



## Agenda

Planning and Zoning Commission  
20 Second Avenue SW, Oelwein  
5:30 PM

November 21, 2022  
Oelwein, Iowa

---

**Mayor:** Brett DeVore

**Mayor Pro Tem:** Lynda Payne

**Commission Members:** Savannah DeJong, Dave Gearhart, Peggy Sherrets, Roger Boylen, Carol Tousley, David Kral, Terry Hull

---

### Roll Call

### Approve Minutes

1. Consideration of a motion to approve minutes from the August 15, 2022, meeting.

### Variance Requests

2. Consideration of a variance application to authorize truck parking on property zoned R1 Residential Single Family.
3. Consideration of a special exception application for a home occupation of a hair salon.
4. Consideration of a special exception application to permit a former hair salon to be converted into multi-family housing.

### 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

Planning and Zoning Commission  
20 Second Avenue SW, Oelwein  
August 15, 2022 - 5:30 PM

## Roll Call

**Present:** Dave Gearhart, Peggy Sherrets, Roger Boylen, Carol Tousley, Terry Hull, Dylan Mulfinger

## Approve Minutes

1. Consideration of a motion to approve minutes from the July 18, 2022, meeting.

## Variance Requests

## Old Business

- 2. Continued discussion on reallocation of square footage allowances for accessory structures.**

Boylen opened the discussion and wanted to make sure the group did not take away space from smaller properties but also did not want to see a great deal of space provided for large properties.

Gearhart wanted to see a cap for large properties.

The following was discussed:

Acres	Accessory structure sq foot allowed
.25	1500 sq feet
.50	2000 sq feet
.75	2500 sq feet
1.0	3000 sq feet
1.5	4000 sq feet
3	5000 sq feet

Hull motioned to recommend changing the ordinance to allow more room for accessory structure based on the table provided. Sherrets seconded. All were in favor.

- 3. Continued discussion on allowing accessory structures on empty lots, placement required to permit construction of a principal structure in the future, hard surface requirements, and more.**

Roger recommended that any accessory structure built on a vacant lot should allow for a primary structure and have additional requirements.

Hull advised that he did not want to see any accessory structures on a lot without a primary structure.

Gearhart thought that the first owner would take care of the building, but that the next owner may not take care of the property.

Hull motioned to end discussion on accessory structures on vacant lots and not provide a recommendation to council. Sherrets seconded. 4 (Aye) 1 (Nay) (Boylen)

**4. Continued discussion on using the narrow side of a lot as the front property line of corner lots.**

Boylen wanted to see the front property line of a house be the side bearing the address.

The group discussed that corner lots should not have two fronts and that code should be cleaned up to make sure no one was held to a double front standard.

Boylen motioned to recommend to council that the side with the address be the front and that the distance of the side yard be changed. Hull seconded. All were in favor.

**New Business**

**Adjournment**

Tousley motioned and Boylen seconded. All were in favor.

**CITY OF OELWEIN**

**Office of**

**BUILDING AND ZONING INSPECTOR**

**NOTICE TO INTERESTED PROPERTY OWNERS**

**BOARD OF ADJUSTMENT**

Refer to Appeal No. 22-Z-03

Date 10/17/2022

Dear Property Owner:

An application for an appeal from the City of Oelwein Zoning Ordinance has been filed with the Board of Adjustment by Milan Hageman. The property is situated in the R1- Residential Single Family Zoning district and is located at 3rd St NW and 10th Ave NW Parcels 1820254001 and 1820276001. The request, if approved, would authorize truck parking and/or storage from DCW.

The Zoning Administrator was required, under the provision of the Zoning Ordinance, to deny the request because it is not a permitted use under 202.1.

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 December 1, 2022 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 22 Z 03

APPEAL TO BOARD OF ADJUSTMENT  
CITY OF OELWEIN

APPLICANT Milan Hageman  
ADDRESS Parcels 1820254001 and 1820276001  
LOT DESCRIPTION \_\_\_\_\_  
3rd St NW and 10th Ave NW  
ZONE R1- Residential Single Family

DATE 10/17/2022  
FILING FEE \$ 75.00 PAID  
X LETTER STATING NATURE OF APPEAL ATTACHED  
11/21/2022 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 12/01/2022

DATE PLAN COMMISSION'S  
RECOMMENDATION RECEIVED  
11/22/2022 ATTACHED \_\_\_\_\_

Dcw Casing LLC, 1001 3rd St NW, Oelwein, IA 50662

Jelinek, Lindsay M., 202 10th Ave NW, Oelwein, IA 50662

Larson, Niki J.G., 170 10th Ave. NW, Oelwein, IA 50662

Mendez, Natividad J., 111 3rd Ave. NW, Oelwein, IA 50662

Oelwein Apartments, LLC, 811A Devon Avenue, Park Ridge, IL 60068

Barker, Annette, 815 2nd Street NW, Oelwein, IA 50662

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

DATE OF PUBLICATION NOTICE  
11/25/2022

REMARKS:

Milan Hageman

Cell 563-419-8832

House 563-532-9769

Milan Hageman Item 2.

1569 205th AVE

Ossian 52161

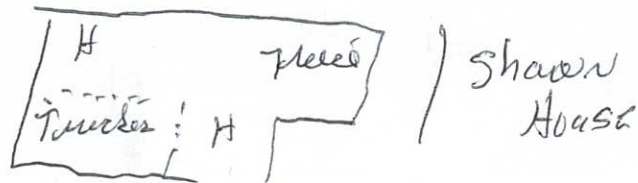
Install pole power Light

Ken's Electric & Awaiting Energy

Truck park and store Truck to Haul From plant Down

Truck would use

1/3 of Lot



Hope To Build House  
in corner in time  
may be sell Lot S-E corner  
for House



MN St. NW

POWER POLE

*power pole*

POSSIBLE  
FUTURE  
HOUSE

*Hopa  
House*

10th Ave. NW

TRUCKS

*Trucks*



3rd St. NW

DCW

*DCW  
2000*

**CITY OF OELWEIN**

**Office of**

**BUILDING AND ZONING INSPECTOR**

**NOTICE TO INTERESTED PROPERTY OWNERS**

**BOARD OF ADJUSTMENT**

Refer to Appeal No. 22-Z-04

Date 10/24/2022

Dear Property Owner:

An application for an appeal from the City of Oelwein Zoning Ordinance has been filed with the Board of Adjustment by Charlotte Scott. The property is situated in the R1- Residential Single Family Zoning district and is located at 708 1st Ave SE. The request, if approved, would authorize a home occupation, hair salon.

The Zoning Administrator was required, under the provision of the Zoning Ordinance, to deny the request because 202.3.Special exception uses and structures. 5.Home occupations.

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 December 1, 2022 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 22 Z 04

APPEAL TO BOARD OF ADJUSTMENT  
CITY OF OELWEIN

APPLICANT Charlotte Scott  
ADDRESS 708 1st Ave SE  
LOT DESCRIPTION \_\_\_\_\_  
\_\_\_\_\_  
ZONE R1- Residential Single Family

DATE 10/24/2022  
FILING FEE \$ 75.00 PAID  
X LETTER STATING NATURE OF APPEAL ATTACHED  
11/21/2022 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 12/01/2022

DATE PLAN COMMISSION'S  
RECOMMENDATION RECEIVED  
11/22/2022 ATTACHED \_\_\_\_\_

Edmonds, Faith Lucille, 706 1st Ave SE, Oelwein, IA 50662

Williams, Julie J., 712 1st Ave. SE, Oelwein, IA 50662

Keal, Stephen D., 707 1st Ave SE, Oelwein, IA 50662

Hammond, Jeffery Alan, 715 1st Ave. SE, Oelwein, IA 50662

H & S Stores, LLC, 701 S Frederick Ave, Oelwein, IA 50662

Steinbron, Jonathan, 5 8th St SE, Oelwein, IA 50662

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

DATE OF PUBLICATION NOTICE  
11/25/2022

REMARKS:

**BuildingAdmin**

---

**From:** Charlotte Scott <ScottCharlotteE86@outlook.com>  
**Sent:** Monday, October 24, 2022 8:01 PM  
**To:** BuildingAdmin  
**Subject:** Special Exception for Zoning

Letter of Intent  
In Support of Special Exception for Zoning  
708 1<sup>st</sup> Ave SE Oelwein, IA 50662  
Zone: R1 Parcel: 1828208009

This letter is an intent to support my request for taking the unoccupied, yet owned garage and remodel it into a small yet subtle hair salon for my business that I am trying to start. The garage has not been occupied in years. The actual frame of it is in good shape. However, the outer shell of it needs to be broken down and rebuild up. This garage is owned by my husband, Lloyd Scott Jr., and I since it is also apart of the home that we own as well. We have two suburban vehicles that we own and park in front of our home.

The garage has its own area of parking space as well as a great spacious area on the inside that can be used for my business. It shows a lot of promise. The electrical and pipelines can be fixed for the application of new plumbing as well as new and other resources to be installed. I do have a tree that stands in the center of garage and home, but it does not cause a hazard at all. Having this garage remodeled into a small hair salon can and will work for the neighborhood.

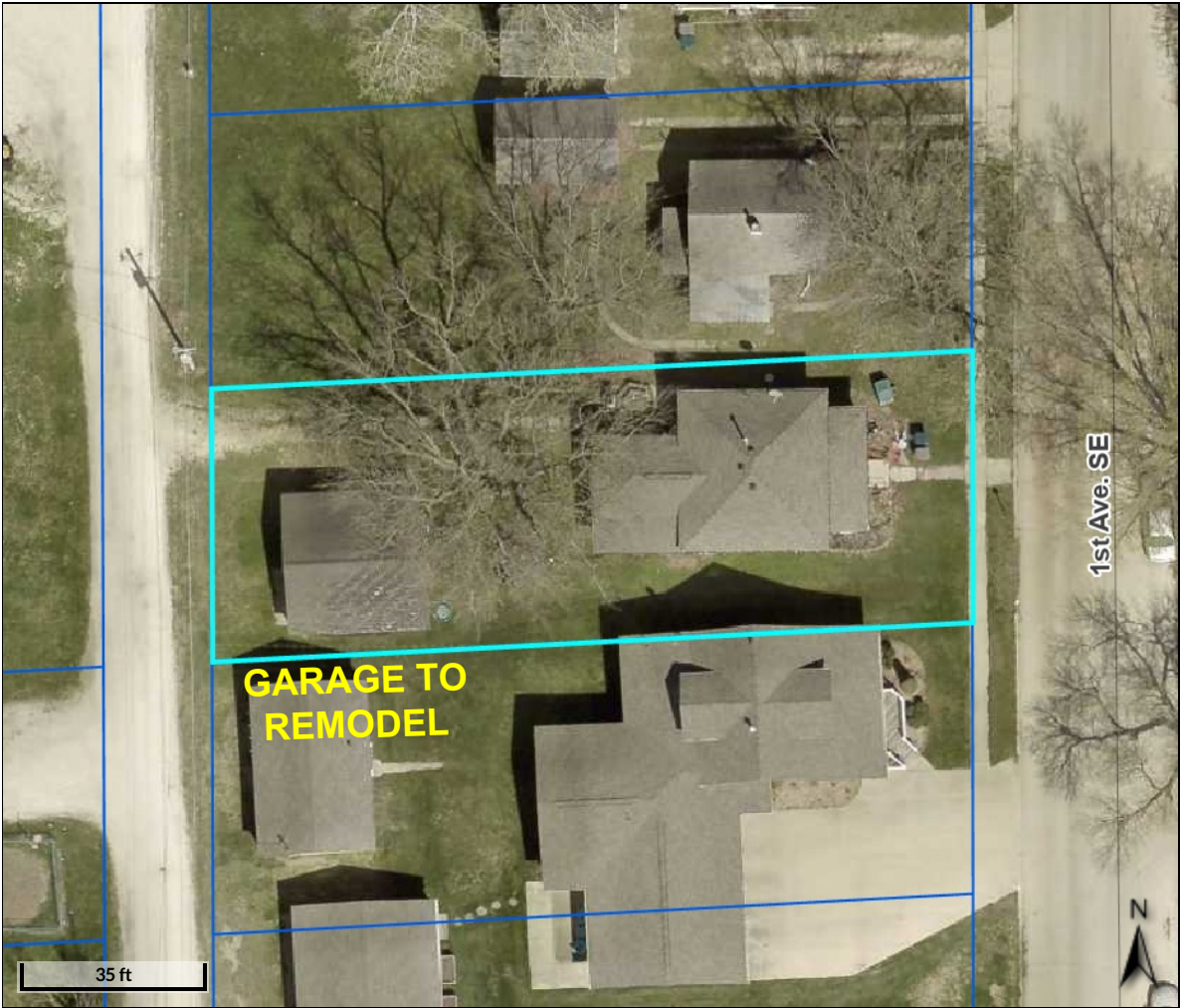
What makes this possible is that I will only be dealing with a small clientele. I am hoping to only accept no more than 3 a day so that they will be able to have the appropriate room to park next to the salon. The driveway that I have in the backyard of the house can keep up to 2-3 vehicles without causing disruption with any neighbors. The garage has room for a salon to be build in a way that I can have two of each furnished items in there for me to work with as a licensed hairdresser. The neighborhood can benefit from this as well, since there are many who can receive services from me on days that they would like to. I am in hopes that this can help everyone see that this garage needs to be done away with and be put to good use as a salon. Thank you in advance for your support and consideration.

Sincerely,

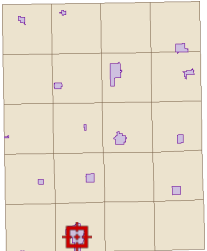
Charlotte E. Scott

Sent from [Mail](#) for Windows







708 1st Ave SE



Overview



Legend

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

<b>Parcel ID</b>	1828208009	<b>Alternate ID</b>	n/a	<b>Owner Address</b>	Scott, Lloyd W. &
<b>Sec/Twp/Rng</b>	28-91-9	<b>Class</b>	R		Scott, Charlotte
<b>Property Address</b>	708 1ST AVE. SE	<b>Acreage</b>	n/a		708 First Ave SE
	OELWEIN				Oelwein, IA 50662
<b>District</b>	OELWEIN OELWEIN INC				
<b>Brief Tax Description</b>	LOT 10 BLK 1				
	HOLROYDS 2ND ADD				
	<i>(Note: Not to be used on legal documents)</i>				

**Disclaimer:** Fayette County, the Fayette County Assessor and their employees make every effort to produce and publish the most current and accurate information possible. The maps included in this website do not represent a survey and are compiled from official records, including plats, surveys, recorded deeds, and contracts, and only contain information required for government purposes. See the recorded documents for more detailed legal information. Data is provided in "as is" condition. No warranties, expressed or implied, are provided for the data herein, its use or its interpretation. Fayette County and its employees assume no responsibility for the consequences of inappropriate uses or interpretations of the data. Any person that relies on any information obtained from this site does so at his or her own risk. All critical information should be independently verified. If you have questions about this site please contact the Assessor's Office at (563) 422-3397.

Date created: 11/1/2022  
 Last Data Uploaded: 11/1/2022 4:04:36 AM

Developed by 

**CITY OF OELWEIN**

**Office of**

**BUILDING AND ZONING INSPECTOR**

**NOTICE TO INTERESTED PROPERTY OWNERS**

**BOARD OF ADJUSTMENT**

Refer to Appeal No. 22-Z-05

Date 10/29/2022

Dear Property Owner:

An application for an appeal from the City of Oelwein Zoning Ordinance has been filed with the Board of Adjustment by Cardin Management Trust. 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 December 1, 2022 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 22 Z 05

APPEAL TO BOARD OF ADJUSTMENT  
CITY OF OELWEIN

APPLICANT Cardin Management Trust  
ADDRESS 215 E. Charles  
LOT DESCRIPTION \_\_\_\_\_  
\_\_\_\_\_  
ZONE C-1 Central Business District

DATE 10/29/2022  
FILING FEE \$ 75.00 PAID  
X LETTER STATING NATURE OF APPEAL ATTACHED  
11/22/2022 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 12/01/2022

DATE PLAN COMMISSION'S  
RECOMMENDATION RECEIVED  
11/22/2022 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

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

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

DATE OF PUBLICATION NOTICE  
11/25/2022

REMARKS:

October 29, 2022

City of Oelwein  
Community Development Department  
20 2<sup>nd</sup> Ave. SW  
Oelwein, Iowa 50662

RE: Property at 215 E. Charles, Oelwein  
Special Exception Request

To Whom It May Concern:

We would like to request a Special Exception for our property at the location referenced above. Our intent is to renovate the first floor into a one-bedroom apartment in 2023, so this property would become a multi-family dwelling. The upstairs will remain a separate one-bedroom apartment and is currently under lease along with the garage.

Please let me know if you have any questions prior to your meeting in November. My brother, Mike Cardin, will likely attend this meeting.

Thank you.

Sincerely,



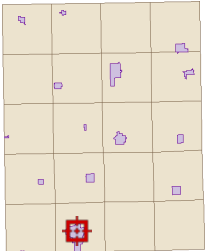
Cardin Management Trust  
Toni Cardin Rabroker, Trustee  
972-740-4601  
[rabroker@hotmail.com](mailto:rabroker@hotmail.com)



215 E Charles



Overview



Legend

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

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

**Disclaimer:** Fayette County, the Fayette County Assessor and their employees make every effort to produce and publish the most current and accurate information possible. The maps included in this website do not represent a survey and are compiled from official records, including plats, surveys, recorded deeds, and contracts, and only contain information required for government purposes. See the recorded documents for more detailed legal information. Data is provided in "as is" condition. No warranties, expressed or implied, are provided for the data herein, its use or its interpretation. Fayette County and its employees assume no responsibility for the consequences of inappropriate uses or interpretations of the data. Any person that relies on any information obtained from this site does so at his or her own risk. All critical information should be independently verified. If you have questions about this site please contact the Assessor's Office at (563) 422-3397.

Date created: 11/2/2022  
 Last Data Uploaded: 11/2/2022 4:14:43 AM

Developed by Schneider GEOSPATIAL