

JACKSON COUNTY BOARD OF ADJUSTMENT

7:00 p.m.

Monday, July 28, 2025

Community Room, Jackson County Courthouse
201 W Platt Street, Maquoketa, Iowa

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

Staff Member Present: Board of Adjustment Secretary Becca Pflughaupt

CALL TO ORDER AND ROLL CALL:

The meeting was called to order by Chair Nickeson at 7:01 p.m. Roll call was taken. A sign-in sheet was distributed, and Zoom was launched. Those in attendance included:

- Justin Alden, Bellevue, IA
- Steve Kalb (via Zoom)

APPROVAL OF MINUTES:

Board Member Arenz noted a correction regarding a condition inadvertently omitted from the minutes regarding the Daniel Sargent case. The minutes were to also state: *"Seasonal use from May 1 to October 31."* With this correction, the minutes of the June 23, 2025, meeting were approved as corrected.

DOCKET – 25-08: Variance

Chair Nickeson opened the public hearing and summarized the request of applicant, Justin Alden. Justin and Tabitha Alden are requesting a variance from the Jackson County Zoning Ordinance to construct a 20' x 17' in-ground swimming pool closer to the side property line than the 10-foot setback required in the R-1 Single-Family Residential District.

Applicant Presentation:

- Justin Alden summarized his proposal, showing the Army Corps of Engineers boundary line and referencing a letter from the Corps stating that no setback rules apply on their land. He confirmed the pool would not extend onto Corps property.
- Alden stated the pool would be 52" deep and constructed of concrete.

Board Questions & Discussion:

- Arenz asked if Alden had built the house; Alden responded no.
- Kendell asked about soil conditions near the bank; Alden said it was sandy.
- Arenz asked how long Alden had owned the property and if it had always been residential. Alden stated he had owned it for five years; previously, the site was a restaurant that burned down before the current house was built.
- Arenz stated he did not believe the Board had the authority to grant the variance, referencing House File 652.

Staff Report:

Board Secretary Pflughaupt presented aerial views and photos of the property and surrounding area, using GIS maps and applicant-submitted materials.

Public Comment:

No opposition was received.

Action:

- Motion by Kendell, second by Arenz, to close the public hearing. Motion carried

unanimously.

- Board members reviewed the findings of fact and discussed the request.
- Motion by Nickeson, second by Arenz, to deny the variance request as presented. Motion carried unanimously.

DOCKET – 24-16: Special Exception

Chair Nickeson opened the public hearing and summarized the request of applicant, Steve Kalb. Kalb requested an extension to Special Exception Docket #24-16, originally approved on September 23, 2024, which allowed a reduction in the required front and side yard setbacks in the R-1 District. The Board had approved the request with a one-year completion deadline. Due to circumstances beyond his control, Kalb requested a one-year extension.

Applicant Presentation:

- Kalb explained he had difficulty securing a builder and may have applied too early without a contractor in place.
- He requested a one-year extension, noting his builder may not be able to start until fall. He expressed confidence the extension would be sufficient to complete the project.

Public Comment:

No public comments were received.

Action:

- Motion by Kendell, second by Fish, to close the public hearing. Motion carried unanimously.
- Board members reviewed the findings of fact and discussed the request.
- Motion by Fish, second by Kendell, to approve the special exception extension as presented, with the following condition: the project must be completed by September 23, 2026. Motion carried unanimously.

ITEMS FROM PUBLIC: none

ITEMS FROM BOARD: none

ITEMS FROM STAFF: Next Meeting August 25, 2025

ADJOURNMENT: Motion by Kendell, seconded by Nickeson, to adjourn the July 28, 2025 Board of Adjustment meeting. Motion carried unanimously.

The meeting adjourned at 7:37 p.m.

Respectfully submitted,
Becca Pflughaupt
Board Secretary

Adopted: 8/25/2025