

**JONES COUNTY  
BOARD OF ADJUSTMENT**

**AGENDA**

**SPECIAL MEETING TUESDAY, JUNE 25, 2024 4:00 p.m.  
COMMUNITY ROOM, JONES COUNTY COURTHOUSE**

- 4:00 p.m.** • Call meeting to order and approve agenda.

Public hearing for owners Michael and Shelley Horn who have applied for a Special Permitted Use within the A-

- Agricultural zoning district described as Parcel 2022-67 in NW 1/4 SE 1/4, (parcel 14-25-400-009) in Section 25 of Rome Township generally located at 2318 Hwy 38, Olin. More specifically, the proposal is to request an auxiliary dwelling, manufactured home, to be placed onto the property as a residence for a family member.
- Action on Special Permitted Use Application for owners Michael and Shelley Horn
- Next meeting, if needed is July 16, 2024. Application deadline is Wednesday June 26, 2024.

Jones County Land Use  
 Rm 113 Courthouse, 500 W Main St.  
 Anamosa, Iowa 52205  
 Phone: 319-462-2282 Fax: 319-462-5815  
 Email: [landuse@jonescountyiowa.gov](mailto:landuse@jonescountyiowa.gov)  
 Website: [www.jonescountyiowa.gov](http://www.jonescountyiowa.gov)



## JONES COUNTY LAND USE

### Written Report of the Jones County Land Use Administrator Request for a Special Permitted Use

Application from:	Mike and Shelly Horn
For property located:	2318 Highway 38, Olin
Brief legal description:	Parcel 2022-67 in NW ¼ SE ¼ Section 25 Rome Township
Parcel number:	14-25-400-009
Parcel size:	12.04 acres
Proposal:	To request an auxiliary dwelling to be placed on the property for family to live in.
Current Zoning District:	A-Agriculture
Applicable Ordinance Provisions:	<b>Article V. Zoning Districts</b> <ul style="list-style-type: none"> <li>▪ Section 1. A- Agricultural</li> <li>▪ D. Special Permitted Uses</li> <li>▪ 1. Auxiliary dwelling units subject to Article XI.</li> </ul> <b>Article XI Auxiliary and Seasonal Dwelling Units</b>
Date application received:	June 11, 2024
Applicable fee:	\$250 + \$100 paid on June 11, 2024
Notice published: (Article XXV-Section 5)	Week of June 17, 2024 (5 days notice provided; 5-20 days required)
Adjacent property owners notified by certified mail: (Article XXV-Section 5)	June 12, 2024
Report mailed to Board of Adjustment: (Article XXV-Section 7)	June 19, 2024
Report mailed to Applicant: (Article XXV-Section 7)	June 19, 2024

*Application packet attached.*

*See page 2 through 4 for report.*

**Report of the Jones County Land Use Administrator**  
(Article XXV-Section 7)

	Jones County Engineer – Derek Snead
Comments:	<p><i>I have reviewed the Special Permitted Use Application submitted by Mike and Shelley Horn. My comments are as follows:</i></p> <p><i>This parcel of ground is adjacent to State Highway 38. It is outside the jurisdiction of the County Secondary Road Department. For rules and guidelines regarding access, setbacks and alterations of right-of-way, please contact the Iowa Department of Transportation.</i></p> <p><i>If the applicant has any questions, please contact me for more information and guidance.</i></p>
	NRCS District Conservationist – Addie Manternach
Comments:	<p><i>After reviewing this special permitted use application, I do not see any major concerns/impacts of the proposed mobile home on this site. From the point of view of the Jones Soil &amp; Water Conservation District, approval of this proposal should have no negative effect on the soil and water resources of this area. If any additional construction is planned, the Jones Soil &amp; Water Conservation District advises the landowner to seek assistance in developing an erosion control plan – prior to construction – to prevent soil erosion on site during construction and to keep sediment from leaving the property.</i></p>
	Jones County Environmental Services – Paula Hart
Comments:	<ol style="list-style-type: none"> <li><i>1) The existing septic tank for 2318 Highway 38 may be used to hook up to new mobile home. An additional 48' of field will need to be added to bring it up to code. If the certified septic contractor is Soper Plumbing &amp; Heating/Dave Soper, who originally installed the septic system, he would need to use the same width chamber and then he can add that onto each existing line, as long as none of them are over 100.</i></li> <li><i>2) A new septic permit must be issued by this department before installing and occupying the new mobile home.</i></li> <li><i>3) Please contact this department with any questions.</i></li> </ol>
	Flood Plain Manager – Brenda Leonard
Comments:	<i>This parcel is not located in a flood plain.</i>
	Jones County Conservation Board - Brad Mormann
Comments:	<i>No comments received.</i>
	E911 Coordinator – Gary Schwab
Comments:	<p><i>In review of the above stated application the Jones County 911 office finds that there is a concern, pursuant to Chapter 3, Uniform Rural Address System to Title IV Streets, Roads Public Ways and Transportation, as part of the Jones County Code of Ordinances.</i></p> <p><i>With a separate dwelling this office advises that a separate 911 address be procured. This address is not only important for expedient delivery of emergency services but for US Postal and package delivery.</i></p>

Page 3: Owner: Mike and Shelly Horn  
 Property Location: 2318 Hwy 38, Olin  
 Board of Adjustment meeting: June 25, 2024 at 4:00 p.m.

<i>Minimal impact</i>	Impact which the application will have on the overall land use plan in Jones County (Article XXV-Section 7)
Comments: <i>Auxiliary dwelling units are permitted in the Agricultural zoning district. It is limited to one auxiliary dwelling unit per property, for up to two family members.</i>	
<i>Minimal impact</i>	Impact which the application would have on surrounding property: (Article XXV-Section 7)
Comments: <i>Surrounding property is also in the Agricultural zoning district. The impact on the surrounding property would be minimal, only the additional traffic for the family member arriving and departing the property.</i>	

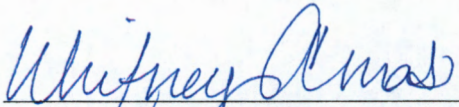
<b>Potential outcomes of Special Permitted Use</b>
<i>Approve the application in full</i>
<i>Approve the application with modifications</i>
<i>Deny the application</i>
<i>Table the application to a later date</i>

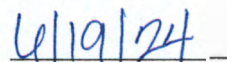


**SECTION 1. AUXILIARY DWELLING UNITS**

Auxiliary Dwelling Units are permitted in the A and R districts. To qualify, a unit can be a room addition or an attached structure to the existing primary dwelling unit or garage. For the purposes of Auxiliary Dwelling Units, the definition of family is anyone related by blood, marriage, adoption, legal guardianship, foster parent-children or a domestic partner of said family member. Auxiliary dwelling units shall be approved by the Board of Adjustment and are subject to the following supplemental conditions and any other conditions as may be warranted by the Board of Adjustment to mitigate any deleterious effects of the proposed use and to promote the public health, safety and general welfare.

- A. One auxiliary dwelling unit per property. **According to the application, this will be the only auxiliary dwelling unit.**
- B. The number of occupants is limited to two (2) and one shall be a family member of the primary residential unit as defined in auxiliary dwelling units. There shall be an annual verification that the persons living in the auxiliary dwelling unit are family members as defined herein. **According to the application, there will be single occupant (Aunt and then Son)**
- C. The primary dwelling unit on the property shall be occupied by the legal owner of the property. The auxiliary dwelling unit is established in such a way as to minimize its visibility from adjacent streets and properties. **The primary dwelling unit is occupied by the legal owner of the property.**
- D. The gross square footage of the auxiliary dwelling unit, excluding attached covered parking and unenclosed patio covers, shall not exceed one-half the gross square footage of the primary dwelling unit or one thousand (1,000) square feet, whichever number is less. **According to the application, the auxiliary dwelling unit is 693 sq. ft.**
- E. The auxiliary dwelling unit shall be provided with an off-street parking space in addition to any parking requirement for the primary dwelling unit. Any parking provided for the auxiliary dwelling unit shall be served from the same driveway system that serves the parking for the primary dwelling unit. **According to the application, sufficient parking should be available.**
- F. The auxiliary dwelling unit shall meet the setback requirements of the primary dwelling unit. **According to the application, it appears to meet the setback requirements.**
- G. The auxiliary dwelling unit permanently built on a property shall be architecturally compatible with and complimentary to the primary dwelling unit. All related aesthetic matters including architecture and landscaping shall be subject to review and approval by the Board of Adjustment. **According to the application, this application meets the requirement.**

  
\_\_\_\_\_  
Jones County Land Use Administrator  
Whitney Amos

  
\_\_\_\_\_  
Date

Jones County Land Use  
 Rm 113 Courthouse, 500 W Main St.  
 Anamosa, Iowa 52205  
 Phone: 319-462-2282 Fax: 319-462-5815  
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**Jones County Zoning**  
**Special Permitted Use Application**

<b>For Office Use Only</b>		
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied	Date: _____
Comments: _____		
_____ <b>Signature of Jones County Land Use Administrator</b>		

The Board of Adjustment will review the proposal and deny or approve.

Fee: **\$250.00 (non-refundable) payable to Jones County, with the completed application**

Date Application Filed: 11/11/24 \$350 cx# 16050 spec. meeting

Owner Information			
Name on property: <u>Mike and Shelley Horn</u>			
Address to receive mail:	House Number & Street: <u>2318 Highway 38</u>		Apartment/Unit
	City: <u>Olin</u>	State: <u>IA</u>	Zip Code: <u>52320</u>
Phone: <u>563 340-8317</u>	E-mail Address: <u>mike nshelly@gmail.com</u>		

Applicant Information			
Name: (If different from above.)			
Address to receive mail:	House Number & Street:		Apartment/Unit
	City:	State:	Zip Code:
Phone: ( )	E-mail Address:		

Parcel Information			
Township: <u>Romy</u>	Section: <u>25-83-03</u>	Property Address: <u>2318 Highway 38, Olin</u>	
Zoning District: <u>Ag</u>	County Parcel ID(s), if known: <u>1425400009</u>		



Additional information regarding the parcel(s), if any:

### Proposed Use

Attach a site plan indicating the location of any existing, and proposed, buildings and driveways.

Attach a copy of the entrance access permit from the County Engineer, if any.

Attach a narrative providing the following information:

- Expected traffic volumes, including the impact on local roads and access to hard surface roads.
- Noise impact on surrounding property owners, residents, and livestock.
- Provisions for sanitary services (permanent and/or temporary waste disposal plans).

The narrative shall include any additional information required in the Zoning Ordinance for the specific permitted use requested.

Additional information and regulations may be required of properties located in a Critical Resource Area Overlay (Section 9 of Article V).

Additional information may be requested by the County to assist the Board of Adjustment in considering the application.

**A and A2 - Agricultural District Special Permitted Uses Article V – Section 1. and 2. D.**

- Auxiliary dwelling units subject to Article XI.
- Bed and breakfast inns subject to Article VIII.
- Churches or other places of worship, including parish houses and Sunday school facilities.
- Commercial recreation uses subject to Article IX.
- Communication towers subject to Article XIV.
- Home-based Industries subject to Article VII.
- Kennels and Animal Shelter Requirements subject to Article XXI.
- Public and private stables.
- Quarry and Extraction Uses subject to Article X.
- Seasonal dwelling units subject to Article XI.
- Seed, feed, biofuel plants, (biodiesel, ethanol) and other direct farm supply businesses.
- Wind Energy Conversion Systems (WECS) under 100 Kilowatts subject to Article XV.
- Wineries and other Value Added Agricultural Products.
- Quarry and Extraction Uses subject to Article X.

**R - Residential District Special Permitted Uses Article V – Section 3. D.**

- Animal shelters subject to Article XXI.
- Auxiliary dwelling units subject to Article XI.
- Bed and breakfast inns subject to Article VIII.
- Churches or other places of worship, including parish houses and Sunday school facilities.
- Home-based industries subject to Article VII.
- Parks, playgrounds, golf courses (public and private), service organizations, and recreational uses.
- Schools (public and private), educational institutions, preschools, and day care facilities.
- Wind Energy Conversion System (WECS) – Small subject to Article XV.

**RMH - Residential Manufactured Housing District Special Permitted Uses Article V – Section 4. E.**

- Home-based industries subject to Article VII.

**C1 - Commercial District Special Permitted Uses Article V – Section 5. D.**

- Bed and breakfast inns subject to Article VIII.
- Communication towers subject to Article XIV.
- Wind Energy Conversion Systems (WECS) – Small subject to Article XV.
- Wineries and other Value Added Agricultural Products.

**C2 - Highway Commercial District Special Permitted Uses Article V – Section 6. D.**

- Bed and breakfast inns subject to Article VIII.
- Communication towers subject to Article XIV.
- Wind Energy Conversion Systems (WECS) – Small subject to Article XV.
- Wineries and other Value Added Agricultural Products.
- Adult entertainment uses subject to Article XII.

**I1 - Industry District Special Permitted Uses Article V – Section 7. D.**

- Adult entertainment uses subject to Article XII.
- Communication towers subject to Article XIV.
- Quarry and Extraction Uses subject to Article X.
- Wind Energy Conversion Systems (WECS) – Small subject to Article XV.

The land parcel(s) must comply with the minimum lot area, front, rear, and side yard setbacks, and maximum height restrictions in the applicable district, as described in the Jones County Zoning Ordinance. The Jones County Zoning Ordinance is available in the office of the Jones County Auditor, or on-line at [www.jonescountyiowa.gov](http://www.jonescountyiowa.gov).

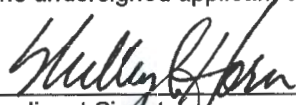
The applicant is responsible for reviewing the provisions of the Jones County Zoning Ordinance prior to submitting this application.

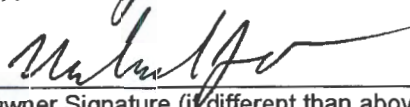
DNR Storm Water Permits are required when development disturbs one acre or more of land. For more information, contact the Department of Natural Resources at (515) 725-8417 or contact Clark Ott at (563) 927-2640 and ask for storm water permit assistance.

Special Permitted Use applications are submitted to the Jones County Board of Adjustment for consideration and approval or denial. The Board of Adjustment may apply additional conditions for approval, as may be warranted to mitigate any deleterious effects of the proposed use. The decision of the Board of Adjustment may be appealed by filing a petition with the District Court within thirty (30) days after the decision has been issued by the Board of Adjustment.

This development is subject to, and shall be required, as a condition of final development approval, to comply with the Code of Iowa and all Jones County ordinances, requirements, and standards that are in effect at the time of final development approval.

The undersigned applicant certifies under oath and under the penalties of perjury that the foregoing information is true and correct

  
 Applicant Signature \_\_\_\_\_ Date 6/06/2024

  
 Owner Signature (if different than above) \_\_\_\_\_ Date 6/6/24

**QUESTIONS**

**WHO TO CONTACT**

Flood Plain Determination	<b>Flood Plain Coordinator 319-462-4386 – Brenda Leonard</b>
Access Permit for Drive	<b>County Engineer 319-462-3785 – Derek Snead</b>
911 Address	<b>911 Coordinator 319-462-2735 – Gary Schwab 9-1 Mon - Wed</b>
Well and Septic	<b>Environmental Services 319-462-4715 – Paula Hart</b>
Electrical Permits/Inspections	<b><a href="https://iowaelectrical.gov/">https://iowaelectrical.gov/</a> – <a href="mailto:ggrant@dps.state.ia.us">ggrant@dps.state.ia.us</a> Greg Grant 319-350-2404</b>



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Main body of faint text, appearing to be several lines of a letter or document.

Handwritten signature or name in the center of the page.

Handwritten signature or name on the right side of the page.

Text block at the bottom left, possibly a footer or a list of items.

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Request for Variance by Michael and Shelley Horn, 563-340-8317, mikenshelly@gmail.com

For Property:

Parcel ID	1425400009
Property Address	2318 HIGHWAY 38 OLIN IA 52320
Sec/Twp/Rng	25-83-03
Brief Tax Description	25 83 03 PARCEL 2022-67 IN NW SE

Members of the zoning board,

We are requesting a variance to add a newly constructed 14'x52' mobile home on the property listed above. The mobile home would be placed facing west towards highway 38 and run lengthwise parallel to the large machine shed as shown in the picture below. The yellow shaded area represents the proposed location.



Reason for this request:

My Aunt is in her early 70's and currently lives in Ordway, Co. She has been diagnosed with Leukemia and has started Chemotherapy. It is a terminal diagnosis. While she is still in good health, she would like to sell her ranch and move here to Olin to be close to family. She would be the sole occupant and live in the mobile home as long as her health and independence allows. Living on the property would allow us to provide care when needed.

In the event of her passing, we would not rent out the mobile home. It will be used as a residence for our adult autistic son who currently lives with us.

Thank you for your time and consideration,

Michael Horn

*Michael Horn*  
6/9/24

Shelley Horn

*Shelley Horn* 6/09/24

*See BACK  
PHO Septic tank*

New septic put in Aug/Sept. 2022 - Ned Rahnwedder

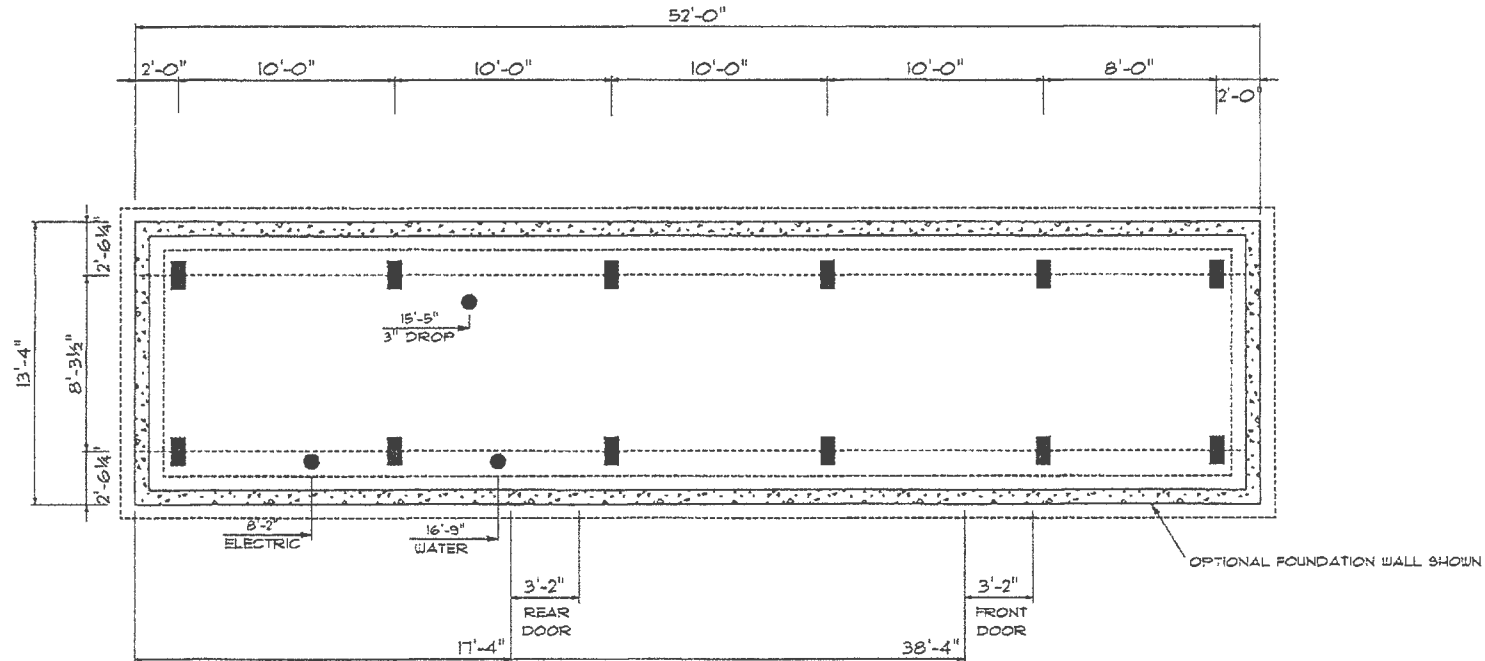
Dave Saper put in system

1500 gal tank - new leach fields

6/10/24 left message with Paul w/ environmental health  
to discuss septic system.



Piers will be installed 8' on center, not 10' on center



THIS PIER PLACEMENT DRAWING IS NOT A FOUNDATION DESIGN, SEE CURRENT MHE SETUP MANUAL FOR FOUNDATION DESIGN.

THIS PIER SPACING IS FOR ILLUSTRATION ONLY. USE INSTALLATION MANUAL TO DETERMINE ACTUAL PIER SPACING.

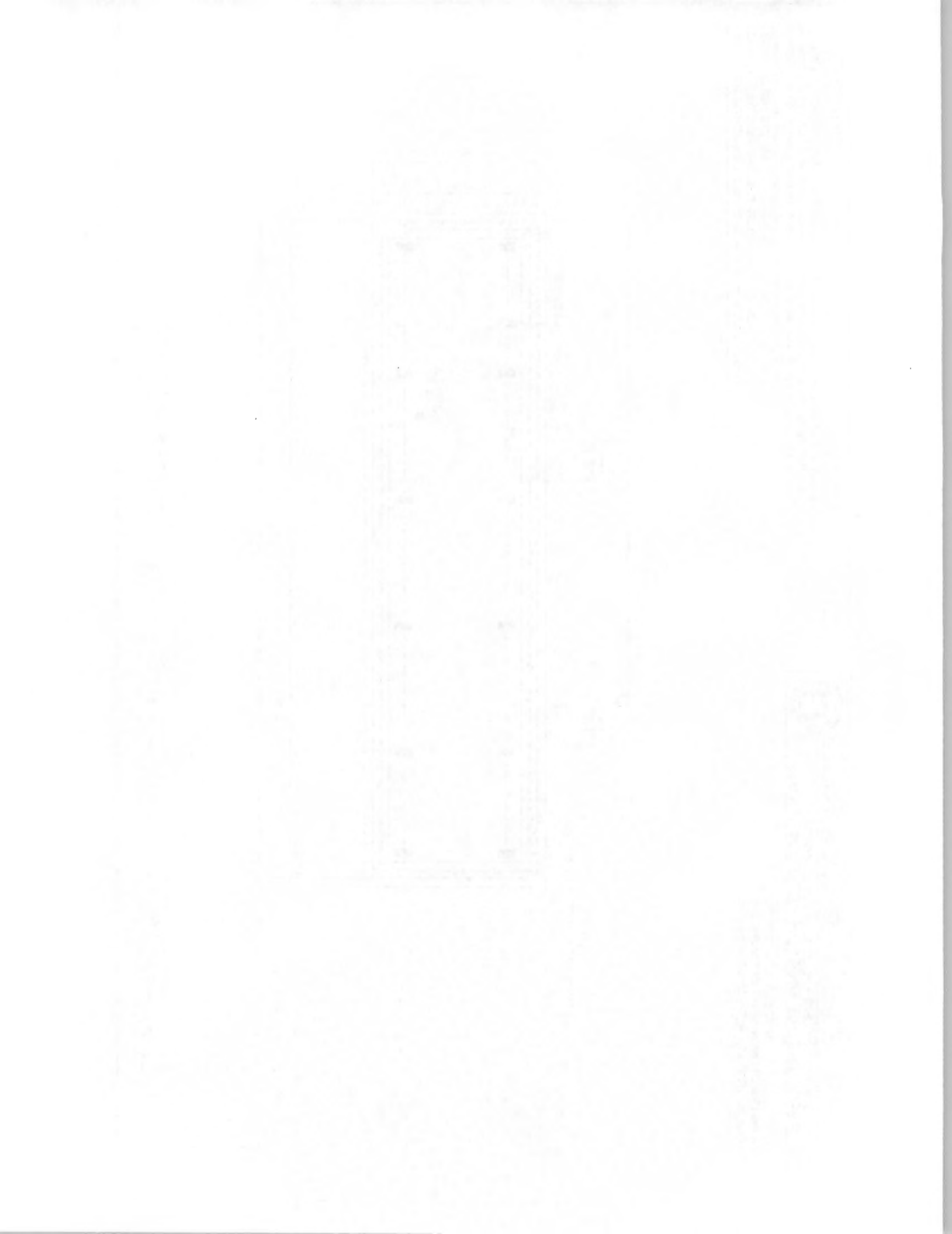
MANUFACTURED HOUSING ENTERPRISES INC. DECLINES ANY RESPONSIBILITY FOR THIS FOUNDATION LAYOUT, IT IS RECOMMENDED THAT YOU CHECK LOCAL CODES AND OR CONSULT A QUALIFIED ENGINEER IN YOUR AREA TO APPROVE THE FOUNDATION SYSTEM

CONSULT SETUP MANUAL



**MANUFACTURED HOUSING ENTERPRISES, INC.**  
09302 STATE ROUTE 6 - BRYAN, OH 43506

STANDARD PIER PRINT	MODEL: 4456		
	DATE: 8-26-16	REV: 5-18-23	BY: JR



## Whitney Amos

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**From:** Mike Horn <mikenshelly@gmail.com>  
**Sent:** Tuesday, June 18, 2024 12:23 PM  
**To:** Whitney Amos  
**Subject:** Re: Auxiliary Dwelling

Hi Whitney,  
693 square feet! The trailer is coming from

*Chip Horkheimer*  
*Horkheimer Homes*  
*1-800-632-5985*  
*Cell - 319-283-0554*

*This info might be helpful to you also! Thanks again and have a great day*  
*Shelley Horn*

On Tue, Jun 18, 2024, 11:41 AM Whitney Amos <[landuse@jonescountyiowa.gov](mailto:landuse@jonescountyiowa.gov)> wrote:

Hello, I am working on the report for the meeting next week and I am checking if you know how many square feet is the manufactured home going to be?

Thanks

*Whitney Amos*

*Land Use Administrator*

*Jones County Auditors Office*

*[landuse@jonescountyiowa.gov](mailto:landuse@jonescountyiowa.gov)*

*(319)462-2282*

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THE UNIVERSITY OF CHICAGO  
DEPARTMENT OF CHEMISTRY  
5800 S. UNIVERSITY AVENUE  
CHICAGO, ILLINOIS 60637

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