



## Agenda

Planning and Zoning Commission

20 Second Avenue SW, Oelwein

5:30 PM

August 15, 2022

Oelwein, Iowa

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**Mayor:** Brett DeVore

**Mayor Pro Tem:** Lynda Payne

**Commission Members:** Savannah DeJong, Dave Gearhart, Peggy Sherrets, Roger Boylen, Carol Tousley, Terry Hull

**Secretary:** David Kral

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### Roll Call

### Approve Minutes

1. Consideration of a motion to approve minutes from the July 18, 2022, meeting.

### Variance Requests

### Old Business

2. Continued discussion on reallocation of square footage allowances for accessory structures.
3. Continued discussion on allowing accessory structures on empty lots, placement required to permit construction of a principal structure in the future, hard surface requirements, and more.
4. Continued discussion on using the narrow side of a lot as the front property line of corner lots.

### 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

Planning and Zoning Commission  
 20 Second Avenue SW, Oelwein  
 July 18, 2022 - 5:30 PM

## Roll Call

Present: Dejong, Boleyn, Sherrets, Tousley

Also Present: Mulfinger, Kral

## Approve Minutes

1. Consideration of a motion to approve the minutes of the June 20, 2022, meeting.

Dejong motioned to approve the minutes, Sherrets seconded. All voted in favor.

## Variance Requests

### Old Business

2. Discussion on reallocation of square footage allowances for accessory structures.

Boleyn presented his own plan and did not agree with the current proposal.

Mulfinger said that staff could put all proposals into a document and provide examples in time for the next meeting.

Dejong motioned to table the recommendation to council to the next meeting, Sherrets seconded. All voted in favor.

3. Discussion on allowing accessory structures on empty lots, placement required to permit construction of a principal structure in the future, hard surface requirements, and more.

Boleyn presented his own plan and did not agree with the current proposal. Boleyn wanted to see larger accessory structures so that they were taxed.

Dejong wanted to see more examples from staff.

Boleyn motioned to table the recommendation to council to the next meeting, Dejong seconded. All voted in favor.

4. Discussion on using the narrow side of a lot as the front property line of corner lots.

Boleyn did not agree with making a change from 60-foot setbacks for accessory structures and thought that 35 feet should be the standard.

Mulfinger said that the changes should help side yard properties and not hurt their chances of expanding.

Dejong motioned to table the recommendation to council to the next meeting, Boleyn seconded. All voted in favor.

5. Discussion on permitting the use of ag steel as siding in buildings larger than 10' x 10'.

The group discussed that metal siding has come a long way since the old barn tin. No discussion was placed requiring a lower level to be different color in case it need replaced. No discussion on horizontal versus vertical metal siding.

Dejong motioned to recommend changing the ordinance to allow for metal siding on residential structures to city council, Boleyn seconded. All voted in favor.

**New Business**

**Adjournment**

Community	Permitted Accessory Uses	Max Height	Max Size	Setbacks	Other Restrictions
Washington, Iowa	A. Private garages or parking areas. B. Living quarters of persons employed on the premises. C. Home occupation as defined and regulated by Section 165.23. D. Signs as regulated by Section 165.21.	15'	No accessory building or structure shall be erected in any yard other than a rear yard and it shall occupy less than 30 percent of a required rear yard Required Yard Cannot be Reduced or Used by Another Building.	3' from any lot line and min. 6' from any structure	Traffic Visibility Across Corner Lots. In any R District on any corner lot, no fence, structure or planting shall be erected or maintained within 20 feet of the corner so as to interfere with traffic visibility across the corner.
Manchester, Iowa					
Charlies City, Iowa		25'	Floor area ratio 0.4, R1 single family, 0.5 for R2 two and multi family dwellings		
Centerville, Iowa		12'	30% of rear yard, but does not prohibit a 550 ft <sup>2</sup> garage on a minimum rear yard	10' from any structure,	(A) Side Yards. An accessory structure may be located a minimum of four feet from the interior side lot line of the property if it is located between the rear building line of the principal building and the rear property line. (B) Front Yards. No accessory structure may be located between the front building line of the principal building and the front property line. (C) Rear Yard. The minimum rear yard setback for accessory structures shall be five feet. This minimum rear yard setback shall be increased to fifteen feet if the accessory structure requires vehicular access from an alley. Double-frontage lots shall require front-yard setbacks along both street frontages as set forth in Table 17.08C. Easements may be incorporated into these required setbacks. No accessory structure shall be located within any easement or right-of way along the rear property line. (D) Street Yards. No accessory structure shall be located within twenty feet from any street right of-way line  Visibility Triangles. No structure, including a fence, shall be built to a height of more than thirty inches above the established curb grade on the part of the lot bounded by the street lines of the streets which intersect and a line connecting a point on each of such lines forty feet from their point of intersection. No landscaping shall be planted in such area which will materially obstruct the view of drivers approaching the street intersection.

<p>Maquoketa, Iowa</p>		<p>15'</p>	<p>accessory buildings shall not occupy more than fifty percent (50%) of the required rear yard area and shall not be nearer than two feet (2') to any side or rear lot lines and shall be located ten feet (10') more in back of or behind the main building. The two foot side yard setback shall be measured from the overhang or eave of the building.</p>	<p>10' form any structures</p>	<p>6. Number of Accessory Buildings. Only one (1) accessory building or structure, in addition to one (1) private garage, is permitted per lot. Private garages must meet the minimum principal structure front yard and side yard setback requirements. 7. Materials. Accessory buildings and structures and garages shall be constructed of materials comparable to the principal structure.</p>
<p>Estherville, Iowa</p>		<p>20'</p>	<p>900 ft<sup>2</sup></p>	<p>5' side and rear</p>	<p>5. Line of Sight Visibility (at intersections). On a corner lot in any district, except the General Business District (GB), no fence, wall, hedge, tree, or other planting or structure, except for public utilities, shall be erected, placed, or maintained to obstruct vision between a height of two (2) feet and ten (10) feet above the ground within a triangular area formed, by connecting the back of curb lines at points which are forty feet (40') distant from the intersection of the extended curb lines, and measured along the curb lines; or the edge of the traveled portion of the street where there are no curbs.  7. The total residential accessory buildings shall not occupy more than thirty percent (30%) of the rear yard area. However, if a property has a small rear yard this regulation shall not be prohibitive by not allowing usable accessory buildings. In the case of small rear yards, the 30% rule shall not prohibit the construction of at least one garage not to exceed six hundred square feet gross building area and at least one accessory storage building not to exceed one hundred twenty square feet gross building area. all detached accessory structures in a residential district over 120 square feet shall be constructed with the same or similar materials utilized on the principal building. Prohibited materials include: panels made of ribbed metal, fiberglass, vinyl resin, or plastic; tarps made of plastic, canvas, or vinyl; unpainted corrugated metal panels; and, non-exterior grade plywood, OSB or similar products. Metal roofs are allowed provided they are constructed with metal roofing material with a baked enamel finish. The board of adjustment is not authorized to grant exceptions from the provisions of this subsection.</p>

***Current zoning: accessory structure buildable is 1500 square feet average parcel size .13 to .17 acres.***

***Lot size to Oelwein land parcel by design of .25 would be 52 feet by 207.8 feet***

**Average parcel size to city of Oelwein: 50 feet by 120 feet or 6000 square feet equal to average .13 acres or 50 feet by 150 or 7500 square feet equal to average .17 acres.**

**Average newer addition parcel size to city of Oelwein: 75 feet by 140 feet or 10500 square feet equal to average .25 acres.**

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### ***Zoned Residential with non-residence accessory buildings only***

***Less than 50 feet by 120 feet or 6000 square feet, 1000 square feet accessory buildings***

***This is the amount of square feet prior August 2017 change to 1500 square feet.***

***Greater than 6000 square feet or (.13) 1500 square feet and less than (.18) acres***

***Greater than 7500 square feet or (.18) 2000 square feet and less than (.25) acres***

***Greater than 10500 square feet or (.25) 2500 square feet and less than (.50) acres***

***(Example) Maximum accessory buildings per lot size: 30 x 50 or 1500 sq. ft. of buildings less than .18 acres and 50 x 50 buildings or 2500 sq. ft. at .25 acres and less than .5 acres.***

***Larger than 2500 square feet with no primary residence structure accessory buildings recommended for commercial zone***

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### ***Zoned Residential with no Residential Structures***

**Structure with no primary residential building, owner occupied for personal usage and storage**

**Rental structures and multi-divided within rental Structure having no primary residence building, permitted by request for variance adjustment process of solo property or recommended to commercial zone. (Keeps peace with neighboring property owners)**

**Buildings and grounds maintenance with non-residence accessory buildings to be maintained to current zoning requirements. Steel, wood, or plastic temporary structures 10' x 16' or less dimension size must be base weighted or anchor secured or placed within a 6' fence not less than 2 feet from any known easement and property line. All vehicles or trailers on a secondary surface drive located near the rear area of property, secondary drive can be length of property located near property line/ not passed.**

**Note: 10' x 16 county taxable, 10' x 10' or less not taxed per county Assessor office.**

## **Construction of *non-residence Structures Zoned Residential***

Distance from street with non-residence accessory buildings, 35', (standard dimension) @ base of building and side distance 8' from eve, not @ base.

Distance from alley 25' (standard dimension), side distance 8' from eve, not @ base from alley.

Non-residence accessory buildings main entrance, primary drive hard surface from street and secondary surface from alley.

**Construction of Structure** to be of a permanent manner with proper concrete piers base or footings when larger than twenty-eight feet by twenty-eight feet dimensions on a floating slab is permissible. Entry doors, siding, and windows to meet current permanent building construction standards, corrugated or grooved steel panel siding placed on structures larger than 10' X 16' should be discouraged or out of noticeable sight from front and side lot lines.

## ***Residential corner location with adjacent side to street or alley***

- 1) Postal address used as primary frontage
- 2) When owner requests a special exemption to add an accessory building under these conditions, approval is allowed by City Zoning Enforcement personnel, however all zoning dimensions and guide lines should be applied where achievable.
- 3) Standard zoning statement for the above is: **when the zoning dimensions are unachievable, minor adjustments are within the discretions and moderations of the City Zoning Enforcement personnel.**

## ***Zoned Residential Maintenance***

**Current accessory buildings in need of repair or removal with or without primary residence structure.**

- 1)) Constructing clear and crucial simplified standards to address repair or removal of decrepit accessory buildings and land maintenance, (Storm debris, lack of building & lawn care)
- 2) Clarify and simplify Residential zoned neighboring lands and public property when encroachment structures are decrepit.

### **Buffer zones**

- 1) Residential buffer zones are an area between plotted parcels with residential structure or business and one without residential structures.

## Double Frontage – Corner Lot Lines: Perspective from other communities

A common example in Oelwein is where a property owner wishes to demolish a garage (or build one if none present). The address below is 102 6<sup>th</sup> Ave NW (50' x '140', a very common lot size) has two front property lines. The first 60' setback can be met no problem from 6<sup>th</sup> Ave NW. The second setback however, for 1<sup>st</sup> St NW, prohibits the construction of a new/replacement garage since that setback places it in the neighbor's yard to the north.



Oelwein's ordinance reads:

47. LOT LINE, FRONT: Any lot line abutting the public right-of-way. Corner and through lots have multiple frontage and front lot lines.

Which is all it says. It does not make accommodation for prior existing lots. The nonconforming use regulations do not permit the further creation of nonconforming structures.

Below are some ordinances from similar municipalities for comparison:

Centerville and Manchester, Iowa

2. For a corner lot, the shorter lot line abutting a public or private street or easement. In instances of equal line dimension, the front lot line shall be determined by the building official, or as may be noted on the final plat;
3. For a double frontage lot, the lot lines separating the lot from the right-of-way or easement of the more minor street. In cases where each street has the same classification, the front lot line shall be determined by the building official at the time of application for the original building permit for the lot, or as may be noted on the final plat;



Nevada, Iowa (The same as Centerville and Manchester, but with the addition of item 2)

B. “Double frontage lot” – a lot, other than a corner lot, having frontage on two streets, private ways or courts. Primary access shall be restricted on a double frontage lot to the minor of the two streets or to the front line as determined at time of platting or as defined by this chapter (also known as a “through lot”).

(3) For a double frontage lot, the lot lines separating the lot from the right-of-way or easement of the more minor street. In cases where each street has the same classification, the front lot line shall be determined by the Building Official at the time of application for the original building permit for the lot, or as may be noted on the final plat.

*(2) Corner Lots. Required setbacks shall not reduce the buildable width of any corner lot to less than 24 feet. Appropriate setback adjustments shall be allowed to maintain this minimum width. There shall be a side yard on the longer street side of a reversed frontage lot of not less than seventy-five percent (75%) of the front yard required on the lots to the rear of such reversed frontage lot, and no accessory building on said reversed frontage lot shall project beyond the setback line of the lots in the year; provided that this regulation shall not require a side yard greater than twenty-five (25) feet.*

Atlantic and Independence, Iowa

4. Double Frontage and Reverse Frontage Lots. Double frontage and reverse frontage lots should be avoided except where essential to provide separation of residential development from traffic arteries or to overcome special disadvantages of topography and orientation. A planting screen easement of at least ten (10) feet, and across which there shall be no right of access, shall be provided along the line of lots abutting such a traffic artery or other disadvantageous use.

Washington, Iowa

B. Lots with double frontage shall be avoided, except in specific locations where good platting indicates their use.