



Agenda

Planning & Zoning
20 Second Avenue SW, Oelwein
6:00 PM

April 08, 2025
Oelwein, Iowa

Mayor: Brett DeVore

Mayor Pro Tem: Matt Weber

Commission Members: Savannah DeJong, Dave Gearhart, Peggy Sherrets, Roger Boylen, Paul Schemmel, David Kral, Terry Hull

Roll Call

Approve Minutes

- [1.](#) Consideration of a motion to approve the January 22, 2025 minutes.

Variance Requests

- [2.](#) Consideration of a motion for a variance on the zoning for 204 3rd St SE.
- [3.](#) Consideration of a motion for a variance on the zoning for 1297 South Frederick.

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 & Zoning Meeting
20 Second Avenue SW, Oelwein
January 22, 2025 - 5:30 PM

Roll Call

Present: Dejong, Sherrets, Boylen, Schemmel

Absent: Gearhart, Hull **Also Present:** Kral

Approve Minutes

1. Consideration of a motion to approve May 22, 2024 minutes.
 - a. Motion to approve by Boylen, 2nd by Sherrets, All in favor

Code Change Discussion

2. Special Exception for C-1 Zoning Code Discussion

-Discussion involved explaining that this code addition concept was similar to the previously created code section for residential areas allowing setback relaxations. This code change would allow the rear yard setback in C-1 to be reduced to "None" via special exception application. Discussed the scenario presented by the Rise building. All members discussed scenarios that the new code would or wouldn't apply. Agreed to recommend the code as written in the agenda packet to council.

-Motion to Recommend by Boylen, 2nd by Dejong, All in favor.

Code will be sent to council for consideration

Old Business

New Business

-Discussion welcoming new member Paul Schemmel. Discussed he has previous zoning experience from a town he lived in prior.

Adjournment

Motion by Boylen, 2nd by Schemmel, Adjourned

Brett DeVore, Mayor

ATTEST:

Dylan Mulfinger, City Administrator

I, Dylan Mulfinger, City Administrator in and for the City of Oelwein, Iowa do hereby certify that the above and foregoing is a true accounting of the Council Proceedings held January 22, 2025 and copy of said proceedings was furnished to the Register **TYPE DATE HERE**.

Dylan Mulfinger, City Administrator

Dear Community Development Department,

I would like to request a zoning change on 204 3rd St SE Oelwein, IA. It is currently zoned commercial but has been a single family residence since 1942. Due to Federal Banking regulations, commercial zoning of single family homes in areas that are adjacent to residential zones can prevent buyers from getting mortgages, which negatively affects property values and ultimately tax revenue for cities, schools and counties.

Due to a pending sale to a family wanting to grow here in Oelwein, we would greatly appreciate it if the Planning & Zoning committee would be willing to move as quickly as possible on this and consider waiving the hearings. We understand this may not be the typical protocol, but we also know that housing availability nationwide has led to a significant increase in zoning reconsiderations.

Thank you,

Drew Suckow

March 4, 2025

City of Oelwein
20 2nd Ave SW
Oelwein, IA 50662

RE: Re-Zoning property located at 1297 S Frederick Ave, Oelwein IA

Honorable Mayor and City Council:

I am writing to request the property owned by Coffin Rentals, LLC located at 1297 S Frederick Ave, Oelwein — legally described as:

A PARCEL IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 91 NORTH, RANGE 9 WEST OF THE FIFTH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 150.0 FEET AS MEASURED ALONG THE NORTH LINE AND SOUTH LINE OF THE FOLLOWING DESCRIBED PARCEL:


COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 28, THENCE SOUTH 89 DEGREES 36 MINUTES EAST 45.00 FEET, THENCE NORTH 2 DEGREES 28 MINUTES EAST 1094.40 FEET TO THE POINT OF BEGINNING, THENCE CONTINUING NORTH 2 DEGREES 28 MINUTES EAST 225.60 FEET TO A POINT SOUTH 89 DEGREES 52 1/2 MINUTES EAST 45.00 FEET FROM THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, THENCE SOUTH 89 DEGREES 52 1/2 MINUTES EAST 786.05 FEET ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER TO THE WEST RIGHT-OF-WAY LINE OF THE CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD, THENCE SOUTH 0 DEGREES 09 MINUTES EAST 256.50 FEET ALONG SAID RIGHT-OF-WAY LINE, THENCE NORTH 87 DEGREES 38 MINUTES 24 SECONDS WEST 797.07 FEET TO THE POINT OF BEGINNING.

AND A PARCEL AS EASEMENT FOR INGRESS AND EGRESS DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 28, THENCE SOUTH 89 DEGREES 36 MINUTES EAST 45.00 FEET, THENCE NORTH 2 DEGREES 28 MINUTES EAST 1094.40 FEET TO THE POINT OF BEGINNING, THENCE SOUTH 87 DEGREES 38 MINUTES 24 SECONDS EAST 135.00 FEET, THENCE SOUTH 2 DEGREES 28 MINUTES WEST 30.00 FEET, THENCE NORTH 87 DEGREES 38 MINUTES 24 SECONDS WEST 135.00 FEET, THENCE NORTH 2 DEGREES 28 MINUTES EAST 30.00 FEET TO THE POINT OF BEGINNING, FAYETTE COUNTY, IOWA.

Be rezoned from C-2 to R-2.

Your consideration is appreciated.



Chad Coffin
Coffin Rentals, LLC

Book: 2022 Page: 2670
Instr. Number: 2022 2670
Recorded: 8/25/2022 at 2:52:59.0 PM
County Recording Fee: \$22.00
Iowa E-Filing Fee: \$3.00
Combined Fee: \$25.00
Revenue Tax: \$151.20
KAREN FORD, RECORDER
Fayette County, Iowa

Return Document To: Kerndt Brothers, 600 Boyson Rd. NE, Cedar Rapids, IA 52402
Preparer Information: Charles P. Augustine, 531 Commercial St., Ste. 250, Waterloo, IA 50701, (319) 232-3304
Address Tax Statement: Coffin Rentals, LLC, 1045 Stevens St. Jesup IA 50648
TSC#223932

WARRANTY DEED

For the consideration of One and No/100 Dollar(s) and other valuable consideration, Graf-Recker, LLC, a limited liability company organized and existing under the laws of Iowa, does hereby Convey Coffin Rentals, LLC, the following described real estate in Fayette County, Iowa:

See attached Exhibit A.

Subject to easements, restrictions, covenants, ordinances, and limited access provisions of record.

- ☒ There IS NOT a known private burial site, well, solid waste disposal site, underground storage tank, hazardous waste, or private sewage disposal system on the property as described in Iowa Code section 558.69, and therefore the transaction is exempt from the requirement to submit a groundwater hazard statement.
- ☐ There IS a private burial site, well, solid waste disposal site, underground storage tank, hazardous waste, or private sewage disposal system on the property as described in Iowa Code section 558.69, and a groundwater hazard statement is being submitted herewith.

Grantor does Hereby Covenant with grantees, and successors in interest, that grantor holds the real estate by title in fee simple; that it has good and lawful authority to sell and convey the real estate; that the real estate is free and clear of all liens and encumbrances except as may be above stated; and grantor Covenants to Warrant and Defend the real estate against the lawful claims of all persons except as may be above stated.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

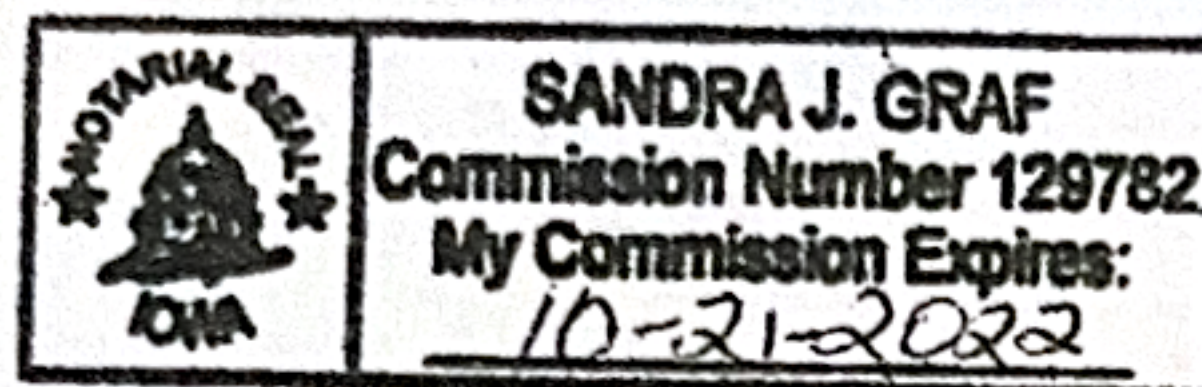
Dated: 8-22-2022

Darla Recker

By: Darla Recker, as Managing
Member of Graf-Recker, LLC

STATE OF IOWA, Fayette COUNTY, ss:

This instrument was acknowledged before me on this 22 day of August, 2022, by Darla Recker, as Managing Member of Graf-Recker, LLC.



Sandra J. Graf
, Notary Public in and for said State

EXHIBIT A

A PARCEL IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 91 NORTH, RANGE 9 WEST OF THE FIFTH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 150.0 FEET AS MEASURED ALONG THE NORTH LINE AND SOUTH LINE OF THE FOLLOWING DESCRIBED PARCEL:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 28, THENCE SOUTH 89 DEGREES 36 MINUTES EAST 45.00 FEET, THENCE NORTH 2 DEGREES 28 MINUTES EAST 1094.40 FEET TO THE POINT OF BEGINNING, THENCE CONTINUING NORTH 2 DEGREES 28 MINUTES EAST 225.60 FEET TO A POINT SOUTH 89 DEGREES 52 1/2 MINUTES EAST 45.00 FEET FROM THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, THENCE SOUTH 89 DEGREES 52 1/2 MINUTES EAST 786.05 FEET ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER TO THE WEST RIGHT-OF-WAY LINE OF THE CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD, THENCE SOUTH 0 DEGREES 09 MINUTES EAST 256.50 FEET ALONG SAID RIGHT-OF-WAY LINE, THENCE NORTH 87 DEGREES 38 MINUTES 24 SECONDS WEST 797.07 FEET TO THE POINT OF BEGINNING.

AND A PARCEL AS EASEMENT FOR INGRESS AND EGRESS DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 28, THENCE SOUTH 89 DEGREES 36 MINUTES EAST 45.00 FEET, THENCE NORTH 2 DEGREES 28 MINUTES EAST 1094.40 FEET TO THE POINT OF BEGINNING, THENCE SOUTH 87 DEGREES 38 MINUTES 24 SECONDS EAST 135.00 FEET, THENCE SOUTH 2 DEGREES 28 MINUTES WEST 30.00 FEET, THENCE NORTH 87 DEGREES 38 MINUTES 24 SECONDS WEST 135.00 FEET, THENCE NORTH 2 DEGREES 28 MINUTES EAST 30.00 FEET TO THE POINT OF BEGINNING, FAYETTE COUNTY, IOWA.