

PLANNING BOARD MEETING
City Hall - 950 Locust St., Carter Lake, Iowa
Monday, June 10, 2024, 7:00 P.M.

AGENDA

Roll Call

Approval of the Agenda

1. Consent Agenda
 - a. Building Permits listing
 - b. City Council Minutes
 - c. Planning Board Minutes
2. New Business
 - a. Lakeside Recycling – Re-zoning request
3. Old Business
4. Comments
5. Adjourn

smith pauley

— ATTORNEYS —

June 5, 2024

VIA FAX TO 712-347-5454

VIA EMAIL TO JACKIE.CARL@CARTERLAKE-IA.GOV

City of Carter Lake
Attn: Planning Board
950 East Locust Street
Carter Lake, Iowa 51510

Dear Planning Board:

Our client, Lakeside Auto Recyclers, seeks your support in recommending the rezoning of certain parcels in the Lakeside property so that the parcels are all in the same P-I zone.

While many of you may be familiar with the Lakeside name, we thought it was also important to share some numbers to fully paint the picture of what Lakeside means to the local community: Lakeside employs 65 employees. The Lakeside facility averages bringing in 5,000 - 6,000 customers per month, which means these customers are also stopping at the local gas stations to fill up, the local restaurants to dine, and the local stores to shop while here. Lakeside pays approximately \$200,000 annually in property taxes. Lakeside has been a part of the local community since 1977, and it is exclusively a recycling facility. As you are aware, there is a new building being constructed currently on the property, and Lakeside is considering including a retail spot solely at the request of Carter Lake.

Ultimately, Lakeside's ask is to ensure the continuous use of all the parcels on its property in order to comply with City requirements while also continuing to grow and improve its operations. Lakeside has invested a lot in creating a safe, environmentally responsible business, including investing in high quality fences around property. The zoning change would allow Lakeside to continue being an economic hub for the local community while ensuring it can grow its operations in compliance with City requirements as the demand continues.

We look forward to getting the chance to discuss further with you at the June Planning Board meeting. Thank you in advance for your consideration and partnership.

Kind regards,



Dan Pauley
Attorney for Lakeside Auto Recyclers Inc.

FOR OFFICE USE: CASE # _____ Receipt # _____
Z.B.A. Public Hearing: _____ Amount _____

CITY OF CARTER LAKE

APPLICATION FOR PLANNING BOARD AGENDA

1. APPLICANT: Lakeside Auto Recyclers Inc. Phone: 712-347-6561
Address: 2813 N 9th St, Carter Lake IA 51510 *Status: P.O.
2. REPRESENTED BY: Dan Pauley Phone: 402-392-0101
Address: 3555 Farnam St, Suite 100, Omaha NE 68131
3. STREET ADDRESS/LOCATION: Lakeside Auto Campus (2813 N 9th St, Carter Lake IA 51510)
4. LEGAL DESCRIPTION: See attached.
5. OWNERS NAME: Lakeside Auto Recyclers Inc.
6. OWNERS ADDRESS: 2813 N 9th St, Carter Lake IA 51510
7. REASONS FOR REQUEST AND INTENDED USES: Update Zoning so all parcels are P-I. Adjust boundary lines to encompass property up to the street. Conditional Use Permit/Building Permit to be acquired once approved.
8. ZONING DISTRICT: Currently, the parcels are split between P-I and C-1. We request they all are P-I.
9. PRESENT USE: Recycling and Warehousing.
10. COPY OF BLUEPRINTS OF INTENDED STRUCTURE. _____
11. ADMINISTRATIVE DECISION ISSUED: _____

FOR OFFICE USE

12. ATTACHED TO THE APPLICATION ARE:
 - a. Denied "Building Permit Application" Form..... _____
 - b. Approves..... _____
 - c. Restrictions..... _____

THE FACTS PRESENTED ABOVE ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE:

13. SIGNATURE:  Date: MAY 31, 2024

TYPED OR PRINTED NAME: Dan Pauley *Status: A.

*NOTE: P.O. = Property Owner C.P. = Contract Purchaser
O.H. = Legal Optionholder A. = Owner's authorized agent

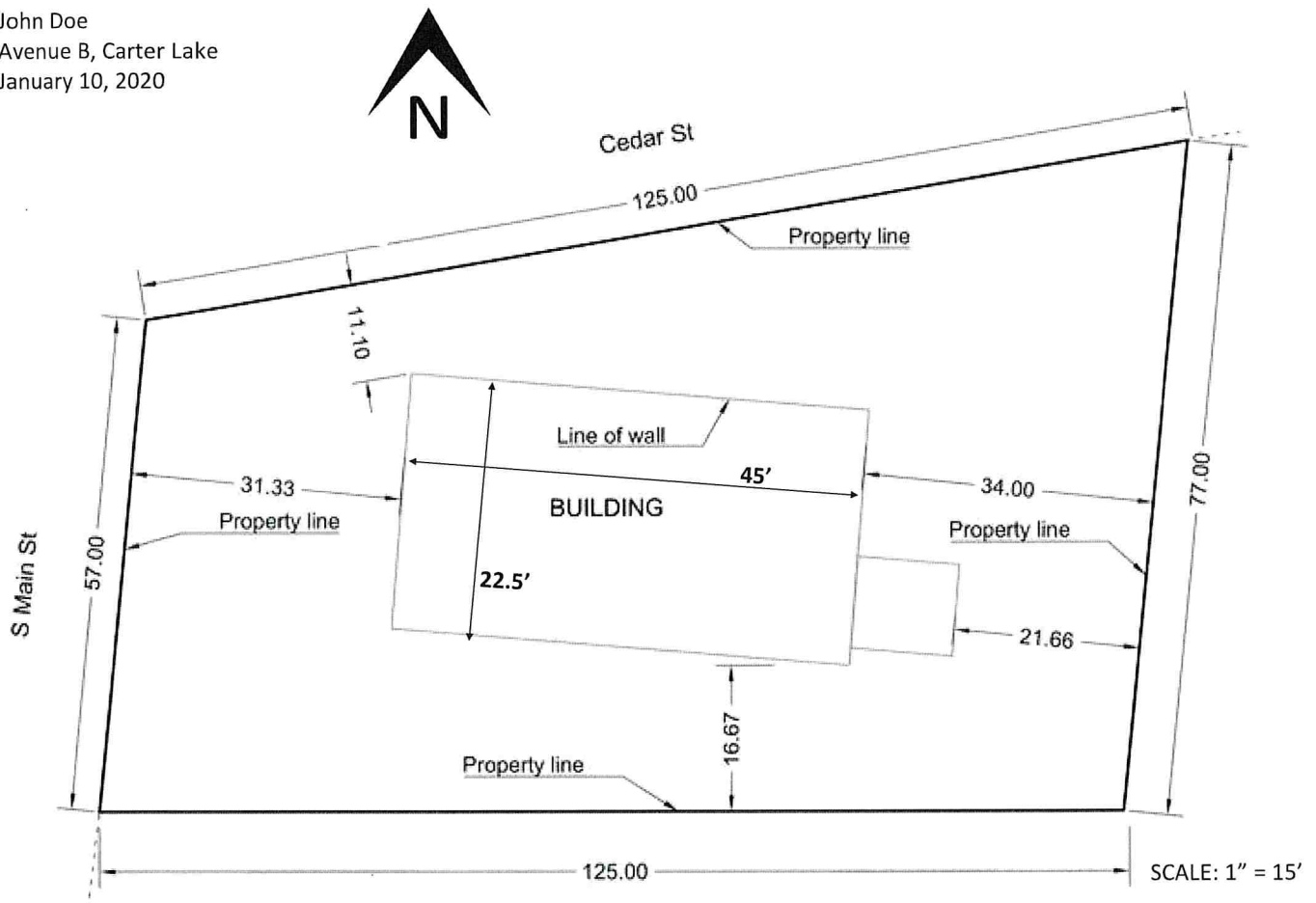
MINIMUM REQUIRED INFORMATION (TO BE SHOWN ON THE SITE PLAN)

The site plan shall be legibly and accurately drawn on paper suitable for reproduction. The plan shall be drawn to a scale of 1 inch to 50 feet or less and should have an overall size of 8 1/2" x 11" or if not possible then a maximum size of 11" x 17". The plan shall contain the following information:

1. The name and address of the person filing the application
2. The date, scale and north arrow
3. Property lines
4. Street, sidewalks and alleys
5. Blueprint proposed structures (copy to be left with the planning board and building inspector)
6. Existing structures within 20 feet of the property
7. Accurate dimensions of the property and all structures involved.

SAMPLE SITE PLAN

John Doe
Avenue B, Carter Lake
January 10, 2020



1. 754420281013 LAKESIDE AUTO RECYCLERS INC., 2816 N 9TH ST, CARTER LAKE

Short form legal description: CARTER LAKE-STEELE & WOODS N1/2 LTS 23 & 24 BLK 5

Long form legal description:

The North 1/2 of Lots 23 and 24, in Block 5, in Steel & Wood's Subdivision of Lot 2 in East Omaha, as surveyed, platted and recorded, being a part of Government Lot 2, in Section 20, Township 75 North, Range 44, West of the 5th P.M., in the City of Carter Lake, Pottawattamie County, Iowa.

2. 754421153002 LAKESIDE AUTO RECYCLERS INC., 907 E LOCUST ST, CARTER LAKE

Short form legal description: CARTER LAKE-A S LT 12 A S 21-75-44 E246' LT A & N45' E246' LT B

Long form legal description:

The East 246.0 feet of Lot "A", and the North 45.0 Feet of the East 246.0 feet of Lot "B" of Auditors Subdivision, Lot 12 of Auditors Subdivision SW1/4 NW1/4, Section 21, Township 75 North, Range 44 West of the 5th P.M., Town (now City) of Carter Lake, Pottawattamie County, Iowa subject to easement right of access to Pottawattamie County, Iowa and their assigns in Quit Claim Deed recorded in Book 94, Page 29418 which right of access is described as follows: the right of access between the South 175.0 feet of the East 246.0 feet of Lot "B" Auditors Subdivision, Lot 12 of Auditors Subdivision SW1/4 NW1/4, Section 21, Township 75 North, Range 44 West of the 5th P.M., Town (now City) of Carter Lake, Pottawattamie County, Iowa and Locust Street said access to be 15 feet wide across the property described as the East 15 feet of the East 246.0 feet of Lot "A", and the East 15 feet of the North 45.0 Feet of the East 246.0 feet of Lot "B" of Auditors Subdivision, Lot 12 of Auditors Subdivision SW1/4 NW1/4, Section 21, Township 75 North, Range 44 West of the 5th P.M., Town (now City) of Carter Lake, Pottawattamie County, Iowa.

3. 754421153004 LAKESIDE AUTO RECYCLERS INC., 1003 E LOCUST ST, CARTER LAKE

Short form legal description: CARTER LAKE-A S LT 12 A S 21-75-44 E246' LT A & N45' E246' LT B

Long form legal description:

The East 81 feet of the North 225 feet of Lot "F" in Auditor's Subdivision of Lot 13 in Auditor's Subdivision, being located within the SW 1/4 of the NW 1/4 of Section 21, Township 75 North, Range 44 West of the 5th P.M. in the Incorporated Town of Carter Lake, in Pottawattamie County, Iowa.

4. 754421153017 LAKESIDE AUTO RECYCLERS INC., 1001 E LOCUST ST, CARTER LAKE

Short form legal description: CARTER LAKE AUD SUB 21-75-44 LT 13 W34' N225' LT F, N225' LT G & RR ROW ADJ ON W

Long form legal description:

CARTER LAKE-A S LT 13 A S 21-75-44 N150' LT G & W34' N150' LT F

CARTER LAKE-A S 21-75-44 LT 13 S 75' N225' LT G & RR ROW ADJ ON W & S 75' N225' W34' LT F

5. 754421153018 LAKESIDE AUTO RECYCLERS INC., 2809 N 9TH ST, CARTER LAKE

Short form legal description: CARTER LAKE AUD SUB 21-75-44 LT 12 SW NW W100' LT A, LT B EXC N45' E246' & ALL LT C & S70' LTS G & F & ALL LTS H & I AUD SUB LT 13 SW NW 21-75-44 & 375' X 38' WIDE STRIP FORMER RR ROW ADJ

Long form legal description:

Beginning at a point, said point being the Southeast corner of Lot C in Auditor's Subdivision of Lot 12 in Auditor's Subdivision, thence North along the East line of said Lot C a distance of 190 feet to the Northeast corner of said Lot C, thence West along the North line of said Lot C a distance of 28 feet; thence South a distance of 36 feet; thence East a distance of 12 feet; thence South a distance of 124 feet; thence West a distance of 2 feet; thence South a distance of 30 feet; thence East along the South line of said Lot C a distance of 18 feet to the point of beginning, all in the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 21, Township 75 North, Range 44 West of the 5th P.M.

This being the same tract conveyed by Ferrellgas, Inc. to Northern Natural Gas Company on October 30, 1985, and recorded November 4, 1985, in Book 86 at Page 9188, in the office of the register of deeds for Pottawattamie County, Iowa.



AUDITORS
SUBDIVISION LOT 13
21 75 44 AND
ACCRETIONS
PRT20-008

AUDITORS
SUBDIVISION LOT 12
21 75 44 AND
ACCRETIONS
PRT20-008

- P-I
- C-I

CURRENT ZONING



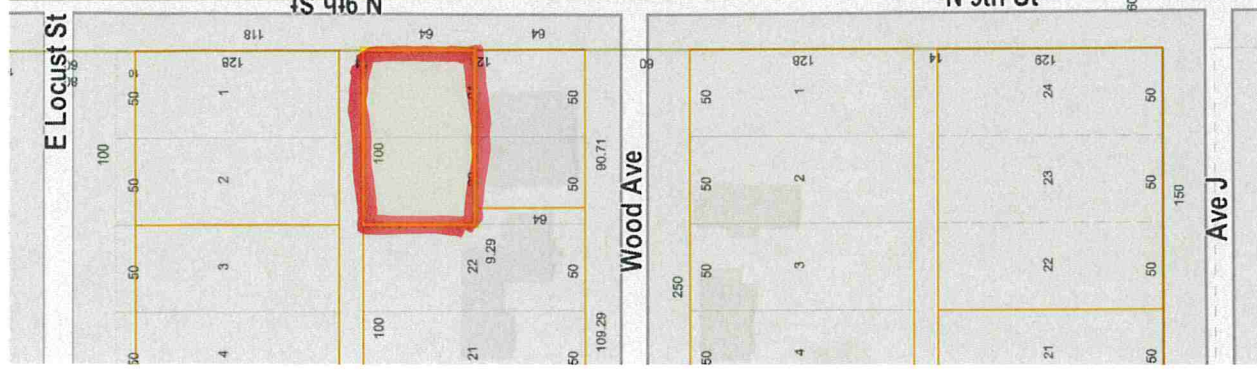
Wood Ave

Ave J



-P-I

PROPOSED ZONING





CITY OF CARTER LAKE, IOWA
Building & Zoning Department

950 Locust Street
Carter Lake, IA 51510
Telephone: (712) 847-0535
Fax: (712) 347-5454
Inspection Request: (712) 847-0535

MEMO

June 6, 2024

City of Carter Lake, IA – Planning Board

RE: Possible rezoning of Lakeside Auto properties

We were requested to present this memo to you with the facts and timelines of what has transpired leading up to this rezone request.

In March, 2024 it was brought to our attention that recycling reclamation was being performed outside of the P-I zoning district. We reached out to Nick Hanson for clarification and requested a meeting so we could all be on the same page.

On April 24, 2024 we met with the following; Nick Hanson (representative for Lakeside Auto), Daniel Pauley (Lakeside's legal representation), Kathy Dueling (Planning Board Member, requested by Lakeside) and Jackie Carl (City Clerk).

Within this meeting we brought to everyone's attention that the "copper chopper" structure is within the C-1 zoning district and would be required to be moved within the P-I district, south of Wood Ave., to be within compliance of the zoning uses. Lakeside's representation said they are a growing business and they need more room for their business' needs. We suggested they apply for a rezone with the Planning Board to accommodate their business and become in zoning compliance.

Moving forward with this rezone is in the Planning Board's hands and when you plan to move forward with the action of a public hearing, at that point we will provide a staff report with zoning regulations based off the Land Development Ordinances.

Darin Whatcott
City Building & Zoning Official

PERMITS MASTER FILE LISTING

Permit #	Contractor	Description	Appl Date	Fee(s)		
Status	Owner	Sub-Division	Lot	Issued Date	Cost of Work	Paid
Appl Type	Location	Type of Use		Expire Date		Amount Due
C40-23 Issued Contractor	OWNER AS GEN CONTRACTOR PEACOCK RACING ENTERPRISE 100 LOCUST ST	SUP PERMIT: C27-23 - FINISH Business		4-08-24 4-08-24 10-05-24	12,000.00	261.56 261.56 .00
		C40-23			12,000.00 FEE	261.56
D40-23 Issued Contractor	HERRERA CONCRETE LLC LAKESIDE ESTATES 3510 N 9TH ST	LOT # 47 - DEMO MOBILE HOME		3-04-24 3-04-24 8-31-24		50.00 50.00 .00
		D40-23			FEE	50.00
D41-23 Issued Contractor	HERRERA CONCRETE LLC LAKESIDE ESTATES 3510 N 9TH ST	LOT # 96 - DEMO MOBILE HOME		3-04-24 3-04-24 8-31-24		50.00 50.00 .00
		D41-23			FEE	50.00
D42-23 Issued Contractor	HERRERA CONCRETE LLC LAKESIDE ESTATES 3510 N 9TH ST	LOT # 252 - DEMO MOBILE HOME		3-04-24 3-04-24 8-31-24		50.00 50.00 .00
		D42-23			FEE	50.00
D43-23 Issued Contractor	HERRERA CONCRETE LLC LAKESIDE ESTATES 3510 N 9TH ST	LOT # 303 - DEMO MOBILE HOME		3-08-24 3-08-24 9-04-24		50.00 50.00 .00
		D43-23			FEE	50.00
D44-23 Issued Contractor	HERRERA CONCRETE LLC LAKESIDE ESTATES 3510 N 9TH ST	LOT # 326 - DEMO MOBILE HOME		3-08-24 3-08-24 9-04-24		50.00 50.00 .00
		D44-23			FEE	50.00
DH14-23 Issued Contractor	SHEARD CONSTRUCTION DAVID WILSON 902 AVENUE R	HAUL OFF EXCESS DIRT/DEBRIS		3-15-24 3-15-24 9-11-24		225.00 225.00 .00
		DH14-23			FEE	225.00
EL015-23 Issued Contractor	MIKE CLIFTON THOMAS PODERYS 1910 LAGOON DR	SUB: RC007-23 ELECTRIC FOR Residential, Multiple Family		2-12-24 2-22-24 2-16-25		559.68 559.68 .00
		EL015-23			FEE	559.68
EL016-23 Issued Contractor	CLIFTON ELECTRIC MURRAY FINEGOLD 60 MARINA CT	RESTROOM REMODEL Residential, Multiple Family		3-20-24 3-20-24 3-14-25		49.90 49.90 .00

PERMITS MASTER FILE LISTING

Permit #	Contractor	Description	Appl Date	Fee(s)		
Status	Owner	Sub-Division	Lot	Issued Date	Cost of Work	Paid
App'l Type	Location	Type of Use		Expire Date		Amount Due
		EL016-23				FEE 49.90
EL017-23 Issued Contractor	WHITETAIL ELECTRIC WILLIAM SCHAFFER 850 KEY CIR	SUB FOR RA032-23 : ELECTRICAL Residential, Multiple Family	84&85	4-22-24 4-22-24 4-16-25		37.80 37.80 .00
		EL017-23				FEE 37.80
EL018-23 Issued Contractor	BT ELECTRICAL SERVICES MATT HOFFMAN 770 KEY CIR	SUB FOR RA034-23: ELECTRICAL Residential, Multiple Family		4-30-24 4-30-24 4-24-25		71.34 71.34 .00
		EL018-23				FEE 71.34
EL019-24 Issued Contractor	ELECTRICAL SYSTEMS INC T P C CORP 4208 914 SILVER LN	SUB FOR RC009-23 : ELECTRICAL Residential, Multiple Family		5-16-24 5-16-24 5-10-25		70.62 .00 70.62
		EL019-24				FEE 70.62 PAID .00 DUE 70.62
EL020-24 Issued Contractor	RICHARD AUFFART JESSE KRUG 1017 AVENUE Q	SUB FOR RA036-23 : ELECTRICAL Residential, Multiple Family		5-23-24 5-23-24 5-17-25		78.20 .00 78.20
		EL020-24				FEE 78.20 PAID .00 DUE 78.20
EL021-24 Issued Contractor	A1 UNITED HEATING & AIR JAMES WOLFE 803 REDICK BLVD	RECONNECT NEW A/C Residential, Multiple Family		5-30-24 5-30-24 5-24-25		28.25 .00 28.25
		EL021-24				FEE 28.25 PAID .00 DUE 28.25
FW036-23 Issued Contractor	TY CAMPAGNOLA RANDALL HAWKINS 1102 AVENUE P	REPLACE EXISTING FENCE W/ Residential, Multiple Family		2-29-24 2-29-24 8-27-24	4,822.13	37.50 37.50 .00
		FW036-23			4,822.13	FEE 37.50
FW037-23 Issued Contractor	TOM GILES URICH, SANDRA 1215 HIATT ST	REPLACE FENCE ON WEST SIDE Residential, Multiple Family		3-04-24 3-04-24 8-31-24	3,000.00	37.50 37.50 .00
		FW037-23			3,000.00	FEE 37.50

PERMITS MASTER FILE LISTING

Permit #	Contractor	Description	Appl Date	Fee(s)		
Status	Owner	Sub-Division	Lot	Issued Date	Cost of Work	Paid
Appl Type	Location	Type of Use		Expire Date		Amount Due
FW038-23	AMOS FORESTA	NEW 6' & 4' WOOD FENCE		3-28-24	5,000.00	37.50
Issued	BARBARA BRANSON			3-28-24		37.50
Contractor	4204 N 11TH ST	Residential, Multiple Family		9-24-24		.00
		FW038-23			5,000.00	FEE 37.50
FW039-23	OWNER AS GEN CONTRACTOR	MOVE WEST FENCE 1' TOWARDS		4-08-24		37.50
Issued	DOUG SCOTT			4-08-24		37.50
Contractor	918 HIATT ST	Residential, Multiple Family		10-05-24		.00
		FW039-23				FEE 37.50
FW040-24	OWNER AS GEN CONTRACTOR	REPLACE 4' FENCE WITH 6'		5-09-24	600.00	37.50
Issued	CODY PEHOVIACK			5-09-24		.00
Contractor	1206 AVENUE O	Residential, Multiple Family		11-05-24		37.50
		FW040-24			600.00	FEE 37.50
						PAID .00
						DUE 37.50
FW041-24	OWNER AS GEN CONTRACTOR	REPLACE EXISTING FENCE W/ 6'		5-16-24	1,000.00	37.50
Issued	BYRON BOTHWELL			5-16-24		.00
Contractor	915 AVENUE O	Residential, Multiple Family		11-12-24		37.50
		FW041-24			1,000.00	FEE 37.50
						PAID .00
						DUE 37.50
FW042-24	OWNER AS GEN CONTRACTOR	INSTALL NEW 6' & 4' WOOD FENCE		5-16-24	800.00	37.50
Issued	TREVOR PARKS			5-16-24		.00
Contractor	1330 JANBROOK BLVD	Residential, Multiple Family		11-12-24		37.50
		FW042-24			800.00	FEE 37.50
						PAID .00
						DUE 37.50
M064-23	D&K HEATING & COOLING	INSTALL 2 TUBE HEATERS		2-06-24		59.90
Issued	PEACOCK RACING ENTERPRISE			2-06-24		59.90
Contractor	100 LOCUST ST			8-04-24		.00
		M064-23				FEE 59.90
M065-23	CONTROLLED COMFORT	DUCTWORK,5 ROOFTOP UNITS,		2-06-24		467.00
Issued	CARTER LAKE BOYS/GIRLS CL			2-06-24		467.00
Contractor	4101 N 17TH ST			8-04-24		.00
		M065-23				FEE 467.00
M066-23	A-1 UNITED HEATING & AIR	NEW A/R & FURNACE		2-22-24	8,070.00	53.00
Issued	TIMOTHY PARKER			2-22-24		53.00
Contractor	1314 LINDWOOD DR			8-20-24		.00

PERMITS MASTER FILE LISTING

Permit #	Contractor	Description	Appl Date	Fee(s)		
Status	Owner	Sub-Division	Lot	Issued Date	Cost of Work	Paid
App'l Type	Location	Type of Use		Expire Date		Amount Due
		M066-23			8,070.00	FEE 53.00
M067-23	STANDARD HEATING AND A/C	REPLACE HEAT PUMP AND FAN COIL		2-27-24	5,945.38	53.00
Issued	RANDALL HAWKINS			2-27-24		53.00
Contractor	1102 AVENUE P			8-25-24		.00
		M067-23			5,945.38	FEE 53.00
M068-23	THE WALDINGER CORP	GRD's, EXHAUST FANS, KITCHEN		3-08-24	200,000.00	1,911.10
Issued	PONCA TRIBE OF NEBRASKA			3-08-24		1,911.10
Contractor	1001 AVENUE H			9-04-24		.00
		M068-23			200,000.00	FEE 1,911.10
M069-23	EYMAN PLUMBING	REPLACE FURNACE		3-11-24	4,106.00	38.30
Issued	MIKAN, WILLIAM G			3-11-24		38.30
Contractor	11 CARTER LAKE CLB			9-07-24		.00
		M069-23			4,106.00	FEE 38.30
M070-23	SKRADSKI HEATING & COOLIG	FULL HVAC REPLACEMENT		3-26-24	8,410.20	53.00
Issued	TRINAE JOLER			3-26-24		53.00
Contractor	1206 REDICK BLVD			9-22-24		.00
		M070-23			8,410.20	FEE 53.00
M071-23	BURTON A/C HEATING	REPLACE A/C & FURNACE		3-26-24	10,000.00	53.00
Issued	RUSSELL DELASHMUTT			3-26-24		53.00
Contractor	1515 AVENUE P			9-22-24		.00
		M071-23			10,000.00	FEE 53.00
M072-23	STANDARD HEATING AND A/C	REPLACE FURNACE		4-10-24	1,742.00	38.30
Issued	HAWKINS			4-10-24		38.30
Contractor	145 CARTER LAKE CLB			10-07-24		.00
		M072-23			1,742.00	FEE 38.30
M073-24	SERVICE ONE	REPLACE FURNACE & A/C		5-02-24	6,500.00	53.00
Issued	KIMBERLY CARROLL			5-02-24		.00
Contractor	3510 173 N 9TH ST			10-29-24		53.00
		M073-24			6,500.00	FEE PAID DUE 53.00
M074-24	SERVICE ONE	REPLACE A/C		5-13-24	3,000.00	38.20
Issued	TIFFANI GRELL			5-13-24		.00
Contractor	924 REDICK BLVD			11-09-24		38.20
		M074-24			3,000.00	FEE PAID DUE 38.20

PERMITS MASTER FILE LISTING

Permit #	Contractor	Description	Appl Date	Fee(s)		
Status	Owner	Sub-Division	Lot	Issued Date	Cost of Work	Paid
App'l Type	Location	Type of Use		Expire Date		Amount Due
M075-24	MOORES SERVICES INC.	SUB FOR RC009-23 : MECHANICAL		5-13-24	250.00	37.20
Issued	T P C CORP 4208			5-13-24		.00
Contractor	914 SILVER LN			11-09-24		37.20
		M075-24			250.00	37.20
					FEE	.00
					PAID	.00
					DUE	37.20
M076-24	BURTON PLUMBING	REPLACE FURNACE & A/C		5-21-24	12,000.00	53.00
Issued	MIKE BUCKNER			5-21-24		.00
Contractor	1120 WATERS EDGE CT			11-17-24		53.00
		M076-24			12,000.00	53.00
					FEE	.00
					PAID	.00
					DUE	53.00
M077-24	AIRESERV	FURNACE REPLACEMENT		5-28-24	10,015.89	53.00
Issued	BNTL LLC			5-28-24		.00
Contractor	1117 AVENUE P			11-24-24		53.00
		M077-24			10,015.89	53.00
					FEE	.00
					PAID	.00
					DUE	53.00
M078-24	A1 UNITED HEATING & AIR	REPLACE A/C		5-30-24	7,000.00	38.20
Issued	JAMES WOLFE			5-30-24		.00
Contractor	803 REDICK BLVD			11-26-24		38.20
		M078-24			7,000.00	38.20
					FEE	.00
					PAID	.00
					DUE	38.20
MR433-23	OWNER AS GEN CONTRACTOR	TEMPORARY STORAGE TO REFLOOR		3-07-24	3,200.00	.00
Issued	LARRY AYERS			3-07-24		.00
Contractor	1465 DORENE BLVD			9-03-24		.00
		MR433-23			3,200.00	.00
					FEE	.00
MR434-23	SHEARD CONSTRUCTION	REMOVE & REPLACE FRONT & REAR		4-22-24	3,000.00	23.00
Issued	ZAREK, JAMIE			4-22-24		.00
Contractor	1106 DORENE BLVD			10-19-24		23.00
		MR434-23			3,000.00	23.00
					FEE	.00
					PAID	.00
					DUE	23.00
MR435-23	SHEARD CONSTRUCTION	ADD 4' X 60' SIDEWALK FROM		4-22-24	2,000.00	23.00
Issued	DAVID WILSON			4-22-24		.00
Contractor	902 AVENUE R			10-19-24		23.00
		MR435-23			2,000.00	23.00
					FEE	.00
					PAID	.00
					DUE	23.00

PERMITS MASTER FILE LISTING

Permit #	Contractor	Description	Appl Date	Fee(s)		
Status	Owner	Sub-Division	Lot	Issued Date	Cost of Work	Paid
App'l Type	Location	Type of Use		Expire Date		Amount Due
MR436-23	SHEARD CONSTRUCTION	ADD 4' X 80' SIDEWALK FROM		4-22-24	3,000.00	23.00
Issued	TEEPLE WILLIAM & DENISE			4-22-24		.00
Contractor	852 AVENUE R			10-19-24		23.00
		MR436-23			3,000.00	FEE 23.00
						PAID .00
						DUE 23.00
MR437-24	VEGAS CONSTRUCTION	REPLACE 6'X 14' PAVERS W/ CON		5-29-24	500.00	23.00
Issued	CROWELL, LAWRENCE			5-29-24		.00
Contractor	1202 WILLOW DR			11-25-24		23.00
		MR437-24			500.00	FEE 23.00
						PAID .00
						DUE 23.00
P058-23	D&K HEATING & COOLING	GAS PRESSURE TEST		2-06-24		48.50
Issued	PEACOCK RACING ENTERPRISE			2-06-24		48.50
Contractor	100 LOCUST ST			8-04-24		.00
		P058-23				FEE 48.50
P059-23	GRELL PLUMBING	SUB: RC007-23 PLUMBING FOR		2-12-24		302.10
Issued	THOMAS PODERYS			2-22-24		302.10
Contractor	1910 LAGOON DR			8-20-24		.00
		P059-23				FEE 302.10
P060-23	BACKLUND PLUMBING	SEWER REPAIR		2-20-24		48.15
Issued	ROXAN BULANDA			2-20-24		.00
Contractor	1525 AVENUE O			8-18-24		48.15
		P060-23				FEE 48.15
						PAID .00
						DUE 48.15
P061-23	ANDERSEN PLUMBING	REMODEL BATHROOM - ADD		3-04-24		62.70
Issued	MURRAY FINEGOLD			3-04-24		62.70
Contractor	60 MARINA CT			8-31-24		.00
		P061-23				FEE 62.70
P062-23	BURTON PLUMBING	REPLACE WATER HEATER		4-10-24		35.80
Issued	AMY NICHOLS			4-10-24		35.80
Contractor	913 SILVER LN			10-07-24		.00
		P062-23				FEE 35.80
P063-23	NEBRASKA PLUMBING	SUB FOR C11-22 : PLUMBING FOR		4-23-24		297.75
Issued	MIKEL USA, INC			4-23-24		297.75
Contractor	1001 LOCUST ST			10-20-24		.00

PERMITS MASTER FILE LISTING

Permit #	Contractor	Description	Appl Date	Fee(s)		
Status	Owner	Sub-Division	Lot	Issued Date	Cost of Work	Paid
Appl Type	Location	Type of Use		Expire Date		Amount Due
		P063-23				FEE 297.75
P064-23	BACKLUND PLUMBING	SUB FOR C27-23: TOPOUT PLUMB.		4-30-24		737.00
Issued	PEACOCK RACING ENTERPRISE			4-30-24		.00
Contractor	100 LOCUST ST			10-27-24		737.00
		P064-23				FEE 737.00
						PAID .00
						DUE 737.00
P065-24	BACKLUND PLUMBING	SUB FOR RC008-23 : PLUMBING &		5-31-24		259.35
Issued	JIM BOWMAN			5-31-24		.00
Contractor	1302 CEDAR ST			11-27-24		259.35
		P065-24				FEE 259.35
						PAID .00
						DUE 259.35
RA033-23	JOHN ANNIN	DEMO EXISTING DECK; ADD NEW		3-21-24	3,000.00	139.06
Issued	ANNIN, THOMAS & ANTOINETT			3-21-24		139.06
Contractor	110 CARTER LAKE CLB	Residential, Multiple Family		9-17-24		.00
		RA033-23			3,000.00	FEE 139.06
RA034-23	PAT KELLY CONSTRUCTION	GARAGE ADDITION - ADD 520SQ		3-26-24	45,000.00	471.56
Issued	MATT HOFFMAN			4-02-24		471.56
Contractor	770 KEY CIR	Residential, Multiple Family		9-29-24		.00
		RA034-23			45,000.00	FEE 471.56
RA035-23	OWNER AS GEN CONTRACTOR	ADDIT. TO RC008-23 : 16'X 14'		4-16-24	4,000.00	121.56
Issued	JIM BOWMAN			4-16-24		121.56
Contractor	1302 CEDAR ST	Residential, Multiple Family		10-13-24		.00
		RA035-23			4,000.00	FEE 121.56
RA036-23	OWNER AS GEN CONTRACTOR	NEW 30' X 24' DETACHED GARAGE		4-16-24	40,000.00	590.69
Issued	JESSE KRUG			4-24-24		590.69
Contractor	1017 AVENUE Q			10-21-24		.00
		RA036-23			40,000.00	FEE 590.69
RA037-23	RICK BARR	PLACE EXISTING 12' X 24'		4-17-24	15,000.00	279.06
Issued	JAMES INCONTRO			4-24-24		279.06
Contractor	4409 N 6TH ST	Residential, Multiple Family		10-21-24		.00
		RA037-23			15,000.00	FEE 279.06
RA038-23	DAKOTA COCHRANE	DEMO EXISTING REAR DECK,		4-18-24	6,460.50	174.06
Issued	JARED PINKHAM			4-25-24		174.06
Contractor	4412 N 6TH ST	Residential, Multiple Family		10-22-24		.00

PERMITS MASTER FILE LISTING

Permit #	Contractor	Description	Appl Date	Fee(s)		
Status	Owner	Sub-Division	Lot	Issued Date	Cost of Work	Paid
App'l Type	Location	Type of Use		Expire Date		Amount Due
		RA038-23			6,460.50	FEE 174.06
RA039-23	OWNER AS GEN CONTRACTOR	REBUILD EXISTING DECK		4-25-24	2,500.00	139.06
Issued	PODRAZA			4-25-24		139.06
Contractor	4430 N 6TH ST	Residential, Multiple Family		10-22-24		.00
		RA039-23			2,500.00	FEE 139.06
RA040-24	OWNER AS GEN CONTRACTOR	12x20 GAZEBO		5-20-24	5,000.00	250.31
Issued	SEMINARA, MATT			5-31-24		.00
Contractor	1801 LAGOON DR	Residential, Multiple Family		11-27-24		250.31
		RA040-24			5,000.00	FEE 250.31
						PAID .00
						DUE 250.31
RA041-24	OWNER AS GEN CONTRACTOR	DEMO & REPLACE REAR DECK.		5-21-24	4,705.80	104.06
Issued	CONNIE WHITE			5-29-24		.00
Contractor	915 AVENUE P	Residential, Multiple Family		11-25-24		104.06
		RA041-24			4,705.80	FEE 104.06
						PAID .00
						DUE 104.06
RA042-24	OWNER AS GEN CONTRACTOR	NEW PREFAB 12 X 14 GREENHOUSE		5-30-24	2,000.00	104.06
Issued	CROWELL, LAWRENCE			6-03-24		.00
Contractor	1202 WILLOW DR	Residential, Multiple Family		11-30-24		104.06
		RA042-24			2,000.00	FEE 104.06
						PAID .00
						DUE 104.06
RC007-23	OWNER AS GEN CONTRACTOR	CUSTOM NEW HOME		2-12-24	300,000.00	3,531.19
Issued	THOMAS PODERYS			2-22-24		3,531.19
Contractor	1910 LAGOON DR	Residential, Multiple Family		8-20-24		.00
		RC007-23			300,000.00	FEE 3,531.19
RC008-23	OWNER AS GEN CONTRACTOR	2STORY SFH W/ UF BSMT,2 CARGAR		3-04-24	350,000.00	2,579.19
Issued	JIM BOWMAN			3-11-24		2,579.19
Contractor	1302 CEDAR ST	Residential, Multiple Family		9-07-24		.00
		RC008-23			350,000.00	FEE 2,579.19
RC009-23	OWNER AS GEN CONTRACTOR	BEDROOM ADDITION - 120SF		4-10-24	5,000.00	296.56
Issued	T P C CORP 4208			4-16-24		296.56
Contractor	914 SILVER LN	Residential, Multiple Family		10-13-24		.00
		RC009-23			5,000.00	FEE 296.56

PERMITS MASTER FILE LISTING

Permit #	Contractor	Description	Appl Date	Fee(s)		
Status	Owner	Sub-Division	Lot	Issued Date	Cost of Work	Paid
Appl Type	Location	Type of Use		Expire Date		Amount Due
RC010-24	OWNER AS GEN CONTRACTOR	SOG 2 ADD: 12X14 REAR & 6X8		5-30-24	6,000.00	489.06
Issued	TCP CORP			6-03-24		.00
Contractor	1313 HIATT ST	Residential, Multiple Family		11-30-24		489.06
		RC010-24			6,000.00	489.06
						FEE PAID DUE 489.06
RE049-23	OWNER AS GEN CONTRACTOR	RE-SIDE HOME		3-25-24	4,000.00	30.00
Issued	T P C CORP 4208			3-25-24		30.00
Contractor	90 CARTER LAKE CLB	Residential, Multiple Family		9-21-24		.00
		RE049-23			4,000.00	30.00
						FEE 30.00
RE050-23	OWNER AS GEN CONTRACTOR	ROOF REPLACEMENT		4-03-24	3,000.00	30.00
Issued	CARRIE ROULEAU			4-03-24		30.00
Contractor	1008 CACHELIN DR	Residential, Multiple Family		9-30-24		.00
		RE050-23			3,000.00	30.00
						FEE 30.00
RE051-23	BATES ROOFING	ROOF REPLACEMENT		4-10-24	4,000.00	30.00
Issued	DAVID HANSEN			4-10-24		30.00
Contractor	4207 N 11TH ST	Residential, Multiple Family		10-07-24		.00
		RE051-23			4,000.00	30.00
						FEE 30.00
RE052-23	AMERIPRO ROOFING OF IOWA	REPLACE SIDING		4-18-24	11,330.89	30.00
Issued	VAUGHN, DANIEL & MARTA			4-18-24		30.00
Contractor	1310 HOLIDAY DR	Residential, Multiple Family		10-15-24		.00
		RE052-23			11,330.89	30.00
						FEE 30.00
RE053-23	OWNER AS GEN CONTRACTOR	REPLACE SIDING & 8 WINDOWS		4-23-24	3,000.00	75.00
Issued	PAT PATERSON			4-23-24		75.00
Contractor	4310 N 13TH ST	Residential, Multiple Family		10-20-24		.00
		RE053-23			3,000.00	75.00
						FEE 75.00
RE054-23	VERNCO ROOFING	RE-ROOF HOME		4-30-24	6,000.00	30.00
Issued	WAHL, BOB & JACKIE			4-30-24		.00
Contractor	102 SHORELINE DR	Residential, Multiple Family		10-27-24		30.00
		RE054-23			6,000.00	30.00
						FEE PAID DUE 30.00
RE055-24	BULLDOG ROOFING	RE-ROOF		5-03-24	12,190.86	30.00
Issued	ABBOTT DO NOT USE			5-03-24		.00
Contractor	721 AVENUE P	Residential, Multiple Family		10-30-24		30.00
		RE055-24			12,190.86	30.00
						FEE PAID DUE 30.00

PERMITS MASTER FILE LISTING

Permit #	Contractor	Description	Appl Date	Fee(s)		
Status	Owner	Sub-Division	Lot	Issued Date	Cost of Work	Paid
App'l Type	Location	Type of Use		Expire Date		Amount Due
RE056-24	AMERIPRO ROOFING OF IOWA	ROOF REPLACEMENT ON HOME & GAR		5-28-24	12,940.82	30.00
Issued	VAUGHN, DANIEL & MARTA			5-28-24		.00
Contractor	1310 HOLIDAY DR	Residential, Multiple Family		11-24-24		30.00
		RE056-24			12,940.82	30.00
						FEE PAID DUE .00 30.00
RI010-23	MATT SEMINARA	ADD WETBAR & BATHROOM TO		3-20-24	15,000.00	121.56
Issued	MURRAY FINEGOLD			3-22-24		121.56
Contractor	60 MARINA CT	Residential, Multiple Family		9-18-24		.00
		RI010-23			15,000.00	121.56
						FEE 121.56
ROW126-23	TJ CABLE	Boing in new duct		3-26-24	1,000.00	200.00
Issued	PRIORITY EXPRESS			3-26-24		200.00
Contractor	2675 N 9TH ST			9-22-24		.00
		ROW126-23			1,000.00	200.00
						FEE 200.00
ROW127-23	COX COMMUNICATIONS	NEW FIBER IN CONDUIT ALONG N 5		4-12-24	1,000.00	100.00
Issued	HASTINGS FAMILY HOLDINGS			4-12-24		100.00
Contractor	2614 N 5TH ST			10-09-24		.00
		ROW127-23			1,000.00	100.00
						FEE 100.00
ROW128-24	COX COMMUNICATIONS	BORE NEW FIBER IN CONDUIT ALON		5-02-24	1,000.00	100.00
Issued	DOHRN TRANSFER CO			5-02-24		.00
Contractor	108 AVENUE H			10-29-24		100.00
		ROW128-24			1,000.00	100.00
						FEE PAID DUE 100.00 .00 100.00
SP014-24	OWNER AS GEN CONTRACTOR	INSTALL NEW PERMANENT ABOVE		5-07-24		114.69
Issued	WEBSTER, TAMARA			5-08-24		.00
Contractor	3701 N 17TH ST			11-04-24		114.69
		SP014-24				114.69
						FEE PAID DUE 114.69 .00 114.69
SP015-24	OWNER AS GEN CONTRACTOR	NEW, TEMPORARY, 16' X 42' POOL		5-24-24		29.36
Issued	CUMBERLEDGE, RONALD			5-24-24		.00
Contractor	706 STEELE AVE			11-20-24		29.36
		SP015-24				29.36
						FEE PAID DUE 29.36 .00 29.36

PERMITS MASTER FILE LISTING

Permit # Contractor Description Appl Date Fee(s)

Status Appl Type	Owner Location	Sub-Division Type of Use	Lot	Issued Date Expire Date	Cost of Work	Paid Amount Due
SP016-24 Issued Contractor	OWNER AS GEN CONTRACTOR CINDY EWING 4306 N 15TH ST	NEW 15' X 33" POOL; EXISTING		5-29-24 5-29-24 11-25-24		29.38 .00 29.38
		SP016-24				FEE 29.38 PAID .00 DUE 29.38

GRAND TOTAL

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78	1,179,090.47	FEE	17,026.87
		PAID	14,017.28
		DUE	3,009.59

TOTAL TYPE	DESCRIPTION	PERMIT COUNT	FEE	AMOUNT PAID	AMOUNT DUE
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UNDEFINED	UNDEFINED DESCRIPTION	78	17026.87	14017.28	3009.59

CARTER LAKE CITY COUNCIL MEETING
MONDAY, MAY 20, 2024

Mayor Pro Tem Jason Gundersen called the regular meeting to order at 7:00 p.m.

Roll call of the council, present: Victor Skinner, Jackie Wahl, Aaron Grell, Jacob Hanika, Jason Gundersen, City Attorney David Levy and Clerk Jackie Carl were all present.

Upon motion duly made by Gundersen, and seconded by Grell, the council's agenda was approved after removing two items under citizen concerns. Skinner moved to approve the consent agenda which included the following items: Department head reports from Parks, Library, Community Center, Senior Services, Maintenance, Police, Fire/EMS; City council minutes from April; Overtime and comp time reports for April; abstract of claims, receipts and financial reports for April; Hanika moved to second the motion; unanimously approved.

Skinner moved to approve Elizabeth Sanders to the fire department, seconded by Grell; unanimously approved; Hanika moved to approve Mary Allen to the Library Board, seconded by Gundersen; unanimously approved. There are three openings on the parks and rec board.

Library Board President Patti Midkiff was present to introduce Tiffany Zuerlein as the new director of the library. Tiffany gave a brief review of her plans and announced job openings in her department.

Mayor Pro Tem Gundersen provided an update on the Water Valve Project. Hope to see it out for bids in June.

Councilmember Wahl read Mayor Cumberledge's update on the lotus treatment in the lake, the Iowa DNR will be providing treatment at the same time they have a contractor coming to Lake Manawa. The Iowa DNR holds responsibility for this treatment.

Attorney David Levy provided an update on the investigation. The report has been received and Mr. Levy is recommending that it not be a public document as it is covered by attorney client privilege.

Gundersen moved to approve setting public hearing for budget amendment for Monday June 3rd at 7 p.m., seconded by Grell; unanimously approved.

Citizen Concerns: Richard and Carolyn Sapienza request the council to consider adding language to the ordinance to allow UTV's to be operated on city streets. Attorney Levy will research the Iowa requirements.

Gundersen moved to go into closed session under personnel issues at 7:35 p.m., seconded by Grell; unanimously approved. The council returned to open session at 8:35 and motioned to adjourn.

Jackie Carl City Clerk

Jason Gundersen, Mayor Pro Tem

PLANNING BOARD MEETING
Monday, February 12, 2024, 7:00 P.M.

Board Chair Ed Palandri called the meeting to order at 7:00 p.m. Roll Call: Present: Ed Palandri, Jay Gundersen, Kathy Dueling, Ray Pauly Robert Horan, Drew Evers are present; Tim Podraza is absent.

Pauly moved to approve the agenda, seconded by Gundersen; unanimous approval; Gundersen moved to approve the consent agenda and seconded by Dueling; unanimously approved.

New Business:

Attorney Joe Thornton appeared on behalf of Jackie Levell who owns the property located at 3030 North 5th Street in Carter Lake. At the December City Council meeting Mr. Joseph Thornton, asked for a zoning compliance letter from the City Council as they are applying for a state salvage permit and the state requires a letter from the city verifying the zoning compliance.

The City Council voted to have this item reviewed by the Planning and Zoning Commission.

The Inspector issued the following staff report to the Planning Board: This property is currently zoned C-1 (Limited Commercial District). Any existing salvage services use is only allowed within Industrial zoned districts.

Unified Land Development Ordinance Being Addressed:

2306 Supplemental Use Regulations: Industrial Uses

a. Salvage Services

1. Screening:

(a) The perimeter of each new facility shall be fully enclosed by opaque, freestanding fencing or screen walls. Minimum height of this enclosure shall be eight feet. Any such enclosure shall be constructed behind required landscaped buffer yards.

(b) Each existing salvage services facility shall be screened as provided above within one year of the effective date of this Ordinance.

2. Storage of materials within any salvage services facility shall not be higher than the height of the surrounding screen fence or wall.

3. No new Salvage Services use may be established within the city limits.

Attorney Thornton's request states that Mr. Levell has requested a Salvage Permit and the State of Iowa requires a letter from the City indicating the business property is in compliance with all required zoning provisions. The garage on the property will be used to repair and salvage cars and those vehicles that are not salvageable are scraped or taken to a junk yard.

This matter went to court, the original decision was overturned on appeal in court case CLCIMG173247 in District Court of Pottawattamie County and that decision stated: *Jack Levell's property located at 3030 N. 5th in the city of Carter Lake is zoned as commercial property and not residential. The residential ordinances do not apply to commercially zoned property but even if they did apply, Levell's property is considered grandfathered property, and any nonconforming use remains legal. The order entered on October 29, 2021, is reversed and the judgment on that date is vacated. The citation for all violations, namely parking commercial vehicles on residential property, parking unlicensed vehicles. parking without permits and parking on non-hard service., is dismissed. Judgment is entered in favor of Defendant Jack Levell III. Costs taxed to Plaintiff, City of Carter Lake.*

Upon the advice of City Attorney David Levy the inspector issued the following statement:

The new proposed salvage use exceeds the scope and intensity of the uses existing at the time of the Court's decision. A non-conforming use such as the current salvage use may not be enlarged or intensified and allowed to continue. See Perkins v. Madison County Livestock & Fair Ass'n, Supreme Court of Iowa, July 06, 2000, 613 N.W.2d 264. Accordingly, this office's determination is that the proposed auto salvage use is not allowed on this property within the C-1 zoning district because it exceeds the use the court decision mentioned above allows.

Gundersen moved to deny the request because it does not meet the current zoning requirements, seconded by Dueling. Unanimously approved.

Gundersen moved to appoint Ed Palandri as Chairman and Drew Evers as Vice Chair, seconded by Dueling; unanimously approved.

There was some discussion to clarify what the Planning Board expects to be brought before them on commercial projects. The Board Chair and Vice Chair will receive emails and make the call on behalf of the board going forward.

Evers moved to adjourn seconded by Horan.

Adjourn at 8:40 p.m.