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BRANDY MACUMBER, COUNTY RECORDER
MADISON COUNTY IOWA

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To and From
Office of Planning and Zoning

Ryan Hobart, Administrator

Variance

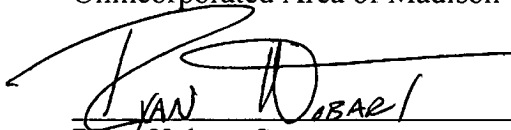
PERMIT NO: 16-25

DATE: August 14, 2025

After a properly held Public Hearing on July 1st, 2025, the Madison County Board of Adjustment hereby approves the request for a Variance to Steven H. Reed allowing him to use the current easement, for one (1) additional single-family dwelling. The following described real estate is that of which is involved:

Lot Three (3) of Seven Oaks Subdivision in Madison County, Iowa, located in Section One (1), Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, and also an easement across Lot One (1) of Seven Oaks Subdivision for the purpose of running water and gas lines across said Lot One (1) to Lot Three (3) and across an easement 60 feet in width located in the Southwest corner of Lot Two (2) of said Seven Oaks Subdivision, which easement is designed and shown on the final plat of Seven Oaks Subdivision as "60' Wide Access Easement".

This variance was approved under the provisions specified in the Zoning Ordinance for the Unincorporated Area of Madison County, Iowa.



Ryan Hobart, Secretary
Madison County
Board of Adjustment

MADISON COUNTY BOARD OF ADJUSTMENT

Application for Variance
Steven H. Reed
Date: 8/11/2025

DECISION

On July 1st, 2025, at 7:00 p.m., pursuant to the rules of procedure of the Madison County Board of Adjustment, a public hearing was held and conducted on an application for variance to section 8.C. of the Madison County Zoning Ordinance. The request was to allow Mr. Reed to utilize an existing easement of access to a second dwelling. The Madison County Zoning Ordinance only allows for one (1) single-family dwelling per exclusive unobstructed private easement, if there is not any owned street/road frontage. At the hearing the Board of Adjustment reviewed the completed application form, relevant provisions of the Madison County Ordinances, all documents constituting the record from the Zoning Administrator, documents received from the applicant, heard the statements, remarks and comments by the Zoning Administrator and the applicant, Steven Reed. After all the information was received and all interested parties were heard by the Board of Adjustment, the hearing was closed pursuant to the rules of procedure of the Board of Adjustment.

Following closure of the hearing a motion was made by **Bigelow** to ☒ approve ☐ deny the Variance Application with a second by **Archer**.

A roll call vote was conducted on the motion:

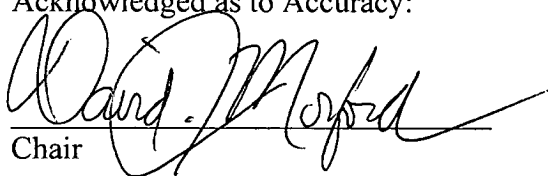
Kevin Fiene	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay
Fred Howell	<input type="checkbox"/> Aye	<input type="checkbox"/> Nay
Mary Kathryn Bigelow	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay
Dawn Archer	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay
David Morford	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay

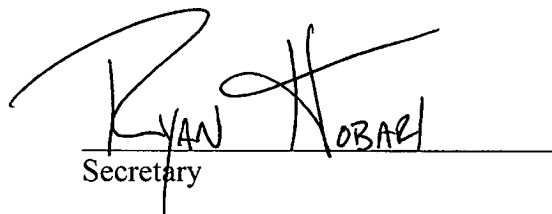
The motion was therefore ☒ Passed ☐ Denied

DECISION: By a 4 to 0 vote, the Board of Adjustment has granted a Variance to Steven H. Reed allowing him to use the current easement, for one additional single-family dwelling due to the unique circumstances created by the original 1980 Seven Oaks Subdivision Plat.

Dated this 11th day of August 2025

Acknowledged as to Accuracy:


Chair


Secretary

Original Filed with the Secretary of the Board of Adjustment on July 1st, 2025.
Original Filed with the Madison County Recorder's Office on August 14, 2025.

Written Notification of Decision sent to:

Steven H. Reed
2248 Carver Rd.
Winterset, IA 50273

**MADISON COUNTY, IOWA
BOARD OF ADJUSTMENT
DECISION AND FINDINGS**

IN THE MATTER OF THE APPLICATION OF:

CASE NO: 16-25

Steven H. Reed

PUBLIC HEARING: July 1, 2025

**A request to obtain a variance to Section 8.C
(Street Frontage Required) of the Madison
County Zoning Ordinance:
2261 Carver Rd Winterset, Iowa 50273 in
Madison County, Iowa more particularly
described below.**

Decision

On July 1st, 2025, the Madison County Board of Adjustment approved the request to obtain a variance in the below captioned matter.

VOTE¹:	Ayes:	Archer; Bigelow; Fiene; Morford
	Nayes:	None
	Absent:	Howell
	Vote:	(4-0)

Written Findings of Fact

Case Summary: The request for a variance to Section 8.C (Street Frontage Required) of the Madison County Zoning Ordinance on the below captioned real estate, currently owned by Steven H. Reed.

Lot Three (3) of Seven Oaks Subdivision in Madison County, Iowa, located in Section One (1), Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, and also an easement across Lot One (1) of Seven Oaks Subdivision for the purpose of running water and gas lines across said Lot One (1) to Lot Three (3) and across an easement 60 feet in width located in the Southwest corner of Lot Two (2) of said Seven Oaks Subdivision, which easement is designed and shown on the final plat of Seven Oaks Subdivision as "60' Wide Access Easement".

¹ Motion by Bigelow was phrased in the positive: to approve the application for Variance. For clarity, the votes listed here reflect "Ayes" as votes to approve the Variance and "Nayes" as votes to deny the Variance.

Public Hearing July 1, 2025: Notice of public hearing was published as required, posted on the county webpage, and posted at the Madison County Annex Building. Notices were mailed to surrounding property owners on June 20, 2025. Required notice was provided to County Offices.

Ryan Hobart, Zoning Administrator, presented the staff report. Staff recommended denial of this variance application specifically because this could set a precedence for future variance requests. During the Staff Report Administrator Hobart stated that it is his job to uphold the ordinances of the county, and the applicant holds the burden of proof on an unavoidable hardship in order to be granted a variance. Section 8 of the Madison County Zoning Ordinance covers general regulations. Subsection C is in relation to street frontage requirements for lots containing any building used in whole or in part for residential purposes. The following is how the regulation reads:

“Lots containing any building used in whole or in part for residence purposes shall abut for at least forty (40) feet on at least one (1) street, or have an exclusive unobstructed private easement of access or right-of-way at least twenty (20) feet wide to a street; and there shall be only one (1) single-family dwelling for such frontage or easement.”

This specific location had already met the one (1) single-family dwelling per exclusive unobstructed private easement (2261 Carver Road).

The Applicant, Steven Reed, presented his case. Mr. Reed requested the variance be granted so that he could use the current easement, for one additional single-family dwelling. He stated that the layout of the original subdivision has limited his ability to utilize the property as he desires.

There were no adjoining landowners that spoke in favor for or opposition to this request at the public hearing.

Analysis/Legal Principles: After the closure of the Public Hearing, discussion took place by the Board related to this case. The Board of Adjustment then granted a variance, by a 4-0 decision, to allow Mr. Reed to utilize the current easement, for one additional single-family dwelling due to the unique circumstances created by the original 1980 Seven Oaks Subdivision Plat.

Board of Adjustment Action on Written Findings of Fact

Date: August 11, 2025

VOTE:	Ayes:	Nayes:	Abstained:	Absent:
(Roll Call)	Archer	None	None	Howell
	Bigelow			Fiene
	Morford			

Chair:

A handwritten signature in black ink, appearing to read "David Morford", is written over a horizontal line.