

## JACKSON COUNTY BOARD OF ADJUSTMENT

7:00 p.m.

Monday, March 23, 2026

Community Room, Jackson County Courthouse

201 W Platt Street, Maquoketa, Iowa

**Board Members Present:** Chair Mike Nickeson, Vice Chair David Kendell, Board Members A. John Arenz, Daryl DeVore and Pete Fish,  
**Staff Member Present:** Zoning Administrator Becca Pflughaupt

**Call to Order and Roll Call:** The meeting was called to order by Chair Nickeson at 7:00 p.m. and roll call taken. A sign-in sheet was distributed and a Zoom meeting was launched.

**Approval of Agenda:** A motion was made by Kendell and seconded by Arenz to approve the agenda. Motion carried by voice vote.

**Approval of Minutes:** A motion was made by Arenz and seconded by Fish to approve the minutes of the February 23, 2026 Board of Adjustment meeting. Motion carried by voice vote.

### **Rules of Procedure – Consideration of Adoption and Signing:**

The Board reviewed the revised Rules of Procedure, which were updated to align with the new zoning ordinance, clarify language, update meeting scheduling language, include residency qualifications consistent with Iowa Code, add a conflict of interest clause, and revise provisions related to conduct of meetings, attendance, vacancies, public hearing order, and decision-making. After discussion, a motion was made by Kendell and seconded by Fish to adopt the Rules of Procedure as written. Motion carried by voice vote. The Rules of Procedure were then signed by Chair Nickeson.

### **Public Hearing**

BOA Action 26-02 – Dimensional Variance

Applicant: Ammon Wengerd

Request: A dimensional variance to allow a bedroom/bath addition and front porch addition to an existing residence in the A-1 Agricultural District at 2299 180th Street, Maquoketa, in Perry Township, Section 9. The request was to reduce the required 40-foot front setback from the public road right-of-way. Staff reported the closest point of the proposed addition had been field-verified by Secondary Roads at approximately 27 feet from the right-of-way, resulting in an approximate 13-foot variance. Staff further reported Secondary Roads had indicated there were no critical roadway concerns at that location and Environmental Health reported no issue.

Because no applicants or members of the public were present, staff provided an overview of the request and background. Staff stated the County became

aware construction had already begun, a notice of violation was issued, and the applicant agreed to pause work pending Board of Adjustment action. Staff also explained that the applicant had recently moved from Wyoming and stated there had been confusion regarding the need for a zoning permit. Board members discussed the request at length, including the recently adopted practical difficulties standard for dimensional variances under Iowa law, whether the circumstances constituted a unique property condition, whether the difficulty was self-imposed, the fact that construction had already started prior to approval, the absence of the applicants from the hearing, and the Board's desire to obtain further explanation directly from the applicants before taking action.

Following discussion, a motion was made by DeVore and seconded by Kendell to table BOA Action 26-02 pending appearance of the applicants and further explanation regarding the request. Motion carried by voice vote.

**Items from the public:** None

**Items from the Board:** None

**Items from Staff:** Staff indicated the next regular meeting date would be April 27, 2026, at 7:00 p.m., should the matter proceed.

Chair Nickeson concluded the meeting at 7:26 p.m.

Respectfully submitted,  
Becca Pflughaupt  
Zoning Administrator

Adopted: 4/27/2026