



Agenda

Zoning Board of Adjustment
20 Second Avenue SW, Oelwein
6:00 PM

August 15, 2024
Oelwein, Iowa

Mayor: Brett DeVore

Mayor Pro Tem: Lynda Payne

Board Members: Warren Fisk, Cindy Noll, Gary Crawford, Paul Ganske, Ginger O'Connell, Board Secretary: David Kral

Roll Call

Approve Minutes

Variance Requests

1. Special Exception Application for a Setback Relaxation for 548 8th Street SW.

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

FOR OFFICE USE ONLY

Appeal No. _____

Date Received: _____

Form Updated (10/23)

**Special Exception Application**

Filing Fee \$75

Applicant Name CHRISTOPHER LINKApplicant Address 548 8TH ST. S.WApplicant Address 548 8TH ST. S.WProperty Address or Parcel Number 563 608 0253

Phone Number _____

Email Address CHRISLINKS48@HOTMAIL.COMCurrent Zoning of Property RESIDENTIALApplication Date 6/13/24**Special Uses and Conditional Uses (Special Exceptions)**

The Board of Adjustment has the power to "hear and decide special exceptions to the terms of the ordinance upon which such board is required to pass under such ordinance" (Iowa Code §§ 335.15 (counties) and 414.12 (cities)).

The terms "special use," "use exception" and "conditional use" are frequently found in zoning ordinances and are generally synonymous with the term "special exception."

Please refer to sections 201.3, 202.3, 203.3, 204.3, 205.3, 206.3, 207.3, 208.3, 209.3, 210.3, and 211.3 of City Code for a list of special exceptions that may be allowed depending on the zoning of the property in question.

To be granted a special exception, the applicant carries the burden of proving to the board that, given the imposition of conditions, the requested use will comply with the standards established in the ordinance. If the use cannot be made to fit, then it is within the board's discretion to deny the special exception. A board of adjustment's power to grant special exceptions, therefore, must be governed by adequate guidelines. The zoning ordinance includes general criteria for granting special exceptions. The criteria typically state something to the effect that, with the imposition of conditions, the special exception will be:

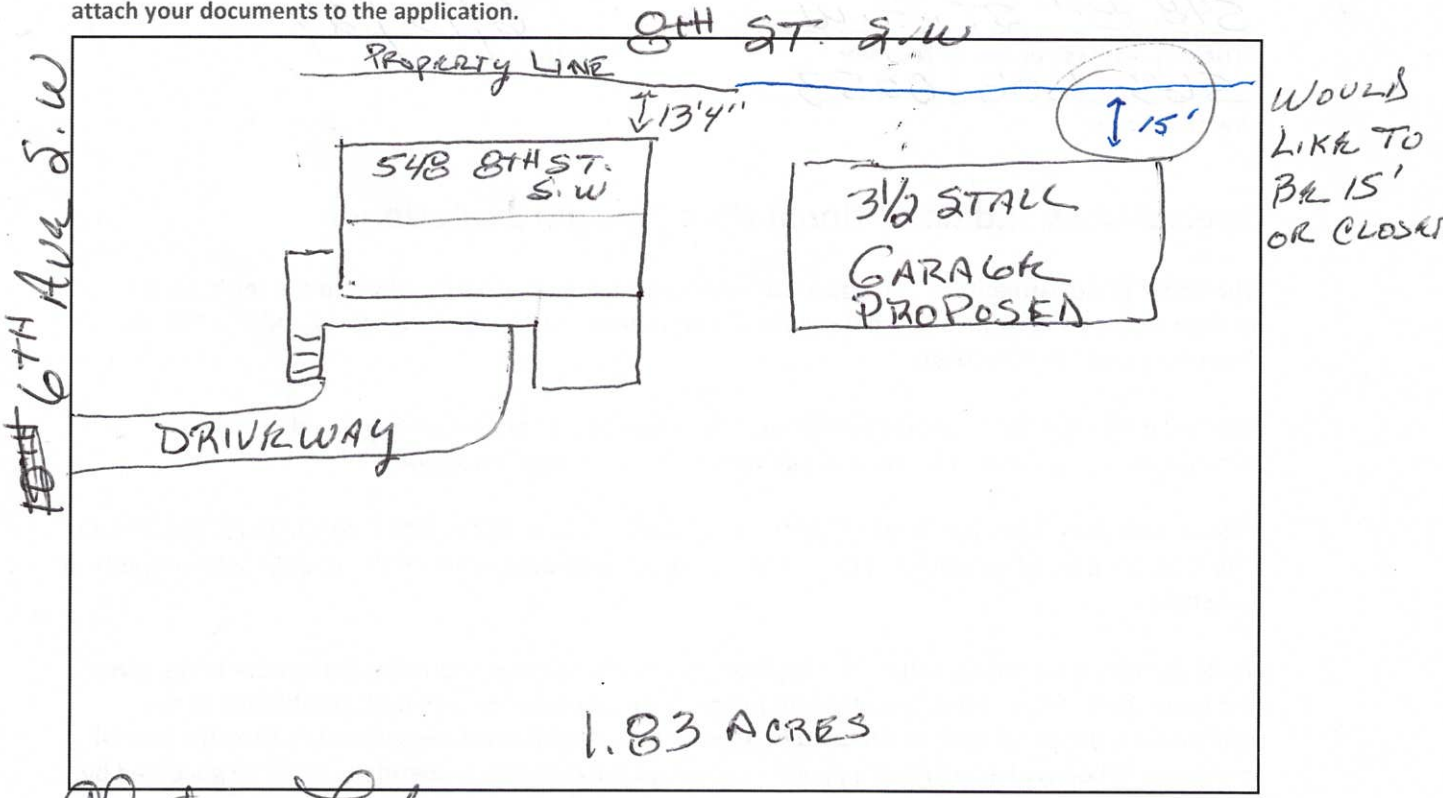
- Compatible with the principles and objectives of the plan.
- Compatible with uses permitted in the zoning district under which it is regulated.
- Compatible with existing or planned uses of nearby properties.
- Will not endanger public health or safety.

The ordinance typically includes specific criteria that must be met, in addition to the general criteria, before certain types of special exceptions are approved. Home occupations, cell towers and some specific commercial uses often carry such specific criteria that must be met.



Commonly imposed conditions of approval include buffering, hours of operation, site improvements or submission of special site plans (such as landscaping or parking). Conditions carry the same force of law as the ordinance; that is, a violation of a condition is subject to enforcement proceedings just as violation of any provision of the ordinance itself.

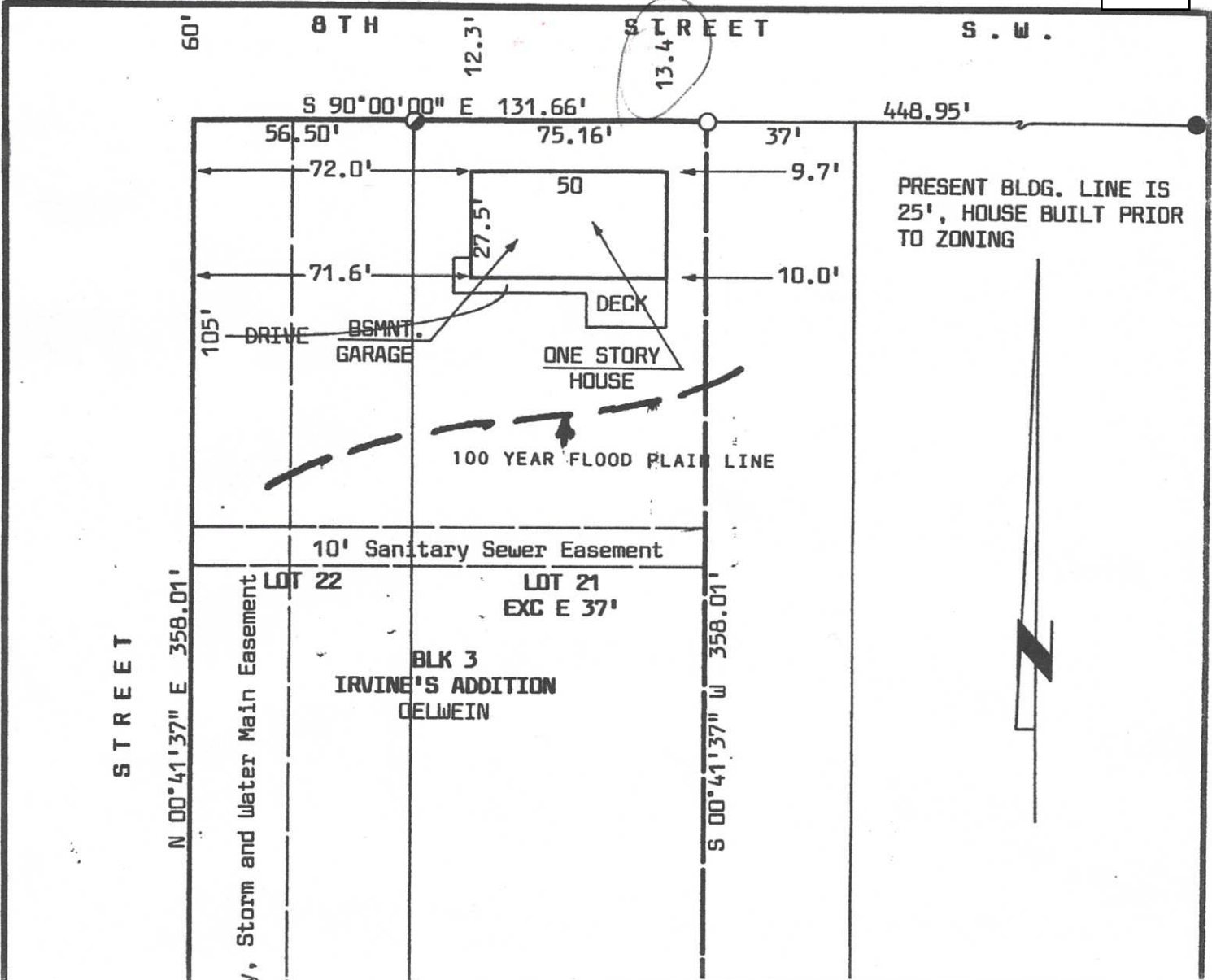
Please describe your request in detail and include any relevant data and drawings as applicable. If necessary, attach your documents to the application.

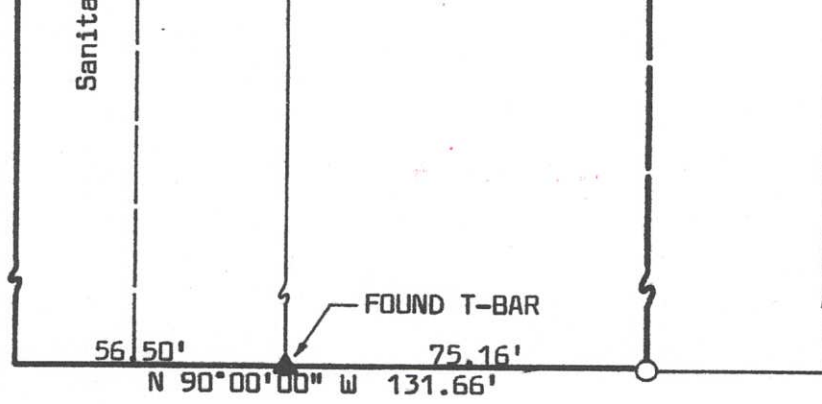


Christopher Link
 Applicant Signature
 6/13/24
 Date

 Applicant Signature

 Date





Item 1.

THE ABOVE PLAT REPRESENTS a survey of Lot No. Twenty-two (22) and Lot No. Twenty-one (21) except the East Thirty-seven (37) feet, all in Block No. Three (3) in Irvine's Addition to the Town of Dewlwein, Fayette County, Iowa.

FLOOD PLAIN LINE ADDED FROM FIRM PANEL 1901260001B DATA LOCATION. July 1988

<input type="checkbox"/> FOUND PIPE <input checked="" type="checkbox"/> FOUND PIN <input type="checkbox"/> OTHER'S FENCE <input type="checkbox"/> SET PIN W/REG. CAP	
<p>I hereby certify that this map Survey of Acre was made by me or under my direct personal supervision and that I am a duly Registered Land Surveyor under the laws of the State of Iowa.</p> <p>PAUL H. HELLAND, P.E. I.R.L.S. IOWA REGISTRATION NO. 8505</p>	<p>PROJECT LOCATION - OWNER</p> <p>SURVEY PLAT OF 548 8TH ST SW DEWLEIN FOR CHRISTOPHER J. & SHARON L. LINK LEGACY MORTGAGE COMPANY, INC.</p>
<p>HELLAND ENGINEERING AND SURVEYING 3709 Briarwood Drive Cedar Falls, Iowa 50613 319-266-0161</p>	<p>SCALE = 1" = 40'</p> <p>PROJ. NO. - 89-329</p>

92-291