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BRANDY MACUMBER, COUNTY RECORDER  
MADISON COUNTY IOWA

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To and From  
**Office of Planning and Zoning**

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Ryan Hobart, Administrator

## Variance

**PERMIT NO: 11-25**

**DATE: June 25, 2025**

After a properly held Public Hearing on May 14, 2025, the Madison County Board of Adjustment has hereby approved a Variance to Section 9.A.10 of the Madison County Zoning Ordinance. This said Variance allows a horse stable structure to be constructed 140 feet from the west right-of-way line, rather than the 200 feet called out in Section 9.A.10 for stables housing animals or fowl. The following described real estate is that of which is involved:

*Lots Nine (9) & Eleven (11) of Evans Rural Estates Sub-District, being a part of the Northeast Quarter (1/4) of Section Twenty-five (25), in Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5<sup>th</sup> P.M., Madison County, Iowa.*

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

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Ryan Hobart, Secretary  
Madison County  
Board of Adjustment

# MADISON COUNTY BOARD OF ADJUSTMENT

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Application for Variance to Setback Requirements for Stables Housing Animals or Fowl  
Rex Meylor  
Date: 5/14/2025

## DECISION

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On May 14th, 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 the Application for Variance to Setback Requirements set forth in the Madison County Zoning Ordinance for stables housing animals or fowl (Section 9.A.10). The request was to allow the construction of a 60'X108' Horse Stables & Riding Arena Structure to be located 60 feet from the right of way line at the property of 1416 Walnut Lane, Cumming, IA 50061. At the hearing the Board of Adjustment reviewed the completed application form(s), 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, Rex Meylor and his representative, Eric Cannon. 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 the closure of the hearing a motion was made by **Fiene** to ☐ approve ☒ conditionally approve ☐ deny the Variance Application with a second by **Bigelow**.

Conditions: The boundary from the west right-of-way line, at the property described, must be a minimum of 140' for any structure housing animals or fowl. The north, south, and east boundary lines will remain at a minimum of 200'.

A roll call vote was conducted on the motion:


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


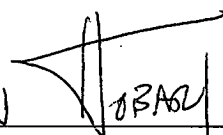
The motion was therefore ☒ Passed ☐ Denied

DECISION: By a 4 to 1 vote, the Board of Adjustment has granted a Variance allowing a building housing animals or fowl to be located a minimum of 140' from the west right-of-way line of the property at 1416 Walnut Lane, Cumming, IA 50061.

Dated this 14<sup>th</sup> day of May 2025

Acknowledged as to Accuracy:

  
Vice Chair

   
Secretary

Original Filed with the Secretary of the Board of Adjustment on May 14, 2025.  
Original Filed with the Madison County Recorder's Office on June 25, 2025.

Written Notification of Decision sent to:

Rex Meylor  
1416 Walnut Lane  
Cumming, IA 50061

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

**IN THE MATTER OF THE APPLICATION OF:**

**CASE NO: 11-25**

**REX W. MEYLOR**

**PUBLIC HEARING: May 14, 2025**

A request to obtain a variance to the setback requirement of 200 feet for any stables housing animals or fowl (Section 9.A.10) listed with the Madison County Zoning Ordinance: 1416 Walnut Lane Cumming, Iowa 50061 in Madison County, Iowa more particularly described below.

**Decision**

On May 14th, 2025, the Madison County Board of Adjustment approved the request to obtain a variance in the below captioned matter.

<b>VOTE<sup>1</sup>:</b>	<b>Ayes:</b>	<b>Fiene; Howell; Archer; Morford</b>
	<b>Nayes:</b>	<b>Bigelow</b>
	<b>Absent:</b>	<b>None</b>
	<b>Vote:</b>	<b>(4-1)</b>

**Written Findings of Fact**

**Case Summary:** The request is for a variance to the setback requirement of 200 feet for any structure housing animals or fowl within Madison County Zoning Ordinance (Section 9.A.10) on the below captioned real estate, currently owned by Rex Meylor & Angela L. Monthei.

*Lots Nine (9) & Eleven (11) of Evans Rural Estates Sub-District, being a part of the Northeast Quarter (1/4) of Section Twenty-five (25), in Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5<sup>th</sup> P.M., Madison County, Iowa.*

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<sup>1</sup> Motion by Fiene 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 May 14, 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 May 1, 2025. Required notice was provided to County Offices.

Ryan Hobart, Zoning Administrator, presented the staff report. 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. The setback requirement for stables, private and public, and riding academies and clubs, and other structures for housing animals or fowl must be located at least two hundred feet from all boundary lines of the property on which located.

The Applicant, Rex Meylor and his Representative, Eric Cannon with Snyder & Associates, presented their case. Mr. Cannon stated that they don't want to disturb the existing trees as they serve as a buffer to the surrounding neighbors. He also expressed the topography which they must work with would make moving the building location very difficult and would not be cost effective. Mr. Meylor spoke to the existing riding area and said that it is in a very wet spot on the property and would not be an ideal location for the proposed structure. Neighbors, Dan Prymek and Davis Dose both spoke in favor of the location for the proposed new structure. Mr. Cannon also brought to the Boards attention that there is a horse stable barn located south of this property (1444 Walnut Lane) that is approximately 140' from the right of way line.

**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 4-1 decision, to allow the newly proposed structure, which is to house horse stables, to be a minimum of 140' from the west right-of-way line, with all other boundary lines required to meet the minimum of the 200' listed in the Madison County Zoning Ordinance. The boards reasoning for allowing this was specifically because of the precedent had been set with the property to the south having a horse barn located approximately 140' from the right-of-way line.

**Board of Adjustment Action on Written Findings of Fact**

**Date: June 3, 2025**

<b>VOTE:</b>	<b>Ayes:</b>	<b>Nayes:</b>	<b>Abstained:</b>	<b>Absent:</b>
<b>(Roll Call)</b>	Archer <del>✗</del> Bigelow Howell	None	None	Morford Fiene

**Vice Chair:** Mary Kathryn Bigelow