



## **Agenda**

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

June 30, 2022  
Oelwein, Iowa

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**Mayor:** Brett DeVore  
**Mayor Pro Tem:** Lynda Payne

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### **Roll Call**

### **Approve Minutes**

- [1.](#) Consideration of a motion to approve the minutes of the May 26, 2022, Zoning Board of Adjustment meeting.

### **Variance Requests**

- [2.](#) Discussion on variance request 22-Z-02 to exceed allowed square footage of accessory structures.

### **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  
 May 26, 2022 - 5:30 PM

### Roll Call

Present: Fisk, Crawford, Ganske, Noll, O'Connell

Also Present: Mulfinger, Nathan and Kristi See

Mulfinger opened the meeting and welcomed the new member Noll.

### Approve Minutes

1. Consideration of a motion to approve the minutes of the September 30, 2021 Zoning Board of Adjustment meeting.

Fisk motioned to approve the September 30, 2021, minutes. Noll seconded. All were in favor.

### Variance Requests

2. Consideration of a Variance Request No. 22Z01 from Nathan and Kristi See requesting that 809 6th St NE is granted 1) an additional 908 square feet for a detached accessory structure and 2) to use corrugated steel siding rather than vinyl siding in their project.

Fisk questioned if the item should be voted on twice because it was two requests.

Mulfinger replied that Planning and Zoning split the item into two, so it was encouraged that the board of adjustment vote twice.

Fisk questioned how many feet the building was over the allowed ordinance.

Nathan See said that he would prefer to build a 40\*80 shed but knew he had restrictions from being in town.

The requests asked for an additional 908 square feet of accessory structure.

O'Connell voiced her approval of the shed and said that with limited neighbors it should not affect the neighborhood.

Ganske was in favor of the structure as it would have limited impact on the large lot and neighborhood.

Mulfinger reminded the board that it was not a judgment call on the shed itself, it was a discussion of a variance. Iowa Code is specific when to grant a variance and this was not the case. The See family had not met any criteria for a hardship as stated in Iowa Code.

Fisk said that since the city continues to get requests for more accessory structure square footage, council should change code.

Ganske agreed that square footage and steel siding should be looked at by city council.

A conversation took place on steel siding.

O’Connell motioned to approve the variance requests for additional square footage of accessory structure. Ganske seconded. The motion failed by the casting of two aye votes (O’Connell Ganske) to three nay votes (Crawford, Noll, Fisk).

Nathan and Kristi See expressed their displeasure with the decision and asked that the board provide feedback as to what size shed, they would approve.

The board did not provide feedback to the See family.

Ganske was upset the board did not approve the variance and asked that City Council look at the code to see what can be done to assist the See family.

Mulfinger said a joint Planning and Zoning and Board of Adjustment would take place June 20 where these items could be discussed.

**Old Business**

**New Business**

**Adjournment**

Fisk motioned to adjourn. Noll seconded. All were in favor.

\_\_\_\_\_  
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 May 26, 2022 and copy of said proceedings was furnished to the Register **TYPE DATE HERE**.

\_\_\_\_\_  
Dylan Mulfinger, City Administrator

CITY OF OELWEIN

Office of

BUILDING AND ZONING INSPECTOR

NOTICE TO INTERESTED PROPERTY OWNERS

BOARD OF ADJUSTMENT

Refer to Appeal No. 22-Z-02

Date 6/8/2022

Dear Property Owner:

An application for an appeal from the City of Oelwein Zoning Ordinance has been filed with the Board of Adjustment by Mike and Donise Recker. The property is situated in the R1 Residential Single Family Zoning district and is located at 921 4th Ave NE. The request, if approved, would authorize **an additional 916 ft<sup>2</sup> beyond their 2,000 ft<sup>2</sup> allowance to build a 55'x29' garage.**

The Zoning Administrator was required, under the provision of the Zoning Ordinance, to deny the request because 202.3, Ord No 1156

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 June 30, 2022 at 5:30 P.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 \_\_\_\_\_, Secretary

NUMBER 22 Z 02

APPEAL TO BOARD OF ADJUSTMENT  
CITY OF OELWEIN

APPLICANT Mike and Donise Recker  
ADDRESS 921 4th Ave NE  
LOT DESCRIPTION \_\_\_\_\_  
\_\_\_\_\_  
ZONE R1 Residential Single Family

DATE 6/8/2022  
FILING FEE \$ \$75.00 paid  
\_\_\_\_\_  
LETTER STATING NATURE OF APPEAL ATTACHED  
\_\_\_\_\_  
DATE REFERRED TO PLANNING COMMISSION  
\_\_\_\_\_  
ADMINISTRATIVE OFFICER'S REVIEW ATTACHED

SHOW LOT DIMENSIONS      Approx. 315' x 670' x 135' x 280' x 200'      1.65 acres

LOCATION AND SIZE  
OF BUILDING      See attached

ADJOINING PROPERTY OWNERS NAMES AND ADDRESSES

DATE OF HEARING June 30, 2022

DATE PLAN COMMISSION'S  
RECOMMENDATION RECEIVED  
\_\_\_\_\_  
ATTACHED \_\_\_\_\_

Mettler, Matthew & Meghan, 911 4th Ave NE, Oelwein, IA 50662

Winter, Ronald & Barbara, 914 4th Ave. NE, Oelwein, IA 50662

DATE OF PUBLICATION NOTICE  
June 24, 2022

Kral, David B., 930 4th Ave NE, Oelwein, IA 50662

Snitker, Donald & Mary Jo, 305 9th St. NE, Oelwein, IA 50662

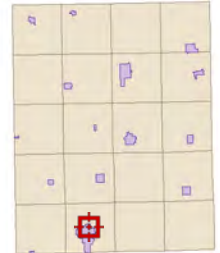
REMARKS:

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921 4th Ave NE



Overview



Legend

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

<b>Parcel ID</b>	1816476005	<b>Alternate ID</b>	n/a	<b>Owner Address</b>	Recker, Michael A. Revocable Trust & Trustee & Recker, Donise D. Revocable Trust & Trustee
<b>Sec/Twp/Rng</b>	16-91-9	<b>Class</b>	R		921 Fourth Ave NE
<b>Property Address</b>	921 4TH AVE. NE	<b>Acreage</b>	1.65		Oelwein, IA 50662
	OELWEIN				
<b>District</b>	OELWEIN OELWEIN INC				
<b>Brief Tax Description</b>	LOTS 1 TO 4 & ALLEY ADJ ON E, LOTS 13 TO 16 & VAC ST ON E, BLK 4, OEL. LAND CO. 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.*

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June 7, 2022  
921 4th Ave. NE  
Oelwein, IA 50662

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

Dear City Council Members:

We are requesting permission to build a 4 car garage on our property at 921 4th Ave. NE in Oelwein. The building would be built according to the requirements of being 60' from 9th Street NE and placed in our backyard. The dimensions of the building would be 30' wide x 56' length and 10' sidewall height; measuring 1680 square feet.

Since purchasing our home in September, 2010, we have made many improvements to our property. We take pride in our home and yard. We are requesting to build a garage so that our vehicles are on our own property. Finding storage has been challenging. We currently rent from two different individuals to store our car collection. We participate in community events with our cars such as Friday Night Park and Show and car cruises. We have helped with Homecoming Queen and King candidates, Miss Oelwein candidates, and Grand Marshalls for the Oelwein Celebration Parade.

We welcome any questions or a tour of the proposed project location. Thank you very much for your consideration.

Our contact information is:

Mike 563-920-3821 mrecker57@gmail.com  
Donise 563-380-0331 doniserecker@gmail.com  
Land line 319-283-4281

Sincerely,



Mike and Donise Recker



Item 2.

3003  
43003



**DANVILLE**  
4 CAR GARAGE

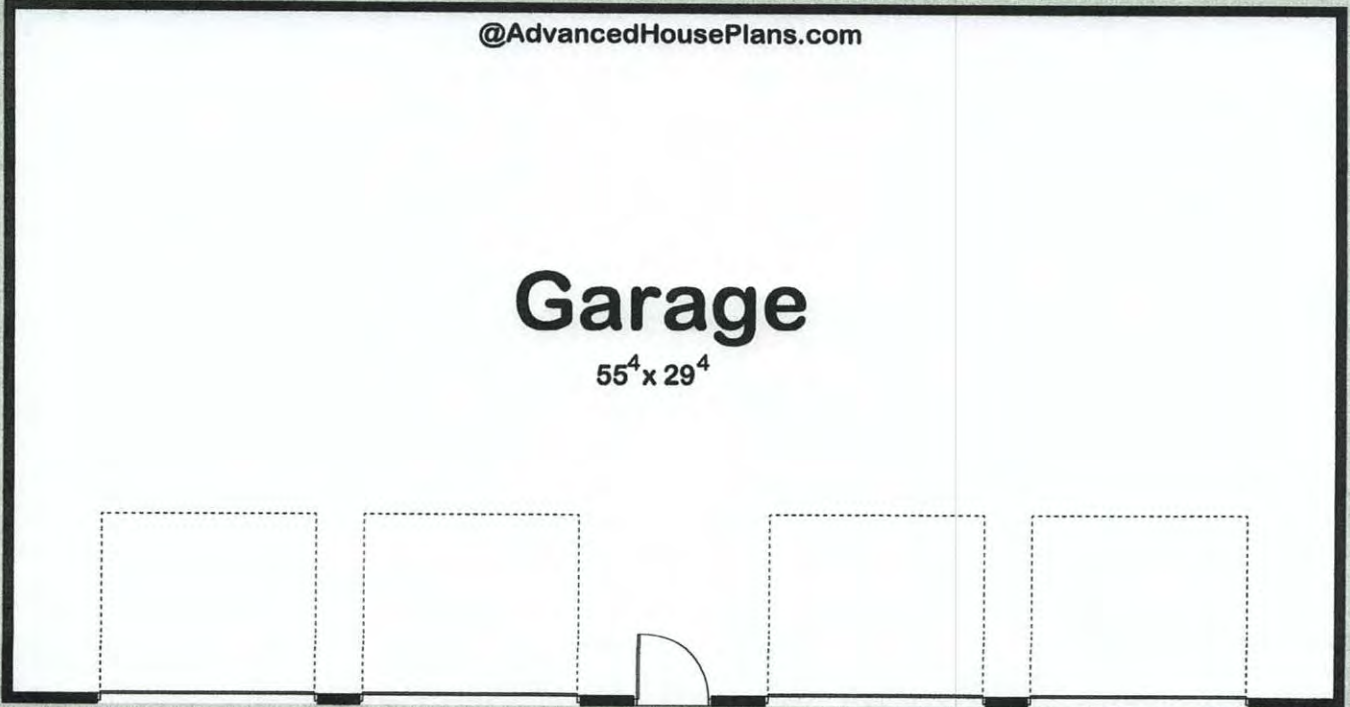
GARAGE AREA:

1680 SQ FT

EXTERIOR DIMENSIONS  
56' - 0" WIDE  
30' - 0" DEEP

@AdvancedHousePlans.com

**Garage**  
55<sup>4</sup> x 29<sup>4</sup>



TO ORDER THIS PLAN VISIT [WWW.MENARDS.COM](http://WWW.MENARDS.COM)



**Danville 4-Car Garage 30' x 56' x 10' Material List**  
 Advanced House Plans Plan # 30034  
 Model Number: 1950754 | Menards® SKU: 1950754

Item 2.



Approximate Price **\$27,185.47**  
 11% MAIL-IN REBATE Good Through 5/30/22 **\$2,990.40**  
**FINAL PRICE** **\$24,195.07** each<sup>®</sup>

You Save \$2,990.40 with Mail-In Rebate

**BIG** \$2266.00 / mo. payments (total \$27192) with 12 months financing\* [Learn More](#)

Save BIG when you make it your way. Modify options such as colors, doors, windows, and size to meet your building needs. Check your local building codes prior to purchase. Need help? Stop by your local Menards today.

\* Mail-In Rebate is in the form of merchandise credit check, valid in-store only. Merchandise credit check is not valid towards purchases made on MENARDS.COM®.

**Description & Documents**

The Danville plan is a wonderful 4 car garage plan that makes a great addition to any home and adds space for all of your vehicles.

Brand Name: Menards

**Features**

- Cutting and assembly required
- 1/2" OSB roof sheathing
- Aluminum soffit and fascia included
- Includes roof edge, nails and hardware
- Building plans included

**Specifications**

Product Type	Garage	Garage Type	3 or More Car
Foundation Type	Slab	Entry Style	Eave
Overall Width	30 foot	Overall Length	56 foot
Overall Height	19'-3" foot	Sidewall Height	10 foot
Square Footage	1680 square foot	Exterior Wall Framing	2x4 Stud
Roof Framing Type	Truss	Rafter/Truss Spacing	2 foot
Roof Pitch	6/12	Roofing Type	Architectural Shingles
Eave Overhang Size	24 inch	Gable Overhang Size	12 inch
Sliding Type	D4 Vinyl	Soffit Type	Aluminum
Overhead Door Quantity	4	Overhead Door Size	9 x 8
Service Door Quantity	1	Service Door Size	36 x 80
Includes	Materials include framing, 24" on center trusses, roofing, siding, soffit, gutters, four 9x8 overhead doors, one service door, and plans	Shipping Weight	19586.0 lbs
Return Policy	Regular Return <a href="#">(view Return Policy)</a>		

**Please Note:** Prices, promotions, styles and availability may vary by store and online. Inventory is sold and received continuously throughout the day; therefore, the quantity shown may not be available when you get to the store. This inventory may include a store display unit. Online orders and products purchased in-store qualify for rebate redemption. Mail-In Rebate is in the form of merchandise credit check, valid in-store only. Merchandise credit check is not valid towards purchases made on MENARDS.COM®. By submitting this rebate form, you agree to resolve any disputes related to rebate redemption by binding arbitration and you waive any right to file or participate in a class action. Terms and conditions available at [www.menards.com/denial.aspx](http://www.menards.com/denial.aspx)