a variance to the 30’ road setback on October 23, 2018 from a request from the County Engineer.

Supervisor Rohwedder noted an intention to vacate the 20 ft. alley to the south, which would help the setback. The Land Use Administrator noted that half of the 20 ft. alley would go to Mead, which would then allow only a variation of 5 ft. to the rear yard setback and would not remedy this situation.

Motion by Davies seconded by Thomsen to close the public hearing at 4:28 p.m. All aye. Motion carried.

The Board reviewed the Variance Qualification Factors, Variance Checklist, and Other Considerations as listed within the Written Report.

Motion by Thomsen seconded by Davies to approve the Variance for Michael D. Mead, in the R-Residential Zoning District for property legally described as Original Town Lots 1 & 2 & Lot 3 except W 16.5 feet, all in Block 29 Section 4 of Madison Township, generally located at 10611 Main St., Center Junction due to the following unusual circumstances:

- The property is within the village of Center Junction, which was unincorporated in 2015 and brought into the county zoning ordinance.
- The new structure is in line with the existing structures and a variance was granted by the Jones County Engineer and Board of Supervisors to build within 30’ of the road right-of-way.
- The Variance allows an accessory building with a side yard setback of less than 10 feet and a rear yard of less than 15 ft.

Roll call vote:
Davies – Aye
Thomsen - Aye
Hall – Aye

All aye. Motion carried. The red zoning sign was returned and approval will be sent via regular mail.

Next meeting, if needed, will be December 18, 2018 at 4:00 p.m. Deadline for applications for this meeting will be November 28, 2018.

Motion by Thomsen seconded by Davies to adjourn the meeting at 4:45 p.m. All aye. Motion carried.
Jones County Board of Adjustment  Meeting Minutes  April 16, 2019 at 5:00 p.m.

Members present:
   Cindy Hall, Chairperson
   Catherine Davies
   Paul Thomsen
   Nicole Stecklein

Members absent:
   Ethan Zumbach

Staff present:
   Michele Lubben – Land Use Administrator

Visitors present:
   Ned Rohwedder – District 4 Supervisor
   Jenny King – applicant, 10160 Shaw Rd., Anamosa
   Steve Hanson – NEIT representative
   Peg Mere – applicant 17616 Langworthy Rd., Monticello

A quorum of members of the Jones County Board of Adjustment was achieved at 5:00 p.m. and the meeting was called to order by Chairperson Cindy Hall.

Introductions of the Board of Adjustment, staff and visitors took place.

Motion by Stecklein seconded by Thomsen to approve the agenda for the meeting. All aye. Motion carried.

Motion by Stecklein seconded by Thomsen to approve the November 20, 2018 meeting minutes. All aye. Motion carried.

Motion by Stecklein seconded by Thomsen to open the public hearing at 5:02 p.m. for owner Jennifer King who has applied for a special permitted use in the R-Residential Zoning District for property described as Parcel 2009-72, in Section 13 of Fairview Township located at 10160 Shaw Rd., Anamosa. More specifically, the special permitted use is for a home based massage therapy business called Aspire Therapy LLC. All aye. Motion carried.
The Land Use Administrator noted that the Board received copies of the application, aerial map, and written report. All adjoining landowner letters were delivered except Terry Vernon and Frances Appleby were returned unsigned and no verbal comments were received.

Jenny King explained her business would have one client at a time so it should not be any issues. She currently works out of a retail space in Monticello and has looked for space within Anamosa.

Motion by Thomsen seconded by Stecklein to close the public hearing at 5:04 p.m. All aye. Motion carried.

Motion by Thomsen seconded by Stecklein to approve the special permitted use in the R-Residential Zoning District for property described as Parcel 2009-72, in Section 13 of Fairview Township located at 10160 Shaw Rd., Anamosa. More specifically, the special permitted use is for a home based massage therapy business called Aspire Therapy LLC.

Roll call vote:
- Davies - Aye
- Thomsen - Aye
- Stecklein - Aye
- Hall - Aye

All aye. Motion carried. The red zoning sign was returned and approval will be sent via regular mail.

Motion by Stecklein seconded by Thomsen to open the public hearing at 5:06 p.m. for owner Peggy Mere has applied for a special permitted use in the R-Residential Zoning District for property located in Section 8 of Wayne Township and is generally located 17616 Langworthy Rd., Monticello. More specifically, the special permitted use is for a home based business called Muddy Boots Flower Farm which is a self-pick flower farm. All aye. Motion carried.

The Land Use Administrator noted that the Board received copies of the application, aerial map, and written report. All adjoining landowner letters were delivered and a verbal comment was received by Richard Wolken and read aloud.

Peg Mere explained that she currently has flowers that she takes to the local farmers markets. The flower farming is not changing, however, it is that customers will come to the property to cut their own flowers, take them to the barn and arrange them. Expansion could include additional flower beds for perennials and adding some trees to a property line. The pasture will remain the same and the current flower field will remain the same.

Motion by Thomsen seconded by Stecklein to close the public hearing at 5:11 p.m. All aye. Motion carried.
Motion by Stecklein seconded by Thomsen to approve the special permitted use in the R-Residential Zoning District for property located in Section 8 of Wayne Township and is generally located 17616 Langworthy Rd., Monticello. More specifically, the special permitted use is for a home based business called Muddy Boots Flower Farm, which is a self-pick flower farm.

Roll call vote:
Davies - Aye
Thomsen - Aye
Stecklein - Aye
Hall - Aye

All aye. Motion carried. The red zoning sign was returned and approval will be sent via regular mail.

Motion by Stecklein seconded by Davies to open the public hearing at 5:14 p.m. for a request by owner Douglas and Jody Fairbanks and applicant NEIT Properties, LLC, have applied for a special permitted use in the A-Agricultural Zoning District for property described as South ½ NE SE Section 22 of Fairview Township and is generally located at 9401 Forest Chapel Rd., Anamosa. More specifically the special permitted use is to construct a 190’ self-support communication tower to support the FirstNet system. All aye. Motion carried.

The Land Use Administrator noted that the Board received copies of the application, aerial map, and the written report. All adjoining landowner letters were delivered and no written comments were received. Steve Hanson discussed the information regarding the proposed tower. The primary tenant will be Cover 2, which is a partnership with independent Iowa telephone companies to build a 55-site network across Iowa. The network will be a roam only network, partnered with AT&T, that will provide LTE coverage for AT&T mobility customers and FirstNet subscribers. FirstNet is a federally commissioned nationwide mobile network for emergency services personnel (police, fire, EMT). Iowa has opted-in as a state and the service will provide priority and preemption for emergency services subscribers at all times so their service is always available during an emergency or crisis. Steve expects that this will be the last tower required for the FirstNet system in Jones County. The Sullivan and Langworthy towers near Monticello are constructed and almost up and functioning. The Cascade tower (Supple) and Wyoming (Eichhorn) towers are also constructed. Their first attempt was to co-locate on the existing two towers in that area. However, the shorter tower which is now owned by T-mobile gave no response to their inquiry on co-location. The larger tower is owned by US Cellular and co-location was not feasible with this option as the cost was prohibitive and did not fit their business model.

Steve Hanson explained that Cellsite Solutions was hired by the telephone companies to go ahead and build several towers, but now since they are caught up, NEIT Properties thought they could handle the build of this tower themselves.
Motion by Thomsen seconded by Davies to close the public hearing at 5:24 p.m. All aye. Motion carried.

Motion by Stecklein seconded by Davies to approve the Special Permitted Use in the A-Agricultural Zoning District for property described as South ½ NE SE Section 22 of Fairview Township and is generally located at 9401 Forest Chapel Rd., Anamosa. More specifically the special permitted use is to construct a 190’ self-support communication tower to support the FirstNet system.

Roll call vote:
Thomsen – Aye
Zumbach – Aye
Stecklein - Aye
Hall – Aye

All aye. Motion carried. The red zoning zoning sign was returned and approval will be send via regular mail to the owner and email to the applicant once it is returned.

Next meeting, if needed, will be May 21, 2019 at 4:00 p.m. Deadline for applications for this meeting will be April 24, 2019.

Motion by Davies seconded by Stecklein to adjourn the meeting at 5:25 p.m. All aye. Motion carried.

Jones County Board of Adjustment Meeting Minutes May 21, 2019 at 4:00 p.m.

Members present:
  Cindy Hall, Chairperson
  Paul Thomsen
  Nicole Stecklein

Members absent:
  Ethan Zumbach
  Catherine Davies

Staff present:
  Michele Lubben – Land Use Administrator

Visitors present:
  Alan Randall – applicant 610 W. Main St. Lisbon
  Lloyd Eaken – Supervisor District 5
  John and Cynthia Pieper – 22875 99th St., Anamosa
Introductions of the Board of Adjustment, staff and visitors took place.

A quorum of members of the Jones County Board of Adjustment was achieved at 4:07 p.m. and the meeting was called to order by Chairperson Cindy Hall.

Motion by Thomsen seconded by Stecklein to approve the agenda for the meeting. All aye. Motion carried.

Motion by Stecklein seconded by Thomsen to approve the April 16, 2019 meeting minutes. All aye. Motion carried.

Motion by Thomsen seconded by Stecklein to open the public hearing at 4:09 p.m. for owner Rodger A. Sams and applicant Alan R. Randall who have applied for a variance in the R-Residential Zoning District for property described as Fairview Lots 3 and 4 of Block 3, in Section 20 of Fairview Township generally located on Washington St. in Fairview. More specifically, the variance is to allow a lot less than one acre in the R-Residential District to build a residential dwelling. All aye. Motion carried.

The Land Use Administrator noted that the Board received copies of the application, aerial map, and written report. All adjoining landowner letters were delivered and no verbal comments were received.

The owners and applicants explained that they would like to build a dwelling at the location. The lot would be 132 feet by 132 feet. The lot would have its own well and would be required to be hooked into the EIRUSS centralized sewer system.

The Land Use Administrator explained the Residential District requires a minimum one acre lot size so that it can accommodate the septic and well separation distances. In many nearby counties, they allow lots of less than one acre for areas that are serviced by a centralized wastewater system. Some counties allow for lot sizes that range from 6,000 sq. ft. to 12,000 sq. ft. This lot would be 17,424 sq. feet. The neighbors were concerned with water runoff. The Land Use Administrator gave the applicant information on how to contact the NRCS District Conservationist that can help with soil stabilization during the construction process.

The Land Use Administrator discussed with the Board that the Planning & Zoning Commission has discussed text amendments within the ordinance to allow for lot sizes of less than one acre in Fairview and Center Junction, which contain a centralized sewer system managed by EIRUSS. The Commission would rather see infill of existing residential areas than to take prime farmland out of production.
Motion by Thomsen seconded by Stecklein to close the public hearing at 4:15 p.m. All aye. Motion carried.

Motion by Thomsen seconded by Stecklein to approve the variance to allow a lot size of less than one acre in the R-Residential Zoning District for property described as Fairview Lots 3 and 4 of Block 3, in Section 20 of Fairview Township generally located on Washington St. in Fairview since the lot can be serviced by the EIRUSS centralized sewer system.

Roll call vote:
Thomsen - Aye
Stecklein - Aye
Hall - Aye

All aye. Motion carried. The red zoning sign was returned and approval will be sent by regular mail.

Next meeting, if needed, will be June 18, 2019 at 4:00 p.m. Deadline for applications for this meeting will be May 29, 2019.

Motion by Stecklein seconded by Thomsen to adjourn the meeting at 4:18 p.m. All aye. Motion carried.
Introductions of the Board of Adjustment, staff and visitors took place.

A quorum of members of the Jones County Board of Adjustment was achieved at 4:00 p.m. and the meeting was called to order by Chairperson Cindy Hall.

Motion by Thomsen seconded by Davies to approve the agenda for the meeting. All aye. Motion carried.

Motion by Davies seconded by Thomsen to approve the May 21, 2019 meeting minutes. All aye. Motion carried.

Motion by Davies seconded by Thomsen to open the public hearing at 4:04 p.m. for owner Todd V. Behrends for a special permitted use in the Agricultural Zoning District for property legally described as the East 28 Rds SW NE South of the Road excepting the South 750' and the SE NE all in Section 34 of Wayne Township generally located near 15303 E-23 County Home Rd., Anamosa. More specifically, the proposal is for a Value Added Agricultural Process to build a new structure for barley and grain malting to distribute to breweries and general agricultural storage. All aye. Motion carried.

The Land Use Administrator noted that the Board received copies of the application, aerial map, and written report. All adjoining landowner letters were delivered and no verbal comments were received.

Todd Behrends was present to discuss his proposal. His proposal is to malt barley on a micro basis to distribute to local breweries. His process will be on a micro basis, making specialty malt based on customer requests. He stated he would like to start by growing approximately 40 acres of barley locally and then harvesting, cleaning, steeping and kilning the barley. He stated there is a demand for locally grown malt to area breweries and distilleries. He is still working on engineered plans for the building. Expected construction would be the building this fall and the first harvest of barley fall 2020. He does not expect any additional employees right away. Height of the building may be increased. Current plan for building height is 20 feet. He will contact Joe Wagner at NCRS for a soil erosion control plan to reduce sediment going into his pond. He understands the requirement for a septic system for the building and will tie into an existing well on the property. All the processing will take place inside the building so it should not create any additional noise or smells. There should be no additional traffic. The malted barley can be packaged into 35-50 lb. bags and loaded on pallets to be distributed by a truck. This can be a year round processing. Barley can be stored in small bins outside the building and then when ready, can be used to process a batch of malt. Each batch takes one week to complete.

Motion by Davies seconded by Thomsen to close the public hearing at 4:24 p.m. All aye. Motion carried.
Motion by Thomsen seconded by Davies to approve the special permitted use request for a value added agricultural product for Todd V. Behrends in Section 34 of Wayne Township generally located near 15303 E23 County Home Rd., Anamosa.

Roll call vote:
Thomsen - Aye
Zumbach - Aye
Davies - Aye
Hall - Aye

All aye. Motion carried. Once the red zoning sign is returned, the approval will be sent by regular mail.

Motion by Thomsen seconded by Davies to open the public hearing at 4:26 p.m. for owner Lynne Sundberg has applied for a special permitted use in the R-Residential Zoning District for property described as Timberwood Acres Pt 3 Lot 44, in Section 34 of Fairview Township located at 21520 78th St., Anamosa. More specifically, the special permitted use is for a home-based women's only fitness business called Halos and Horns LLC. All aye. Motion carried.

The Land Use Administrator noted that the Board received copies of the application, aerial map, and written report. All adjoining landowner letters were delivered except for Noah and Traci Worcester and no verbal comments were received.

Lynn Sundberg was present to answer questions regarding the application. She would like to start a women’s only pole dancing fitness class in her home. Eventually she would like to grow her business with a store front in town. She indicates it should not affect the neighbors. The clients are women only above the age of 18. She has special insurance coverage for her business and certification to teach classes and has to receive continuing education each year. It is a good upper body workout.

Motion by Zumbach seconded by Davies to close the public hearing at 4:31 p.m. All aye. Motion carried.

Motion by Zumbach seconded by Davies to approve the special permitted use for a home based business for a women’s only fitness business called Halos and Horns LLC for Lynne Sundberg located at 21520 78th St., Martelle.

Roll call vote:
Thomsen - Aye
Zumbach – Aye
Davies – Aye
Hall – Aye
All aye. Motion carried.
Motion by Thomsen seconded by Davies to approve the 2019 Administrative rules. All aye. Motion carried.

Motion by Thomsen seconded by Davies to appoint Cindy Hall as the 2019-2020 Chairperson. All aye. Motion carried.

Next meeting, if needed, will be September 17, 2019 at 4:00 p.m. Deadline for applications for this meeting will be August 28, 2019.

Motion by Thomsen seconded by Zumbach to adjourn the meeting at 4:45 p.m. All aye. Motion carried. Davies will not be able to attend the September meeting.

Jones County Board of Adjustment

Meeting Minutes

October 15, 2019 at 4:00 p.m.

Members present:
Cindy Hall, Chairperson
Paul Thomsen
Catherine Davies
Nicole Stecklein – via phone

Members absent:
Ethan Zumbach

Staff present:
Michele Lubben – Land Use Administrator

Visitors present:
Brian Rickels – applicant, 2417 County Rd. D-61, Bernard
Ned Rohwedder – Supervisor District 4
Mike Weber - surveyor

Introductions of the Board of Adjustment, staff and visitors took place.

A quorum of members of the Jones County Board of Adjustment was achieved at 4:00 p.m. and Chairperson Cindy Hall called the meeting to order at 4:08 p.m.

Motion by Davies seconded by Thomsen to approve the agenda for the meeting. All aye. Motion carried.
Motion by Thomsen seconded by Davies to approve the August 20, 2019 meeting minutes. All aye. Motion carried.

Motion by Thomsen seconded by Davies to open the public hearing at 4:10 p.m. for owners Brett and Laura Butler and applicant Brian Rickels, who have applied for a variance in the A-Agricultural Zoning District for property described as the NE ¼ SE ¼, in Section 11 of Washington Township generally located south of Brian Rickels property at 2417 County Rd. D-61, Bernard, Iowa. More specifically, the variance is to allow a split that does not meet the requirements for a farm or a residential split within the A-Agricultural District to correct a 30-year-old boundary fence problem. All aye. Motion carried.

The Land Use Administrator noted that the Board received copies of the application, aerial map, and written report. All adjoining landowner letters were sent, however, Mark and Karen Hosch did not pick up their letter from the Post Office and John Udell’s letter was received. No verbal comments were received on the application.

The Land Use Administrator gave a brief history on the property and application. The property in which Brian Rickels lives is described as Lot 3 of Simon Acres, a subdivision recorded in 1989. On the plat, it was clear that there was an area with a fence that was not part of the plat. The area requesting to be surveyed is approximately 1/3 of an acre and contains a horse barn and pasture area and Rickels has always occupied the area. The Jones County Assessor’s office realized when checking property, that the two buildings that were being assessed to Brian Rickels was actually on Brett Butler’s parcel. A letter then went to Brett Butler to explain that the buildings were now going to be taxed to Brett Butler unless the office was notified. Brett Butler never thought that the buildings were his and even though there was a survey and documents within the abstract, Rickels assumed the property was his. They are looking to correct the discrepancy by this action. The Land Use Administrator explained that the Assessor’s Office has again switched the taxation of the buildings to Brian Rickels as a “building on leased land”. The Land Use Administrator explained the variance is to both a request to split less than 2 acres in the A-Agricultural Zoning District and to allow a split that would not count as a one-time residential split. The Land Use Administrator explained that there could be other ways other than a variance for this situation. It could continue to be a building on leased land and Rickels could lease the area from Butler without a survey similar to an agreement he has with the adjacent neighbor Hosch for a fenced off area of pasture. They could also see an attorney to claim “adverse possession” on the area listed. Creating a precedence for the split could allow for additional land use applications for similar situations.

Motion by Thomsen seconded by Davies to close the public hearing at 4:35 p.m. All aye. Motion carried.
The Board discussed the application and alternatives to allowing a split if it could contain the minimum acreage requirement. The applicant will discuss with Butler the possibility to obtain the necessary two acres.

Motion by Thomsen seconded by Davies to table the application until their next scheduled meeting.

Roll call vote:
Thomsen - Aye
Davies – Aye
Stecklein - Aye
Hall - Aye
All aye. Motion carried.

The red zoning sign was returned.

The next meeting is scheduled for Tuesday, November 19, 2019 at 4:00 p.m.

Motion by Thomsen seconded by Davies to adjourn at 5:05 p.m. All aye. Motion carried.

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The Board discussed the application and alternatives to allowing a split if it could contain the minimum acreage requirement. The applicant will discuss with Butler the possibility to obtain the necessary two acres.

Motion by Thomsen seconded by Davies to table the application until their next scheduled meeting.

Roll call vote:
Thomsen - Aye
Davies – Aye
Stecklein - Aye
Hall - Aye
All aye. Motion carried.

The red zoning sign was returned.

The next meeting is scheduled for Tuesday, November 19, 2019 at 4:00 p.m.

Motion by Thomsen seconded by Davies to adjourn at 5:05 p.m. All aye. Motion carried.

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The Board discussed the application and alternatives to allowing a split if it could contain the minimum acreage requirement. The applicant will discuss with Butler the possibility to obtain the necessary two acres.

Motion by Thomsen seconded by Davies to table the application until their next scheduled meeting.

Roll call vote:
Thomsen - Aye
Davies – Aye
Stecklein - Aye
Hall - Aye
All aye. Motion carried.

The red zoning sign was returned.

The next meeting is scheduled for Tuesday, November 19, 2019 at 4:00 p.m.

Motion by Thomsen seconded by Davies to adjourn at 5:05 p.m. All aye. Motion carried.

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The Board discussed the application and alternatives to allowing a split if it could contain the minimum acreage requirement. The applicant will discuss with Butler the possibility to obtain the necessary two acres.

Motion by Thomsen seconded by Davies to table the application until their next scheduled meeting.

Roll call vote:
Thomsen - Aye
Davies – Aye
Stecklein - Aye
Hall - Aye
All aye. Motion carried.

The red zoning sign was returned.

The next meeting is scheduled for Tuesday, November 19, 2019 at 4:00 p.m.

Motion by Thomsen seconded by Davies to adjourn at 5:05 p.m. All aye. Motion carried.

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The Board discussed the application and alternatives to allowing a split if it could contain the minimum acreage requirement. The applicant will discuss with Butler the possibility to obtain the necessary two acres.

Motion by Thomsen seconded by Davies to table the application until their next scheduled meeting.

Roll call vote:
Thomsen - Aye
Davies – Aye
Stecklein - Aye
Hall - Aye
All aye. Motion carried.

The red zoning sign was returned.

The next meeting is scheduled for Tuesday, November 19, 2019 at 4:00 p.m.

Motion by Thomsen seconded by Davies to adjourn at 5:05 p.m. All aye. Motion carried.

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The Board discussed the application and alternatives to allowing a split if it could contain the minimum acreage requirement. The applicant will discuss with Butler the possibility to obtain the necessary two acres.

Motion by Thomsen seconded by Davies to table the application until their next scheduled meeting.

Roll call vote:
Thomsen - Aye
Davies – Aye
Stecklein - Aye
Hall - Aye
All aye. Motion carried.

The red zoning sign was returned.

The next meeting is scheduled for Tuesday, November 19, 2019 at 4:00 p.m.

Motion by Thomsen seconded by Davies to adjourn at 5:05 p.m. All aye. Motion carried.

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The Board discussed the application and alternatives to allowing a split if it could contain the minimum acreage requirement. The applicant will discuss with Butler the possibility to obtain the necessary two acres.

Motion by Thomsen seconded by Davies to table the application until their next scheduled meeting.

Roll call vote:
Thomsen - Aye
Davies – Aye
Stecklein - Aye
Hall - Aye
All aye. Motion carried.

The red zoning sign was returned.

The next meeting is scheduled for Tuesday, November 19, 2019 at 4:00 p.m.

Motion by Thomsen seconded by Davies to adjourn at 5:05 p.m. All aye. Motion carried.
A quorum of members of the Jones County Board of Adjustment was achieved at 4:06 p.m. and Chairperson Cindy Hall called the meeting to order.

Motion by Stecklein seconded by Davies to approve the agenda for the meeting. All aye. Motion carried.

Motion by Stecklein seconded by Thomsen to approve the October 15, 2019 meeting minutes. All aye. Motion carried.

The Board picked up the discussion from last month asking the applicant and owner for more information. Butler commented that they were not asking for any changes. They were requesting the fences to stay “as is”. They just want the paperwork to match the fence lines. Thomsen noted that it could all stay the same with a change in the Assessor’s office to declare the buildings as “buildings on leased land”. The Land Use Administrator discussed the procedure used for current boundary corrections which do not include previously surveyed parcels. The Board discussed the variance to both the acreage requirement and the waiver of the one-time farmland split option.

Motion by Thomsen seconded by Stecklein to deny the application due to the following:

- Approving such a request would set a precedence within Jones County to allow parcels to be split within the Agricultural District that would be less than two acres and allow more splits than permitted by the ordinance.
- The request does not meet the minimum lot size requirement within the Agricultural Zoning District of two acres.
- Approval of such request would allow more splits than permitted within the Agricultural Zoning District.
- The Board of Adjustment felt the issue could be handled with an agreement to allow a building on leased land.

Roll call vote:
Thomsen – Aye
Stecklein – Aye
Davies – Aye
Hall - Aye

All aye. Motion carried.

Motion by Stecklein seconded by Thomsen to adjourn at 4:24 p.m. All aye. Motion carried.