

**MINUTES OF THE MONONA COUNTY  
BOARD OF ADJUSTMENT  
PUBLIC HEARING, February 16, 2021**

On February 16, 2021, the Monona County Board of Adjustment held a public hearing. Those present by roll call were Nancy McGrain, Marvin Hausman and Sandy Bubke in person, Angela Lyons, JoAnne Seufert and Charlie Pike via Zoom. Absent: None. Also, present for the hearing was Assistant County Attorney Gary Taylor in person and Lee Morrow via Zoom.

The Board of Adjustment meeting was called to order by Chairperson Marvin Hausman at 2:00 pm. Marvin opened the public hearing for the following special use permit application made by Lee Morrow:

*A Variance Request Application has been filed by Lee Morrow for a reduced front yard set-back according to the Monona County Zoning Regulations, Section 100.17 Bulk Regulations, of seventy-five (75) feet.*

Lee Morrow was asked if had anything to add to the statement that was already given to the board concerning his variance request. Lee updated the board members that due to the COVID-19 pandemic and being a doctor in Omaha, he was unable to leave the Omaha area and check on the dirt work being done on his property in question. His contractor meet with Iowa Department of Transportation (IDOT) employees to know what the state required for driveway and required set-back. It wasn't until Lee was able to visit his property in December that he realized there was an issue with where the dirt was placed. Lee emailed Sandy and asked what the set-back requirement was and it was discussed to apply for a variance.

There was discussion by the board members that took place after Lee's comments. Marvin's big question of why the Morrow's didn't have more of an idea of what was happening on their property was answered by Lee's earlier statement. Other board members do not see a problem with allowing the variance. Sandy asked if there would be another building put on this property and Lee answered no.

Marvin closed the public hearing at 2:15 pm with no more discussion and called for a motion. JoAnn made a motion to approve the variance request by Lee Morrow to reduce the front yard set-back requirement of 75 feet; Charlie seconded the motion, roll call vote:

Marvin – Yes  
Charlie - Yes  
Nancy – Yes  
Angela – Yes  
JoAnn – Yes

Motion carried to approve the variance request. Sandy will prepare a letter and resolution and call Marvin to come and sign it.

The meeting was audio recorded.

Charlie made a motion to approve the July 27, 2020 meeting minutes as printed, seconded by Nancy, motion carried.

Respectfully submitted,

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Sandy Bubke, Administrator  
Monona County Zoning

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Chairman, Board of Adjustment

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The Board of Adjustment meeting was called to order by Chairperson Marvin Hausman at 2:30 pm. Marvin opened the public hearing for the following special use permit application made by Jason Wiggs:

A Variance Request Application has been filed by Jason Wiggs for a reduced rear and side yard set-back according to the Monona County Zoning Regulations, Section 100.17 Bulk Regulations, of seventy-five (75) feet for rear set-back and fifty (50) feet for the side set-back.

Jason was given the opportunity to speak to the board members concerning his request for a variance in order to put up a building for farm equipment storage. He explained to the board that he is in the process to purchase property from his neighbor Scott North, he has a real estate contract signed by both parties on February 11, 2021. Sundquist Engineering created a Plat of Survey also on February 11, 2021. Copies of these items will be given to Sandy following the meeting.

The board members discussed the variance request. Angela asked a question is it legal to give a variance on property that is not already owned by the person building on the property. Sandy asked Gary Taylor for his opinion. Gary stated that you can approve the variance request with that stipulation the property is sold and can owner can show proof.

Dave Hausman was confused and wanted to discuss the actual rear yard set-back and if it had changed from when him and Jason discussed the matter and agreed on the set-back. Sandy's letter to property owners stated the zoning requirements for set-backs according to Chapter 100, zoning regulations. Sandy and Jason discussed that the set-backs that were discussed with him are still the same, nothing changed, the drawing so the building was shown to Dave. He was ok with the explanation.

It was discussed that this was not a split that meet the requirements of 2 acres or more according to Chapter 100. Sandy said that she interprets the code as the land will be adjacent to the current property owned by Jason and did not feel it had to meet the 2 acre minimum.

Marvin closed the public hearing at 2:45 pm with no more discussion and called for a motion. Angela made a motion to approve the variance request by Jason Wiggs to reduce the rear and side yard set-backs from 75 feet to 10 feet, with the stipulation that if the property is not sold to Jason Wiggs by Scott North, the variance request is not to be approved; Nancy seconded the motion, roll call vote:

Marvin – Yes  
Charlie - Yes  
Nancy – Yes  
Angela – Yes

JoAnn – Yes

Motion carried to approve the variance request. Sandy will prepare a letter and resolution and call Marvin to come and sign it.

The meeting was audio recorded.

Respectfully submitted,

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Sandy Bubke, Administrator  
Monona County Zoning

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Chairman, Board of Adjustment