

**JONES COUNTY  
BOARD OF ADJUSTMENT**

**AGENDA**

**TUESDAY, SEPTEMBER 16, 2025 4:00 p.m.  
COMMUNITY ROOM, JONES COUNTY COURTHOUSE**

**4:00 p.m.** • Call meeting to order, approve agenda, and March 18, 2025 meeting minutes.

- Introduction of new member, Sarah Tate
- Annul appointments and administrative rules

- Public Hearing for property owners Joseph Netolicky and Linda Willard, who have applied for a variance for property of 6.30 acres located in the A-Agricultural Zoning District, described as the SW 1/4 NE 1/4 of Section 23 or Rome Township, generally located at 14378 35th St., Olin, IA. More specifically, the variance is to request the re-establishment of residential use after more than one year has passed.

- Action for property owners Joseph Netolicky and Linda Willard, who have applied for a variance for property of 6.30 acres located in the A-Agricultural Zoning District, described as the SW 1/4 NE 1/4 of Section 23 or Rome Township, generally located at 14378 35th St., Olin, IA. More specifically, the variance is to request the re-establishment of residential use after more than one year has passed.
- Next meeting, if needed is October 21, 2025. Application deadline is Wednesday October 1, 2025.

## **Jones County Board of Adjustment**

### **Meeting Minutes**

**March 18, 2025, at 4:00 p.m.**

#### **Members present:**

Paul Thomsen  
John Hinz  
Roger Kistler  
Kathy McDonell  
Stan Reiter

#### **Members Absent:**

#### **Staff present:**

Whitney Amos – Land Use Administrator

#### **Visitors present:**

Gary Schawb- Jones County 911 Service Board

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

Motion by McDonell seconded by Kistler to approve the agenda. All Aye. Motion Carried.

Motion by Hinz seconded by McDonell to approve the meeting minutes for the November 19<sup>th</sup> meeting minutes.

Motion by Kistler seconded by Hinz to open the public hearing at 4:01 p.m. for Property Owners Engelbart Rentals LLC and Applicant Jones County 911 Service Board who have applied for a variance within the C2-Highway Commercial zoning district described as the W ½ of the SE SE. More specifically the proposal is to request new LED lighting to be installed on the 260' communication tower.

Amos noted that the Board received the copies of the application, aerial map, and written report. The owner & applicant also received a copy of the written report as required. Amos noted that the adjacent landowners certified letters were received. No written or verbal comments were received prior to the meeting for the application.

Reiter arrived at 4:03 p.m.

Schawb stated that the tower was inspected last fall. The inspection revealed that the Tower is not up to FAA standards as far as painting goes. The options were to either paint the tower or change the lighting. Changing the lighting would be the most economical choice for Jones County and its Tax Payers, it is approximately half the cost of painting the tower.

Schawb advised that it would only be white light during the day and red light at night.

Motion by Hinz seconded by McDonell to close the public hearing at 4:10 p.m. All aye. Motion carried.

Motion by Hinz seconded by Kistler to approve the variance application for Owners Engelbart Rentals LLC and Applicant Jones County 911 Service Board.

Roll call vote:

Paul Thomsen-aye

John Hinz-aye

Roger Kistler- aye

Kathy McDonell-aye

Stan Reiter-aye

All aye. Motion carried.

The next regular scheduled meeting is April 15, 2025, with the application deadline being Wednesday March 26, 2025.

Motion by Hinz seconded by Reiter to adjourn at 4:13 p.m. All aye. Motion carried.

BOARD OF ADJUSTMENT  
ADMINISTRATIVE RULES  
JONES COUNTY  
Adopted September 2025

In compliance with Iowa Code, Section 335.12 and the Jones County Zoning Ordinance, Title VI - Property & Land Use, the following rules and procedures are hereby adopted by the Jones County Board of Adjustment.

MEMBERSHIP

The Board shall consist of five (5) members appointed by the Board of Supervisors. The members shall reside within Jones County and all the members shall reside outside the corporate limits of any city. Each member shall be appointed for a term of five (5) years, except that with the initial board one (1) member shall be appointed for a term of five (5) years, one (1) member for a term of four (4) years, one (1) member for a term of three (3) years, one (1) member for a term of two (2) years, and one (1) member for a term of one (1) year. Members shall be removable for cause by the Board of Supervisors upon written charges and following public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant.

OFFICERS

The Board of Adjustment shall select a chairperson at the first regular meeting in July to serve for a period of one (1) year (July 1-June 30). In his or her absence, an acting chairperson will be designated by the other members.

DUTIES

The chairperson, or in his absence, the acting chairperson, will preside at all meetings, appoint committees, administer oaths, compel the attendance of witnesses and perform such other duties as may be ordered by the Board.

OFFICE OF THE BOARD OF ADJUSTMENT

The Jones County Land Use Office is designated as the office of the Board of Adjustment. The Land Use Administrator shall be responsible for the secretary's duties; record and maintain minutes of the meetings, ensure that the minutes are adopted and perform such other duties as the board may determine.

## MEETINGS

The Board shall determine regular meeting dates. The chairperson, secretary or applicant may request special meetings. All meetings of the Board of Adjustment shall be open to the public. The secretary shall keep and file records of the public hearings and other official actions. The secretary will provide the Board notice of the special meeting, purpose and time 48 hours in advance. If the special meeting is at the request of the applicant, costs of the special meeting will be assessed to the applicant.

## QUORUM

A quorum of the board shall consist of 3 members. A quorum may be formed if one member of the three-person quorum is participating by teleconference. Without a quorum, no business will be transacted and no official action on any matter will take place.

## PUBLIC NOTICE

On receipt of the application and filing fee, the Land Use Administrator shall place the application on the next regular Board of Adjustment meeting agenda and publish the public hearing notice including time and place at least five (5) days prior to the hearing, but no longer than twenty (20) days in the officially designated newspapers of the County. In addition, certified mailings shall be sent to all adjoining property owners with the time and place of the hearing.

## ORDER OF BUSINESS

Call to order  
Approval of agenda  
Approval of minutes of previous meeting  
Reports of officers, committees, staff  
Unfinished business  
New Business: Appeals and applications on the agenda  
Time open for citizens wishing to address the Board on matters not on the established agenda  
Any other discussion or announcements  
Notice of next meeting  
Adjourn

## ORDER OF PUBLIC HEARING

Report by the Land Use staff  
Appellants or applicants side of the case  
Observer comments/case  
Comment by Land Use staff  
Appellant's rebuttal  
Action by Board

## CITIZEN PARTICIPATION

Persons other than Board members shall be permitted to address the Board on specific agenda items.

A citizen addressing the Board shall state his name and address.

Citizens shall be limited to three minutes speaking time per item unless additional time is granted by the presiding officer. Total citizen input on any subject under Board consideration shall be limited to a fixed period determined by the presiding officer.

Citizen comments must be directed to the subject under consideration. The presiding officer shall rule on the relevance of citizen comments. Citizens making personal, impertinent or slanderous remarks shall be barred by the presiding officer from further comment before the board.

The Board may, in its discretion, allow citizens who wish to raise a matter not on the agenda to address the Board at the end of the regular agenda

## MOTIONS

Motions may be made by anyone on the Board except the presiding officer. The administrator shall restate the motion before a vote is taken.

## DISCUSSION

A board member shall speak only after being recognized by the presiding officer. A member recognized for a specific purpose shall limit remarks to that purpose. A member, after being recognized, shall not be interrupted except by the presiding officer.

The presiding officer may enter into any discussion.

Each board member will limit his or hers remarks to a reasonable length.

The presiding officer has the right to close debate and speak last on any item.

Discussion may be closed on any item at any time by the presiding officer with concurrence of the majority of the Board.

Voting shall be by roll call and shall be recorded by aye or nay. Every member of the Board, including the presiding officer, is required to vote on each motion. A member shall abstain if he believes there is a conflict of interest, particularly if the conflict is of a financial nature.

Roberts Rules of Order, Revised, shall govern all Board meetings in all cases where these rules do not provide the procedures to be followed.

### POWERS OF THE BOARD OF ADJUSTMENT

The Board will hear:

Appeals from any decision involving an alleged error in any order, requirement, decision or determination made by the Land Use Administrator in the enforcement of the Jones County Zoning Ordinance.

Authorize in special use cases and variances from the terms of this Ordinance, as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provision of the ordinance will result in unnecessary hardship, and so that the spirit of the ordinance shall be observed, and substantial justice is done.

### VOTE REQUIRED

The concurring vote of three members of the Board of Adjustment shall be necessary to reverse any order, requirement, decisions, or determination of the Land Use Administrator, or to decide in favor of the applicant on any matter upon which it is required to pass under this Ordinance, or to affect any variance of this Ordinance.

### APPLICATION FEE

The Board of Supervisors will set a filing fee which the Land Use Office will collect when the application is filed. The fees are payable to Jones County, Iowa, and are not refundable. The Land Use Administrator shall not take any action upon the application until the filing fee has been collected in full.

### FEES FOR SPECIAL MEETINGS

The Board of Supervisors will determine the fee to hold any special meetings, when the special meeting was called in order to accommodate the schedule and any deadlines of the applicant.

## ETHICS

Board members are expected to attend all regular and special meetings of the Board. If a member has a valid reason for nonattendance, the member shall notify the Land Use Administrator before the meeting.

Each member of the Board has an affirmative ethical duty to recuse themselves from hearing any matter before the Board in which financial, familial, intimate social interests, or public statements would call into question their ability to be impartial in the minds of a substantial portion of the general public; or in which a vote against the interests of one's family or close associates would likely cause significant tensions in those ongoing relationships.

Each member of the Board has an ethical duty to avoid obtaining, outside of the public hearing, alleged facts about, or opinions about, the merits of an application before the Board. Each case must be decided only on the basis of the evidence placed on the record in a public hearing of a matter before the Board. If a member of the public approaches a Board member, outside of the public hearing process, wanting to talk about a matter scheduled to be heard by the Board, the Board member should politely decline to discuss the matter.

Each member of the Board has an ethical duty to avoid saying anything in public for or against the merits of any matter before the Board, or any party involved in a matter before the Board, prior to the opening of the hearing on the case.

Members of the Board have a duty to scrupulously avoid involvements with parties to applications which might call into question their impartiality. For example, gifts or gratuities from a "grateful" applicant or member of the public after a hearing in which the Board member voted in favor of or against the party should not be accepted.

The Board will not consider a request (informal or not) for advice on theoretical or actual situations which potentially may later come before the Board as an appeal or application.

## REVIEW BY BOARD OF ADJUSTMENT

The Board of Adjustment will review the application and report at the public hearing. If the land use change signs were not visible during site inspection, the request maybe tabled. It is also a recommendation by the Board of Supervisors that members of the Board of Adjustment review the properties on the agenda. At the said public hearing, the Board of Adjustment shall also receive comments from the applicant and the public at large. The Board of Adjustment shall then render its decision to approve the application in full, approve the application subject to modifications, table the application, request a review by the Board of Supervisors, or deny the application.



### WRITTEN FINDINGS

The Board of Adjustment shall issue its decision in writing specifying the reasons for its decision. Whenever the Board of Adjustment approves or denies an application in full, or as modified, the decision shall also set out in detail the exact nature of the exception or variance granted or denied including any specific restrictions to be placed on the variance or the reasoning for the denial. The Land Use Administrator shall mail a copy of the decision to the applicant.

### PERMIT

The Land Use Administrator shall issue a permit to any applicant who is granted an exception or variance by the Board of Adjustment. The permit shall describe the property subject to the exception or variance and shall also specify the exact nature of the exception or variance granted. No development or construction may be initiated on the property until the variance permit is issued. The permit shall become null and void one (1) year after the date on which it is issued unless the approved use is commenced within that same one (1) year time period.

### REVIEW BY BOARD OF SUPERVISORS

The Board of Adjustment may table any variance application in order to request review by the Board of Supervisors. The Board of Supervisors' review shall include a majority vote and shall be sent back to the Board of Adjustment for their consideration in a final decision. The Board of Adjustment will have thirty (30) days from the date of the original public hearing to make a ruling.

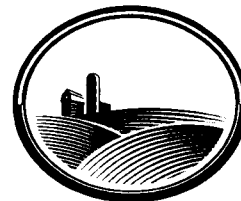
### APPEAL TO DISTRICT COURT

Pursuant to 2005 Iowa Code Section 335.18, any landowner, or other 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.

Adopted by the Jones County Board of Adjustment on \_\_\_\_\_

Chairperson \_\_\_\_\_

**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](mailto:landuse@jonescountyiowa.gov)**  
**Website: [www.jonescountyiowa.gov](http://www.jonescountyiowa.gov)**



## JONES COUNTY LAND USE

### Written Report of the Jones County Land Use Administrator

Application from:	Joseph Netolicky and Linda Willard
For property located/ Brief legal description:	SW ¼ NE ¼ of Section 23 of Rome Township
Parcel number:	14-23-200-003
Parcel size:	6.3 acres
Proposal:	The variance is to request re-establishment of residential use after more than one year has passed.
Current Zoning District:	A- Agricultural
Applicable Ordinance Provisions:	<b>Article VI. Non-Conforming Uses</b> ▪ Section 2. – Changes in Non-Conforming Use B. Re-establishment of a Use
Date application received:	August 27, 2025
Applicable fee:	\$250 paid on August 27, 2025
Board of Adjustment meeting date	September 16 <sup>th</sup> , 2025
Notice published: (Article XXV-Section 5)	Week of September 4, 2025 (13-14 days notice provided; 7-20 days required)
Adjacent property owners notified by certified mail: (Article XXV-Section 5)	September 2, 2025
Report mailed to Board of Adjustment: (Article XXV-Section 7)	September 9, 2025
Report mailed to Applicant: (Article XXV-Section 7)	September 9, 2025

*See pages 2, 3 & 4 for report.*

**Report of the Jones County Land Use Administrator**

(Article XXV-Section 7)

	<b>Jones County Engineer – Derek Snead</b>
Comments:	<p><i>I have reviewed the Variance Application for Joseph &amp; Linda Netolicky in Section 23 of Rome Township. My comments are as follows:</i></p> <ul style="list-style-type: none"> <li>• <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></li> <li>• <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></li> <li>• <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></li> </ul> <p><i>If the applicant has any questions on any of the above conditions, please contact myself for more information and guidance.</i></p>
	<b>Jones County District Soil Conservationist – Addie Manternach</b>
Comments:	<i>No comments received.</i>
	<b>Jones County Sanitarian – Lisa Bogan</b>
Comments:	<p><i>When installing a septic system on this property, an application is to be submitted by a certified contractor and permitted through Jones County Environmental Health, prior to any work.</i></p> <p><i>If constructing a well on this property, an application is to be submitted by a certified well driller and permitted through Jones County Environmental Health, prior to any work.</i></p>
	<b>Flood Plain Manager – Whitney Amos</b>
Comments:	<i>Concerning the property located at 14378 35<sup>th</sup> Street, Olin, Iowa, owned by Joseph Netolicky and Linda Willard. Part of the property is located in Zone A of the FEMA 100 year floodplain. Any building or disruption to the land will need to comply with the Jones County Floodplain Management Ordinance along with any State and Federal Permits.</i>
	<b>Jones County Conservation Board - Brad Mormann</b>
Comments:	<i>No comments received.</i>
	<b>911 Coordinator – Gary Schwab</b>
Comments:	<i>In review of the above stated application the Jones County 911 office finds that there are no conflicts, pursuant to Chapter 3, Uniform Rural Address System to Title IV Streets, Roads Public Ways and Transportation, as part of the Jones County Code of Ordinances.</i>

<b>Variance Checklist – Three-part Standard</b>	
	The site cannot yield a reasonable return if used only as zoned. Deprived of all beneficial use of land.
	The hardship is due to unique circumstances and not to the general conditions in the neighborhood.
	The proposal will not substantially alter the character of the locality. (size of parcel, character, intensity of use, height, etc.)

	Impact which the application will have on the overall land use plan in Jones County (Article XXV-Section 7)
Comments: <i>The 2023 Comprehensive Plan describes the tools that manage land use such as the zoning and subdivision ordinance.</i>	
	Impact which the application would have on surrounding property: (Article XXV-Section 7)
Comments: <i>There would be a minimal impact to surrounding properties.</i>	

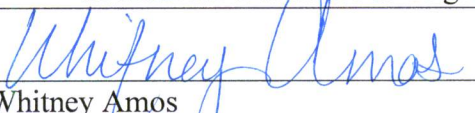
<b>Review by the Board of Adjustment</b> (Article XXI Section 8.)	
Options to the Board of Adjustment:	
<input type="checkbox"/>	<i>Approve the application in full.</i>
<input type="checkbox"/>	<i>Approve the application subject to modifications or conditions.</i>
<input type="checkbox"/>	<i>Table the application and to request review by the Board of Supervisors.</i>
<input type="checkbox"/>	<i>Deny the application (provide reasoning for denial).</i>

**Comments:** According to real estate records, this property included a house and buildings in 2017. The house was removed in 2018 when purchased by the Palmers. The Palmers then sold this parcel in 2019 to Kyle Durgin & Marissa Stark. In January of 2023 Joseph Netolicky and Linda Willard purchased this property. Since the house was not replaced within one year after removal and would require a re-establishment of a use after more than one year has passed from the date the non-conforming use of the land has ceased or been discontinued, or the establishment of any new use. According to Article VI Non-Conforming Uses, those uses are permitted to continue until their removal or abandonment. However, changes in non-conforming uses require consideration by the Board of Adjustment and issuance of a variance permit. The Jones County Assessor's office confirmed that there was a house and buildings on the property up until 2018.

In March of 2023 Joseph Netolicky and Linda Willard applied for a variance. This variance was granted; however, no construction commenced within a one-year time-period. According to Article XXV, Section 10 of the Jones County Zoning Ordinance, the permit shall become null and void one year after the date on which it is issued unless the approved use commences within that same one-year time period. The property owners are now requesting another variance.

The variance does not appear to conform to the current Jones County Zoning Ordinance or the 2023 Comprehensive Plan. However, the land does not appear to have any future productive agricultural use.

In order for a variance to be granted the three-part standard must be met.

  
Whitney Amos  
Jones County Land Use Administrator

Date 9/9/25

### **Three-Part Standard**

In most jurisdictions, the three-part standard for granting a zoning variance to a property owner is: unnecessary hardship, unique property limitations, and no harm to public interests. The property owner must prove that all three conditions are met.

#### **1. Practical Difficulty**

The property owner must show that the zoning ordinance creates a hardship that prevents a reasonable use of the property.

- **Financial hardship alone is not sufficient.** The owner must prove that the property cannot yield a reasonable return under the existing zoning regulations.
- **More than mere inconvenience.** The hardship must be more substantial than simply being unable to use the property in the most profitable way.
- **The practical difficulty was not self-created.** The problem cannot be the result of the owner's own actions or prior decisions.

#### **2. Unique property limitations**

The hardship must be the result of a condition unique to the property, rather than a problem shared by the neighborhood.

- **Specific physical characteristics.** The unique circumstances often relate to the physical features of the property, such as its shape, size, topography, or the presence of wetlands.
- **External factors are not enough.** The variance cannot be based on personal circumstances (like a growing family) or external factors (like a desire for a different business).

#### **3. No harm to public interests**

Granting the variance must not alter the essential character of the locality or negatively affect public health, safety, and welfare.

- **Consistency with the zoning plan.** The variance must be consistent with the overall purpose and intent of the zoning ordinance.
- **Impact on the neighborhood.** The zoning board will evaluate if the proposed change will be significantly detrimental to neighboring properties or the community.
- **Minimal deviation.** The variance should grant the minimum relief necessary to address the hardship.



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](mailto:landuse@jonescountyiowa.gov)  
Website: [www.jonescountyiowa.gov](http://www.jonescountyiowa.gov)



## Jones County Zoning Variance Application

### For Office Use Only

☐ Approved

☐ Denied

Date: \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_  
Signature of Jones County Land Use Administrator

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

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

Date Application Filed: 8/27/2025

### Owner Information

Name on property: <u>Joseph J. Netolicky &amp; Linda Willard "Ranch"</u>			
Address to receive mail:	House Number & Street: <u>205 Jackson St.</u>		Apartment/Unit
	City: <u>Olin</u>	State: <u>IA.</u>	Zip Code: <u>52320</u>
Phone:	<u>XXXXXXXXXX</u>	E-mail Address:	

### 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	<u>Rome</u>	Section	<u>23</u>	Property Address	<u>14378 35<sup>th</sup> St. Olin</u>
Zoning District:	<u>Agricultural</u>			County Parcel ID, if known:	<u>14-23-200-003</u>

Please attach the following to this application:

1. A description of the nature of the proposal.
2. A legal description of the real estate upon which the proposed use will be located.
3. A statement of the intended use.
4. A "sketch" map or aerial photo of the proposed site development noting the proposed parcel lines and building locations.
5. The disruption expected to be incurred on the area's present setting.
6. Methods to be implemented to lessen the severity of the said disruption.



### VARIANCE

The five-member Board of Adjustment appointed by the County Board of Supervisors decides variances to the county's zoning ordinance. The decisions of the Board of Adjustment must comply with the provisions of the county ordinance as it is written. The Board of Adjustment's duty is not to compromise for a property owner's convenience but rather to apply appropriate legal standards to a specific fact situation. A variance may only be granted if the landowner proves that an unnecessary hardship will result if the zoning regulations are enforced as stated in the ordinance. Variances are intended to be an infrequent remedy where an ordinance imposes a unique and substantial burden.

You will have an opportunity to present information to the Board of Adjustment regarding your request for a variance. To maintain impartiality and avoid a possible conflict of interest, do not speak to any member of the Board of Adjustment about your application except at the hearing. Do not direct any written communication about your application to a member of the Board of Adjustment unless you also file a copy with the Land Use Office. Your failure to observe these rules may invalidate your application.

Any landowner, or other person, aggrieved by a decision rendered under the Jones County Zoning 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.

A variance is requested because of the following reason:

☒ Proposal does not qualify as a Permitted Use in the zoning district in which it is located.

☐ Proposal does not qualify as a Special Permitted Use in the zoning district in which it is located.

☒ Proposal does not meet the lot area, or setback requirements, in the zoning district in which it is located.

☒ Other It's zoned agricultural, there was an old house there that was demolished. When I bought the property from Kyle Durgin he told me he planned to build a house there + it wouldn't be a problem.  
Would this proposal qualify as a permitted or special permitted use if the property were located in a different zoning district?  
Example: If your proposal is not permitted in the existing agricultural zoning district, it might be a permitted use in the residential zoning district.

☒ Yes If so, in which zoning district would your proposal qualify as a permitted, or special permitted use?

☐ No residential

I believe the Jones County Board of Adjustment should grant a variance for this proposal, and that the proposal qualifies for a variance because of the unnecessary hardship imposed by the requirements of the Jones County Zoning Ordinance, as noted below:

- ☒ 1. Reasonable Return – The land in question cannot yield a reasonable return if it is used only for a purpose allowed in the zoning district in which it is located. Lack of a "reasonable return" may be shown by proof that the owner has been deprived of all beneficial use of his land. All beneficial use is said to have been lost when the land is not suitable for any use permitted by the zoning ordinance in zoning district in which it is located.
- ☒ 2. Unique Circumstances – The plight of the owner is due to unique circumstances and not the general conditions in the neighborhood. Problems common to several properties do not constitute "unique circumstances" (i.e. severe slope affecting numerous neighboring properties).
- ☐ 3. Self-created – An unnecessary hardship must not have been self-created. When property is purchased, the new owner assumes any liability created by the previous landowner.
- ☒ 4. Essential character – Use to be authorized by the variance will not alter the essential character of the locality. The Board of Adjustment cannot grant a variance if the proposed use will have detrimental effects on surrounding properties.

The Jones County Zoning Ordinance is available on-line at [www.jonescountyiowa.gov/land use](http://www.jonescountyiowa.gov/land_use).

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

Joe J. Metolicky  
Applicant Signature

8/27/2025  
Date

Linda R. Metolicky  
Owner Signature (if different than above)

8-27-2025  
Date



## Response to application:

1. Linda + I propose to build a single family home, with 3 or 4 bedrooms + a basement. I'll install a 1500 gal septic tank with the appropriate drainfield.
2. Enclosed legal description of property.
3. Intended use to live there + pasture our 2 horses.
4. Aerial picture with diagram enclosed.
5. Minimal disruption is expected. There will be several deliveries where the truck will drive on back into my property to unload. This shouldn't take any longer than  $\frac{1}{2}$  hr to 1 hr. to unload. I'll provide traffic control on the gravel road with a spotter. This will not disrupt traffic on the gravel road. There will be cement truck traffic, dirt, gravel + sand hauling which should be a minimal disruption on the gravel road.

In summation: the land is zoned agricultural but in the past had a house on it. This house was demolished 5 yrs ago. Kyle Durgin told me when I bought the land that he planned to build there himself, never telling me that a person couldn't.



I'm reapplying for a building permit to construct a single family residence on this property. It should be allowed under the "grandfathers clause" because a house was there in the past. People lived there, they didn't have any row crops such as corn or beans. We are not taking any land out of production but are only returning the property to its previous use as a residence. If I'm denied the opportunity to build a house then the property will be devalued, resulting in substantial loss & damage to me, creating a hardship.

Joe J Metolicky 2/28/2023

Linda R Miller 2-28-24-23

I am writing to you about the house on the property. I have been told that the house was built in 1950 and that it is a single family residence. I am not sure if this is correct or not. I am not sure if the house is still standing or not. I am not sure if the house is still on the property or not. I am not sure if the house is still in the same condition or not. I am not sure if the house is still in the same location or not. I am not sure if the house is still in the same ownership or not. I am not sure if the house is still in the same use or not. I am not sure if the house is still in the same condition or not. I am not sure if the house is still in the same location or not. I am not sure if the house is still in the same ownership or not. I am not sure if the house is still in the same use or not.

Exhibit "A".

THAT PART OF THE FOLLOWING DESCRIBED REAL ESTATE LYING NORTH AND WEST OF THE COUNTY ROAD: A part of the SW $\frac{1}{4}$  NE $\frac{1}{4}$  and of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 23, Township 83, North, Range 3, West of the 5th P.M., Jones County, Iowa, more particularly described as follows: The North 181.0 feet of the West 592.0 feet of the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 23; and beginning at a point on the West line of the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 23, said point being 181.0 feet South of the Northwest corner thereof; thence East, along a line 181.0 feet South of and Parallel to the North line of said SW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 23, a distance of 856.0 feet; thence South, a distance of 1410.0 feet, to a point 846.0 feet East of the West line of the E $\frac{1}{2}$  of Section 23; thence West, along a line 1591.4 feet South of and parallel to the North line of the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 23, a distance of 846.0 feet to the West line of the E $\frac{1}{2}$  of said Section 23; thence North, along the West line of the E $\frac{1}{2}$  of Section 23, a distance of 1410.0 feet to the place of beginning.

SUBJECT TO the rights of the public in all highways and to all easements of record.



34.5 acres 14-23-100-006  
14-23-100-006

BALLOU, MARK W & JENNIFER L

5.43 acres 14-23-100-007  
14-23-100-007

14-23-200-011 0.53 acres

WILLIAMS OLIN FARM LLC 14-23-200-011

14-23-200-012 2.06 acres

UNKNOWN OWNER ILKO BENSON, ERASTUS A

14-23-200-012

6.3 acres

14-23-200-003

14-23-200-003

NETOLICKY, JOSEPH J & WILLARD, LINDA R

14-23-100-008  
14-23-100-008  
12.95 acres

14378

WILLIAMS OLIN FARM LLC

6.51 acres 14-23-200-007  
14-23-200-007

WILLIAMS OLIN FARM LLC

37.31 acres 14-23-200-009  
14-23-200-009

SOENKSEN, KENNETH & MILDRED

14-23-200-004

14-23-200-004

19.17 acres

14-23-100-009  
14-23-100-009  
10.22 acres

14-23-200-005

8.15 acres

14-23-200-005



# BUILDING SPECIFICATIONS

The manufacturer is not responsible for the concrete foundation design. The structure under this contract has been designed and detailed for the loads and conditions stipulated in the contract and shown on these drawings. Any alterations to the structural system or removal of any component parts, or the addition of other construction materials or loads must be done under the advice and direction of a registered architect, civil or structural engineer. The manufacturer will assume no responsibility for any loads not indicated.

**The manufacturer building is designed with the manufacturer's standard design practices which are based on pertinent procedures and recommendations of the following organizations and codes:**

- American Institute of Steel Construction "Specification for the design, fabrication and erection of structural steel for buildings."
- American Iron and Steel Institute "Specification for the design of cold formed steel structural members" 2007 edition.

-Metal Building Manufacturers Association "Specification for the design, fabrication and erection of the structural system" most current edition. Material properties of steel plate and sheet used in fabrication of primary light frames and all primary structural framing members (other than cold-formed sections) conform to ASTM A-572 or A-572 all with a minimum yield point of 55 KSI.

Material properties of cold formed light gauge steel members conform to the requirements of ASTM A-653, with a minimum yield point of 55 KSI. High strength bolts and their installation shall conform to ASTM specification A-325 and are designed as bearing type connections with threads included in the shear plane. All high strength bolts are to be installed to the "Tight-Light" condition as defined by the RCSC Specification for Structural Joints Using A325 or A440 Bolts, Latest Edition, section 8.1, unless noted otherwise. Bolts in standard holes do not require washers per section 6.

**Shop and field inspections and associated fees are the responsibility of the contractor, unless stipulated otherwise.**

## CONTRACTOR RESPONSIBILITIES

The contractor must secure all required approvals and permits from the appropriate agency as required.

Approval of the manufacturer's drawings and calculations indicate that the manufacturer has correctly interpreted and applied the requirements of the contract drawings and specifications. (AISC 303-10 Code of Standard Practice)

Where discrepancies exist between the manufacturer's structural steel plans and the plans for other trades, the structural steel plans shall govern. (Section 3.3 AISC 303-10 Code of Standard Practice)

Design considerations of any materials in the structure which are not furnished by the manufacturer, are the responsibility of the contractor and engineers other than the manufacturer's engineering, unless specifically indicated. The contractor is responsible for all erection of steel and associated work in compliance with the manufacturer's "For Construction" drawings.

Temporary supports, such as guys, braces, flashwork or other elements required for the erection will be determined and furnished and installed by the erector. (Section 7 AISC 303-10 Code of Standard Practice)

It is the contractor's responsibility to apply or observe all pertinent safety rules and regulations, as per OSHA standards as applicable. The Contractor is responsible for the verification of all shipments received. Any "external" damage or shortages must be noted on all copies of the bill of lading and one copy is to be retained for your records. Failure to do so will make it impossible for the factory to honor any claim. NO EXCEPTIONS!!!

# STEEL COMMANDER CORP

## DESIGN LOADING

This structure is designed utilizing the loads indicated and applied by the:  
IBC 15

It is the contractor's responsibility to confirm that these loads comply with the requirements of the local building department.

**Specific loads: (See structural calculations and foundation reactions.)**

- 20.00 PSF Live Load
- No. LL Reduction Allowed
- 25 PSF Ground Snow Load
- 1.20 Thermal Factor (Ct)
- 1 Snow Exposure Factor (Ce)
- 115 MPH Wind Load Exposure (if applicable)
- 2.000 PSF Dead Load (Metal Bldg. Weight - Purlins, Panels, Etc.)
- 1 PSF Coldwater Load (Cooling, Sprinklers, Etc.)
- II - Normal Risk Category I, 1.0000 Ia 1.00

## SEISMIC DATA:

- 1) Mapped Spectral Acceleration for Short Period,  $S_s$  0.08
- 2) Site Coefficient,  $F_a$  1.6000
- 3) Seismic Design Category = B
- 4) Seismic Coefficient = 0.09
- 5) Site Class = D
- 6) Basic Structural System and Seismic Resisting System Ordinary Moment Frame of Steel
- 7) Frames,  $R = 3.0000$
- 8) Analysis Procedure = Equivalent Lateral Force

## DRAWING INDEX

CS-1 Drawings Cover Sheet

- E1 Anchor Bolt Plan
- E2 Anchor Bolt Details & Reactions
- E3 Rigid Frame Elevation
- E4 Sidewall Framing
- E5 Endwall Framing
- E6 Roof Framing
- E7 Sidewall Sheeting
- E8 Endwall Sheeting

These Drawings are for:

- ☒ Construction Permit
- ☒ Approval\* Anchor Bolts & Reactions

\* Approval orders must be released for fabrication within thirty (30) calendar days after the submitted drawings are issued or they will be subject to any current price increases. Special attention should be given to property dimensions and details. Please verify requested dimensions by indicating "OK".

FBC product approval numbers: FL18904 & FL18906

## DRAWINGS COVER SHEET

CUSTOMER:  
JOSEPH NETOLICKY  
14378 35TH STREET, OLIN IA 52320  
COUNTY

STEEL COMMANDER CORP  
2200 NW CORPORATE BLVD  
BOCA RATON FL 33431

PROFESSIONAL ENGINEER

SCALE:  
NOT TO SCALE

DATE:  
1/4/23

JOB NO.

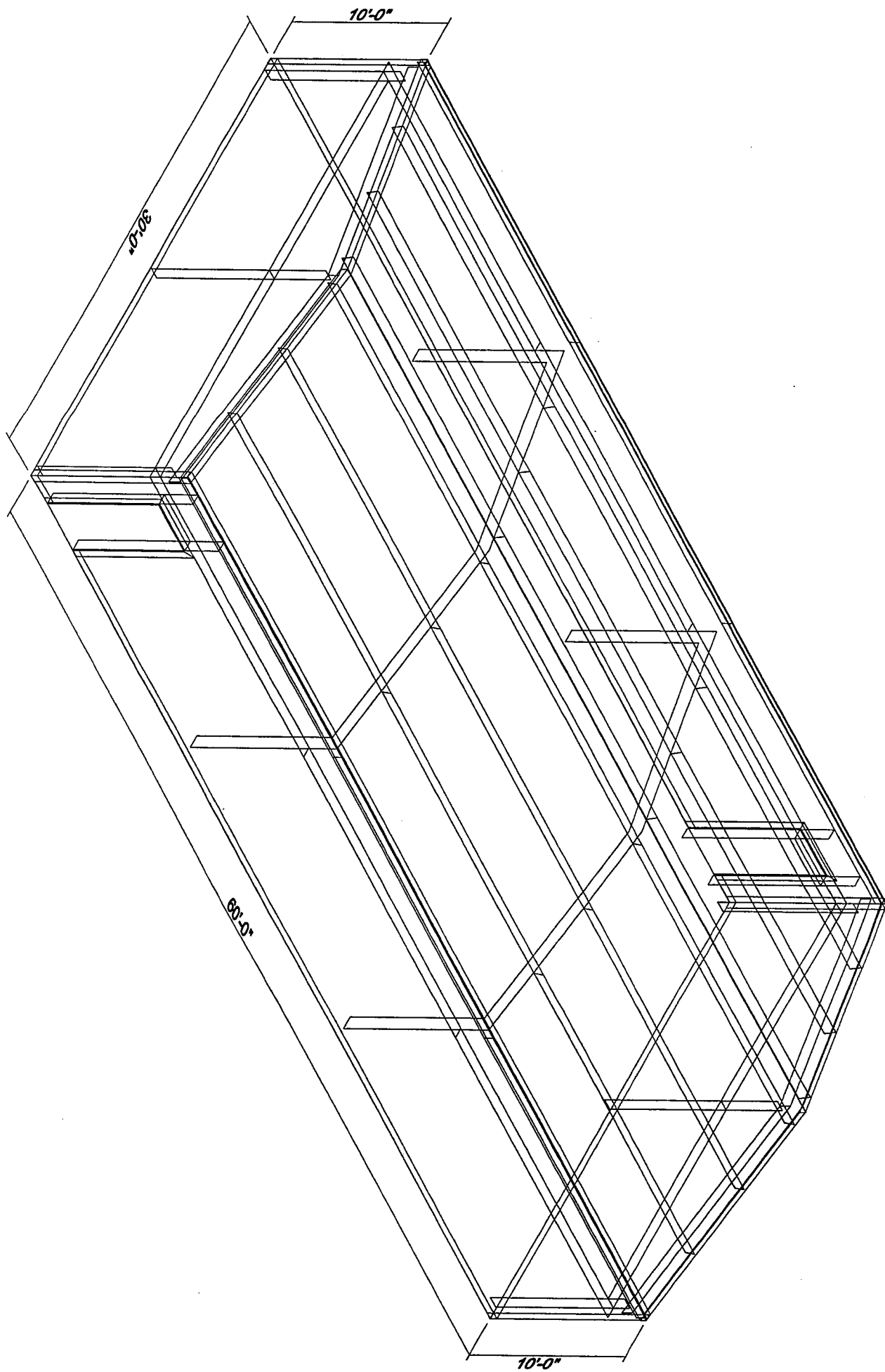
SHT. NO.  
CS-1

## Engineering Seal

This certification covers parts manufactured and delivered by the manufacturer only, and excludes parts such as doors, windows, foundation design and erection of the building. The buyer is responsible for ensuring all specified loads are in compliance with regulatory authorities.

DSN: MOZ	DWN: XX
DET: XX	CHK: XX

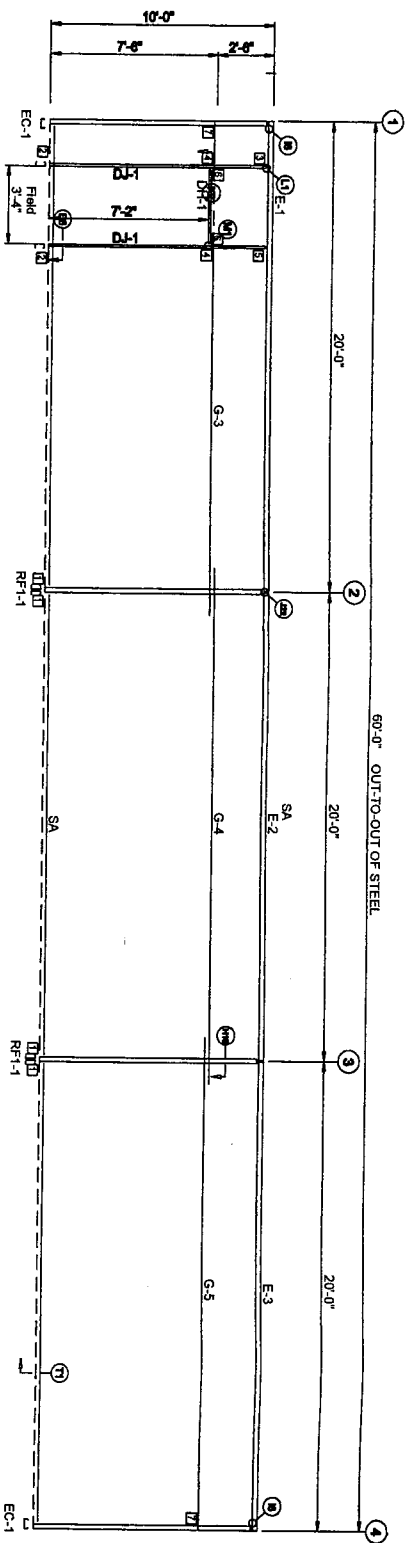
REV.	REVISIONS
NO.	DATE



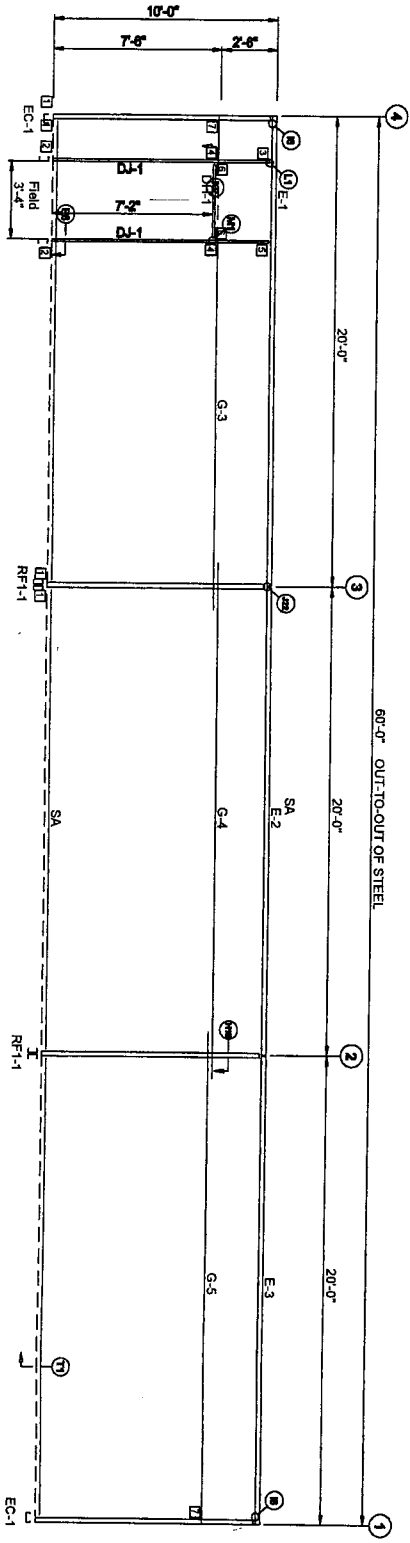


NOTE: All Base Plates @ 100'-0" (U.N.)

[illegible]



SIDEWALL FRAMING: FRAME LINE A

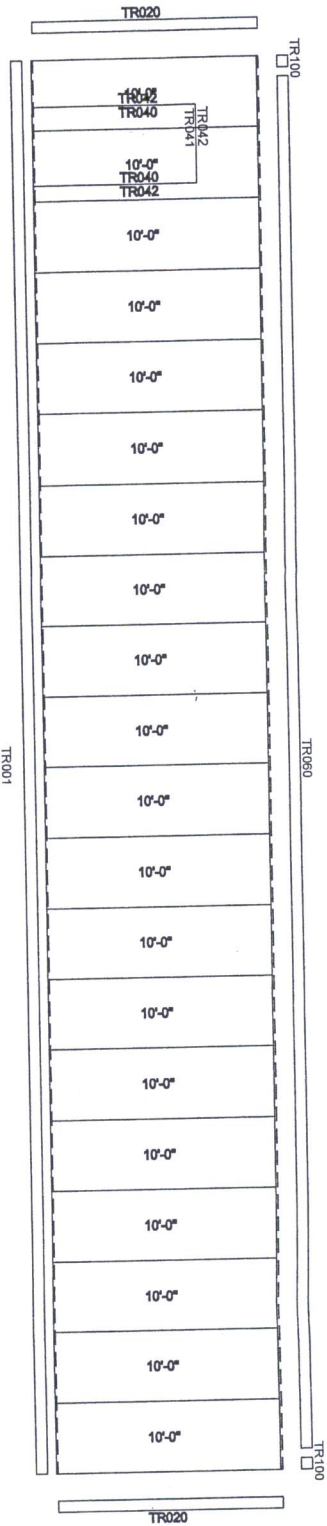


SIDEWALL FRAMING: FRAME LINE C

**GENERAL NOTES:**  
 MINOR FIELD WORK OF STRUCTURAL SECONDARY  
 AND PANEL FRAMING SHALL BE NECESSARY TO  
 ENSURE PROPER FIT. SUCH WORK IS CONSIDERED  
 A NORMAL PART OF METAL BUILDING ERECTION  
 AND SHALL NOT BE CHARGED TO THE OWNER FOR MINOR  
 FIELD WORK.

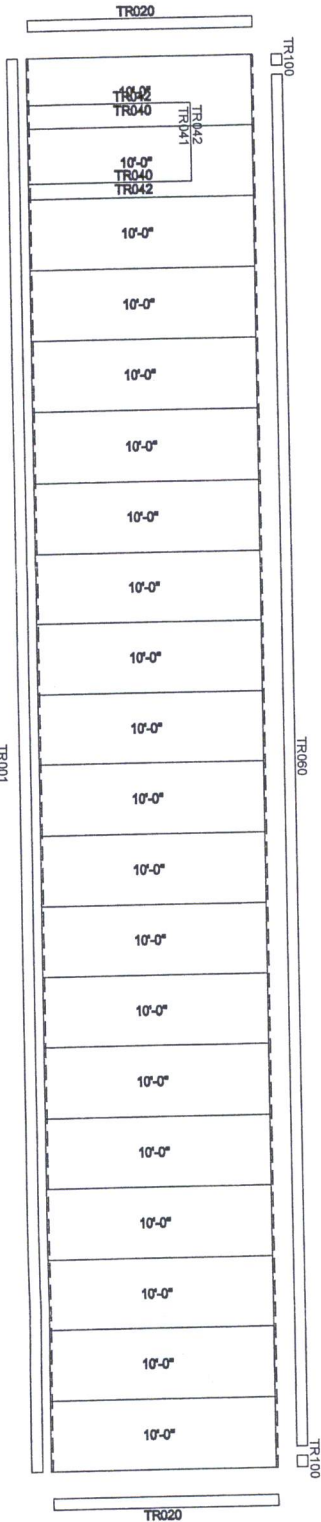
CONNECTION PLATES	
FRAME LINE A & C	
NO	MARK/PLATE
1	CIC003
2	CIC008
3	CIC012
4	CIC012
5	CIC013
6	CIC025
7	CIC054

STEEL COMMANDER CORP	
10000 RAYMOND BLVD	CHICAGO, IL 60628
Owner: XX	Date: 1/4/23
Designer: XX	Date: 1/4/23
Checker: XX	Date: 1/4/23
Project No:	FL-009-03-0055-0048880C
Sheet No:	8/16



### SIDEWALL SHEETING & TRIM: FRAME LINE A

PANELS: 28 GA. PBR - NEED COLOR



### SIDEWALL SHEETING & TRIM: FRAME LINE C

PANELS: 28 GA. PBR - NEED COLOR

**GENERAL NOTES:**  
 MINOR FIELD WORK OF STRUCTURAL SECONDARY  
 AND PANEL/TRIM ITEMS MAY BE NECESSARY TO  
 ENSURE PROPER FIT. SUCH WORK IS CONSIDERED  
 A NORMAL PART OF METAL BUILDING ERECTION.  
 WE WILL NOT HONOR BACKCHARGES FOR MINOR  
 FIELD WORK.

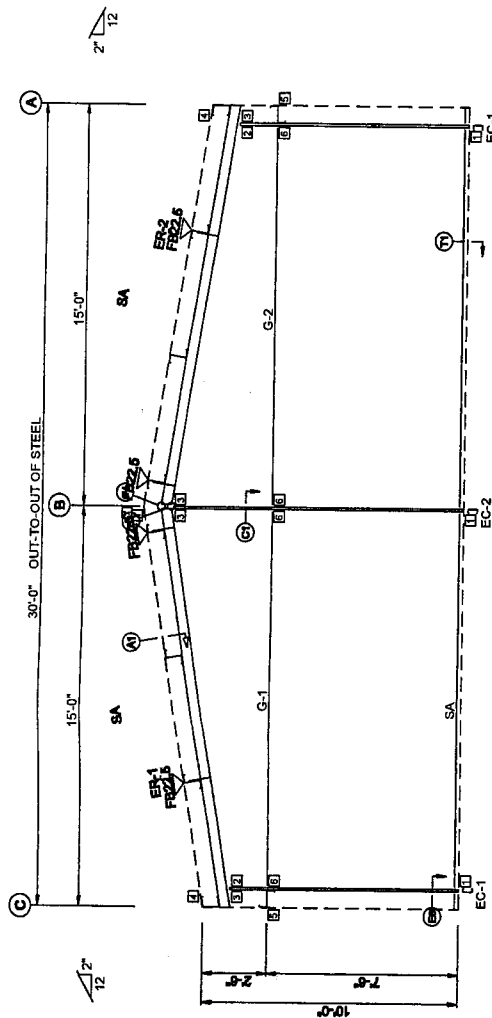
STEEL COMMANDER CORP			Customer: JOSEPH NETOLUCKY	
BOCA RATON FL 33431			CLM LA 65260	
Draftsman: XX	Date: 1/4/23	Designer: MZ	Date: 1/4/23	Factory ID: RL-009-634855-094888DC
Checker: XX	Date: 1/4/23	SIDEWALL FRAMING		
SKE of				



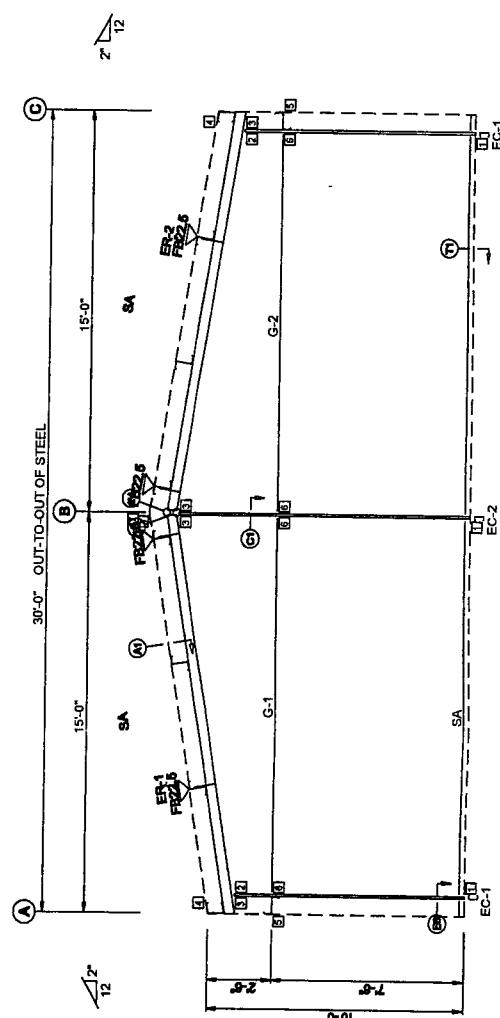
BOLT TABLE			
FRAME LINE	QUAN	TYPE	LENGTH
ER-1/ER-2	4	A325T	1/2"
Columns/Raf	8	A325T	1/2"

FLANGE BRACE TABLE			
FRAME LINE 1 & 4	QUAN	MARK	LENGTH
1	1	FB22.5	1-10 1/2"

CONNECTION PLATES			
FRAME LINE 1 & 4	QUAN	MARK	LENGTH
1	1	CLC008	
2	2	CLC081	
3	3	CLC083	
4	4	CLC084	
5	5	CLC085	
6	6	CLC086	
7	7	CLC087	



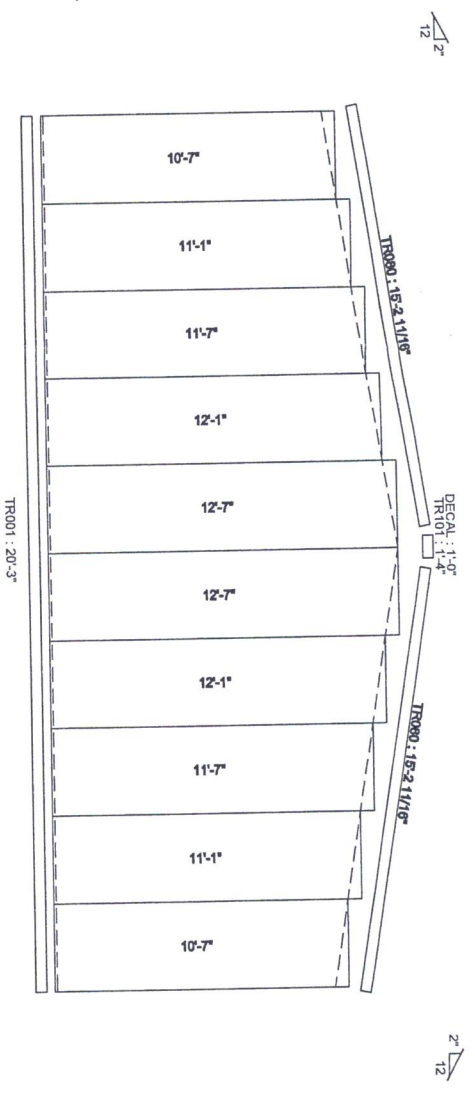
ENDWALL FRAMING: FRAME LINE 1



ENDWALL FRAMING: FRAME LINE 4

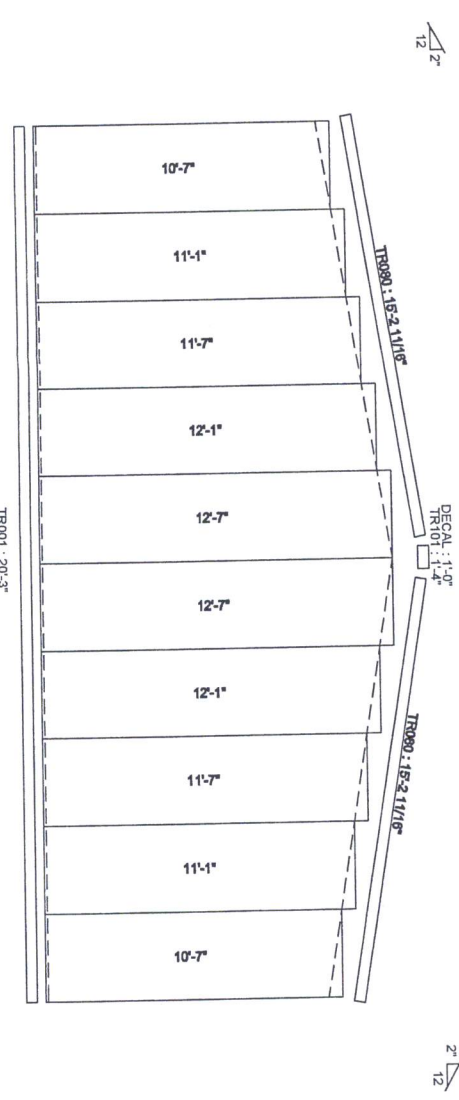
GENERAL NOTES:  
MINOR FIELD WORK OF STRUCTURAL SECONDARY AND PANEL/TRIM ITEMS MAY BE NECESSARY TO ENSURE PROPER FIT. SUCH WORK IS CONSIDERED A NORMAL PART OF METAL BUILDING ERECTION. WE WILL NOT HONOR BACKCHARGES FOR MINOR FIELD WORK.

STEEL COMMANDER CORP			
BOCA RATON FL 33481	Customer: JOSEPH METOLSKY	CLIN 1A 8220	
Drafter: JC	Date: 1/4/23	Designer: MJC	Date: 1/4/23
Checker: JC	Date: 1/4/23	Checker: JC	Date: 1/4/23
ENDWALL FRAMING			
FL-008-43-455-084688DC			SHEET



### ENDWALL SHEETING & TRIM: FRAME LINE 1

PANELS: 28 GA. PBR - NEED COLOR



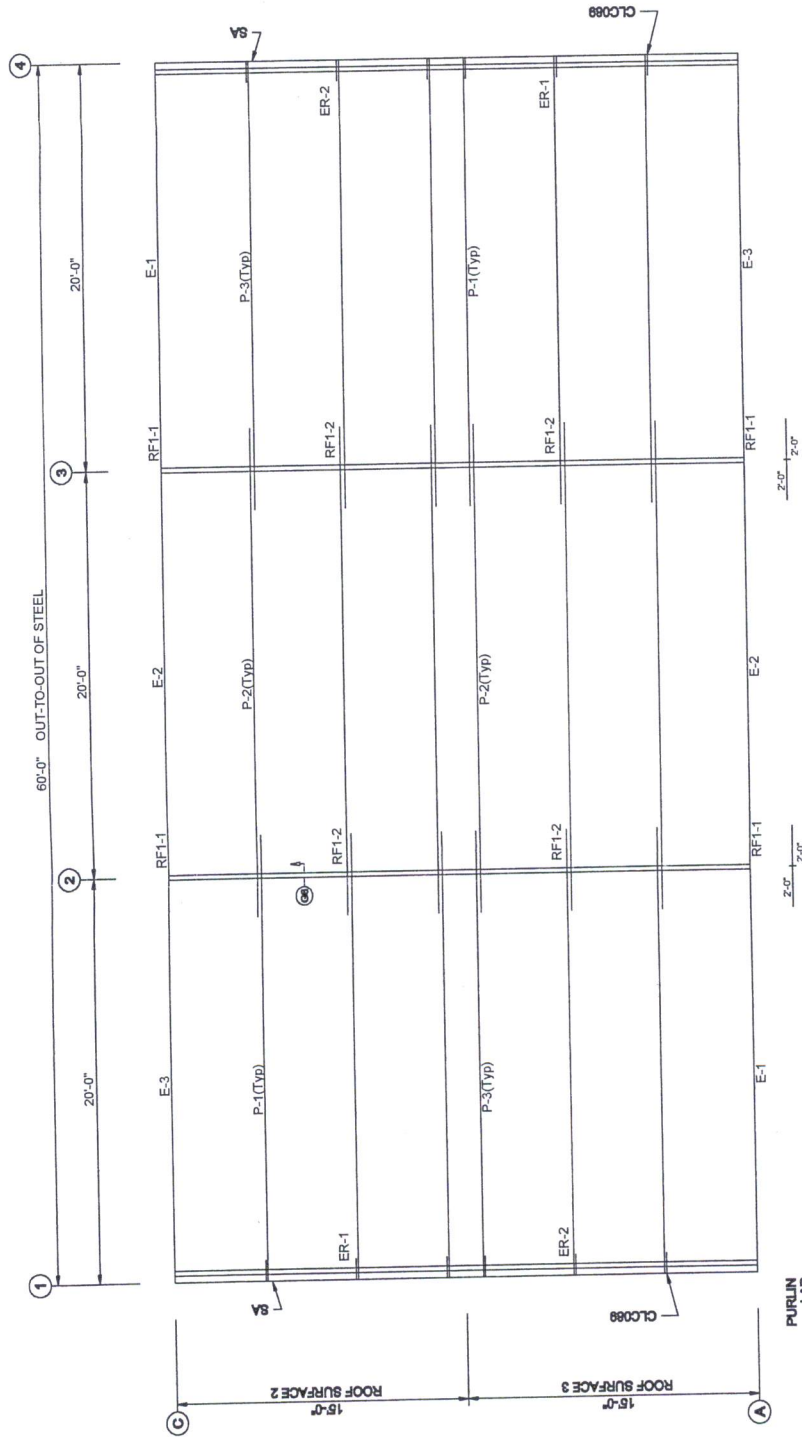
### ENDWALL SHEETING & TRIM: FRAME LINE 4

PANELS: 28 GA. PBR - NEED COLOR

**GENERAL NOTES:**  
 MINOR FIELD WORK OF STRUCTURAL, SECONDARY AND PANEL/TRIM ITEMS MAY BE NECESSARY TO ENSURE PROPER FIT. SUCH WORK IS CONSIDERED A NORMAL PART OF METAL BUILDING ERECTION. WE WILL NOT HONOR BACKCHARGES FOR MINOR FIELD WORK.

STEEL COMMANDER CORP		Customer: JOSEPH NETOLSKY	
BOCA RATON FL 33431		CLIN IA 52320	
Draftsman: JC	Date: 1/4/23	Designer: MJCZ	Date: 1/4/23
Checker: JC	Date: 1/4/23	Station ID:	Factory ID:
		RL-009-634955-084688DC	
ENDWALL FRAMING		BKE of	





ROOF SHEETING  
PANELS: 26 Ga. PBR  
NEED COLOR

ROOF FRAMING PLAN

GENERAL NOTES:  
MINOR FIELD WORK OF STRUCTURAL SECONDARY  
AND PANEL/FRAMING ITEMS MAY BE NECESSARY TO  
ENSURE PROPER FIT. SUCH WORK IS CONSIDERED  
A NORMAL PART OF METAL BUILDING ERECTION.  
WE WILL NOT HONOR BACKCHARGES FOR MINOR  
FIELD WORK.

STEEL COMMANDER CORP	Customer: JOSEPH NETOLSKY
BOCA RATON FL 33431	CLINIX 0230
Draftsman: XX	Date: 1/4/23
Designer: MOZ	Date: 1/4/23
Detailer: XX	Date: 1/4/23
Checker: XX	Date: 1/4/23
Factory ID:	Factory ID: RL-009-634655-084688DC
Sheet of	Sheet of