



## **Agenda**

Zoning Board of Adjustment  
Oelwein Community Plaza, 25 West Charles, Oelwein  
5:30 PM

December 01, 2020  
Oelwein, Iowa

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**Mayor:** Brett DeVore  
**Mayor Pro Tem:** Warren Fisk

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### **Roll Call**

### **Approve Minutes**

[Consideration](#) of a motion to approve the minutes of the August 27, 2020 meeting

### **Variance Requests**

[Consideration](#) of Variance Request No. 20Z05 from Kristie Melchert, 1323 Elm Street for a Home Occupation of a Hair Salon

### **Old Business**

### **New Business**

### **Adjournment**

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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  
August 27, 2020 - 5:30 PM

**Roll Call** Block, Crawford, Ganske, Garrigus, O'Connell

**Also present** Greg Bryan, Dave Eick

## Approve Minutes

1. Consideration of a motion to approve the minutes of the July 23, 2020 meeting

A motion was made by Ganske, seconded by O'Connell. All voted aye.

Motion Carried

## Variance Requests

2. Consideration of Variance Request #20Z02 - Construction of a 15' x 10'-bedroom addition within three feet of the front (north) property line at 201 6th Avenue SE

Crawford stated he thought the existing sidewalk should be extended on the North side of the property.

Ganske stated there should be a sidewalk extension on the North side of the property since the property is only a couple of blocks away from the school and hospital. Ganske stated he was concerned of how close the addition would be to the sidewalk if the sidewalk was extended to the east.

A motion was made by Ganske, seconded by Crawford to deny approval of the request. All voted Aye.

3. Consideration of Variance Request #20Z03 - Home Occupation for a Dog Grooming business at 814 1st Avenue SW

Charlene Maxwell was not present but provided a letter for the board stating her concerns about the location of the fence dividing the two properties. Maxwell stated that she would like the fence moved to the property line.

Crawford stated he would like the fence taken care of before a motion was made for the request. Shekleton stated the Community Development Dept. would be addressing both property owners to make sure the fence would be moved to the proper location.

A motion was made by Ganske, seconded by Crawford to approve the request. All voted aye.

4. Consideration of Variance Request #20Z04 - Construction of a multi-unit apartment at 406 3rd Avenue SE

Garrigus stated his concern that the building site and location was too close to the four-lane highway. Garrigus thought the location would be better suited for a commercial building instead of a residential.

Ganske questioned if the thirty-unit apartment building would ever be filled based on the rental fees. Ganske stated he would like to see a smaller building with fewer apartments so the building would be fully occupied. Ganske also stated he would like to see the apartment building in a different location.

Mulfinger stated that the lack of quality housing is a barrier in the City of Oelwein.

O'Connell questioned Shekleton if he thought there would be families that could afford the seven to nine hundred dollars/month rent. Shekleton answered yes, based on his experience with the rental inspections and quality of housing available.

Bryan stated that the site could be a great spot for future businesses along the Hwy. 150 corridor.

A motion was made by Ganske, seconded by Garrigus to deny the request. Four voted aye. One (O'Connell) voted nay.

## Old Business

## New Business

## Adjournment

A motion was made by Crawford, seconded by Garrigus to adjourn. All voted aye.

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Jay Shekleton

**CITY OF OELWEIN**

**Office of**

**BUILDING AND ZONING INSPECTOR**

**NOTICE TO INTERESTED PROPERTY OWNERS**

**BOARD OF ADJUSTMENT**

Refer to Appeal No. 20 Z 05

Date 10/28/2020

Dear Property Owner:

An application for an appeal from the City of Oelwein Zoning Ordinance has been filed with the Board of Adjustment by Kristie Melchert. The property is situated in the R1 Residential Zoning district and is located at 1323 Elm St. The request, if approved, would authorize home occupation - hair salon.

The Zoning Administrator was required, under the provision of the Zoning Ordinance, to deny the request because Zoning Ordinance Section 202.3 (5) requires a special exception.

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, 2020 at 5:30 P.M. in/at Oelwein Community Plaza, 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 \_\_\_\_\_  
Jay Shekleton, Secretary

APPEAL TO BOARD OF ADJUSTMENT  
CITY OF OELWEIN

APPLICANT Kristie Melchert  
ADDRESS 1323 Elm St  
LOT DESCRIPTION LOT 95 STEWART SECOND ADD  
  
ZONE R1 Residential

DATE 10/28/2020  
FILING FEE \$ \$75.00 paid  
X LETTER STATING NATURE OF APPEAL ATTACHED  
11/16/2020 DATE REFERRED TO PLANNING COMMISSION  
 ADMINISTRATIVE OFFICER'S REVIEW ATTACHED

SHOW LOT DIMENSIONS

N/A

LOCATION AND SIZE  
OF BUILDING

ADJOINING PROPERTY OWNERS NAMES AND ADDRESSES

DATE OF HEARING December 1, 2020

DATE PLAN COMMISSION'S  
RECOMMENDATION RECEIVED  
 ATTACHED

Keppler, Andrew D., 1319 Elm St., Oelwein, IA 50662

Kerns, Daryl M., 1 S East Line Rd., Oelwein, IA 50662

DATE OF PUBLICATION NOTICE  
Novemeber 23, 2020

Wegner, Daniel L. & Wegner, Jackie M., 1316 Elm St., Oelwein, IA 50662

Peace Evangelical Lutheran Church Of Oelwein, 1308 E. Charles, Oelwein, IA 50662

REMARKS:

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Kristie Mulchert  
1323 Elm St  
Delwein, IA 50602  
319-283-8841

Dear City of Delwein:

I am requesting approval for an in home Salon. I have been a cosmetologist for 21 years and still enjoy it but Covid-19 has had an impact on me, as I have been positive with the virus. I would love to get out of public exposure as much as possible. I believe cutting down on the number of clients by moving to my home would help greatly. Approving my request would be greatly appreciated by myself and my clientele. Thank you.

Sincerely,  
Kristie Renee Mulchert