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Date 6/01/2021 Time 10:46:13AM
Rec Amt \$27.00

Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

(Recorder's Cover Sheet)

Preparer information: *Linda Gaul, City of Earlville 19 Northern Ave., Earlville, IA Ph: 563-923-3365*

Entity Information: **City of Earlville, 19 Northern Ave., Earlville, IA 52041**

Return Document to: **City of Earlville, 19 Northern Ave., Earlville, IA 52041**

Grantors:

Grantees:

Legal Description PARCEL 2015-109 PT VAC EAST ST, Earlville, IA 52041

PARCEL ID: 560000400110

Document or instrument number of previously recorded documents:

2021-1135

CITY OF EARLVILLE
REQUEST FOR SPECIAL PERMIT

Date Requested 3-1-21

Hearing Date April 12 - 6:00 pm

1. Name of Applicant (property owner) JAMES HALVERSON
Mailing Address 227675 219th ST. Phone 563-495-4700
Earlville

The special permit requested is (setback, frontage, use, or other) _____
USAGE, REAR YARD 30'

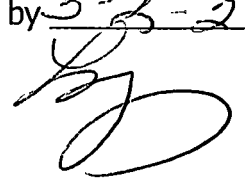
on property zoned Restricted Residential at S. FAIRVIEW DR.
and legally described as PARCEL 2015-109
PT VAC EAST ST
in Earlville, Delaware County, Iowa.

2. Guidelines for considering special permit – applicant please acknowledge / initial

- a. JH The special permit will not be detrimental to or endanger the public health, safety or general welfare of the City.
- b. JH The special permit will not be injurious to use and enjoyment of existing property nor diminish or impair property values.
- c. JH The establishment of special permit will not impede the development or improvement of the surrounding property.
- d. JH Adequate utilities and public services have been or will be provided as required.
- e. JH Adequate measures have been taken to minimize traffic congestion in the public streets
- f. JH This special permit in all other respects conforms to all other applicable regulations and codes of the City.

3. Has any previous application or appeal been filed/requested in connection with these premises? _____

Signature of Applicant:  Date: 3-1-21

Received by  3-3-2021 (City Clerk) Date: 3-2-2021

Date/Time Hearing (Earlville City Council) Scheduled: 4/12/21 6:00pm

Fee (\$50.00) Received by City Clerk ☒ Yes ☐ No Date Received: 3/2/21

Office Use:

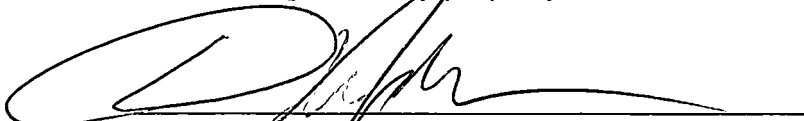
Date of Hearing: 4/12/2021

Council Present: Hillebrand, Amock, Duntmeyer,
Leppa, Richardson

Notes: Discussion re: precedent; no comments or
concerns from neighbors; noted access easement
between adjoining owners

3. Restrictions Imposed:
must only have "hobby" use; no commercial use;
no storage of items outside; conditions follow
the property; must be recorded (see minutes
4/12/21 page 2 of 4)

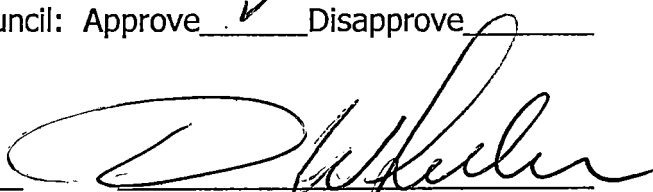
Acknowledgement by property owner of Restrictions Imposed:

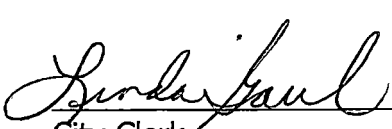

James Hillebrand

Date: 5/28/21

4. Decision by the Earlville City Council: Approve ☒ Disapprove ☐

Date: 4/12/2021


Mayor / Mayor Protem


City Clerk

Iowa Technologies, computer exp.	450.00
Mr. Lock & Key, misc. supply	80.62
Kintzle, Elizabeth, refund utility deposit	175.00
Metering & Technology, water meters	334.92
MV REC, elec. Contract work	727.63
PCC, ambulance billing	399.25
Quad City Testing, elec. Bucket truck insp.	451.54
Recker, Andrew, reimb. Fire exp.	454.82
RMC, amb. Supply	58.92
Salow, Kent, reimb.	289.53
SIMECA, Elec., March	17,647.33
Star Equipment, equip. mtc. Exp.	271.30
Schmitz Janitorial, shop, CCTR exp.	97.65
Test America, water, sewer testing	454.00
US Cellular, Harris, Sewer plant phone	118.58
Weber Paper, supplies, pool, CCTR	380.57
Windstream, Generator	57.85
Treasurer's Report, March 2021	

FUND	Received	Disbursed
General	18,272.19	48,107.94
Road Use	3,514.84	7,031.16
Debt Service	1,122.62	0.00
Spec. Assessments	0.00	0.00
Spec. Revenues	14,787.92	2,467.83
Water	10,985.26	13,284.30
Sewer	15,980.14	10,461.30
Electric	66,590.76	32,107.04
Capitol Projects	0.00	0.00
TIF	7,007.64	0.00

Matt Brehm, presented information on a proposed Eagle Scout project. Brehm proposes to install a 9 – hole Disc Golf course at Earlville Conrad Park. Discussion regarding use of property funded by REAP Grant, financing of the project, timeline for project. Council concurred for Brehm to continue planning for project, further discussion planned at the May meeting. Motion Richardson second Smock to table pending discussion with IA DNR regarding uses for the property funded by REAP Grant. All ayes. Carried.

Loras Mensen, American Legion representative, reported on planned Memorial Day activities.

Liz Rude and Gerene Gibbs presented information, suggestions for consideration of purchase and placement of outdoor fitness equipment, basketball court, other amenities as upgrade to existing equipment at Earlville Conrad Park.

Mayor Wheeler opened the public hearing at 6:40, for the special building permit requested by James Halvorson. Property location: South Fairview Drive, Earlville. Parcel ID 560000400110. Requested

permit to construct a 48' x 100' pole frame structure to be used for storage and residential purpose. Requested special considerations: Rear yard required 30', proposed is 15'; overall height of structure in exceedance of maximum requirement; living area dimension in proportion to overall square footage. Discussion followed. Halvorson stated the building will be a combination residence and storage/shop area, confirming that it will be used only for hobby purposes, not as a business. Smock noted that a stipulations for approval would be that the building is used only for hobby purposes, not a commercial business, no storage of items outside, and that the conditions must be recorded to remain as conditions on the property for future owners. Council noted the request for placement 15' from rear yard (with 30' being required in district). Discussion followed regarding installation of utilities at that location, with Council reviewing the Access Easement Between Adjoining Landowners having been obtained by Halvorson for purposes of utilities and access, effective property owners being James Halverson and Roger Hackman. Council reviewed Restricted Residence District information, regarding permitted uses in a RR district, residential building specifications. Council noted that due to this parcel location, at the Easterly corporate boundary, with the cemetery being directly across the street, and the Railroad being located directly to the north, the type of structure would not negatively impact the surrounding residential neighborhood. Clerk reported no written or verbal objections have been received. Hearing was closed at 7:10. Motion Smock to approve the special permit as requested, with stipulations being that the building is used only for hobby purposes, not a commercial use, no storage of items outside, the conditions remain with the property for subsequent owners, and James Halverson must get these conditions recorded with Delaware County. Second Gibbs. Roll: ayes, Gibbs, Smock, Richardson, Deutmeyer. Nay: Hillebrand. Carried.

Finance: Motion Gibbs second Richardson to set May 10 as date to amend the 2020/2021 budget, if necessary. Roll: all ayes. Carried. Noted American Rescue Plan funding, reviewed allowable uses, expected timing of distribution.

Utility Supt: reviewed quotes for Community Center siding, door replacement, Weber residence. Motion Gibbs second Deutmeyer to approve said expenditure. All ayes. Carried.

Committee reports: Six applications received for lifeguards, one of which being a possible part-time assistant manager. Discussion followed. Motion Gibbs second Hillebrand to increase base wage for lifeguards from \$7.50/hr to \$9.00/hr., with increased increments for returning guards and WSI certification as per previous pay scale, and to pay assistant manager \$13.00/hr., manager \$15.00/hr. Roll: all ayes. Carried.

Sewer/Solid Waste: May 1 will be City Wide Clean up. Bi- County will share information regarding allowable items in the Dyersville Commercial, Earlville news. Tags will be available for TVs, appliances and tires. Only current residential customers are allowed to set items out.

Streets: Discussed truck traffic from Perdue Agribusiness, concerns raised; reviewed curb removal at Dan Sawyer property; noted request for additional stop sign at Charlotte and N. William. Reviewed Prairie Road Builders proposal for seal coat, with discussion following regarding storm water. Council concurred to get further pricing for asphalt option, with consideration for alley surfacing.

Ed Gibbs reported on parade route, activities planned for July 4th.