

## **JACKSON COUNTY ZONING COMMISSION**

Monday, August 18, 2025

7:00 p.m.

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

**Commissioners Present:** Chair Mike Burke, Vice Chair Tom Stewart, Commissioners Sandra Gerlach, Kristine Pfab, Monica McHugh, and Brian Venema

**Commissioners Excused:** Meri Kies

**Staff Members Present:** Becca Pflughaupt

### **Call to Order and Roll Call**

The meeting was called to order by Chair Burke at 7:00 p.m. Roll was called. A sign-in sheet was distributed, and the Zoom meeting was launched.

Attendees:

Laura Carstens, ECIA

Nin Flagel, Jackson County Board of Supervisors via Zoom

### **Approval of Minutes – July 21, 2025**

Motion by McHugh, seconded by Stewart, to approve the minutes of the July 21, 2025, Zoning Commission meeting as submitted.

Motion carried unanimously.

### **Items from the Public**

None.

### **Work Session – Zoning Ordinance Update**

Presented by: Laura Carstens, ECIA

It was noted that this was the final working session prior to the Public Hearing.

Carstens presented a structured set of recommendations and a “clean copy” format (with limited redline only as backup) aimed at moving the project to a public hearing.

#### **A. Chapter 4 – Board of Adjustment (BOA): Time Extensions**

- Issue: Special Exception/Conditional Use approvals have fixed time limits; applicants sometimes cannot start or finish within the window due to factors beyond control for example contractor/supply delays, illness, Corps of Engineers timing, etc.
- Recommendation: Allow administrative extensions for straightforward cases showing progress or good cause, rather than requiring a full BOA re-hearing each time.
- Action: Staff will consult the BOA at its meeting next week and report back.

#### **B. Chapter 3 – Cross-References to Other Laws**

- Change: Move/expand language from Chapter 2 into Chapter 3 to direct administrators/applicants to relevant County ordinances and Iowa/Federal

statutes and rules, using hyperlinks where feasible which keeps the ordinance "timeless" as outside codes change.

### **C. Development Regulations (District Tables & Notes)**

- Health references: Add references to Iowa Administrative Code for onsite systems and wells, e.g., Ch. 69 – private sewage; Ch. 49 – private wells.
- Roadway note: Add a 30-foot building setback from the public right-of-way line as a case-by-case check coordinated with the County Engineer and clarified measurement from ROW, not centerline.
- Edits made: Reinsert the 5-foot rear yard note that was missing in one table.
- Consistency: Apply the notes across all districts, including Alternative Development Regulations for pre-zoning plats.

### **D. Fences (Supplemental Regulations 2.8)**

- Scope: Provide clearer, county-wide guidance, outside farm-exempt uses, with diagrams for height measurement, corner/drive sight visibility, ROW/easements, and property-line placement.
- Iowa Code 359A: Partition fences along property lines remain governed by township trustees under state law.
- Edits during discussion: Remove the confusing language about barbed wire and electric fence in residential contexts; keep farm-exempt fences outside county regulation.
- Permit discussion in R-1 Residential District:
  - Draft proposed a no-fee fence permit in R-1 to prevent disputes and ensure visibility and/or placement compliance as well as aesthetic appearance.
  - Motion: McHugh moved to strike Section 13 (permit requirement); Pfab seconded. Venema-aye, McHugh-aye, Pfab-aye, Gerlach-nay, Stewart-nay, Burke-nay. Split vote: with six members present, a tie vote fails under Robert's Rules. Motion failed. The draft's permit approach remains in place for now.

### **E. Supplemental Regulations 2.8 – Other Updates**

- Visibility at intersections/entrances: Replace "triangle" text with direct reference to Secondary Roads Entrance Policy and the Iowa DOT sight-distance guidance (diagram included).
- Multiple principal structures: Clarify allowance subject to Environmental Health approval of water/sewage for each.
- Off-street parking/drive standards: Consolidate practical standards (e.g., gravel depth), require a simple site plan, and reference accessibility requirements in state rules.

### **F. Accessory Dwelling Units (ADUs)**

- Alignment: Reference Iowa Code §331.301(27) for definitions, size/number limits, etc.

- Timing: Permit construction sequencing flexibility (e.g., build ADU first) if the overall site plan addresses both principal dwelling and ADU.
- Districts: Remains limited to residential contexts consistent with state law.
- Conversion to two-family: Move prior “conditional use” rule into this section for coherence.

#### **G. Conditional Uses (2.9) – Reorganization**

- Terminology: Use “Conditional Use Permit (CUP)” in place of “Special Exception.”
- Consolidation: Move CUP lists from each district into Section 2.9 with general provisions plus use-specific conditions.
- Examples discussed:
  - Anhydrous Ammonia/Fertilizer bulk storage: Maintain district-specific separations. A question was raised about including “dwelling” in A-1 separation language, and discussion followed. Staff to verify whether state rules already set dwelling separation for A-1.
  - Wireless facilities: Divide existing vs. new towers; definitions from Iowa Code 8C; include typical 400-ft height reference and one-mile notice, and decommissioning references (wind ordinance framework).
  - Private Campgrounds: Proposed as CUP on <5 acres with conditions: no onsite sewage and non-commercial (family/friends only, no payment).

#### **H. Schedule of District Regulations (2.1) – Matrices & Clarifications**

- Added explanatory material and a use vs. structure quick-reference chart.
- Include PUD references and map symbol cues.

#### **I. New Section – Lots, Setbacks & Encroachments (with Diagrams)**

- Define lot area/width/depth and lot types (standard, corner, double-frontage, flag, irregular) and how setbacks apply/are measured (closest point to property line).
- Owner's choice (corner lots): Allow choosing the “front” to avoid unnecessary BOA filings.
- Encroachment table: Spell out what may project into setbacks e.g., eaves/gutters up to 3 ft; accessibility ramps; etc., and what may not, with minimum clearances and ROW/sight-distance safeguards.
- Post-1976 lots: For lots created on/after the zoning adoption on May 6, 1976, principal/accessory/temporary/conditional structures are expected to meet setbacks; use administrative waiver or BOA variance only if needed.
- Pre-zoning “Alternative” lots: Allow limited encroachment per the table to accommodate small/platted lots.
- Ongoing duty: Maintain setbacks once established; no incremental encroachment.

#### **J. Definitions (Chapter 6)**

- Broad update to rely on Iowa Code / Iowa Administrative Code definitions wherever available; remove duplicative or regulatory language from definitions.

- Remove legacy “yards” section in favor of the clarified setback framework above.

#### **K. Editing / Publication Practices**

- Commissioners invited to flag typos/grammar. Example noted in Chapter 4, mailed-notice sentence missing “feet” (“within 500 feet”).

#### **Items from the Commission**

None.

#### **Items from Staff**

#### **Adjournment**

Motion by Stewart, seconded by Gerlach, to adjourn.  
Motion carried unanimously.

Meeting adjourned at 8:48 p.m.

Respectfully submitted,  
Becca Pflughaupt  
Zoning Administrator

Adopted: 10/20/2025