



Agenda

Zoning Board of Adjustment
20 Second Avenue SW, Oelwein
5:30 PM

January 26, 2023
Oelwein, Iowa

Mayor: Brett DeVore

Mayor Pro Tem: Lynda Payne

Board Members: Warren Fisk, Cindy Noll, Gary Crawford, Paul Ganske, Ginger O'Connell, Board Secretary: David Kral

Roll Call

Approve Minutes

1. Consideration of a motion to approve the minutes of the December 29, 2022, Zoning Board of Adjustment meeting.

Variance Requests

2. Consideration of a special exception application to authorize conversion of a hair salon to an apartment to convert entire property to a multi-family dwelling.
3. Consideration of a variance application to authorize an apartment at ground level of a C1 Central Business District.

Old Business

New Business

Adjournment

In compliance with the Americans with Disabilities Act, those requiring accommodation for Council meetings should notify the City Clerk's Office at least 24 hours prior to the meeting at 319-283-5440



Minutes

Zoning Board of Adjustment
20 Second Avenue SW, Oelwein
December 29, 2022 - 5:30 PM

Roll Call

Present – Warren Fisk, Gary Crawford, Paul Ganske, Ginger O’Connell, David Kral

Approve Minutes

1. Consideration of a motion to approve the minutes of the June 30, 2022, Zoning Board of Adjustment meeting

Motion by Fisk, 2nd by Ganske

Variance Requests

2. Consideration of a variance application to authorize truck parking on property zoned R1 Residential Single Family.

-Discussion on use exceeded current zoning allowance, is more of an industrial or commercial use. Motion to deny by Ganske 2nd by Fisk. All in favor. Variance denied.
3. Consideration of a variance application to authorize reduced setback of required 60' for construction of accessory structure.

-Discussion on whether a hardship was shown to allow variance. Hardship was deemed not shown as there were ways to construct via attachment to primary structure to accomplish desired construction. Motion to deny by Fisk 2nd by O’Connell. Passed 3-1. Variance denied.

Old Business

New Business

-Discussion arose following item 3 to recommend discussion at the Planning and Zoning commission to discuss changing the 60’ setback to something else. Kral said he will present to P&Z at the next meeting

Adjournment

Motion to adjourn by Fisk, seconded by O’Connell. All in favor, meeting adjourned.

CITY OF OELWEIN

Office of

BUILDING AND ZONING INSPECTOR

NOTICE TO INTERESTED PROPERTY OWNERS

BOARD OF ADJUSTMENT

Refer to Appeal No. 23-Z-01

Date 12/20/2022

Dear Property Owner:

An application for an appeal from the City of Oelwein Zoning Ordinance has been filed with the Board of Adjustment by Michael Lewis. The property is situated in the C-1 Central Business District Zoning district and is located at 215 E. Charles. The request, if approved, would authorize conversion of a hair salon to an apartment to convert entire property to a multi-family dwelling.

The Zoning Administrator was required, under the provision of the Zoning Ordinance, to deny the request because it requires a special exception. 206.3.Special exception uses and structures. 1.Multi-family dwellings/apartments.

However, the Board of Adjustment, under certain conditions and safeguards, may have the authority to grant the request. A public hearing will be held by the Board of Adjustment on January 26, 2023 at 5:30 P.M. in/at Oelwein City Council Chamber, at which time you may submit your views on the matter in person, by writing, or by representative.

If you know of any interested property owner who, for any reason, has not received a copy of this letter, it would be greatly appreciated if you would inform them of the time and place of the hearing.

BOARD OF ADJUSTMENT

BY _____
David Kral, Secretary

NUMBER 23 Z 01

APPEAL TO BOARD OF ADJUSTMENT
CITY OF OELWEIN

APPLICANT Michael Lewis
ADDRESS 215 E. Charles
LOT DESCRIPTION _____

ZONE C-1 Central Business District

DATE 12/20/2022
FILING FEE \$ \$75 PAID

LETTER STATING NATURE OF APPEAL ATTACHED
1/16/2023 DATE REFERRED TO PLANNING COMMISSION

ADMINISTRATIVE OFFICER'S REVIEW ATTACHED

SHOW LOT DIMENSIONS

LOCATION AND SIZE
OF BUILDING

ADJOINING PROPERTY OWNERS NAMES AND ADDRESSES

DATE OF HEARING January 26, 2023

DATE PLAN COMMISSION'S
RECOMMENDATION RECEIVED
January 17, 2023 ATTACHED _____

RISE, Ltd, 106 Rainbow Drive, Elkader, IA 52043

Reed, Steve & Reed, Dennis & Reed, Ron Trust & Medina, Gail Trust
218 E Charles St., Oelwein, IA 50662

DATE OF PUBLICATION NOTICE
January 20, 2023

Nguyen, C.D.H. Properties, LLC, c/o Dana Properties, LLC
1019 23rd St., West Des Moines, IA 50266

Hurley, Jayme R. & Hurley, James M., 2036 Wapsi Access Blvd
Independence, IA 50644

REMARKS:

Performance Rehab 2, LLC, 204 E Charles, Oelwein, IA 50662

Ritter, Jason R., 125 Front St., Westgate, IA 50681

Peyton, Jessica, 14 3rd Ave NE, Oelwein, IA 50662

BuildingAdmin

From: mike lewis <lewygolf@hotmail.com>
Sent: Friday, December 16, 2022 10:35 AM
To: BuildingAdmin
Subject: 215 East Charles, Oelwein, IA

Importance: High

To whom it may concern:

This email is sent to request a special exception for 215 East Charles Street, Oelwein, IA 50662. The current main level is a hair salon and my intention is to renovate it into a 1- or 2-bedroom apartment, multi-family housing.
Multi-family Dwelling within C-2 Commercial District

Thank you for the consideration for this special exception on this project.

Michael J Lewis
1511B Outer Road
Oelwein, IA 50662
563-422-0377

CITY OF OELWEIN

Office of

BUILDING AND ZONING INSPECTOR

NOTICE TO INTERESTED PROPERTY OWNERS

BOARD OF ADJUSTMENT

Refer to Appeal No. 23-Z-02

Date 01/17/2023

Dear Property Owner:

An application for an appeal from the City of Oelwein Zoning Ordinance has been filed with the Board of Adjustment by Michael Lewis. The property is situated in the C-1 Central Business District Zoning district and is located at 215 E. Charles. The request, if approved, would authorize conversion of a hair salon to an apartment to convert entire property to a multi-family dwelling.

The Zoning Administrator was required, under the provision of the Zoning Ordinance, to deny the request because it requires a variance.
206.6.Special requirements - 3. No apartments or sleeping area on ground level or below ground level.

However, the Board of Adjustment, under certain conditions and safeguards, may have the authority to grant the request. A public hearing will be held by the Board of Adjustment on January 26, 2023 at 5:30 P.M. in/at Oelwein City Council Chamber, at which time you may submit your views on the matter in person, by writing, or by representative.

If you know of any interested property owner who, for any reason, has not received a copy of this letter, it would be greatly appreciated if you would inform them of the time and place of the hearing.

BOARD OF ADJUSTMENT

BY _____
David Kral, Secretary

NUMBER 23 Z 02

APPEAL TO BOARD OF ADJUSTMENT
CITY OF OELWEIN

APPLICANT Michael Lewis
ADDRESS 215 E. Charles
LOT DESCRIPTION _____

ZONE C-1 Central Business District

DATE 01/17/2023
FILING FEE \$ 75.00 PAID

LETTER STATING NATURE OF APPEAL ATTACHED
1/16/2023 DATE REFERRED TO PLANNING COMMISSION

ADMINISTRATIVE OFFICER'S REVIEW ATTACHED

SHOW LOT DIMENSIONS

LOCATION AND SIZE
OF BUILDING

ADJOINING PROPERTY OWNERS NAMES AND ADDRESSES

DATE OF HEARING January 26, 2023

DATE PLAN COMMISSION'S
RECOMMENDATION RECEIVED
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Hurley, Jayme R. & Hurley, James M., 2036 Wapsi Access Blvd
Independence, IA 50644

REMARKS:

Performance Rehab 2, LLC, 204 E Charles, Oelwein, IA 50662

Ritter, Jason R., 125 Front St., Westgate, IA 50681

Peyton, Jessica, 14 3rd Ave NE, Oelwein, IA 50662

BuildingAdmin

From: mike lewis <lewygolf@hotmail.com>
Sent: Tuesday, January 17, 2023 2:08 PM
To: BuildingAdmin
Subject: Re: 215 East Charles, Oelwein, IA

Sam,

This email is to request a variance to allow a first-floor apartment in a C-1 Commercial District.

I will stop by your office this afternoon.

Thanks!

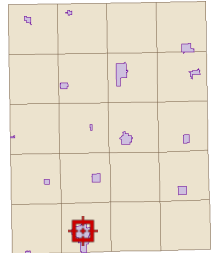
Michael Lewis
5634220377

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215 E Charles



Overview



Legend

-  Corporate Limits
-  Parcels
- Major Highways**
 -  County Highway
 -  Federal Highway
 -  State Highway
 -  Roads

Parcel ID	1821262005	Alternate ID	n/a	Owner Address	Cardin Management Trust
Sec/Twp/Rng	21-91-9	Class	C		Rabroker, Toni Lynn as Trustee
Property Address	215 E. CHARLES	Acreage	n/a		2409 Vista Glen Lane
	OELWEIN				Carrollton, TX 75007
District	OELWEIN OELWEIN INC				
Brief Tax Description	LOT 7 BLK 2				
	PAIGNS 2ND ADD				
	(Note: Not to be used on legal documents)				

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