

**JONES COUNTY
BOARD OF ADJUSTMENT**

AGENDA

**TUESDAY, JANUARY 16, 2024 4:00 p.m.
COMMUNITY ROOM, JONES COUNTY COURTHOUSE**

- 4:00 p.m.** • Call meeting to order, approve agenda, and December 19, 2023 meeting minutes.

- Public hearing for owners, Cory and Misty Vanfossen who have applied for a Special Permitted Use for a parcel within the Agricultural district described as Catlett's 1st Add Lot 1 containing 1.91 acres (parcel 14-07-100-007) in Section 07 of Rome Township. The request for a Home Based business would allow Mr. Vanfossen to rebuild automotive vehicles. The Home Based Business regulations are within Article V. A-Agricultural Section 1. D. 6. Section 1. of Article VII within the Jones County Zoning Ordinance.
- Action on Special Permitted Use Application for Cory & Misty VanFossen.
- Next meeting, if needed is February 20, 2024. Application deadline is Wednesday January 31, 2024.

Jones County Board of Adjustment

Meeting Minutes

December 19, 2023, at 4:00 p.m.

Members present:

Cindy Hall, Chairperson
Stan Reiter
Catherine Davies
Paul Thomsen
John Hinz

Members absent:

None

Staff present:

Michele Lubben – Auditor’s office
Whitney Amos – Land Use Administrator

Visitors present:

Wayne Briggs, Motion Media representative
Bret Barner, owner

Chairperson Cindy Hall called the meeting to order at 4:00 p.m. Introductions of the Board and visitors took place.

Motion by Hinz seconded by Thomsen to approve the agenda and November 21, 2023, meeting minutes. All aye. Motion carried.

Lubben welcomed new member Roger Kistler appointed by District 4 Supervisor Ned Rohwedder and thanked long time member Catherine Davies for her service.

Motion by Hinz seconded by Reiter to open the public hearing at 4:02 p.m. for applicant Motion Media Inc. and owner Barner Storage LLC, who have applied for a Variance for a parcel within the C-2 Highway Commercial District described as Lot 3 Barners 1st Addition containing 2.59 acres (parcel 05-36-328-003) in Section 36 of Cass Township. The Variance requested is to allow rebuilding an existing non-conforming off-premise freestanding sign that is within 1,000 feet of another off-premise sign. This Variance references regulations within Article XX Sign Requirements Section 3. B. 4. b. i. and Section 4. of Article XX within the Jones County Zoning Ordinance. All aye. Motion carried.

Lubben noted the Board received copies of the application, aerial map, and written report. The owner and applicant also received copies of the written report as required. Lubben noted three certified

letters were received and several were left as attempted, notice left or a delivery needed to be rescheduled. No written or verbal comments were received on the application.

The owner and applicant were present to give a brief overview of the proposal. Their intention is to replace the current structure and replace it with a single steel pole billboard. The post will be 24" in diameter and meet the requirements of 30' high. It will be lit by an LED light. It will be designed for a vinyl wrap. It was clarified that this is not a digital billboard. The sign will be 12' by 25' which meets the requirement of 300 square feet in area. It will be on private property (owned by Barner Storage LLC).

Motion by Thomsen seconded by Hinz to close the public hearing at 4:09 p.m. All aye. Motion carried.

Discussion by the Board of Adjustment took place. The Board reviewed the Variance checklist on page 3 of the written report independently.

Motion by Reiter seconded by Thomsen to approve the Variance application for Motion Media Inc. and owner Barner Storage LLC.

Roll call vote:

Reiter-Aye

Thomsen-Aye

Kistler - Aye

Hinz-Aye

Hall - Aye

All aye. Motion carried.

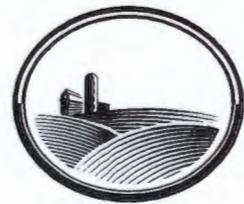
The application is approved. The Land Use Administrator will issue the approval to the owner and applicant. The red zoning signs will need to be returned by Barner in order to issue their approval.

The next meeting is scheduled for Tuesday, January 16th, 2024, at 4:00 p.m. Application deadline is Wednesday, December 27, 2023.

Lubben discussed a possible joint meeting between the Board of Adjustment and the Planning & Zoning Commission in the near future.

Motion by Hinz seconded by Kistler to adjourn at 4:25 p.m. All aye. Motion carried.

Jones County Land Use
 Rm 113 Courthouse, 500 W Main St.
 Anamosa, Iowa 52205
 Phone: 319-462-2282 Fax: 319-462-5815
 Email: landuse@jonescountyiowa.gov
 Website: www.jonescountyiowa.gov



Jones County Zoning
Special Permitted Use Application

For Office Use Only		
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied	Date: _____
Comments: _____		
_____ Signature of Jones County Land Use Administrator		

The Board of Adjustment will review the proposal and deny or approve.

pd CK 1944
12/27/23

Fee: **\$250.00 (non-refundable) payable to Jones County, with the completed application**

Date Application Filed: *12/27/23*

Owner Information

Name on property: <i>Corey R & Misty D Van Fossen</i>			
Address to receive mail:	House Number & Street: <i>18632 55th St</i>		Apartment/Unit
	City: <i>Anamosa</i>	State: <i>IA</i>	Zip Code: <i>52205</i>
Phone:	<i>(319) 480-6990</i>	E-mail Address:	<i>bearyff@hotmail.com</i>

Applicant Information

Name: (If different from above.)			
Address to receive mail:	House Number & Street:		Apartment/Unit
	City:	State:	Zip Code:
Phone:	()	E-mail Address:	

Parcel Information

Township	<i>Rome</i>	Section	<i>07-83-03</i>	Property Address	<i>18632 55th St Anamosa, IA 52205</i>
Zoning District:	<i>Roman</i>			County Parcel ID(s), if known: <i>1407100007</i>	

Additional information regarding the parcel(s), if any:

Proposed Use

Attach a site plan indicating the location of any existing, and proposed, buildings and driveways.

Attach a copy of the entrance access permit from the County Engineer, if any.

Attach a narrative providing the following information:

- Expected traffic volumes, including the impact on local roads and access to hard surface roads.
- Noise impact on surrounding property owners, residents, and livestock.
- Provisions for sanitary services (permanent and/or temporary waste disposal plans).

The narrative shall include any additional information required in the Zoning Ordinance for the specific permitted use requested.

Additional information and regulations may be required of properties located in a Critical Resource Area Overlay (Section 9 of Article V).

Additional information may be requested by the County to assist the Board of Adjustment in considering the application.

A and A2 - Agricultural District Special Permitted Uses Article V – Section 1. and 2. D.

- Auxiliary dwelling units subject to Article XI.
- Bed and breakfast inns subject to Article VIII.
- Churches or other places of worship, including parish houses and Sunday school facilities.
- Commercial recreation uses subject to Article IX.
- Communication towers subject to Article XIV.
- Home-based Industries subject to Article VII.
- Kennels and Animal Shelter Requirements subject to Article XXI.
- Public and private stables.
- Quarry and Extraction Uses subject to Article X.
- Seasonal dwelling units subject to Article XI.
- Seed, feed, biofuel plants, (biodiesel, ethanol) and other direct farm supply businesses.
- Wind Energy Conversion Systems (WECS) under 100 Kilowatts subject to Article XV.
- Wineries and other Value Added Agricultural Products.
- Quarry and Extraction Uses subject to Article X.

R - Residential District Special Permitted Uses Article V – Section 3. D.

- Animal shelters subject to Article XXI.
- Auxiliary dwelling units subject to Article XI.
- Bed and breakfast inns subject to Article VIII.
- Churches or other places of worship, including parish houses and Sunday school facilities.
- Home-based industries subject to Article VII.
- Parks, playgrounds, golf courses (public and private), service organizations, and recreational uses.
- Schools (public and private), educational institutions, preschools, and day care facilities.
- Wind Energy Conversion System (WECS) – Small subject to Article XV.

RMH - Residential Manufactured Housing District Special Permitted Uses Article V – Section 4. E.

- Home-based industries subject to Article VII.

C1 - Commercial District Special Permitted Uses Article V – Section 5. D.

- Bed and breakfast inns subject to Article VIII.
- Communication towers subject to Article XIV.
- Wind Energy Conversion Systems (WECS) – Small subject to Article XV.
- Wineries and other Value Added Agricultural Products.

C2 - Highway Commercial District Special Permitted Uses Article V – Section 6. D.

- Bed and breakfast inns subject to Article VIII.
- Communication towers subject to Article XIV.
- Wind Energy Conversion Systems (WECS) – Small subject to Article XV.
- Wineries and other Value Added Agricultural Products.
- Adult entertainment uses subject to Article XII.

I1 - Industry District Special Permitted Uses Article V – Section 7. D.

- Adult entertainment uses subject to Article XII.
- Communication towers subject to Article XIV.
- Quarry and Extraction Uses subject to Article X.
- Wind Energy Conversion Systems (WECS) – Small subject to Article XV.

The land parcel(s) must comply with the minimum lot area, front, rear, and side yard setbacks, and maximum height restrictions in the applicable district, as described in the Jones County Zoning Ordinance. The Jones County Zoning Ordinance is available in the office of the Jones County Auditor, or on-line at www.jonescountyiowa.gov.

The applicant is responsible for reviewing the provisions of the Jones County Zoning Ordinance prior to submitting this application.

DNR Storm Water Permits are required when development disturbs one acre or more of land. For more information, contact the Department of Natural Resources at (515) 725-8417 or contact Clark Ott at (563) 927-2640 and ask for storm water permit assistance.

Special Permitted Use applications are submitted to the Jones County Board of Adjustment for consideration and approval or denial. The Board of Adjustment may apply additional conditions for approval, as may be warranted to mitigate any deleterious effects of the proposed use. The decision of the Board of Adjustment may be appealed by filing a petition with the District Court within thirty (30) days after the decision has been issued by the Board of Adjustment.

This development is subject to, and shall be required, as a condition of final development approval, to comply with the Code of Iowa and all Jones County ordinances, requirements, and standards that are in effect at the time of final development approval.

The undersigned applicant certifies under oath and under the penalties of perjury that the foregoing information is true and correct.

 _____ Date 12/26/23

Owner Signature (if different than above) Date

QUESTIONS

WHO TO CONTACT

Flood Plain Determination	Flood Plain Coordinator 319-462-4386 – Brenda Leonard
Access Permit for Drive	County Engineer 319-462-3785 – Derek Snead
911 Address	911 Coordinator 319-462-2735 – Gary Schwab 9-1 Mon - Wed
Well and Septic	Environmental Services 319-462-4715 – Paula Hart
Electrical Permits/Inspections	https://iowaelectrical.gov/ – ggrant@dps.state.ia.us Greg Grant 319-350-2404

Home Based Industries Application

I have attached an aerial map of the property in which I am wanting to do the Home-based Industries Application for.

I am wanting to do this application for the sole purpose of rebuilding automotive vehicles. At this time it will not be a full time career and something that is done in my spare time. I am hoping to do 10-15 vehicles a year. The impact to traffic volume, and noise to neighbors, livestock or property will be minimal since I am the only one located in the area and no livestock are present. I am planning to do this in a building that is already on the property with a septic and well. This business should not add any stress on either of those systems as there will not be any extra individuals involved.

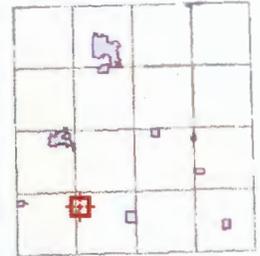
To get an auto rebuilders license I need to have an official letter for the Iowa DOT showing that I have permission from the county to rebuild vehicles on my property.

Thank you for your consideration,

Cory Van Fossen



Overview



Legend

Parcels

-  Structures on Leased Land
-  Parcels
-  Cartography
-  Major Roads

THIS MAP DOES NOT REPRESENT A SURVEY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA DELINEATED HEREIN, EITHER EXPRESSED OR IMPLIED BY JONES COUNTY OR ITS EMPLOYEES. THIS MAP IS COMPILED FROM OFFICIAL RECORDS, INCLUDING PLATS, SURVEYS, RECORDED DEEDS, AND CONTRACTS, AND ONLY CONTAINS INFORMATION REQUIRED FOR LOCAL GOVERNMENT PURPOSES. SEE THE RECORDED DOCUMENTS FOR MORE DETAILED LEGAL INFORMATION.

Date created: 12/26/2023
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Developed by  **Schneider**
GEOSPATIAL

Jones County Land Use
 Rm 113 Courthouse, 500 W Main St.
 Anamosa, Iowa 52205
 Phone: 319-462-2282 Fax: 319-462-5815
 Email: landuse@jonescountyiowa.gov
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JONES COUNTY LAND USE

**Written Report of the Jones County Land Use Administrator
 Request for a Special Permitted Use**

Application from:	Owners, Cory & Misty VanFossen
For property located:	18632 55 th St, Anamosa IA 52205
Brief legal description:	Catlett's 1 st Add Lot 1
Parcel number:	14-07-100-007
Parcel size:	1.91 acres
Proposal:	To operate a home-based business to rebuild automotive vehicles
Current Zoning District:	A-Agricultural
Applicable Ordinance Provisions:	Article V. Zoning Districts <ul style="list-style-type: none"> ▪ Section 1. A-Agricultural ▪ D. Special Permitted Uses ▪ 6. Home-based industries subject to Article VII.
Date application received:	December 27, 2023
Applicable fee:	\$250 paid on December 27, 2023
Notice published: (Article XXV-Section 5)	Week of January 1, 2024 (6-7 days notice provided; 5-20 days required)
Adjacent property owners notified by certified mail: (Article XXV-Section 5)	December 30, 2023
Report mailed to Board of Adjustment: (Article XXV-Section 7)	January 11, 2024
Report mailed to Applicant: (Article XXV-Section 7)	January 11, 2024

Copy of application, proposed use, and copy of map attached.

See pages 2 and 3 for report.

Report of the Jones County Land Use Administrator
 (Article XXV-Section 7)

	Derek Snead – Jones County Engineer
Comments:	<p><i>I have reviewed the Subdivision Application submitted by Mr. & Mrs. Van Fossen. My comments are as follows:</i></p> <ul style="list-style-type: none"> • <i>Jones County has established rules for control of access to secondary roads. This policy was developed to formalize Jones County's requirements for the location and establishment of driveways, field accesses and farm entrances requested by county property owners. If a new access will be constructed or if there are any proposed changes to an existing property access, the property owner must file an 'Application for Access' with the Jones County Secondary Road Department prior to commencing any access construction.</i> • <i>Jones County has established an ordinance to ensure uniform building and structural alterations along County public secondary road rights-of-way that will protect and preserve the highway corridor. If a property owner desires to build a structure or alter an existing structure that is within thirty feet of the secondary road right-of-way, then a variance request must be filed with the County Engineer's Office before any construction may commence.</i> • <i>Any work that may necessitate work (ditching, driveway resurfacing, etc.) within the County road right-of-way must first obtain an Application for Alteration of Public Right-of-Way before commencing with construction.</i> <p><i>If the applicant has any questions on any of the above conditions, please contact myself for more information and guidance.</i></p>
	Jones County District Soil Conservationist – Addie Manternach
Comments:	<p><i>After reviewing this special permitted use application, I do not see any major concerns/impacts of the proposed home based business for automotive rebuilding on this site. From the point of view of the Jones Soil & Water Conservation District, approval of this proposal should have no negative effect on the soil and water resources of this area. If any additional construction is planned, the Jones Soil & Water Conservation District advises the landowner to seek assistance in developing an erosion control plan – prior to construction – to prevent soil erosion on site during construction and to keep sediment from leaving the property.</i></p>
	Jones County Sanitarian – Paula Hart
Comments:	<p><i>1) Property must have a properly functioning septic system. Currently there are NO septic records in the file. Please submit a drawing of the tank size, location and field size, location. If one is not available contact a certified septic contractor with Jones County and submit to this department for verification.</i></p>
N/A	Flood Plain Manager – Brenda Leonard
Comments:	<i>This is not in a flood plain</i>
	Jones County Conservation Director – Brad Mormann
Comments:	<i>No comments received.</i>
	Jones County E911 Coordinator – Gary Schwab
Comments:	<p><i>In review of the above stated application the Jones County 911 office finds that there are no conflicts with Chapter 3, Uniform Rural Address System to Title IV Streets, Roads Public Ways and Transportation, Section 9.D, as part of the Jones County Code of Ordinances.</i></p>

<i>Minimal apparent impact</i>	Impact which the application will have on the overall land use plan in Jones County (Article XXV-Section 7)
Comments: <i>According to the 2023 Comprehensive Land Use Plan, home based businesses should be encouraged and promoted where activities are conducted in the primary residence or accessory building conforming to all applicable ordinance and regulations.</i>	
<i>Minimal apparent impact</i>	Impact which the application would have on surrounding property: (Article XXV-Section 7)
Comments: <i>Adjacent properties are generally agricultural uses. The application states that the impact to neighboring properties shall be minimal, as applicant is the only residence in the area.</i>	

Potential outcomes of Special Permitted Use	
<i>Approve the application in full</i>	
<i>Approve the application with modifications</i>	
<i>Deny the application</i>	
<i>Table the application to a later date</i>	

Further Reference to:

- Article XIX-Lighting Requirements
- Article XX-Sign Requirements
- Article XXII-Off-Street Parking

Comments:

ARTICLE VII HOME-BASED INDUSTRY

1. It may be service and/or product oriented.
2. It shall not occupy more than 20% of the floor area of one floor of the dwelling;
3. It shall not be objectionable to its surroundings due to nuisance factors such as exterior appearance, the emission of odor, gas, dust, smoke, noise, or in any other way;
4. Not more than one (1) person who is not a member of the family thereby residing shall be regularly employed on the premises in addition to the proprietor;
5. No outside storage or display or products shall be allowed except in the case of roadside stands in which products produced on the respective property are offered for sale.
6. It shall not create traffic or delivery concerns in the immediate area; and,
7. There shall not be created diminishment or impairment of established property values to adjoining or surrounding property.



Jones County Land Use Administrator
Whitney Amos

1/11/24
Date