



Document 2026 569

Book 2026 Page 569 Type 06 023 Pages 6
Date 3/04/2026 Time 10:46:20AM
Rec Amt \$.00

BRANDY MACUMBER, COUNTY RECORDER
MADISON COUNTY IOWA

To and From
Office of Planning and Zoning

Ryan Hobart, Administrator

Variance

PERMIT NO: 2-26

DATE: March 4, 2026

After a properly held Public Hearing on February 3, 2026, the Madison County Board of Adjustment hereby denies the request for a Variance to Robert Tennant allowing him to construct a new pole building within the required setbacks of the Madison County Zoning Ordinance. The following described real estate is that of which is involved:

Parcel "A" located in the Northwest Quarter (1/4) of the Southwest Quarter (1/4) of Section Twenty-seven (27), Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, containing 3.04 acres, as shown in Plat of Survey filed in Book 2004, Page 2960 on June 25, 2004; in the Office of the Recorder of Madison County, Iowa.

This variance was denied 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
Robert Tennant
Date: 2/3/2026

DECISION

On February 3rd, 2026, 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 the setback requirements of the Madison County Zoning Ordinance. The application was made to allow Mr. Tennant to construct a new pole building within the required front yard setbacks of the Madison County Zoning Ordinance. 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, Robert Tennant. 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 type="checkbox"/> Aye	<input type="checkbox"/> Nay
Tyler Price	<input type="checkbox"/> Aye	<input checked="" type="checkbox"/> Nay
Mary Kathryn Bigelow	<input type="checkbox"/> Aye	<input checked="" type="checkbox"/> Nay
Dawn Archer	<input type="checkbox"/> Aye	<input checked="" type="checkbox"/> Nay
David Morford	<input type="checkbox"/> Aye	<input checked="" type="checkbox"/> Nay

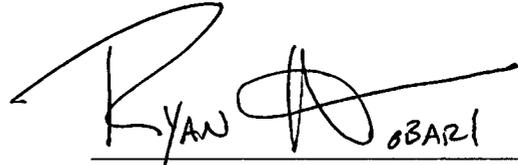
The motion was therefore Passed Denied

DECISION: By a 4 to 0 vote the Board of Adjustment has denied the application for Variance to Robert Tennant.

Dated this 3rd day of February 2026

Acknowledged as to Accuracy:


Chair


Secretary

Original Filed with the Secretary of the Board of Adjustment on February 3, 2026.
Original Filed with the Madison County Recorder's Office on March 4, 2026.

Written Notification of Decision sent to:

Robert Tennant
3106 265th St.
St. Charles, IA 50240

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

IN THE MATTER OF THE APPLICATION OF:

CASE NO: 2-26

Robert Tennant

PUBLIC HEARING: February 3, 2026

A request to obtain a variance to Section 9.D.3 (Front Yard Depth) of the Madison County Zoning Ordinance: 3106 265th Street, St. Charles, IA 50240 in Madison County, Iowa more particularly described below.

Decision

On February 3rd, 2026, the Madison County Board of Adjustment denied the application for variance in the below captioned matter.

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

Written Findings of Fact

Case Summary: The application for variance to Section 9.D.3 (Front Yard Depth) of the Madison County Zoning Ordinance was for the below captioned real estate, currently owned by Robert Tennant.

Parcel "A" located in the Northwest Quarter (1/4) of the Southwest Quarter (1/4) of Section Twenty-seven (27), Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, containing 3.04 acres, as shown in Plat of Survey filed in Book 2004, Page 2960 on June 25, 2004, in the Office of the Recorder of Madison County, Iowa.

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 February 3, 2026: 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 January 22, 2026. Required notice was provided to other 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 9.D.3 of the Madison County Zoning Ordinance covers Front Yard Setbacks. The following is how the regulation reads:

“Front yard depth: Dwellings and other permitted uses – fifty (50) feet from the right-of-way line unless otherwise specified. When fronting on the right-of-way of a Federal, State or County highway as shown on the Comprehensive Plan, the front yard shall be measured from the proposed right-of-way line.”

The Applicant, Robert Tennant, presented his case. Mr. Tennant stated that there is already an existing building in this location that is somewhat dilapidated and is not fully enclosed. It was his desire to remove the dilapidated structure and build a new structure in the same location that would be completely enclosed to store his belongings. Mr. Tennant stated that a new structure would look nicer than the old structure and would also generate some additional tax dollars.

There were no adjoining landowners that spoke in favor of or in 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 denied the application for variance, by unanimous decision. The basis of their decision was that an unavoidable hardship could not be proven by the applicant as to why a new building must be located within the building setback requirement of the Madison County Zoning Ordinance.

Board of Adjustment Action on Written Findings of Fact

Date: March 3, 2026

VOTE:	Ayes:	Nays:	Abstained:	Absent:
(Roll Call)	Price	None	None	Fiene
	Bigelow			
	Archer			
	Morford			

Chair: 