



Agenda

Zoning Board of Adjustment
Oelwein Community Plaza
25 West Charles, Oelwein
Thursday, August 27, 2020
5:30 PM

August 27, 2020
Oelwein, Iowa

Mayor: Brett DeVore
Mayor Pro Tem: Warren Fisk

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

Approve Minutes

- [1.](#) Consideration of a motion to approve the minutes of the July 23, 2020 meeting

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
- [3.](#) Consideration of Variance Request #20Z03 - Home Occupation for a Dog Grooming business at 814 1st Avenue SW
- [4.](#) Consideration of Variance Request #20Z04 - Construction of a multi-unit apartment at 406 3rd Avenue SE

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
25 West Charles, Oelwein
July 23, 2020 - 8:00 AM

Roll Call Present: Ganske, Crawford, O’Connell
 Absent: Block
 Vacancy: One (1)
 Also Present: Mulfinger, Jesse Pensel of RISE LTD

Approve Minutes

1. Consideration of a motion to approve the minutes of the October 31, 2019 meeting

A motion was made by Ganske, seconded by O’Connell to approve the minutes. All voted aye.

Motion Carried

Variance Requests

2. Consideration of a request from RISE, Ltd. for a variance at 219 and 223 East Charles which would allow for the construction of a new group home

The Planning and Zoning Commission recommended approval of the request. No other comments were noted.

Jesse Pensel said the home will handicap accessible.

- Five bedrooms are planned
- No basement but storm room
- No need for cars

Ganske would like them to enter from 3rd Street and not East Charles. He sees it as a win for everyone. This offers a better opportunity than the last group home.

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

Motion Carried

New Business

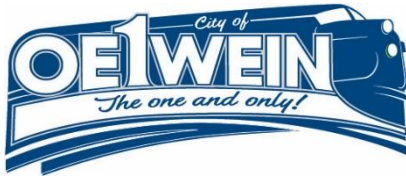
3. Discussion on a variance for 406 3rd Street SE

Discussion was held on the proposed construction of an apartment building at 406 3rd Street SE.

Adjournment

A motion was made by O’Connell, seconded by Ganske to adjourn. All voted aye.

Motion Carried



Minutes

Planning and Zoning Commission
 20 Second Avenue SW, Oelwein
 August 17, 2020 - 5:30 PM

Roll Call	Present	Gearhart, Rueber, Keeley, Boleyn, Tousley
	Absent	DeJong
	Also Present	City Administrator Mulfinger, Colleen Edwards, Christine Griffiths, Susan Kauten, Joyelle Pint

Approve Minutes

1. Consideration of a motion to approve the minutes of the July 13, 2020 meeting

A motion was made by Tousley, seconded by Gearhart. 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

Tousley questioned how many trees would be removed from the property to accommodate the addition. Edwards stated there would only be one tree removed, which is a dead pine tree.

Gearhart questioned if any of the neighbors would be affected by the addition. Edwards stated there was a rental property to the south and the addition would not affect the neighbor to the east.

Rueber stated that it was a good location to build an addition. It is not blocking any line of site at the intersection or view from any adjacent property.

A motion was made by Tousley, seconded by Rueber to recommend approval of the request. All voted aye.

2. Consideration of Variance Request #20Z03 - Home Occupation for a Dog Grooming Business

Gearhart questioned if dogs would be housed at the dog grooming business. Kauten stated dogs would be dropped off for the grooming and called for pick up once the grooming was completed, or the business would deliver the dogs back to the owner. No dogs would be kenneled at the location of the business

Boleyn stated it would not be any different than a hair salon.

A motion was made by Boleyn, seconded by Gearhart to recommend approval of the request. All voted aye.

3. Consideration of Variance Request No. #20Z04 - Construction of a multi-unit apartment unit

Mulfinger explained the details of the building site to the Planning and Zoning board.

Gearhart questioned where the building would be set on the property and would there be a fence around the property. Mulfinger did not have the details of the exact location of the building or the fence.

Boleyn made the suggestion to wait until the development company had all the details in place before moving forward with the approval. Mulfinger stated the company did not want to invest the money if the request was not approved.

Tousley stated she understood the company not investing more money into the project until the request is approved.

Rueber stated that she liked the potential diversity of the apartments.

Tousley questioned if they have had a survey completed. Mulfinger replied, there has been a survey and Oelwein is in need of apartment housing.

A motion was made by Tousley, seconded by Boleyn to recommend approval of the request. All voted aye.

New Business

Mulfinger stated that Planning and Zoning will meet on the scheduled dates for the rest of the year to discuss variances, zoning regulations, and to be better educated on planning and zoning.

Adjournment

A motion was made by Tousley, seconded by Boleyn to adjourn. All voted aye.

Motion Carried

CITY OF OELWEIN

Office of

BUILDING AND ZONING INSPECTOR

NOTICE TO INTERESTED PROPERTY OWNERS

BOARD OF ADJUSTMENT

Refer to Appeal No. 20 Z 02

Date August 4, 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 Christine Griffiths. The property is situated in the R1 Residential Zoning district and is located at 201 6th Avenue SE. The request, if approved, would authorize construction of a 15'x'10' bedroom addition within three feet of the front (north) property line.

The Zoning Administrator was required, under the provision of the Zoning Ordinance, to deny the request because Zoning Ordinance Section 202.4 requires a 25' setback.

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 August 27, 2020 at 8:00 A.M. in the Council Chambers at City Hall, 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

NUMBER 20 Z02

APPEAL TO BOARD OF ADJUSTMENT
CITY OF OELWEIN

APPLICANT Christine Griffiths
ADDRESS 201 6th Avenue SE
LOT DESCRIPTION Lot 1, Block 8, Grandview Addition
ZONE R1 Residential

DATE August 4, 2020
FILING FEE \$ \$75.00 paid
XX LETTER STATING NATURE OF APPEAL ATTACHED
DATE REFERRED TO PLANNING COMMISSION
ADMINISTRATIVE OFFICER'S REVIEW ATTACHED

SHOW LOT DIMENSIONS

50 x 140

See attached

LOCATION AND SIZE
OF BUILDING

ADJOINING PROPERTY OWNERS NAMES AND ADDRESSES

DATE OF HEARING August 23, 2020

DATE PLAN COMMISSION'S
RECOMMENDATION RECEIVED
Aug. 17, 2020 ATTACHED

DATE OF PUBLICATION NOTICE
August 21, 2020

REMARKS:

City of Oelwein, Iowa

Application for Variance (6/29/2020)

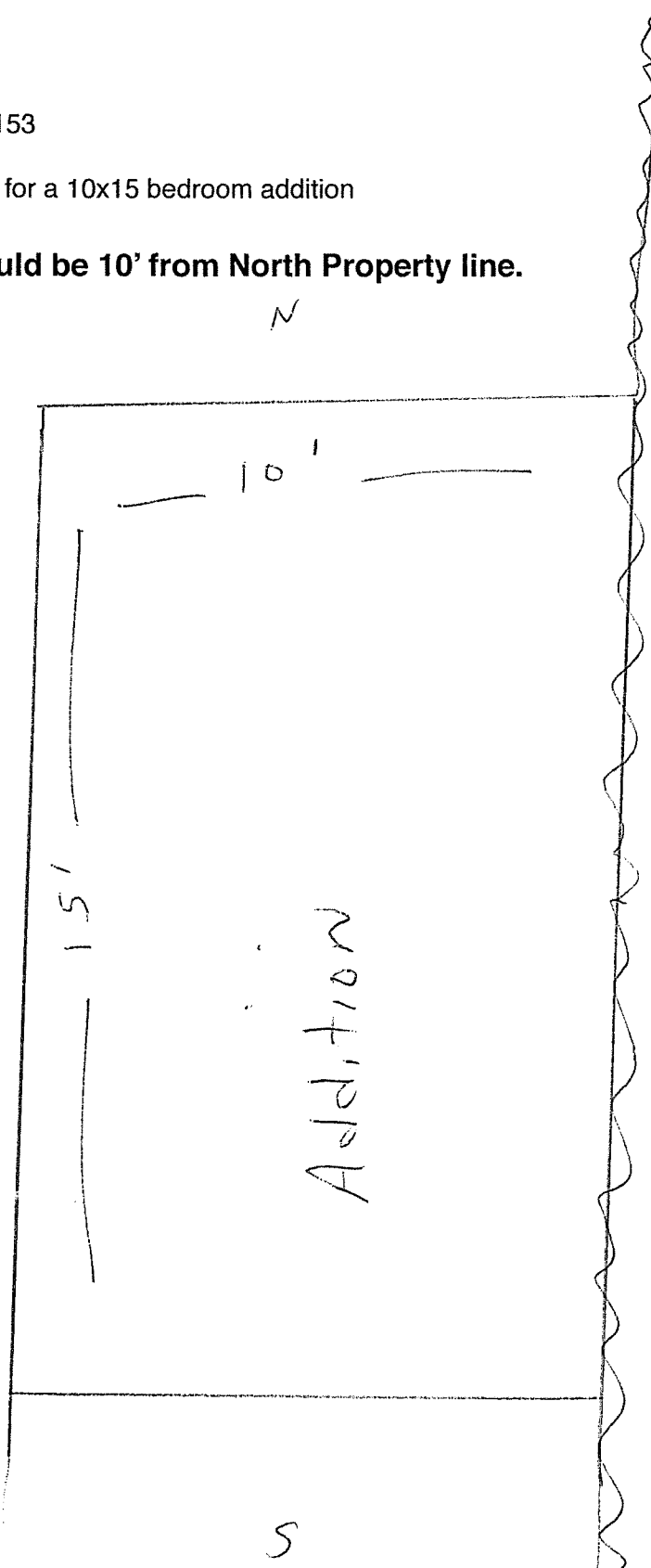
Colleen Edwards
201 6th Avenue SE
Phone # (563) 581-1153

Applying for variance for a 10x15 bedroom addition

The Variance would be 10' from North Property line.

HOSPITAL

2ND Street

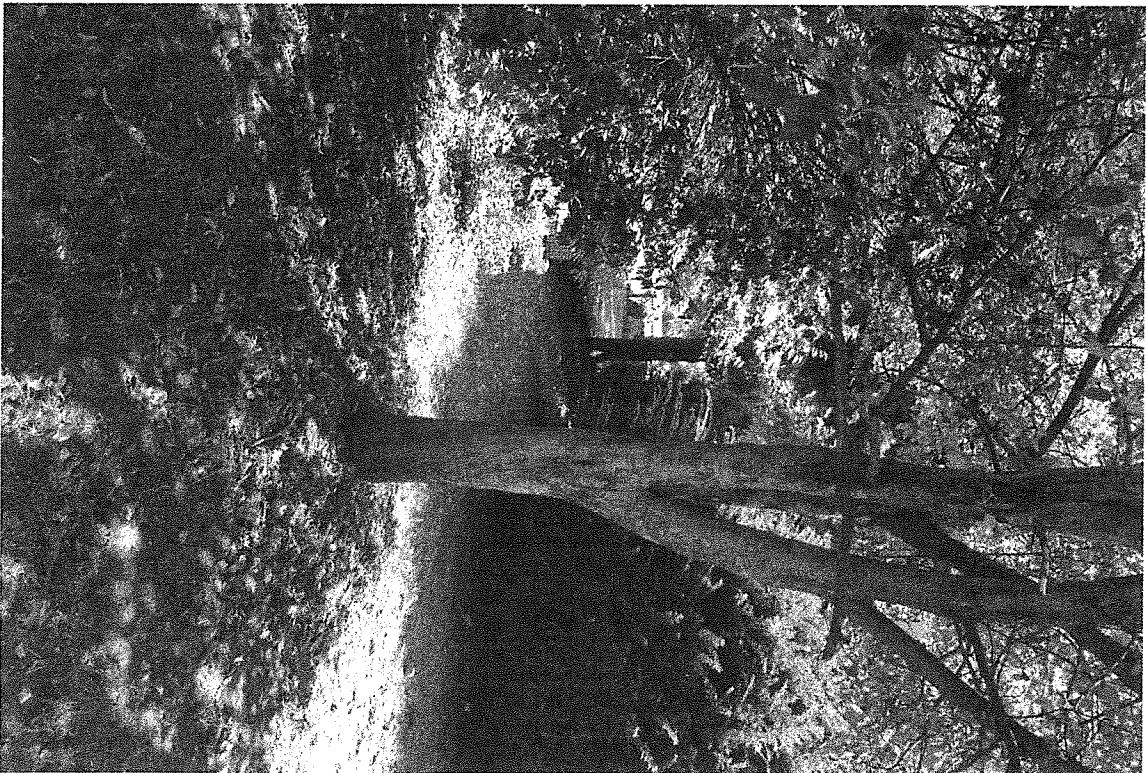


F





60th Ave Looking east towards the house



2nd St. Looking S. towards the house
40 ft. Curbside of curb to the existing condition



2nd Street looking S. towards the house



CITY OF OELWEIN

Office of

BUILDING AND ZONING INSPECTOR

NOTICE TO INTERESTED PROPERTY OWNERS

BOARD OF ADJUSTMENT

Refer to Appeal No. 20 Z 03

Date August 4, 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 Susan Kauten. The property is situated in the R1 Residential Zoning district and is located at 814 1st Avenue SW. The request, if approved, would authorize home occupation - dog grooming.

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 August 27, 2020 at 8:00 A.M. in the Council Chambers at City Hall, 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

NUMBER 20 Z03

APPEAL TO BOARD OF ADJUSTMENT
CITY OF OELWEIN

APPLICANT Susan Kauten
ADDRESS 814 1st Avenue SW
LOT DESCRIPTION Lot 108, Block 10, Stickney's Addition
ZONE R1 Residential

DATE August 4, 2020
FILING FEE \$ \$75.00 paid
 LETTER STATING NATURE OF APPEAL ATTACHED
Aug. 17, 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 August 27, 2020

Bateman, Arlene A., 810 1st Ave. SW, Oelwein, IA 50662

DATE PLAN COMMISSION'S
RECOMMENDATION RECEIVED
 ATTACHED

Maxwell, Charlene, 820 1st Ave. SW, Oelwein, IA 50662

DATE OF PUBLICATION NOTICE
August 21, 2020

Belden, Brett & Belden, Beth, 809 2nd Ave. SW, Oelwein, IA 50662

Mitchell, Darlene B., 807 1st Ave SW, Oelwein, IA 50662

REMARKS:

Rolfs, Lavonne F., 821 1st Ave SW, Oelwein, IA 50662

CITY OF OELWEIN

Office of

BUILDING AND ZONING INSPECTOR

NOTICE TO INTERESTED PROPERTY OWNERS

BOARD OF ADJUSTMENT

Refer to Appeal No. 20 Z 04

Date August 6, 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 Cushman & Wakefield. The property is situated in the C2 Commercial Zoning district and is located at 406 3rd Ave SE. The request, if approved, would authorize construction of a multi-unit apartment building.

The Zoning Administrator was required, under the provision of the Zoning Ordinance, to deny the request because 207.3 (A) 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 8/27/2020 at 8:00 A.M. in the Council Chambers at City Hall, 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

NUMBER 20 Z 04

APPEAL TO BOARD OF ADJUSTMENT
CITY OF OELWEIN

APPLICANT Cushman & Wakefield
ADDRESS 406 3rd Ave SE
LOT DESCRIPTION COM 140'W OF NE COR LOT 5 OEL
6TH ADD TH W 175'S 186.9'E 14'S 30'E
158.7'N 216.9'TO PT OF BEG BEING A
PART OF BLK 5 OELWEIN 6TH ADD
ZONE C2 Commercial

DATE August 6, 2020
FILING FEE \$ _____
LETTER STATING NATURE OF APPEAL ATTACHED
Aug. 17, 2020 DATE REFERRED TO PLANNING COMMISSION
ADMINISTRATIVE OFFICER'S REVIEW ATTACHED

SHOW LOT DIMENSIONS

See attached

LOCATION AND SIZE
OF BUILDING

ADJOINING PROPERTY OWNERS NAMES AND ADDRESSES

DATE OF HEARING 8/27/2020

Gann, Christopher, 314 2nd Ave SE, Oelwein, IA 50662

DATE PLAN COMMISSION'S
RECOMMENDATION RECEIVED
ATTACHED

Eick, David A. & Robin A., 525 5th Ave. SE, Oelwein, IA 50662

DATE OF PUBLICATION NOTICE
August 21, 2020

Purdy, Lois L., 326 3rd Ave SE, Oelwein, IA 50662

Rosales, Jose A. & Holden, Katie L., 400 3rd Ave SE, Oelwein, IA 50662

REMARKS:

Rechkemmer, Chad P., 402 3rd Ave. SE, Oelwein, IA 50662

Boulders Inn Oelwein, LLC, 1302 Outer Rd, Oelwein, IA 50662

Oelwein, City Of, City Hall 20 2nd Ave. SW, Oelwein, IA 50662

Sandtocar, LLC, 2240 County Road Ab, Suite L, Mcfarland, WI 53558

Fink, Rose Hamilton & Fink, Joseph, 331 1st Ave. SE, Oelwein, IA 50662

The City is working with a development group to build a 30 unit apartment complex on 406 3rd Ave SE. This apartment complex will also include a commercial component on the end of the building. The commercial unit is zoned appropriately, but in order to put in the apartment, a variance for multi family must be provided. City staff wants to work with both planning and zoning and board of adjustment to understand the need for this variance and how this will help the community. This discussion will allow for the commission to work on questions for staff before a recommendation is needed to board of adjustment.

Dylan Mulfinger
City Administrator
City of Oelwein
20 2nd Ave SW Oelwein, Iowa 50662
319-283-5440



