

DRAFT MINUTES

JACKSON COUNTY BOARD OF ADJUSTMENT

7:00 p.m.

Monday, June 23, 2025

Community Room, Jackson County Courthouse

201 W Platt Street, Maquoketa, Iowa

Board Members Present: Vice Chair Daryl DeVore, Board Members A. John Arenz, and Pete Fish.

Board Members Excused: Chair Mike Nickeson, Dave Kendell

Staff Member Present: Zoning Administrator Lori Roling & Administrative Assistant Becca Pflughaupt

CALL TO ORDER AND ROLL CALL: The meeting was called to order by Vice Chair DeVore at 7:00 p.m. and roll call taken. A sign-in sheet was distributed, and the Zoom meeting was launched. Those noted in attendance:

Daniel Sargent – Maquoketa, IA

Luke Moubry – Maquoketa, IA

Sara Moubry – Maquoketa, IA

Brian Steines – Maquoketa, IA

Andrew Proshuto – via Zoom

MINUTES: Motion by Arenz, seconded by Fish, to approve the minutes of the May 27, 2025 Board of Adjustment meeting as submitted. Motion carried unanimously.

Work Session:

Continuation of Tabled Public Hearing:

The Board continued its discussion of Daniel Sargent's request for a six-site private campground for personal use.

Public hearing had been closed. Daniel Sargent stated he had spoken with Elizabeth Townsend, Jackson County Environmental Health Administrator and some other plumbers that he knew, and it was recommended to not dump with the septic system he has. They believed it would work fine, but if it stopped working, that would be up to him to take care of it. He wants to have his campground set up similar to Whispering Pines, there will be no dumping allowed on property. DeVore asked the Board if they had any questions, they stated they did not. Roling stated that if the Board decides to approve, she's recommending approving on condition that the Health Department would sign off on no onsite dumping. Arenz questioned this and Roling pulled up the current Zoning Ordinance.

Arenz asked Sargent if there would be any exterior lighting, Sargent stated no, just lights on the pavilion.

Roling brought up the ordinance and one of the definitions for special exception use in A-1 for privately operated recreational lodges, campgrounds and what steps are being taken to minimize the effects on the environment. Roling then went to the definitions section of the ordinance and read the campground definition. It states: "Campground. An area providing spaces for two (2) or more travel trailers, camping trailers, or tent sites for temporary occupancy with necessary incidental services, sanitation, and recreation facilities to serve the traveling public." Roling stated that the ordinance is saying that

there will be provided sanitation, so whether you want to look at they're providing their own or any conditions you wanted to put into place to assure that they were meeting the standards that the health department would have.

Sargent stated what he's looking at doing is similar to Whispering Meadows, he doesn't have sanitation or water, you take your camper into town and dump it. DeVore stated that Whispering Meadows is a business, so it's a little bit different. Discussion followed.

Arenz is leaning towards granting this exception but has several conditions he would like added. Arenz is not sure if he agrees with the current definition of Campground. Fish states that the current definition doesn't necessarily pertain to this case, they aren't talking about serving the traveling public. Discussion followed regarding what language to add for conditions and to address what concerns were brought to them at the last meeting by the public.

Motion by Arenz to approve the Special Exception with the following conditions:

No septic dumping is allowed on site.

Only for use by owner, family, and friends (non-commercial use).

Seasonal use from May 1 to October 31

No payment or compensation accepted.

Quiet hours: Sunday-Thursday, 10:00 p.m.-6:00 a.m.; Friday-Saturday, 11:00 p.m.-7:00 a.m.

Guests may camp for no more than one week at a time.

Special exception is granted only to Mr. Sargent and does not transfer to future owners.

Fish seconded the motion. Motion passed unanimously.

DOCKET – 25-06: Special Exception – Brian & Ashly Steines

Vice Chair DeVore opened the public hearing and summarized the request of applicant, Brian Steines. The request is to reduce the rear setback to no closer than 13 feet in the C-1 District to construct a 28' x 105' storage unit.

Vice Chair DeVore asked Roling to present information.

Steines then presented a survey and confirmed the state-owned adjacent land that he takes care of. Steines is asking for the special exception as the building he is wanting to build will be beside an existing building and he wants them to line up and not be offset at an angle. There was discussion regarding the old, abandoned road.

Roling brought up the Beacon from the parcel showing the aerial view.

DeVore asked that it is zoned Commercial and Roling stated that Steines went through the zoning process in 2022. Arenz asked regarding the list of neighbors that were notified and if Roling received any objections or response. Roling stated she did not hear from anyone. DeVore asked regarding driveway access. Steines stated that the existing driveway will be the only driveway. The County Engineer has been out to the property to make sure that the building would not obstruct Highway 52 driver's view. DeVore asked regarding light poles, Steines responded that he does not have any up so as to not be a bright light facing the traffic. Steines stated they have solar lights on all four corners of the building for security purposes. Steines stated their will be nine units and it will look similar to the existing building with the exception that it will be shorter.

Motion by Fish to close the public hearing, seconded by Arenz. Motion carried unanimously.

Board members reviewed the findings of facts, and discussion followed.

Motion by Fish, seconded by Arenz, to approve the special exception as presented with the condition that the project be completed by December 2025. Motion carried unanimously.

DOCKET – 25-07: Special Exception – Luke & Sara Moubry

Vice Chair DeVore opened the public hearing and summarized the request of applicant, Luke and Sara Moubry. Vice Chair DeVore asked for a presentation by the applicant.

Luke Moubry presented that their property was purchased from a split a few years back, Andrew Proshuto is planning on purchasing the 1.19 acres that they are requesting to divide off. Bonnie Proshuto lives adjacent to the property and she is Andrew Proshuto's mother. There is a garage on the Moubry's property and it had been made into a home and that will be included in the 1.19 acres that they are requesting to split. The Moubry's currently have an easement through Bonnie Proshuto's driveway and they have a 7 acre cornfield in the back, there's a pretty extreme elevation change on part of the property and the Moubry's are planning on taking out the fence and widen the area, put in some hay then they will be able to access the back 7 acres to pick the corn. DeVore asked regarding the placement of the property line. Moubry explained the elevation and why they are requesting the 1.19 acres and why they want the property line where they are presenting. DeVore asked if they had a legal easement with Proshuto, Mr Moubry stated that they did not. Mrs Proshuto has been allowing them to use it, but the Moubry's actually own the edge of her driveway. Vice Chair DeVore asked if there were any more questions. Arenz asked Roling if she had heard from any neighbors. Roling stated she only received a call from Mrs. Tracy and she had some questions and once it was explained to her, she didn't have any concerns. Mrs Moubry stated there wouldn't be any changes to the property except for the property line and went on to say there is already a well and septic on the property as it was living quarters at one time. DeVore pointed out the two neighboring properties that are at or barely at the minimum lot requirement of 2 acres. He also stated that the little properties can be a problem years from now and they've had some come back to them. Fish asked how far off the house Moubry wants to put the property line. Moubry stated he's keeping 60' so he can run the combine and planter through. Fish said that was one of the problems that came back to them was because they had gotten larger equipment and couldn't fit through. DeVore asked if Proshuto could turn around and sell this property. Roling stated yes, it would be a legally described tract of land. DeVore asked if there were no other options, Moubry stated no due to the lay of the land. Roling asked Andrew Proshuto, who was on via Zoom, if he had anything to add. Proshuto stated he didn't have much else, but down the road the goal is to combine the two properties, the one they are discussing and he will buy and the one his mom owns. He travels a lot with work, but it would work out really well for him to have the property. His mom would be able to watch the dog while he was traveling as the house is so close.

Arenz motions to close the public hearing, seconded by Fish. Motion passed unanimously.

DeVore stated that he doesn't feel that 2 acres is large enough to be split in our county

but feels this is a good reason. Fish stated if the mom didn't own the property next door, he would feel that way also. DeVore stated it's a different case this time. There was some discussion regarding driveway access.

DeVore asked regarding conditions, Roling stated there are none that she can think of. DeVore asked regarding the survey, Roling stated we would have to wait for the survey to read no less than 1.1 acres. Roling stated one condition they will want to do is the time limit of when the survey would have to happen, so that it's not open ended. You could give them 6 months or a year to come to fruition. Sara Moubry stated she had reached out to Weber Surveying, and he could have it done in 30 days. DeVore asks for a motion.

Motion by Fish to approve Special Exception 25-07 with the provisions that the survey is done and there is in excess of 1.1 acres in the tract of land and recorded within a 6-month timeline, seconded by Arenz. Motion passes unanimously.

ITEMS FROM PUBLIC: None

WORK SESSION: Zoning Ordinance Update Project

Roling presented the proposed Zoning Ordinance. Arenz stated he has trouble with the definitions of campground and trying to differentiate between commercial and private. Arenz stated that he's not satisfied with the definitions and doesn't feel they provide any guidance. Discussion followed. Roling stated this has already been to the Zoning Commission and they have already approved it.

ITEMS FROM BOARD: Other Business - none

ITEMS FROM STAFF: Next Meeting July 28, 2025

ADJOURNMENT: Motion by Arenz, seconded by Fish, to adjourn the June 23, 2025 Board of Adjustment meeting. Motion carried unanimously.

The meeting adjourned at 9:00 p.m.

Respectfully submitted,

Lori Roling
Zoning Administrator

Adopted: July 28, 2025