

## **Zoning Commission Meeting Minutes – July 11, 2025**

The Muscatine County Zoning Commission held a Public Hearing in the Administration Building on Friday, July 11, 2025 starting at 10:45 a.m.

**Present:** Brad Akers (Vice Chair), Laura Curtis Kramer, Tom Harper (Chair), Martha Peterson, and Carol Schlueter

**Absent:** None

**Staff Present:** Eric Furnas, Morgan Othmer, and Jake Boucher

**Others present for this meeting included:** No public attendees.

- **Approval of the June 6, 2025 meeting minutes.**
  - A motion was made by Carol Schlueter to approve the June 6, 2025 meeting minutes and was seconded by Laura Curtis Kramer.
    - Aye's: Brad Akers, Laura Curtis Kramer, Tom Harper, Martha Peterson, and Carol Schlueter
    - Opposed: None
    - Motion approved.
  
- **Agenda Item #01 – Public Hearing on possible amendments to the Zoning Ordinance for the regulation of Accessory Dwelling Units.**
  - The Public Hearing was opened at 10:45 a.m.
  - There were no attendees for the Public Hearing.
  - Eric Furnas reported that Senate File 592 was signed into law, which requires Accessory Dwelling Units (ADU) to be allowed. The new law defines Accessory Dwelling Unit as “an additional residential dwelling unit located on the same lot as a single-family residence that is either attached to or detached from the single-family residence”.
  - Eric then explained that there are certain items that the county cannot regulate under the new law.
    - The county is not allowed to set more stringent setbacks than what are already in place for single-family dwellings.
      - The ADU can be placed in the front yard space as long as it meets the minimum required setback distance. For example, if a house sits 250' back from the front property line, the ADU could be placed at the required setback distance of 50' (for properties zoned R-1).
    - The county cannot require that the ADU be occupied by a family member. The ADU could be used as a rental property.

- The size of the ADU can only be restricted to allow for a maximum size of 1,000 square feet or 50% of the square footage of the existing single-family dwelling.
  - Homeowner's associations can still set regulations for ADU's in subdivisions.
- Brad asked how the 50% size would be calculated and if it would include all levels of the single-family dwelling. Eric answered that the new law does not define how to determine that number. He said that other counties in the state are only using the square footage of finished/habitable space, and they are not counting unfinished space.
- Eric asked the Zoning Commission to consider the following:
  - What number should be used to determine the square footage of the existing dwelling for the 50% size limit?
    - The Commission members agreed that the finished space square footage, as determined by the Assessor's Office, should be used.
  - Should a limit be placed on the size of garage that could be built with the ADU?
    - The members agreed that the size of the garage should not be limited.
  - Should a limit be placed on the number of ADU's that can be placed on a parcel? The new law requires that a minimum of one be allowed.
    - The members agreed that there should be a limit of one ADU per parcel.
- Eric explained that an existing structure could be converted into an ADU, but it would have to meet the sizing requirements and building codes.
- Carol asked if a mobile home could be used as an ADU. Eric explained that a mobile home could be used, but it would have to be placed on a permanent foundation.
- Eric conveyed that the intent of the new bill is to help provide a way for families to care for aging parents.
- Eric also explained that for septic systems, a new ADU will require a new septic system unless the septic system serving the primary dwelling was oversized and designed to accommodate the additional loads of the ADU.
- A motion was made by Martha Peterson to close the Public Hearing at 11:09 a.m. and was seconded by Brad Akers.
  - Aye's: Brad Akers, Laura Curtis Kramer, Tom Harper, Martha Peterson, and Carol Schlueter
  - Opposed: None
  - Motion approved.

- A motion was made by Carol Schlueter to recommend adoption of the following regulations for Accessory Dwelling Units (ADU):
  - Set a limit of one Accessory Dwelling Unit per parcel.
  - Per the state code – an ADU should not exceed a total of 1,000 square feet or 50% of the size of the single-family residence. To determine the 50% square footage total:
    - Utilize the Total Gross Living Area square footage, as determined by the Assessor’s office.
    - Unfinished basement space will not be included in the total gross living area.
  - Set no limitation on the size of an attached garage for new ADU’s.
    - Martha Peterson seconded the motion.
      - Aye’s: Brad Akers, Laura Curtis Kramer, Tom Harper, Martha Peterson, and Carol Schlueter
      - Opposed: None
      - Motion approved.
- Meeting adjourned at 11:10 a.m.

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