



## Agenda

Planning and Zoning Commission  
20 Second Avenue SW, Oelwein  
5:30 PM

December 20, 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, David Kral, Terry Hull

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### Roll Call

### Approve Minutes

1. Consideration of a motion to approve minutes from the November 21, 2022, meeting.

### Variance Requests

2. Consideration of a variance application to authorize truck parking on property zoned R1 Residential Single Family. Item was tabled on 11/21/2022.
3. Consideration of a variance application to authorize reduced setback of required 60' for construction of accessory structure.

### 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

Planning and Zoning Commission  
20 Second Avenue SW, Oelwein  
November 21, 2022 - 5:30 PM

### Roll Call

**Present:** Dave Gearhart, Savannah DeJong, Roger Boylen, Carol Tousley, Terry Hull, David Kral

### Approve Minutes

1. Consideration of a motion to approve minutes from the August 15, 2022, meeting.  
-Motion by Hall, 2<sup>nd</sup> by Boylen

### Variance Requests

1. Consideration of a variance application to authorize truck parking on property zoned R1 Residential Single Family.  
-Tabled to next meeting as citizen did not show up. Motion by Gearhart, 2<sup>nd</sup> by Hull.
2. Consideration of a special exception application for a home occupation of a hair salon.  
-Charlotte Scott spoke, presented as a licensed hair stylist. Described concept of opening single chair hair salon in a detached garage. Commission explained a business ran from a R-1 zoned residential location needed to be a part of the primary structure, or an attached garage, and be on the first floor of the building. They recommended finding an existing room in the home to use or potentially remodeling an attached addition to the home then reapply with plans for the remodel or existing room that could be used to consider allowance of business to operate.  
-Motion to deny by Dejong, 2<sup>nd</sup> by Gearhart.
3. Consideration of a special exception application to permit a former hair salon to be converted into multi-family housing.  
-Item tabled to next meeting as citizen called Friday stating they would not be able to attend  
-Motion to table by Gearhart, 2<sup>nd</sup> by Hull.

### Old business

1. The conversation about allowing construction of garages or other accessory structures on vacant lots was brought back up per the insistence of city council. Council wanted clarification on why accessory structures shouldn't be allowed on vacant lots.

The primary reasons were discussed: people living/squatting in garages, upkeep of accessory lots for owners especially if out of town people were to start building, placement of an accessory structure with consideration for future building of a primary structure would be difficult, multiple specific definitions would need to be created that would be difficult to follow, the future outlook of having a town with random garages/sheds full of junk scattered throughout town, if someone who lived in town were to build and pass away or move would the next owner want the garage or would a landlord end up taking possession of it and renting it which would be its own problem or just having a junk storage point or it doesn't sell and becomes a nuisance.

### New Business

**Adjournment**

Hull motioned and Gearhart seconded. All were in favor.

CITY OF OELWEIN

Office of

BUILDING AND ZONING INSPECTOR

NOTICE TO INTERESTED PROPERTY OWNERS

BOARD OF ADJUSTMENT

Refer to Appeal No. 22-Z-03

Date 10/17/2022

Dear Property Owner:

An application for an appeal from the City of Oelwein Zoning Ordinance has been filed with the Board of Adjustment by Milan Hageman. The property is situated in the R1- Residential Single Family Zoning district and is located at 3rd St NW and 10th Ave NW Parcels 1820254001 and 1820276001. The request, if approved, would authorize truck parking and/or storage from DCW.

The Zoning Administrator was required, under the provision of the Zoning Ordinance, to deny the request because it is not a permitted use under 202.1.

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 December 1, 2022 at 5:30 P.M. in/at Oelwein City Council Chamber, 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 \_\_\_\_\_  
David Kral, Secretary

NUMBER 22 Z 03

APPEAL TO BOARD OF ADJUSTMENT  
CITY OF OELWEIN

APPLICANT Milan Hageman  
ADDRESS Parcels 1820254001 and 1820276001  
LOT DESCRIPTION \_\_\_\_\_  
3rd St NW and 10th Ave NW  
ZONE R1- Residential Single Family

DATE 10/17/2022  
FILING FEE \$ 75.00 PAID  
X LETTER STATING NATURE OF APPEAL ATTACHED  
11/21/2022 DATE REFERRED TO PLANNING COMMISSION  
ADMINISTRATIVE OFFICER'S REVIEW ATTACHED

SHOW LOT DIMENSIONS

LOCATION AND SIZE  
OF BUILDING

ADJOINING PROPERTY OWNERS NAMES AND ADDRESSES

DATE OF HEARING 12/29/2022

DATE PLAN COMMISSION'S  
RECOMMENDATION RECEIVED  
12/20/2022 ATTACHED \_\_\_\_\_

Dcw Casing LLC, 1001 3rd St NW, Oelwein, IA 50662

Jelinek, Lindsay M., 202 10th Ave NW, Oelwein, IA 50662

Larson, Niki J.G., 170 10th Ave. NW, Oelwein, IA 50662

Mendez, Natividad J., 111 3rd Ave. NW, Oelwein, IA 50662

Oelwein Apartments, LLC, 811A Devon Avenue, Park Ridge, IL 60068

Barker, Annette, 815 2nd Street NW, Oelwein, IA 50662

\_\_\_\_\_

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\_\_\_\_\_

DATE OF PUBLICATION NOTICE  
12/23/2022

REMARKS:

Milan Hageman

Milan Hageman  
1569 205th AVE  
Ossian 52161

Cell 563-419-8832

House 563-532-9769

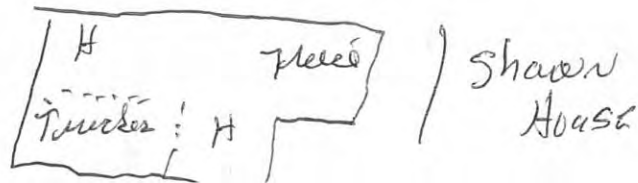
Install pole power Light

Ken's Electric & Awaiting Energy

Truck park and store Truck to Haul From plant Dew

Truck would use

1/3 of Lot



Hope To Build House  
in corner in time  
may be sell Lot S-E corner  
For House

2nd St. NW

POWER POLE

*power pole*

POSSIBLE  
FUTURE  
HOUSE

*Hopa  
House*

10th Ave. NW

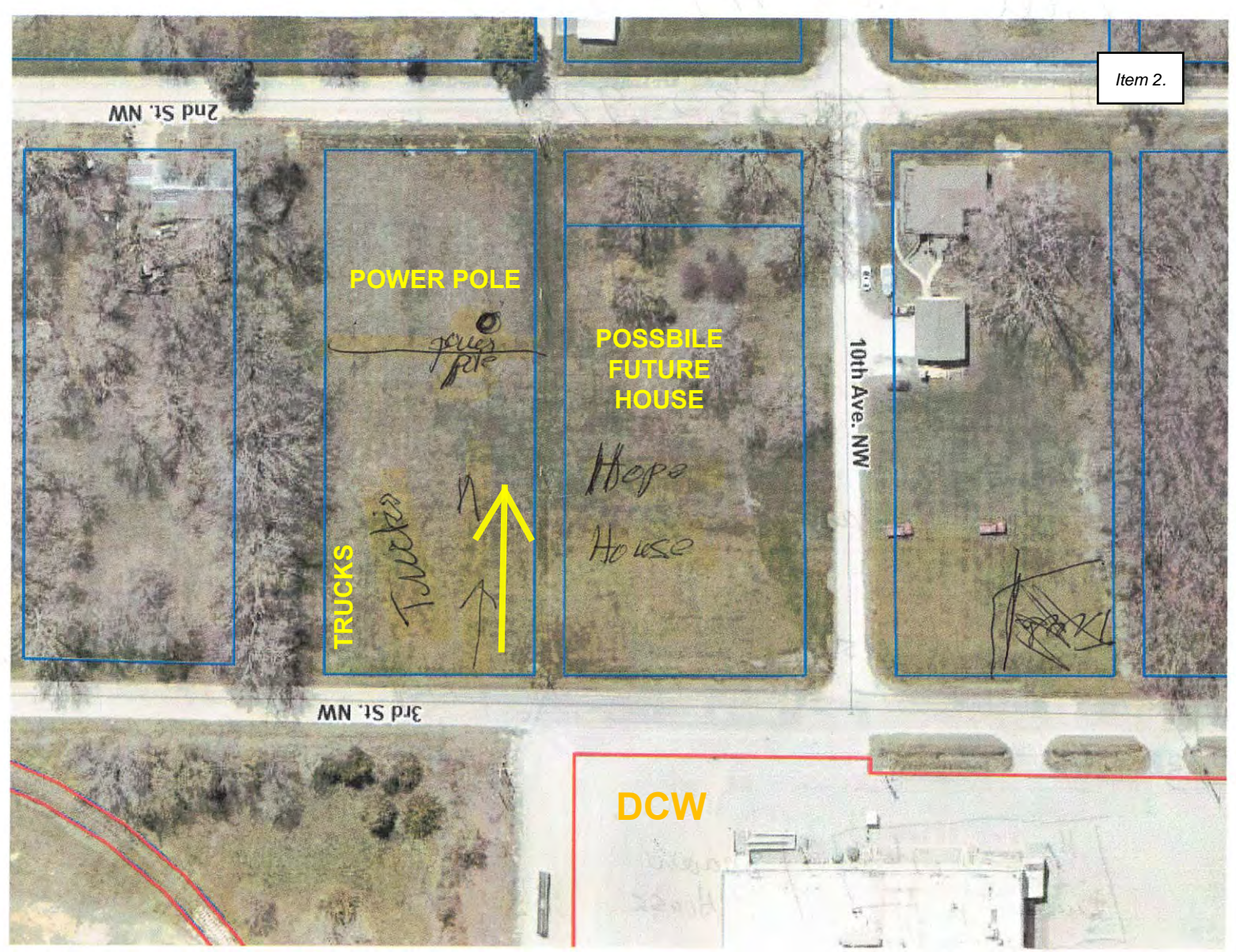
TRUCKS

*Trucks*



3rd St. NW

DCW



**CITY OF OELWEIN**

**Office of**

**BUILDING AND ZONING INSPECTOR**

**NOTICE TO INTERESTED PROPERTY OWNERS**

**BOARD OF ADJUSTMENT**

Refer to Appeal No. 22-Z-06

Date 11/28/2022

Dear Property Owner:

An application for an appeal from the City of Oelwein Zoning Ordinance has been filed with the Board of Adjustment by Chris and Sharon Link. The property is situated in the R1- Residential Single Family Zoning district and is located at 548 and 544 8th St SW. The request, if approved, would authorize reduced setback of required 60' for construction of accessory structure.

The Zoning Administrator was required, under the provision of the Zoning Ordinance, to deny the request because 202.2 Item 4 - A detached building shall be located a minimum of four (4) feet from the principal structure, and sixty (60) feet from the front property line.

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 December 29, 2022 at 5:30 P.M. in/at Oelwein City Council Chamber, 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 \_\_\_\_\_  
David Kral, Secretary



NUMBER   Z  

APPEAL TO BOARD OF ADJUSTMENT  
CITY OF OELWEIN

APPLICANT Chris and Sharon Link  
ADDRESS 548 and 544 8th St SW  
LOT DESCRIPTION \_\_\_\_\_  
\_\_\_\_\_  
ZONE R1- Residential Single Family

DATE 11/28/2022  
FILING FEE \$ \$75 PAID  
X LETTER STATING NATURE OF APPEAL ATTACHED  
\_\_\_\_\_  
DATE REFERRED TO PLANNING COMMISSION  
\_\_\_\_\_  
ADMINISTRATIVE OFFICER'S REVIEW ATTACHED

SHOW LOT DIMENSIONS

LOCATION AND SIZE  
OF BUILDING

ADJOINING PROPERTY OWNERS NAMES AND ADDRESSES

DATE OF HEARING 12/29/2022

DATE PLAN COMMISSION'S  
RECOMMENDATION RECEIVED  
12/20/2022 ATTACHED \_\_\_\_\_

Stickfort, Duane, 540 8th Street SW, Oelwein, IA 50662

Pitz, Lois, 555 8th St. SW, Oelwein, IA 50662

DATE OF PUBLICATION NOTICE  
12/23/2022

Hartsock, Jacob L. & Christensen, Breanna M., 541 8th St. SW, Oelwein, IA 50662

Bormann, Debra Kay, 800 6th Ave. SW, Oelwein, IA 50662

REMARKS:

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Road 11/28/22

Item 3.

To whom it may concern,  
My intentions are to combine both properties 548 and 544 8th St. S.W. per city code as one property and build hopefully a 3 1/2 stall garage on or near the original site of the demolished home and two stall garage. I bought the adjacent property 544 with the impression I could build a garage on it as long as I went no further ahead than my existing home after talking to Oelwein's past city inspector, I do not want to build a garage 60 feet back from the front property line because of proximity to floodplain and severe drop off of said property. This is why the original home and garage on address 544 were built where it was, I am including 4 existing properties in Oelwein that do not comply with city code 2 of these properties are not even combined all 4 have existing garages, and have built a extra detached garage.  
Thank You for your consideration on this project  
Chris & Sharon Link  
548 8th St. SW.  
Phone# 563-608-0253

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SPECIAL NOTE: ONCE COMBINED, PARCEL WILL BE 1.83 ACRES



Item 3.



Length: 22.85 feet  
Area: 0 acres



Kendall, Steven H. &  
Kendall, C. Dawn (DED)  
Value \$22,290

View: [Parcel Report](#) | [Soil Report CSR2](#) | [Pictometry Imagery](#)

Fayette County, IA

Map Search Sales Search Sales List More



Kendall, Steven H. &  
 Kendall, C. Dawn (DED)  
 1308 OAK ST.  
 Value \$125,780

View: [Parcel Report](#) | [Soil Report CSR2](#) | [Pictometry Imagery](#)

AA [beacon.schneidercorp.com](https://beacon.schneidercorp.com)



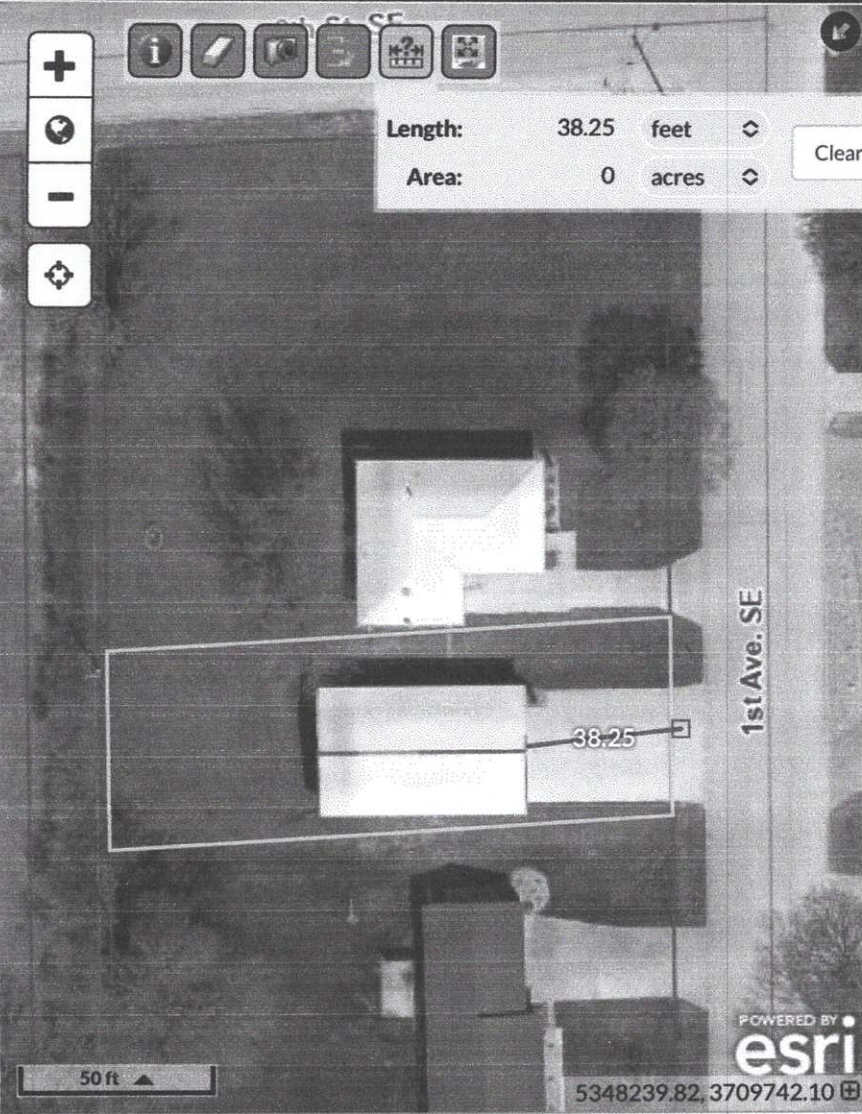
#2

# Fayette County, IA

Map Search Sales Search Sales List More



Length: 38.25 feet  
Area: 0 acres



Burco, Jerald L. (DED)  
910 1ST AVE. SE  
Value \$25,640

View: [Parcel Report](#) | [Soil Report CSR2](#) | [Pictometry Imagery](#)

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# Fayette County, IA

Map Search Sales Search Sales List More



Burco, Jerald L. (DED)  
 908 1ST AVE. SE  
 Value \$79,290

View: [Parcel Report](#) | [Soil Report CSR2](#) | [Pictometry Imagery](#)

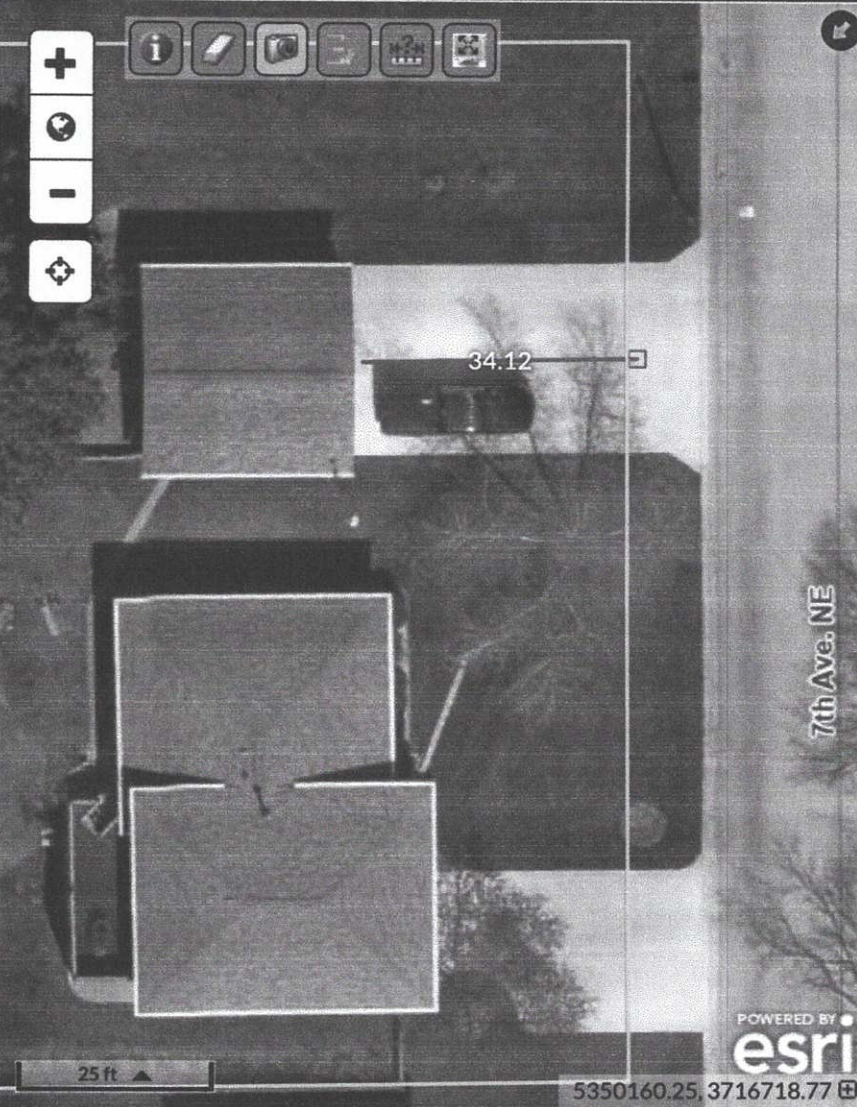


#3

Item 3.

# Fayette County, IA

Map Search Sales Search Sales List More



Simpson, Larry G &  
 Simpson, Janette M (COD)  
 512 7TH AVE. NE  
 Value \$161,590

View: [Parcel Report](#) | [Soil Report CSR2](#) | [Pictometry Imagery](#)

AA



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#4

# Fayette County, IA

Map Search Sales Search Sales List More

- + (Zoom In)
- 🌐 (Map Style)
- (Zoom Out)
- 📍 (Location)

- 📄 (Layers)
- ✎ (Measure)
- 📷 (Image)
- 📏 (Scale)
- 🏠 (Home)
- 🔍 (Search)

Length: 39.11 feet

Area: 0 acres

Clear



Bush, Donald W. & Bush, Paula J. (DED)  
 601 5TH ST. NE  
 Value \$171,320

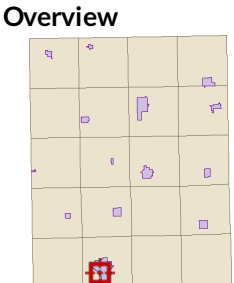
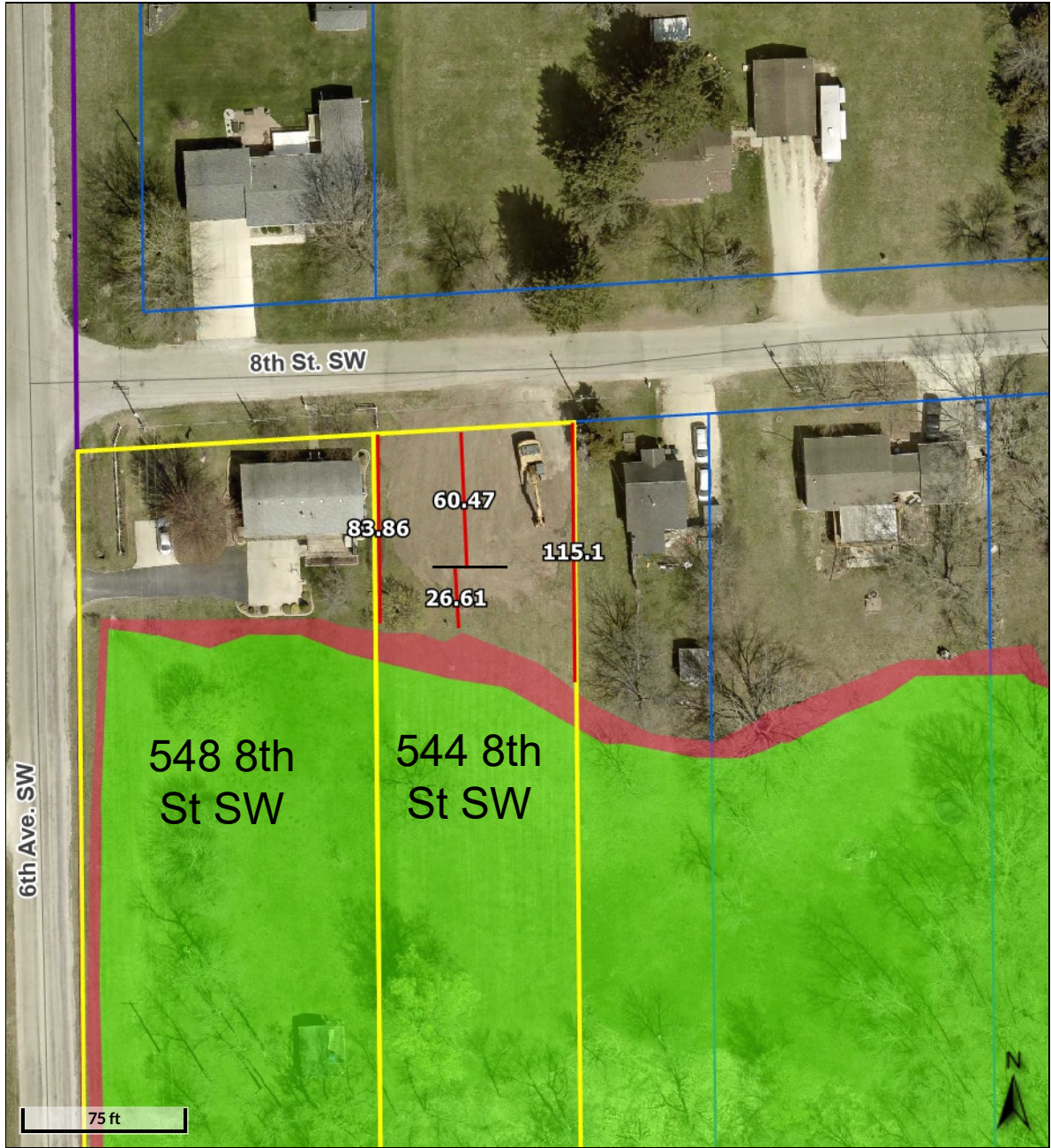
View: [Parcel Report](#) | [Soil Report CSR2](#) | [Pictometry Imagery](#)

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### 548 and 544 8th St SW to be Merged



- Legend**
- Corporate Limits
  - Parcels
- Major Highways**
- County Highway
  - Federal Highway
  - State Highway
  - Roads
- 2021 Special Flood Hazard Areas (SFHA)**
- A,
  - AE,
  - AE, FLOODWAY
  - AREA NOT INCLUDED,
  - X, 0.2 PCT ANNUAL CHANCE FLOOD HAZARD

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