

JASPER COUNTY COMMUNITY DEVELOPMENT

CONSISTING OF:

Planning & Zoning Division | Environmental Health Division | Animal Control Division
116 W 4th St S Newton, IA 50208 ph: 641-792-3084 fax: 641-275-3708

Agenda of Jasper County Board of Adjustment

Meeting Details:

- **Date:** Wednesday, January 12, 2022 at 4:00 pm
- **Location:** Jasper County EOC, 1030 W 2nd St S, Newton, IA 50208
- **Participation:** You may submit questions via email to Brett Jennings at bjennings@jasperia.org by Tuesday, January 11, 2022 before 4:00 pm.

Call to order: Chairperson calls meeting to order.

Roll Call: Roll call of Jasper County Board of Adjustment members by chairperson.

Minutes Approval: December 1, 2021 minutes (**action**)

Agenda Approval: for current meeting - January 12, 2022 agenda (**action**)

Public Comments:

Agenda Items: note - if multiple variance requests, open and close public hearing for each variance request

1. Public Hearing: Review and act upon Variance Request: V-2022-01 Daniel & Brianna Owens (**action**)
2. Vote chairperson for 2022 (**action**)
3. Public Comments
4. Motion to Adjourn (**action**)

JASPER COUNTY BOARD OF ADJUSTMENT MINUTES

For December 1, 2021

Jasper County EOC, 1030 W 2nd St S, Newton, IA 50208

Meeting was called to order by Chairman Chris Herbold at 3:58 pm

Roll Call: Board members present at roll call were Chris Herbold, Herb Scott and Toni Peska.

Absent: Don Goodman

Minutes Approval: PESKA made a motion to approve the minutes from the October 6, 2021 meeting. Motion was carried unanimously - **3 aye, 0 nay.**

Agenda Approval: SCOTT made a motion to approve the current agenda for the December 1, 2021 meeting. Motion was carried unanimously - **3 aye, 0 nay.**

Public Hearing: Motion by PESKA to open a public hearing for the requested variance V-2021-09 Dan Kunkel. Motion was carried unanimously - **3 aye, 0 nay.**

V-2021-09: Request for Variance for Dan Kunkel –

“Request special authorization to allow a 33’ separation between the Right of Way and the new mobile home as opposed to 60’ required setback defined in the Jasper County Zoning Ordinance 04D, Section 5.7 Area, Height and Yard Requirements in Agricultural Districts.”

On the following described property: 10749 W. 76th St. N., Baxter, Iowa. SECTION:4 TOWNSHIP:81 RANGE:20TRACT 6 2/3 RDS X 24 RDS SE COR SE SEVIN 4136W

SCOTT made a motion to approve the variance request as presented. Motion was carried unanimously - **3 aye, 0 nay.**

PESKA made a motion to close the public hearing for the requested variance V-2021-09 of Dan Kunkel Lorrie. Motion was carried unanimously - **3 aye, 0 nay.**

There were no public comments.

Motion to Adjourn: Motion was made by PESKA to adjourn the meeting. Motion was carried unanimously – **3 aye, 0 nay.** Meeting adjourned at 4:11 pm.

Minutes prepared by Jackie Verwers
Jasper County Community Development

Jasper County Board of Adjustment

JASPER COUNTY COMMUNITY DEVELOPMENT

Planning & Zoning Division

116 W 4th St S Newton, IA 50208 ph: 641-792-3084 fax: 641-275-3708

JASPER COUNTY ZONING VARIANCE REQUEST

DATE: 12/8/2021
FILE#: VAR 22-01
FEE: \$250

I, Daniel and Brianna Owens, request special authorization to allow a 30' separation between the Right of Way and the new Single-Family Dwelling as opposed to 40' required setback defined in the Jasper County Zoning Ordinance 04E Section 7.7 Area, Height, and Yard Requirements in Rural Residential Districts.

On the following described property: 5175 W. 112th St. N., Mingo, IA SECTION:11 TOWNSHIP:80 RANGE:21 LOT 1 SE SW

Signed Brianna Owens

We, the Jasper County Board of Adjustment, recommend that this variance request **be/not be** granted.

Aye

Nay

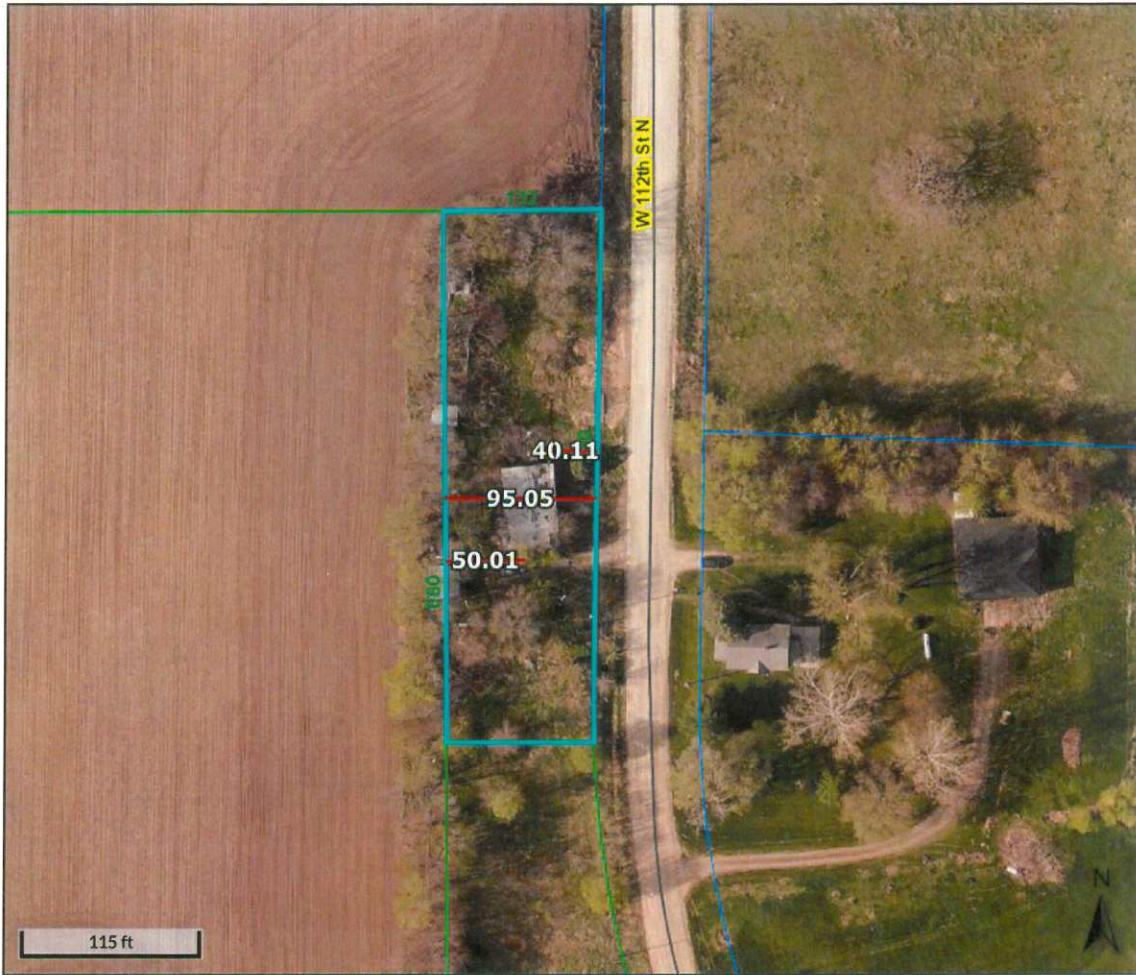
Chairperson Jasper County Board of Adjustment

State of Iowa, Jasper County

On this _____ day of _____, before me _____, a Notary Public in and for the State of Iowa, appeared _____ to me personally known to be the chairperson of the Jasper County Zoning Commission and that said Rezoning Request was signed by him/her on behalf of said Jasper County Zoning Commission.

Witness my hand and Notary Seal the day and year above written.

Notary in and for the State of Iowa



Overview



Legend

- Parcels**
-  Parcel
-  BLL
-  Lots
-  Corporate Limits
-  Political Township
- Roads**
-  Local
-  Primary Highway
-  Secondary Highway
-  Other

| | | | | | |
|------------------------------|---|---------------------|--------|----------------------|------------------|
| Parcel ID | 0611300006 | Alternate ID | 025600 | Owner Address | OWENS, DANIEL |
| Sec/Twp/Rng | 11-80-21 | Class | R | | 101 S LOCUST ST |
| Property Address | 5175 W 112TH ST N | Acres | 0.75 | | COLFAX, IA 50054 |
| | MINGO | | | | |
| District | PWCME | | | | |
| Brief Tax Description | SECTION:11 TOWNSHIP:80 RANGE:21 LOT 1 SE SW | | | | |
| | (Note: Not to be used on legal documents) | | | | |

Jasper County Data Disclaimer

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Planning & Zoning Division | Environmental Health Division | Animal Control Division
116 W 4th St S Newton, IA 50208 ph: 641-792-3084 fax: 641-275-3708

Date: January 12, 2022
To: Jasper County Board of Adjustment
From: Brett Jennings
Re: Request for Variance

Daniel and Brianna Owens, request a variance to the required setbacks for a Principal structure in Jasper County Zoning Ordinance #04E Section 7.7 Area, Height, and Yard Requirements in Rural Residential Districts.

Jasper County Zoning Ordinance #04 E allows for construction of principle structures in the RR1 district to be constructed no less than 40' (feet) from the right of way, 50' (feet) from the rear property line, and 20' (feet) from the side property line. The proposed house size is 27' (feet) wide by 56' (feet) long.

To grant a variance, the Zoning Ordinance requires that:

- 1.3.3.4.1 Special circumstances exist.** *The lot that was created before zoning. The size of the lot is so restrictive that it would be impossible to build or construct a single-family resident.*
- 1.3.3.4.2 That the special circumstance was not the result of action by the applicant.** *It is not, the Owen's family purchased the property as is.*
- 1.3.3.4.3 That literal interpretation would deprive the applicant of uses enjoyed by others in this "RR1" District.** *Yes, the house on the other side of the road has a rough set back of 10' (feet) from the Right of Way.*
- 1.3.3.4.4 That this variance will not give the applicant special privilege that others in this district cannot have.** *It does not.*
- 1.3.3.4.5 That no non-conforming use was considered as grounds for the issue of this variance.** *No other properties were considered.*
- 1.3.3.4.6 That granting the variance will not be of substantial detriment to the adjoining properties or materially impair the purpose of the regulations or the public interest.** *It would not.*

JASPER COUNTY COMMUNITY DEVELOPMENT

Planning & Zoning Division

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Signed Brianna Owens

We, the Jasper County Board of Adjustment, recommend that this variance request ~~be~~/not be granted.

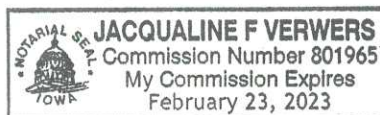
4 Aye
_ Nay

Chris Humboldt
Chairperson Jasper County Board of Adjustment

State of Iowa, Jasper County

On this 12th day of JANUARY, before me JACKIE VERWERS, a Notary Public in and for the State of Iowa, appeared CHRIS HERBOLD to me personally known to be the chairperson of the Jasper County Zoning Commission and that said Rezoning Request was signed by him/her on behalf of said Jasper County Zoning Commission.

Witness my hand and Notary Seal the day and year above written.



Jackie Verwers
Notary in and for the State of Iowa