

Zoning Commission Meeting Minutes – December 5, 2025

The Muscatine County Zoning Commission held a Public Meeting at the Administration Building on Friday, December 5, 2025, starting at 10:30 a.m.

Present: Brad Akers, Laura Curtis Kramer, Tom Harper, and Martha Peterson

Absent: Ashley Spitler

Staff Present: Eric Furnas and Morgan Othmer

Others present included: JoAnn Christofferson, Jayme Hazen, Josh Hazen, and Scott Sauer

- **Appointment of New Chair & Vice Chair**

- A nomination was made by Brad Akers to keep the current Chair (Tom) and a nomination was made by Martha Peterson to keep the current Vice Chair (Brad) for the upcoming year.
 - Ayes: Brad Akers, Laura Curtis Kramer, Tom Harper, Martha Peterson
 - Opposed: None
 - Motion approved.

- **Approval of the October 3, 2025 meeting minutes.**

- A motion was made by Laura Curtis Kramer to approve the October 3, 2025 meeting minutes and was seconded by Martha Peterson.
 - Ayes: Brad Akers, Laura Curtis Kramer, Tom Harper, Martha Peterson
 - Opposed: None
 - Motion approved.

- **Agenda Item #01 – Ogren Acres Subdivision**

- JoAnn explained the subdivision request and that she intends to sell the parcel.
- Eric then explained that the request is a typical agricultural subdivision where they would like to split off around an existing dwelling and outbuildings. Subdivision is required because one of the quarter, quarter sections that the new lot would occupy has been split before. The proposed subdivision meets or exceeds the lot width, lot frontage, and lot size requirements for a lot in the A-1 District. The house is over ten years old, so it is allowed to be split from the farm that it was a part of. The well and the septic system that serve the house will remain on the same lot, so no easement will be needed. Everything will remain zoned as A-1 Agricultural.
- A motion was made by Brad Akers to recommend approval of the combined preliminary/final plat of the one-lot subdivision, Ogren Acres Subdivision. Martha Peterson seconded the motion.
 - Ayes: Brad Akers, Laura Curtis Kramer, Tom Harper, Martha Peterson
 - Opposed: None
 - Motion approved.

- **Agenda Item #02 – Phillips Acres Subdivision**

- Jayme described the subdivision request. She explained that earlier this year they were granted a Special Use Permit for a rural residence to be built on the property. They would like to section off an acre to build the residence on.
- Next, Eric provided a summary of the related requests that have been made.
 - Originally, there was a request to rezone the property to residential that was not approved by the Board of Supervisors.
 - The applicant then applied for a Special Use Permit for a Rural Residence. The Board of Adjustment did grant that request with a stipulation that the residence be placed on the northernmost one acre of the property to maintain maximum separation distance from the proposed house and commercially zoned property to the south. This was to prevent conflict between the residential and commercial uses.
 - When the Special Use Permit was approved, there was a section of land that is zoned C-1 Commercial that extended from the parcel to the north onto the parcel to the south (that the Rural Residence was to be placed on). At that time, staff believed that the zoning was being portrayed inaccurately on the map, because a parcel typically doesn't have two different zoning districts. Further research revealed that the C-1 Commercial zoned property did in fact extend onto the parcel to the south. The property owners worked with a surveyor to find the exact location of the C-1 property and adjusted the parcel line so that the parcel to the north is entirely zoned commercial and the parcel to the south is entirely zoned agricultural.
 - Martha asked what the business is that is currently on the commercially zoned property. Jayme answered that it's an office.
 - Eric then explained that the concern wasn't necessarily a possible conflict between the property owner's business and the new house, but with a commercial storage business to the south and the potential for lights, traffic, and future expansion. He did note that the applicant had acknowledged that they are aware of the potential conflicts with that business.
 - Scott asked if there was a drawing that shows the proposed lot size. Eric answered that there is a drawing and the proposed lot is 1.1 acres, not including the right-of-way, and starts at the edge of the commercially zoned property and extends south approximately 310 feet.
 - Next, Scott asked if the Zoning Commission has any jurisdiction on where the home can be located on the lot. Eric answered that they didn't. The Zoning Ordinance would dictate the minimum setback distances that would have to be met.
 - Scott then asked the Zoning Commission members how they interpret the Board of Adjustments stipulation that the house be placed on the north side

of the parcel. He explained that the way he interpreted it is that the house should be placed at the farthest point to the north to give the most separation distance from the lights and traffic of the storage business. Scott expressed concerns that the Board of Adjustment did not realize the location of the house would be farther south due to the zoning districts and adjustments made to the parcel line. Scott also expressed concerns about future conflicts due to the lights, noise, and traffic generated from the storage business.

- Eric stated that the question that remains is - would what the Board of Adjustment didn't know at the time (when the Special Use Permit was granted) change the situation.
- Jayme then explained that they wanted to move forward with a subdivision to minimize the amount of land that they were requesting from their father.
- Josh stated that they would not have a problem with the storage facilities and could even plant trees to help minimize the effects of the lights.
- Eric stated to the Zoning Commission that they may want to consider tabling the request and obtain legal advice on whether the case should be reconsidered by the Board of Adjustment due to the parcel line change. This would allow the Board of Adjustment to provide clarification on where they intended for the new house to be placed.
- Jayme asked if anyone knew how far to the south the parcel line moved. No one had an exact measurement.
- Jayme then stated that the zoning being incorrect on the map was not their fault, it was the county's mistake.
- Scott stated concerns about complaints in the future about the lights and potential expansion. Jayme explained that they plan to build the garage on the side that would face the storage facility to minimize the impact.
- Tom explained that at the Board of Adjustment hearing, he remembered the location of the lot to build the house on was fluid. No stakes had been set; it was just to be placed on the northernmost part of the parcel. The board knew that there was commercial property to the north but did not know exactly where the new lot would be.
- A motion was made by Martha Peterson to recommend approval of the combined preliminary/final plat of the one-lot subdivision, Phillips Acres Subdivision. Brad Akers seconded the motion.
- Scott asked for clarification from the Zoning Commission on where the house can be built. Tom responded that the request in front of them does not indicate where a house would be placed, it is only for the creation of a subdivision. The Rural Residence request is what has bearing on the location of the house.

- Martha stated that they were planning to build on the north end of the parcel. Eric responded – that is why he raised the question of obtaining legal input on the request because the original motion for approval was to allow the construction of a Rural Residence on the north one acre of the parcel. What could be challenged is what was voted on. The north one acre of the parcel has now shifted farther south. The mindset of the Board of Adjustment could be brought into question based on the wording of the motion.
 - Jayme stated that the subdivision request is as far north as it can go, so they are doing exactly what they have been asked to do.
 - Tom suggested that the Zoning Commission recall the motion and have Eric contact the County Attorney for input. Eric responded that since a motion was already made, the Commission needed to move forward with a vote and they could make another motion give further direction.
 - The motion carried the following vote:
 - Ayes: Brad Akers, Laura Curtis Kramer, Martha Peterson
 - Opposed: Tom Harper
 - Motion approved.
- Meeting adjourned at 10:51 a.m.

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