

ORDINANCE NO. 1206

AN ORDINANCE AMENDING ZONING SECTION 202.2(7)A AND 202.3(7)(A), SECTION 202.6 2, AND SECTION 104 47.

BE IT ORDAINED by the City Council of the City of Oelwein, Iowa, as follows:

Section 1. That the General Ordinances of the City of Oelwein adopted July 1, 2012, be amended by amending the following within Section 202.2(7).

R-1 District

~~Section 202.2(7) (a) Parcels of less than .5 acres may allow for accessory structure(s) attached or detached of maximum combined size not to exceed 1,500 square feet of combined floor area and height to the peak not to exceed 18 feet.~~

~~Section 202.2(7) (b) Parcels of less than 3 acres but larger than .5 acre may allow for accessory structure(s) attached or detached of maximum combined size not to exceed 2,000 square feet of combined floor area and height to the peak not to exceed 20 feet.~~

~~Section 202.2(7) (c) Parcels of 3 acres or larger may allow for accessory structure(s) attached or detached of 5000 square feet of combined floor area and height to the peak not to exceed 35 feet.~~

Replacing with:

R-1 District

Section 202.2(7) (a) Parcels of less than .5 acre may allow for accessory structure(s) attached or detached of maximum combined size not to exceed 1,500 square feet of combined floor area and height to the peak not to exceed 18 feet.

Section 202.2(7) (b) Parcels of less than .75 acre but larger than .5 acre may allow for accessory structure(s) attached or detached of maximum combined size not to exceed 2,000 square feet of combined floor area and height to the peak not to exceed 20 feet.

Section 202.2(7) (c) Parcels of less than 1.0 acre but larger than .75 acre may allow for accessory structure(s) attached or detached of maximum combined size not to exceed 2,500 square feet of combined floor area and height to the peak not to exceed 20 feet.

Section 202.2(7) (d) Parcels of less than 1.5 acre but larger than 1.0 acre may allow for accessory structure(s) attached or detached of maximum combined size not to exceed 3000 square feet of combined floor area and height to the peak not to exceed 20 feet.

Section 202.2(7) (e) Parcels of less than 3 acre but larger than 1.5 acre may allow for accessory structure(s) attached or detached of maximum combined size not to exceed 4000 square feet of combined floor area and height to the peak not to exceed 20 feet.

Section 202.2(7) (f) Parcels of more than 3 acre may allow for accessory structure(s) attached or detached of maximum combined size not to exceed 5000 square feet of combined floor area and height to the peak not to exceed 20 feet.

R-2 District

~~Section 203.2(7) (a) Parcels of less than .5 acres may allow for accessory structure(s) attached or detached of maximum combined size not to exceed 1,500 square feet of combined floor area and height to the peak not to exceed 18 feet.~~

~~Section 203.2(7) (b) Parcels of less than 3 acres but larger than .5 acre may allow for accessory structure(s) attached or detached of maximum combined size not to exceed 2,000 square feet of combined floor area and height to the peak not to exceed 20 feet.~~

~~Section 203.2(7) (c) Parcels of 3 acres or larger may allow for accessory structure(s) attached or detached of 5000 square feet of combined floor area and height to the peak not to exceed 35 feet.~~

Replacing with:

R-2 District

Section 202.2(7) (a) Parcels of less than .5 acre may allow for accessory structure(s) attached or detached of maximum combined size not to exceed 1,500 square feet of combined floor area and height to the peak not to exceed 18 feet.

Section 202.2(7) (b) Parcels of less than .75 acre but larger than .5 acre may allow for accessory structure(s) attached or detached of maximum combined size not to exceed 2,000 square feet of combined floor area and height to the peak not to exceed 20 feet.

Section 202.2(7) (c) Parcels of less than 1.0 acre but larger than .75 acre may allow for accessory structure(s) attached or detached of maximum combined size not to exceed 2,500 square feet of combined floor area and height to the peak not to exceed 20 feet.

Section 202.2(7) (d) Parcels of less than 1.5 acre but larger than 1.0 acre may allow for accessory structure(s) attached or detached of maximum combined size not to exceed 3000 square feet of combined floor area and height to the peak not to exceed 20 feet.

Section 202.2(7) (e) Parcels of less than 3 acre but larger than 1.5 acre may allow for accessory structure(s) attached or detached of maximum combined size not to exceed 4000 square feet of combined floor area and height to the peak not to exceed 20 feet.

Section 202.2(7) (f) Parcels of more than 3 acre may allow for accessory structure(s) attached or detached of maximum combined size not to exceed 5000 square feet of combined floor area and height to the peak not to exceed 35 feet.

Section 2. That the General Ordinances of the City of Oelwein adopted February 10, 2003, be amended by amending the following within Section 202.6 2.

202.6 SPECIAL REQUIREMENTS

1. The R-1 District shall observe the fencing and shrubbery requirements as prescribed in Article 401 of this Ordinance.

2. ~~Steel corrugated siding is prohibited on buildings over 10' x 10' in size.~~ (Ord. No. 1010, 02-10-2003.) Steel, tin, and aluminum siding is allowed. Corrugated galvanized grey barn siding or roofing is not allowed.

Section 3. That the General Ordinances of the City of Oelwein adopted March 12, 1990, be amended by adding the following to Section 104 47.

47. LOT LINE, FRONT: Any lot line abutting the public right-of-way. Lots with multiple frontages shall have their front lot line defined as the side pertaining to the lot address.

Section 4. That all Ordinances or parts thereof in conflict herewith be and the same are hereby repealed. This Ordinance shall become effective upon the date specified above.

First reading – November 28, 2022  
Second reading – December 12, 2022  
Third reading – December 19, 2022

Passed and adopted by the City Council of the City of Oelwein, Iowa, this 19 day of December, 2022.

\_\_\_\_\_  
Brett DeVore, Mayor

Attest:

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

Recorded December 20, 2022.

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

First Reading on November 28, 2022:  
It was moved by Seeders and seconded by Weber that the Ordinance as read be adopted, and upon roll call there were:

AYES    NAYS    ABSENT    ABSTAIN

Garrigus            X  
M Weber            X  
Lenz                 X  
Payne                X  
Stewart             X  
Seeders             X

Second Reading on December 12, 2022:

It was moved by Weber and seconded by Garrigus that the Ordinance as read be adopted (or to suspend the rules), and upon roll call there were:

	AYES	NAYS	ABSENT	ABSTAIN
Garrigus	X			
M Weber	X			
Lenz	X			
Payne	X			
Stewart	X			
Seeders	X			

Third Reading on December 19, 2022:

It was moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the Ordinance as read be adopted (or to suspend the rules) and upon roll call there were:

	AYES	NAYS	ABSENT	ABSTAIN
Garrigus				
M Weber				
Lenz				
Payne				
Stewart				
Seeders				

Code explanations:

After several discussions with Planning and Zoning, Board or Adjustment, and City Council, the city is moving forward with expanding sizes of accessory structures. Request for larger accessory structures continue to push this item.

After several discussions with Planning and Zoning, Board or Adjustment, and City Council, the city is moving forward with allowing new materials for siding as styles have changed. The city will not allow galvanized barn steel in any circumstances.

After several discussions with Planning and Zoning, Board or Adjustment, and City Council, the city is moving forward with creating one front yard for corner lots. This would clear up issues with building of accessory structures, fences, and required setbacks.