

Jones County Board of Adjustment

Meeting Minutes

October 18, 2022, at 4:00 p.m.

Members present:

Cindy Hall, Chairperson
Paul Thomsen
John Hinz
Catherine Davies

Members absent:

Stan Reiter

Staff present:

Michele Lubben – Land Use Administrator

Visitors present:

Dave Sellnau – 213 Hubbell St. Martelle
Allen and Nancy Sellnau - 22637 80th St., Martelle
Doug Yates – 21953 Stone Bridge Rd., Monticello

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.

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 27, 2022, meeting minutes. All aye. Motion carried.

Motion by Thomsen seconded by Davies to open the public hearing at 4:01 p.m. for owners, Allen and Nancy Sellnau have applied for a Variance in the A-Agricultural Zoning District for property legally described as Parcel 2005-105 and NE ¼ NW ¼ except Parcel 2005-105 in Section 33 of Fairview Township generally located at 22637 80th St., Martelle. More specifically, the request is to allow a reconfiguration of parcel lines between the two properties which currently does not meet the requirements within the A-Agricultural Zoning District.

The Land Use Administrator noted that the Board received copies of the application, aerial map, and written report. The owner also received a copy of the written report. All adjoining landowner letters were sent and received. The red zoning sign was posted as required. No written or verbal comments were received.

The owner was present to discuss the application. They explained 17 years ago they split Parcel 2005-105 so that their son David could buy the farmhouse and they could build a new dwelling on the remaining farmland. Circumstances changed and that did not happen. Currently, the way the parcel is split, you cannot access the 24 x 30 farm building because the doors are on the north side of the building. The building was built in 1996. Allen and Nancy are looking at retiring from farming and want to sell the house and buildings as an acreage and keep the remaining farm ground.

Motion by Thomsen seconded by Davies to close the public hearing at 4:06 p.m. All aye. Motion carried.

Discussion by the Board of Adjustment took place. The Variance checklist was reviewed.

Motion by Thomsen seconded by Hinz to approve the Special Permitted Use application for owners, Allen and Nancy Sellnau who have applied for a Variance in the A-Agricultural Zoning District for property legally described as Parcel 2005-105 and NE ¼ NW ¼ except Parcel 2005-105 in Section 33 of Fairview Township generally located at 22637 80th St., Martelle. The approval requires a two-acre net minimum to be surveyed by a land surveyor for the acreage and the remainder of the farm ground must be surveyed also.

Roll call vote:

Thomsen – Aye

Hinz - Aye

Davies - Aye

Hall - Aye

All aye. Motion carried.

The application is approved. The Land Use Administrator will issue the approval to the owner. The red zoning sign was returned.

Motion by Thomsen seconded by Hinz to open the public hearing at 4:18 p.m. for owners, Owners, Craig and Lisa Stadtmueller and applicant, Doug Yates have applied for a Variance in the R-Residential Zoning District for property in the NW ¼ NW ¼ west of the road in Section 20 of Lovell Township (parcel id of 02-20-101-004). More specifically, the request is to allow a split of a .94-acre pre-existing, non-conforming parcel to allow for an additional accessory structure to be built by Yates.

The Land Use Administrator noted that the Board received copies of the application, aerial map, and written report. The owner and applicant also received a copy of the written report. All adjoining landowner letters were sent and received. The red zoning sign was posted as required. No written or verbal comments were received.

Doug Yates was present to discuss the application. He noted Craig and Lisa Stadtmueller were ok with this and we not going to be in attendance. Yates wanted clarification on a boundary line adjustment. The Land Use Administrator explained the boundary line adjustment application is for long standing

boundary lines that do not meet the current legal descriptions and it is a method in which can be used in the A-Agricultural Zoning District where the subdivision process cannot be completed. Yates explained the property that is the .94 acres contains timber and a hunting stand. Yates provided pictures and described the pictures and property lines. Yates explained the other options and the cost associated with the other options. The Land Use Administrator had given Yates the option of creating two subdivisions. This is the legal option through the Jones County Zoning and Subdivision Ordinance. Yates indicated the Variance process was chosen so that he did not have to wait longer, building material costs continue to rise.

Motion by Thomsen seconded by Davies to close the public hearing at 4:32 p.m. All aye. Motion carried.

Discussion by the Board of Adjustment took place. The Variance checklist was reviewed.

Motion by Hinz seconded by Thomsen to deny the Variance application for owners, Owners, Craig and Lisa Stadtmueller and applicant, Doug Yates in Section 20 of Lovell Township (parcel id of 02-20-101-004) because the Board recommends proceeding with the legal means of a subdivision which will result in two legal parcels. The Board confirms the three-part standard had not been met according to Iowa Code.

Roll call vote:

Thomsen – Aye

Hinz - Aye

Davies - Aye

Hall - Aye

All aye. Motion carried.

The application is denied. The Land Use Administrator will issue the written decision to the owner. The red zoning sign was returned.

The Board discussed the annual appointment of the chairperson and administrative rules. There was a motion by Thomsen seconded by Hinz to appoint Cindy Hall as chairperson for 2022-2023. All aye. Motion carried.

Motion by Thomsen seconded by Davies to approve the 2022 Administrative rules as presented. All aye. Motion carried.

The next meeting is scheduled for Tuesday, November 22, 2022, at 4:00 p.m.

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