

PLEASE CALL CITY HALL (546-7098) IF YOU CANNOT ATTEND

PLANNING & ZONING COMMISSION MEETING

Tuesday, April 29, 2025 4:15 P.M.

AGENDA

I. CALL TO ORDER

II. ROLL CALL – GALLES____, FLOY____, SUSEMIHL____, GERGENI____,
HEIDEBRINK____, SCHIPPER____, SITZMANN____

III. MINUTES

1. 03/04/25

IV. BUSINESS

1. Rezone parcel 12-17-401-035 at the southwest intersection of Holton Drive and Blue Diamond Drive to B-2.

P&Z Action: (approving) (denying) – Rezone parcel 12-17-401-035 at the southwest intersection of Holton Drive and Blue Diamond Drive to B-2.

City Staff Comments – Red Shed Enterprises, LLC owns an 8.44-acre parcel (Parcel #12-17-401-035) located at the southwest intersection of Holton Drive and Blue Diamond Drive. The parcel is currently zoned I-3 (Industrial). They are requesting a rezoning of the property and seeks to have it rezoned to B-2 (General Business District).

2. Final Plat and Dogwood 4th and 5th Additions.

P&Z Action: (approving) (denying) – Final Plat for Dogwood 4th and 5th Additions.

City Staff Comments – A Final plat request was received from Dogwood Properties, LLC. The request is for approving the final plat for Dogwood 4th and 5th Additions located south of 18th St. SE, south of 1st, 2nd & 3rd Ave. SE and west of 4th Ave SE in Le Mars, Iowa and will make a recommendation to the Le Mars City Council.

V. ADJOURNMENT

Planning & Zoning Commission Meeting
Minutes
March 4, 2025 - 4:15 P.M.

I. The regular meeting of the Le Mars Planning & Zoning Commission was called to order at 4:15 P.M. by Chairperson Schipper.

II. Roll Call: Members Present: Galles, Susemihl, Gergeni, Schipper, Sitzmann.
Members Absent: Floy, Heidebrink.
Others Present: Gaul, Bernhardt.

III. Minutes: Sitzmann moved, Gergeni seconded the January 7, 2025, meeting minutes be approved. Ayes: All present.

IV. Business:

1. Review the Preliminary Plat of Dogwood 4th and 5th Additions.

The preliminary plat for Dogwood 4th and 5th Additions is located south of 18th St SE and south of 1st, 2nd, & 3rd Ave SE and west of 4th Ave SE in Le Mars, Iowa. Brett Langley and Steve Schuster were present to explain Dogwood 4th will be residential single-family homes and Dogwood 5th is going to be multi-family dwellings for 55 and older community.

There will be a large retention pond to hold all the heavy water run-offs and will help with any potential flooding and a park area around 5 acres will be located along the retention pond.

MOTION: Susemihl moved, Sitzmann seconded the Preliminary Plat of Dogwood 4th and 5th Additions be approved. Ayes: All present.

V. Adjournment: Sitzmann moved, Susemihl seconded the meeting be adjourned at 4:39 P.M. Ayes: All present.

Wayne Schipper, Chairperson

Jan Feller, City Clerk



Plymouth County, IA



Overview



Legend

Parcels

- BLL
- Condos
- Wind Turbines
- Parcels
- Lot Dashed Line

Roads

- 1
- 3
- 5
- 6
- 9

Parcel ID	12-17-401-036	Alternate ID	1217401036	Owner Address	Red Shed Enterprises LLC
Tax District	748	Class	C		112 Central Ave NE
Sec/Twp/Rng	17-92-45	Acreage	n/a		Le Mars, IA 51031
Property Address					
District	LE MARS CTY/WES TMAR UR TIF/L-M SCH				
Brief Tax Description	PT LOT 3 HOLTON'S SUB'D LE MARS PARCEL A				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 4/9/2025
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Developed by SCHNEIDER
 GEOSPATIAL

Plymouth County, IA

Owners

Primary Owner (Deed Holder)
[Red Shed Enterprises LLC](#)
 112 Central Ave NE
 Le Mars, IA 51031

Doing Business As

VACANT LAND

Summary

Parcel ID 12-17-401-036
 Alternate ID 1217401036
 Property Address
 Sec/Twp/Rng 17-92-45
 Brief Legal Description PT LOT 3 HOLTON'S SUB'D LE MARS PARCEL A
 (Note: Not to be used on legal documents)
 Document(s) DED: 2023-1016 (2023-04-06)
 SUR: 2023-703 (2023-03-09)
 MSC: 2009-5537 (2009-11-03)
 MSC: 2009-5536 (2009-11-03)
 DED: 2009-4978 (2009-09-29)
 DED: 2008-5173 (2008-11-17)
 Gross Acres 0.00
 Exempt Acres N/A
 Net Acres 0.00
 Class C - Commercial
 (Note: This is for tax purposes only. Not to be used for zoning.)
 Tax District LE MARS CITY LE MARS SCH LEMARS BUS CORR
 School District LE MARS SCHOOL



Land

Lot Area 8.44 Acres ; 367,646 SF

Sales

Date	Buyer/Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
4/5/2023	OB INVESTMENTS INC	RED SHED ENTERPRISES LLC	2023-1016	Vacant lot	Deed		\$975,000.00
3/6/2023			2023-703	Other with explanation	Deed		\$0.00

⊕ There are other parcels involved in one or more of the above sales:

[Recording: 2023-703 - Parcel: 12-17-401-021](#)
[Recording: 2023-703 - Parcel: 12-17-401-035](#)

Permits

Permit #	Date	Description	Amount
	08/14/2008	Misc	0

Valuation

	2025	2024	2023
Classification	Commercial	Commercial	Commercial
+ Land	\$220,100	\$220,100	\$82,290
= Total Assessed Value	\$220,100	\$220,100	\$82,290

Taxation

	2023 Pay 2024-2025
Classification	Commercial
+ Taxable Land Value	\$38,135
+ Taxable Building Value	\$0
+ Taxable Dwelling Value	\$0
= Gross Taxable Value	\$38,135
- Military Exemption	\$0
- Homestead 65+ Exemption	\$0
= Net Taxable Value	\$38,135
x Levy Rate (per \$1000 of value)	27.59496
= Gross Taxes Due	\$1,052.33

	2023 Pay 2024-2025
- Ag Land Credit	\$0.00
- Disabled and Senior Citizens Credit	\$0.00
- Family Farm Credit	\$0.00
- Homestead Credit	\$0.00
- Business Property Credit	\$0.00
- Prepaid Tax	\$0.00
= Net Taxes Due	\$1,052.00

Pay Property Taxes

[Click here to pay property taxes for this parcel.](#)

Tax History

Year	Due Date	Amount	Paid	Date Paid	Receipt
2023	March 2025	\$526	Yes	2025-03-28	28385
	September 2024	\$526	Yes	2024-09-27	
2022	March 2024	\$609	Yes	2024-03-31	28342
	September 2023	\$609	Yes	2023-09-28	

Homestead Tax Credit and Exemption

[Apply Online for the Homestead Tax Credit and Exemption](#)

Military Service Tax Exemption Application

[Apply Online for the Military Service Tax Exemptio](#)

Photos



Vanguard Info Link



[Click here to visit the Assessor's VCS information page](#)

No data available for the following modules: Residential Dwellings, Commercial Buildings, Agricultural Buildings, Soils Report, Yard Extras, Tax Sale, Sketches.

The Plymouth County Assessors Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied are provided for the data herein, its use or interpretation. The assessment information is from the last certified assessment roll. All other data is subject to change.

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COUNTY: PLYMOUTH
 SECTION: 21 TOWNSHIP: 92 RANGE: 45
 ALIQUOT PART: NW1/4 OF SE1/4
 CITY: LE MARS
 SUBDIVISION: DOGWOOD 4TH ADDITION
 BLOCK:
 LOT:
 PROPRIETOR: DOGWOOD PROPERTIES, LLC
 REQUESTED BY: STEVE SCHUSTER
 SURVEYOR: TIMOTHY J. LAMPRECHT
 COMPANY: CIVIL ENGINEERS & CONSTRUCTORS, LLC
 PREPARED BY AND RETURN TO: TIMOTHY J. LAMPRECHT
 1270 SOUTH DERBY LANE
 NORTH SIoux CITY, SD 57049

FINAL PLAT

OF DOGWOOD 4TH ADDITION

IN PART OF THE NW 1/4 OF SE 1/4 AND SW 1/4 OF THE SE 1/4 OF SECTION 21,
 TOWNSHIP 92 NORTH, RANGE 45 WEST, 5TH P.M., PLYMOUTH COUNTY, IOWA

BASIS OF BEARING:
 IOWA LOW DISTORTION PROJECTION (ZONE 4)

SUBDIVISION:
 31 LOTS: 10.311 ACRES
 PUBLIC ROW (LOT R-1): 3.625 ACRES
 TOTAL: 13.936 ACRES

ZONING:
 EXISTING: AG (AGRICULTURE)
 PROPOSED: R1 (SINGLE FAMILY RESIDENTIAL)

BUILDING SETBACKS:
 FRONT YARD: 35'
 REAR YARD: 35'
 SIDE YARD SINGLE STORY: 8'
 SIDE YARD TWO STORY: 10'
 CORNER SIDE YARD: 25'

OWNER / DEVELOPER:
 DOGWOOD PROPERTIES, LLC
 P.O. BOX 1110
 LE MARS IOWA, 51031

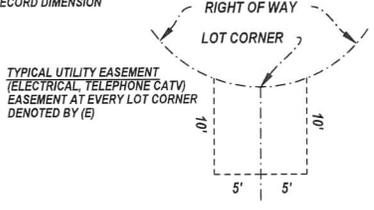
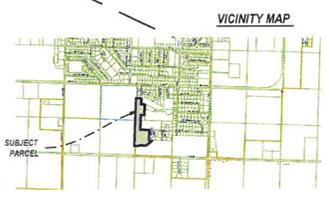
LAND SURVEYOR:
 CIVIL ENGINEERS & CONSTRUCTORS, LLC
 1270 SOUTH DERBY LANE
 NORTH SIoux CITY, SD

TIMOTHY J. LAMPRECHT, LS
 tim@ceconstructors.com
 712-222-1452

NOTES
 FEMA FLOOD ZONE X
 MAP #19149C0293E
 EFFECTIVE DATE 10/27/2022

AT THE TIME OF RECORDING,
 THE OWNERSHIP OF ALL STREETS
 WILL BECOME VESTED FEE TITLE
 IN THE NAME OF THE CITY OF LE MARS

- LEGEND**
- INDICATES FOUND CAP #12090 UNLESS OTHERWISE INDICATED
 - INDICATES FOUND CAP #23525 UNLESS OTHERWISE INDICATED
 - SET 'MAG NAIL
 - SET 1/2" X 30" REBAR W/ ORANGE CAP #23525
 - (M) MEASURED DIMENSION
 - (R) RECORD DIMENSION



DOGWOOD 4TH ADDITION : CURVE TABLE

CURVE TAG	ARC LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH	DELTA ANGLE	TANGENT LENGTH
C1	72.46'	160.00'	S76°00'41"E	71.84'	25°56'52"	36.86'
C2	37.37'	60.00'	N71°12'14"W	36.77'	35°41'17"	19.31'
C3	62.38'	60.00'	N23°34'29"W	59.61'	59°34'14"	34.34'
C4	48.71'	60.00'	N29°28'03"E	47.38'	46°50'40"	25.79'
C5	40.03'	60.00'	N71°50'18"E	39.29'	38°13'40"	20.79'

SURVEYOR'S CERTIFICATE

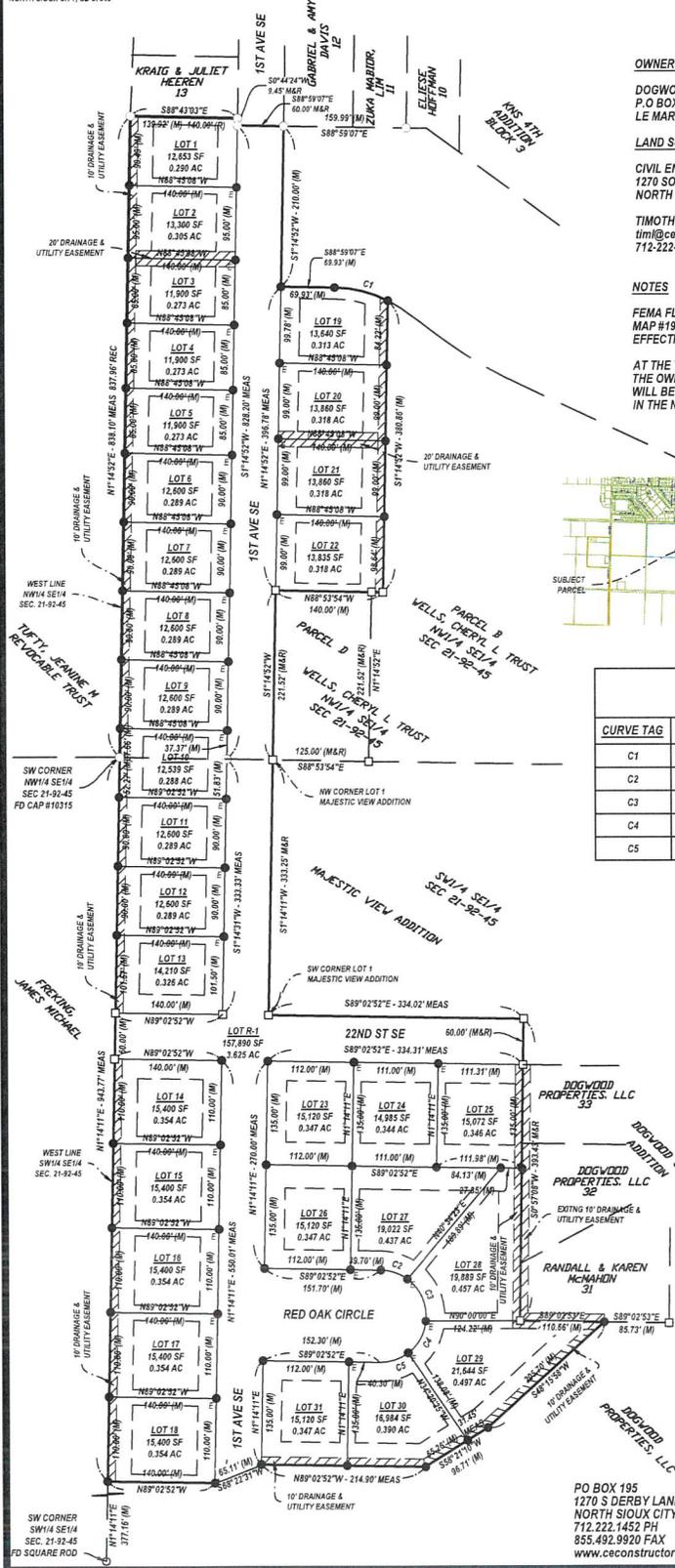
I, TIMOTHY J. LAMPRECHT, A DULY LICENSED LAND SURVEYOR UNDER THE PROVISIONS OF THE STATE OF IOWA, HOLDING CERTIFICATE NO. 23525, DO HEREBY CERTIFY THAT THIS PLAT KNOWN AS DOGWOOD FOURTH ADDITION, TO THE CITY OF LE MARS, PLYMOUTH COUNTY, IOWA, IS A TRUE REPRESENTATION OF A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE SAME IS LOCATED UPON AND COMPRISES THE WHOLE OF THE DESCRIBED PROPERTY. I DO HEREBY CERTIFY THAT THERE ARE CONTAINED IN SAID DESCRIPTION THE LOTS AS DESCRIBED IN THE SUBDIVISION PLAT, THAT THE LOTS ARE OF THE DIMENSIONS, NUMBERS, NAMES AND LOCATIONS AS SHOWN ON SAID PLAT, AND THAT IRON STAKES ARE DRIVEN AT EACH CORNER OF EVERY LOT OF SAID SUBDIVISION UNLESS OTHERWISE NOTED.



TIMOTHY J. LAMPRECHT, P.L.S.
 LICENSE NUMBER 23525
 MY LICENSE RENEWAL DATE IS: DECEMBER 31, 2025
 1 SHEET COVERED BY THIS SEAL
 PLOT DATE: APRIL 25, 2025

LEGAL DESCRIPTION : DOGWOOD 4TH ADDITION

ALL THAT PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THAT PART OF THE SOUTH-WEST 1/4 OF THE SOUTHWEST 1/4, ALL IN SECTION 21, TOWNSHIP 92 NORTH, RANGE 45 WEST OF THE FIFTH PRINCIPAL MERIDIAN, PLYMOUTH COUNTY, IOWA, DESCRIBED AS FOLLOWS:
 BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 21; THENCE NORTH 1°14'52" EAST ALONG THE WEST LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4 FOR 88.10 FEET TO THE SOUTHWEST CORNER OF LOT 13 OF BLOCK 3, 4th ADDITION TO THE CITY OF LE MARS; THENCE SOUTH 88°49'31" EAST ALONG THE SOUTH LINE OF SAID LOT 13 FOR 139.92 FEET TO THE SOUTHWEST CORNER OF SAID LOT 13 AND THE WEST RIGHT OF WAY LINE OF FIRST AVENUE SOUTHEAST; THENCE SOUTH 0°44'24" WEST ALONG SAID WEST RIGHT OF WAY LINE FOR 9.45 FEET TO THE WESTERLY PROJECTION OF THE SOUTH LINE OF LOT 12 OF SAID FOURTH ADDITION; THENCE SOUTH 88°59'07" EAST ALONG SAID WESTERLY PROJECTION FOR 60.00 FEET; THENCE SOUTH 1°14'52" WEST FOR 210.00 FEET; THENCE SOUTH 88°59'07" EAST FOR 69.93 FEET; THENCE EASTERLY FOR 72.46 FEET ON A 160.00 FOOT RADIUS CURVE, CONCAVE SOUTHERLY, HAVING A LONG CHORD OF 71.84 FEET, BEARING SOUTH 76°00'41" EAST; THENCE SOUTH 1°14'52" WEST FOR 380.86 FEET; THENCE NORTH 88°59'07" WEST FOR 140.00 FEET; THENCE SOUTH 1°14'52" WEST FOR 221.52 FEET TO THE NORTHWEST CORNER OF LOT 1, MAJESTIC VIEW ADDITION TO THE CITY OF LE MARS; THENCE SOUTH 1°14'11" WEST ALONG THE WEST LINE OF SAID MAJESTIC VIEW ADDITION FOR 333.25 FEET TO THE SOUTHWEST CORNER OF SAID MAJESTIC VIEW ADDITION; THENCE SOUTH 89°02'52" EAST ALONG THE SOUTH LINE OF SAID MAJESTIC VIEW ADDITION FOR 134.02 FEET TO THE NORTHERLY PROJECTION OF THE WEST LINE OF LOT 33 OF DOGWOOD THIRD ADDITION TO THE CITY OF LE MARS; THENCE SOUTH 89°02'52" WEST ALONG SAID NORTHERLY PROJECTION AND THE WEST LINE OF SAID LOT 33, LOT 32 AND LOT 31 FOR 393.43 FEET TO THE SOUTHWEST CORNER OF SAID LOT 31; THENCE SOUTH 89°02'52" EAST ALONG THE SOUTH LINE OF SAID LOT 31 FOR 110.66 FEET; THENCE SOUTH 48°15'08" WEST FOR 205.70 FEET; THENCE SOUTH 89°21'10" WEST FOR 96.71 FEET; THENCE NORTH 89°02'52" WEST FOR 214.90 FEET; THENCE SOUTH 89°02'52" WEST FOR 65.11 FEET; THENCE NORTH 89°02'52" WEST FOR 140.00 FEET TO THE WEST LINE OF SAID SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 21; THENCE NORTH 1°14'11" EAST ALONG SAID WEST LINE FOR 943.77 FEET TO THE POINT OF BEGINNING.
 SAID DESCRIBED PARCEL CONTAINS 13.936 ACRES, MORE OR LESS.

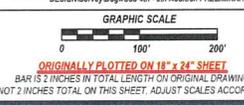


SW CORNER SW1/4 SE1/4 SEC. 21-92-45 FD SQUARE ROD

PO BOX 195
 1270 S DERBY LANE
 NORTH SIoux CITY, SD 57049
 712.222.1452 PH
 855.492.9920 FAX
 www.ceconstructors.com



PATH: I:\0_2025 CED\2025 Projects\223568 - Dogwood 4th - 5th Addition PRELIMINARY PLAT SHEETS\Dogwood4thFinalPlat.dwg



SHEET :
1 OF 1

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**DOGWOOD FOURTH(4) ADDITION
LE MARS IOWA
RESIDENTIAL AREAS COVENANTS**

THIS DECLARATION, made this day of May 2025, by **Dogwood Properties L.L.C.**, an Iowa limited liability, of Plymouth County, Iowa, hereinafter referred to as "**Declarant**", fee owner of that certain real estate legally described as: Dogwood Properties Fourth Addition, Le Mars, Plymouth County, Iowa, which includes the following: Lots 1 through 31 , inclusive, Dogwood Properties Fourth Addition, Le Mars, Plymouth County, Iowa, all of which real estate shall hereinafter be referred to as the "**Property**". Declarant intends by this Declaration to impose mutually beneficial restrictions upon the Property under a general plan of improvement for the benefit of all owners of real property within the Property. Declarant desires to provide a flexible and reasonable procedure for the overall development of the Property, and to establish a method for the administration, maintenance, preservation, use, occupation and enjoyment of such Property as is now or hereafter subjected to this Declaration.

1. **Land Use and Building Type.** No Parcel shall be used except for residential purposes. Only above-ground dwellings shall be permitted. This covenant is intended to prohibit the building of earth shelter houses and dwellings, houses surrounded by berms and underground houses. No modular home or mobile home or manufactured home shall be constructed on or placed on any Parcel. Not more than one residential structure to accommodate one immediate family shall ever be erected on one plated Parcel, except however, those Parcels which may be plated for condominiums and/or townhouses to accommodate two to four immediate families may be allowed on those Parcels. Additionally, gazebos and other outbuildings may be erected. After purchasing a lot, owners have 3 years to start construction of a residence. All such residential dwellings shall be subject to the restrictions

2. **Code Compliance.** All building construction must comply with the restrictions and requirements as provided for by the ordinances and any amendments thereto of the City of Le Mars, Iowa.

3. **Construction Site Envelope; Building Locations.** Buildings, outbuildings or dwelling units shall be located within the building site envelope. However, gazebos or other recreational facilities may be located outside the building site envelope so long as they do not block the view of adjacent property owners, are an integral part of the landscaping plan.

4. **Removal of Soil and Grade Level.** No soil shall be removed from the Property resulting from any excavation and there shall be no material change in grade levels as they now exist so that they will not allow storm water to flow on neighboring property.

5. **Re-platting and Subdividing Not Permitted Except by Declarant.** No one Parcel or multiple adjacent Parcels shall be subdivided or re-plated pursuant to Iowa Code Chapter 354 without the prior written consent of Declarant at Declarant's sole discretion. No one, except Declarant, shall at any time in any other manner change the plate of the Property, or dedicate any of the Property for a public thoroughfare, or permit any part of the Property to be

used as a public thoroughfare. Notwithstanding any provisions contained herein to the contrary, Declarant may combine platted Parcels or portions thereof with other platted Parcels, which combination may be treated as one Parcel. No Parcel shall be made subject to any type of time-sharing, fraction-sharing, or similar program whereby the right to exclusive use of the Parcel or dwelling unit rotates among members of the program on a fixed or floating time schedule over a period of years.

6. **Livestock and Poultry.** No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any Parcel within the Property, except dogs, cats, or other usual and common household pets, provided that they are not kept for any reason other than as household pets. However, those pets which are permitted to roam free on the property other than the pet owner's Parcel shall be removed upon request. Also, those pets which endanger the health of property owners and other parties, make objectionable noise, or constitute a nuisance or inconvenience to the Owner of any Parcel within the Property shall be removed upon request. Dogs shall at all times, whenever they are outside, be confined to a leash held by a responsible person unless the dogs are on the owner's Parcel. No horses shall be kept or stabled on any of such Parcels.

7. **Nuisances.** No noxious, offensive, or illegal trade or activity, as defined by law, nor any trade or commercial activity of any kind, shall be carried on upon any Parcel within the Property nor shall anything be done which may be or become an annoyance or nuisance, as defined by law, to the neighborhood or individuals residing or owning Parcels therein, except that an Owner or occupant residing therein may conduct business activities within the Parcel so long as: (a) the existence or operation of the business activity is not apparent or detectable by sight, sound or smell from outside the Parcel; (b) the business activity conforms to all zoning laws, ordinances, and requirements for the Property; (c) the business activity does not involve persons coming onto the Property who do not reside in the Property or door-to-door solicitation of residents of the Property; and (d) the business activity is consistent with the residential character of the Property and does not constitute a nuisance, or a hazardous or offensive use, or threaten the security or safety of other residents of the Property, as may be determined in the sole discretion of the Declarant. Self-employed businesses where the public is invited shall be permitted with exception to a pre-school, nursery or daycare for hire. Without limiting the generality of the foregoing, the assembly and disassembly of motor vehicles and other mechanical devices, which might tend to cause disorderly, unsightly, or un-kept conditions, shall not be pursued or undertaken on any part of the Property. No portion of any Parcel shall be used, in whole or in part, for the storage of any property or thing that will cause it to appear to be in an unclean or untidy condition or that will be obnoxious to the eye; nor shall any substance, thing, or material be kept upon any portion of a Parcel that will emit foul or obnoxious odors or that will cause any noise or other condition that will or might disturb the peace, quiet, safety, comfort, or serenity of the occupants of surrounding Parcels.

8. **Vehicle Parking.** No vehicles shall be temporarily or permanently parked within the Property without being garaged unless such parking is by bona fide temporary guests of the Owner except as otherwise provided. No garbage or large commercial trucks may be permanently parked or housed within the Property even within garages. No recreational vehicles, trailers, campers, camper trailers, boats and other watercraft, and boat trailers shall be

allowed upon any Parcel unless such recreational vehicle is parked within the garage serving said property. Stored vehicles and vehicles which are either obviously inoperable or do not have current operating licenses shall not be permitted upon the Parcels except within enclosed garages. Any vehicle or item parked in violation of Section 8 or in violation of parking rules may be towed and stored at the expense of the subject owner.

9. **Garbage Containers and Refuse Disposal.** No Parcel shall be used or maintained as dumping ground for rubbish or storage area for any commercial equipment not contained within a dwelling. Trash, garbage or other waste shall be kept in sanitary containers, which containers shall be kept out of the front yard except on collection day. Storage of such containers while in use shall be within garages or within properly screened areas.

10. **Signs.** Except as expressly set forth in this Section 10, no sign of any kind shall be displayed to the public view on any parcel, except name plates or address designations or home occupation as defined in chapter 167.02(29) Le Mars code of ordinance. Declarant or property owners' agents shall be allowed to erect and display such signs as shall be necessary to indicate to the public that parcels within the property are available for purchase. Further, Owners shall be allowed to erect and display such re-sale signs as shall be necessary to indicate to the public that their Parcel is available for purchase, said signs to be in keeping with the size and type of re-sale signs typically used by realtors.

11. **Vacant Parcels.** The people owning vacant Parcels must maintain the Parcels by seeding, re-seeding and growing grass and regularly mowing and spraying for weeds as is necessary. Upon failure to do this, and after fourteen (14) days' notice is given, the Declarant or agent's agents may perform such maintenance as necessary and bill the Parcel owner for the expense incurred and file a lien against said Parcel.

12. **Landscaping.** The yard associated with each Parcel shall be completely landscaped within one (1) year of the date upon which the residence thereon is completed.

- a. **Artificial Vegetation, Exterior Sculpture, and Similar Items.** No artificial vegetation shall be permitted on the exterior of any Parcel. Exterior sculpture, statues, and similar items shall not be allowed upon any Parcel unless written approval therefore has been first obtained from the Declarant.
- b. **Exterior Lighting.** All proposed exterior lighting shall be detailed in the final plans. No glare or hot spots will be allowed to be seen from adjacent properties. Flood lights shall be shielded fixtures. Exposed lamps are not acceptable. Any exterior house lighting, for security, landscaping, or aesthetic purposes, shall be carefully oriented to avoid directing unwanted light toward adjacent property and the roads or streets.
- c. **Retaining Walls.** Retaining walls are acceptable where proposed grades must be in excess of 3:1. Where retaining walls are used, they shall be a maximum of four feet in height, shall be terraced and stepped if in excess of four feet in height, and shall be of a material compatible with the building architecture. Retaining walls in excess of four feet in height may be approved without terracing and stepping if and only if the Declarant consents in writing and the Owner meets all conditions

placed thereon by the Declarant. No railroad ties are allowed, but landscape ties are acceptable.

13. **Private Water Source System Not Allowed.** No sprinkler or irrigation systems of any type which draw upon water from creeks, streams, rivers, lakes, ponds, wetlands, canals or other ground or surface waters within the Property shall be installed, constructed or operated within the Property. Private wells, whether for potable use or irrigation or any other use, are prohibited on the Parcels within the Property.

14. **Antennas.** Satellite dishes not exceeding 40 inches in diameter may be placed upon any Parcel within the Property for purposes of receiving television signals. Any such satellite dish shall be shielded and hidden so it will not be visible from any road, street or adjacent property. No exterior antennas or aerials shall be permitted except as may be approved by the Declarant.

15. **Air Conditioning Units.** No window air conditioning units may be installed in any dwelling upon the Property. All air conditioning units shall be shielded and hidden so they will not be visible from any road, street or adjacent property.

16. **Skylights.** The use of skylights in Dogwood Fourth Addition, is acceptable only when used on the side or rear elevation of the structure or building. The skylights should be designed as an integral part of the roof, parallel to the roof plane. The glazing should be clear or solar bronze, and the frame and sash should closely match or blend in with the roof.

17. **Pools.** No above-ground swimming pools shall be erected, constructed, or installed on any Parcel. No above ground spas are permitted unless built into a deck system with spa flush to top of deck or enclosed in a courtyard area partially screened from adjoining properties. Ground level pools are permitted and equipment for pools, spas, and the like shall be completely screened from adjoining properties.

18. **Utilities.** All utilities to building sites must be underground.

19. **Combining Parcels.** Only one (1) dwelling unit will be approved for construction on each R1 plated Parcel. An owner may combine two lots for one dwelling and that dwelling must be 2,200 square feet or greater finished main floor.

20. **Flagpoles.** Flagpoles, if any, shall be residential in size.

21. **Firearms.** The discharge of firearms within the Property is prohibited.

22. **Recreational Vehicles.** Recreational vehicles such as ATV'S shall abide by city code 75.01 to 75.04.

23. **Sidewalks.** Each Owner of a Parcel or Parcels shall construct or cause to be constructed either (i) at the time of the construction of a dwelling or (ii) within 24 months after the purchase date of the Parcel, or (iii) at the time the City of Le Mars orders the installation of

sidewalks pursuant to a Subdivision Improvements Installation Agreement, whichever occurs first, a concrete sidewalk four (4) feet in width extending across the entire Parcel or Parcels consistent with the remaining sidewalks in Dogwood Fourth Addition. In the event that any Owner of a Parcel or Parcels fails to install a sidewalk, the Declarant at its option, shall have the right to construct it or cause it to be constructed, and such Owner shall be liable to the Declarant for any and all costs in connection therewith. The Declarant is hereby empowered to claim and enforce a lien against the affected Parcel or Parcels for the cost of such construction and all costs of enforcement of the lien, including a reasonable attorney's fee.

24. **Fill Addendum.** There may be filed with the plate of Dogwood Fourth Addition an addendum showing the general location of the areas of original fill which are five (5) feet or more in depth. The absence of such an addendum shall not be interpreted for any purpose or construed that there is no filled ground. The Declarant makes no warranty or representation whatsoever for any purpose as to the existence of filled ground. It shall be the sole and exclusive responsibility of Owners to perform all appropriate soil tests and sampling as to soil conditions before construction of any improvements. No Owner shall at any time deposit dirt or other materials on any other Parcel before, during, or after construction of improvements on any Parcel.

25. **Cul-de-sac Maintenance.** The cul-de-sac has a green space that is a storm water drain site. The 6 lots (26-31) that make up the cul-de-sac will be responsible and share in the lawn care/beautification of the green space. City is still responsible for the storm water structure.

DOGWOOD PROPERTIES LLC
An Iowa Limited Liability Company, Declarant

By _____
Steve Schuster, Manager
Updated May 1, 2025

**DOGWOOD PROPERTY FOURTH(4) ADDITION
LE MARS, PLYMOUTH COUNTY, IOWA
RESIDENTIAL COMMUNITY
DESIGN GUIDELINES**

**Article I.
Housing Unit Standards**

Care has been taken in the overall planning to provide neighborhoods that would conform to a high standard of living. The lot layout and site standards shall provide a Builder direction in preparing each project for development.

1. Lot Layout

Minimum dimensional requirements shall be in accordance with the local zoning ordinances. Setbacks shall be measured from road or street right-of-way to the finished face of the building foundation. Roof overhangs may occur inside setbacks.

Housing units shall be sited and oriented to best take advantage of views and open space. Care must be taken to locate each structure, whenever possible, so as not to infringe upon view corridors, adjacent structures, and natural amenities of the area.

Staggering building setbacks from road or street rights-of-way should be utilized to eliminate a regimented and monotonous streetscape. Staggering the facades of individual units can be done to achieve a similar effect.

To create diversity and individuality through Dogwood Properties Fourth Addition, it is critical in the siting of particular house types that a variety of styles and color packages be provided for houses in proximity. The same model, even by varying the elevation, may not be duplicated on more than three consecutive lots without skipping at least two lots. In other words, three consecutive lots shall have different models. The same model regardless of elevation shall not be built across the street from itself. The same color package on a model shall not be used directly across the street from itself. The same color package on a model shall not be used adjacent to itself

2. Minimum House Size

Housing units shall have the following minimum square footage requirements.

**Dogwood Properties
Second Addition**

**Minimum Square Footage
Minimum House Size (S.F.)**

Single Family - Ranch	1,400 square feet finished main floor
Single Family- Two lots combined	2,200 square feet finished main floor
No two-story houses	

- Square footage shown above are exclusive of porches, garage, decks, patios or basements.

3. Building Materials

In keeping with the planning and design considerations given to the natural environment, and in keeping with the upscale image of Dogwood Properties, certain building materials are more appropriate than others. Materials not listed below or new building materials, as they are developed or become available, will be given special consideration provided their use harmonizes with the community appearance.

In the use of these materials, it is important to avoid large, uninterrupted planes in both facades and roof areas. On the contrary, the use of too many different materials or textures can create confusion and distract them from otherwise good design.

4. Foundations

Exposed foundations must be painted to match the house or split face concrete block used.

5. Roofs

Roof colors and textures shall be an integral part of the exterior color scheme of the house.

Permitted:

- Cedar wood shingles or shakes
- Concrete tiles with natural texture and color
- Natural clay tiles
- Ribbed metal of warm colored finish (specialty areas only)
- Fiberglass shingles
- Asphalt shingles in warm earth tones
- Masonite shingles

Not permitted:

- Asphalt shingles in bright colors
- Rolled asphalt
- Asbestos cement shingles
- Brightly colored metal
- Hallmark shingles

6. Gutters and Vents

All gutters (except copper) shall be painted to match approved roof colors or trim. Roof stacks and plumbing vents shall be placed on rear slopes where possible.

7. Garages

Each house shall have, as a minimum, an attached, two car garage with either a single door or two overhead doors, which will be highly encouraged. All doors should be compatible with exterior design. They should be kept closed when not in use.

8. Siding Materials

Siding materials bear the same consideration as roofing materials. Natural materials such as stone and wood inherently work well with their surroundings, as do man-made materials of natural color and material such as brick.

In addition, large expanses of a single material, especially if unbroken by detail or depth, can become overpowering to the rest of the building form and surroundings. On the contrary, the use of too many different materials or textures can create confusion and distract from an otherwise good design.

Permitted:

- Wood or Masonite lap siding or shingle
- Masonry
- Brick
- Stucco
- Aluminum or steel siding
- Architectural finished plywood

Not Permitted:

- Plywood (except as panel infill)
- Stucco areas in pure white
- Brick areas in pure white
- Siding and trim colors in bright, harshly contrasting ranges
- Cement asbestos siding, unless DRC approval is given
- All plastics or vinyl, unless Declarant approval is given
- Simulated brick or stone, unless Declarant approval is given

9. Decks and Porches

Detailing of all the patios and decks must be architecturally compatible with the house. Patios and decks shall be designed to serve as an extension of the house. Rails, pickets and underpinning shall be painted or stained to match or compliment the house.

Outdoor carpeting is not allowed on front porches or open front or rear. Brick detailed stoops, porches and stairs are recommended and will be encouraged.

Porch screening colors shall complement and blend with the house (green is not allowed). No mill-finish aluminum will be allowed as framing for a porch.

10. Skylights

The use of skylights in Dogwood Properties Fourth Addition is acceptable only when used on the side or rear elevation of the structure or building. The skylights should be designed as an integral part of the roof, parallel to the roof plane. The glazing should be clear or solar bronze, and the frame and sash should closely match or blend in with the roof.

Permitted:

- Glass skylight integral with the roof and closely matched in color
- Rectangular or square with sides parallel to roof members
- Skylights on side or rear elevations only
- Operable skylights for ventilation

Not Permitted:

- White glazing, plastic bubble skylights
- Solar collectors

11. Site Standards

To preserve the development goals, site grading of a specific lot shall be kept to a minimum and alterations to existing drainage systems shall be avoided. Any grading necessary will maintain a natural appearance. Grading should produce graceful contours, not sharp angles. Provide smooth transitions at the head and toe of the slopes.

12. Retaining Walls

Retaining walls are acceptable where proposed grades must be in excess of 3:1. Where retaining walls are used, they shall be a maximum of four feet in height, shall be terraced and stepped if in excess of four feet in height, and shall be of a material compatible with the building architecture. No railroad ties are allowed, but landscape ties are acceptable. Retaining walls in excess of four feet in height may be approved without terracing and stepping but if and only if the Declarant consents in writing and the Owner meets all conditions placed thereon.

13. Antennas

Exterior antennas or aerials are not allowed. If an antenna is required for a particular electrical function, it should be mounted inside the house, attic, or garage.

One communication dish or antenna not exceeding 40 inches in diameter may be placed on a structure or building.

The dish, antenna structure, and all electronic and ancillary equipment shall be located in a portion of the structure or building, away from any roads, streets, or adjacent properties, and screened from view.

The materials and color of the screening must be compatible with the surrounding landscaping or structures and blend in with the surrounding area. Trees, other natural foliage, and ornamental features may be considered acceptable screening.

14. Flagpoles

Flagpoles, if any, shall be residential in size.

15. Recreational Items

- Pools: In-ground pools with fencing and screening are approved. No above-ground swimming pools shall be erected, constructed, or installed on any Parcel. No above-ground spas are permitted unless built into a deck system with spa flush to top of deck or enclosed in a courtyard area partially screened from adjoining properties. Jacuzzis, hot tubs, spas, or any similar apparatus are permitted. Equipment for pools, spas, and the like shall be screened from adjoining properties.

- Basketball standards and backboards, if used, shall be located away from the street. Pole mounted are acceptable. They should not be visually obtrusive to the community (i.e., bright colors, advertising, etc.).

- Play equipment shall be allowed, however, restrictions of their location and screening shall be enforced. All play equipment shall be restricted to backyards.

16. Recreational Vehicles

All permanent vehicles, including golf carts, are to be parked within a garage. Recreational vehicles, such as boats, motorhomes, and campers, may only be stored on-site a maximum of 72 hours unless fully garaged. Otherwise, they shall be stored in a designated area off-site.

17. Garbage Containers and Air Conditioners

Garbage containers shall be kept out of the front yard except on collection day. Storage of garbage containers while in use shall be in the garage or screened from view. All air conditioning units shall be shielded and hidden so they will not be visible from any road, street, or adjacent property.

18. Site Utilities

Site utilities such as pool equipment, gas meters, etc. should be located to minimize their visibility. All exterior utility equipment shall be screened from the view of other houses.

19. Accessory Buildings/Structures

These structures shall be an integral part of house design. No metal sheds or their equal shall be allowed. Storage facilities and dog runs are permissible only if they are similar in design of the building, are out of view from the street, and are built of materials consistent with the overall design. Gazebos and children's play structures separate free standing structures permitted except as provided herein.

Permitted:

- Attached structures incorporated into the building design (encouraged)
- Structures out of sight from the street, built from materials consistent with the overall building
- Free standing gazebos and play structures
- Dog runs with concrete floors (60 sq. ft. maximum) with 6' (maximum) high fence of wood on the outside

Not Permitted:

- Metal or fiberglass structures

20. Construction Site Envelope; Building Locations

Buildings, outbuildings or dwelling units shall be located within the building site envelope. However, gazebos or other recreational facilities may be located outside the building site envelope so long as they do not block the view of adjacent property owners, are an integral part of the landscaping plan. No building can be in easements.

21. Clotheslines

Clotheslines must only be in rear yards and must be fully screened from view from adjacent properties.

22. Driveways

Driveways should be concrete only. Every driveway shall provide positive drainage away from the house and garage. Driveway aprons must be paved and patterned in the same manner as the driveway. No curb-side parking areas may be created by extending any portion of the street pavement. Driveway layouts with landscaped courtyards and/or curvilinear alignment are encouraged.

23. Parking

Minimum parking requirements are two spaces within a garage and two spaces off of the street and on paved area within building setbacks. Parking on the street shall be discouraged and must be limited to special occasions for a limited time only.

**Article II.
Landscape Guidelines**

1. Minimum Planting Requirements

A minimum plant quantity chart is provided to assist the owner/builder in developing landscape plans. This chart lists plant quantities according to type of trees per lot. These quantities are minimums of 3 trees per lot of the trees listed; additional plants beyond these numbers are encouraged.

The quantities for trees were established for residential lots with no existing vegetation. Those lots with an abundance of existing trees would be given credit for those trees preserved and the minimum requirements would be relative to that lot.

This chart does not specify street tree requirements, seed, sod or irrigation which are also required. All disturbed areas must be revegetated either with natural grasses, turf, ground cover or shrub masses.

MINIMUM PLANT QUANTITY ACCORDING TO PLANT TYPE

Parcel Type	Shade Tree	Evergreen Tree	Ornamental Tree	Deciduous Shrub	Evergreen Shrub
All	3	3	3	10	10

MINIMUM PLANT SIZES AT TIME OF PLANTING:

- Shade Tree: 2" - 2 ½" Caliper
- Evergreen Tree: 5' - 8' Height (Heights should vary.)
- Ornamental Tree: 1" - 1 ½" Caliper
- Deciduous Shrubs: 2 - 3 Gallon Container
- Evergreen Shrubs: 2 - 3 Gallon Container

2. Private Water Source System Not Allowed

No sprinkler or irrigation systems of any type which draw upon water from creeks, streams, rivers, lakes, ponds, wetlands, canals or other ground or surface waters within the Property shall be installed, constructed, or operated within the Property. Private wells, whether for potable use or irrigation or any other use, are prohibited on the Parcels within the Property,

3. Air Conditioning Units

No window air conditioning units may be installed in any dwelling upon the Property. All air conditioning units shall be shielded and hidden so they will not be visible from any road, street or adjacent property.

4. Fences and Courtyard Walls

Courtyard walls must be constructed of approved materials such as brick, stone, or wrought iron along with screening developed from masses of plantings are encouraged to enclose the private and service areas of a Parcel. Materials selected must be compatible with the style of each dwelling and conform with the natural character of the Parcel. Low walls and fences can be used to help the dwelling "hug" the site.

Property line fences may be a vinyl or wrought iron (black, white, tan, or brown only). Where required for the containment of children and pets, a vinyl coated (white, black, or green) mesh/fence. Mesh/fence may not project above top of horizontal rail. No fence to exceed 6 feet high.

Permitted:

- Courtyard walls with an accent trim repeating fascia or trim details used in the dwelling.
- Courtyard walls using the same brick or stone used on the Dwelling.
- Courtyard walls - 3' maximum in height
- Poured-in-place concrete, or pre-finished modular masonry landscaping unit retaining walls.
- Wrought iron or Vinyl fence.

Not Permitted:

- Simple stucco walls, unless part of entry monument, for short Runs
- Chain link fences
- Fences/walls close to streets or roads
- Wire/cable fences
- Railroad tie retaining walls

All fencing shall have the framing on the lot side of the fence so as not to be exposed to adjacent properties. Fences shall not be erected in utility, drainage or landscape easements.

5. Landscape Maintenance

Each owner shall keep all houses and improvements thereon in good order and repair, free of debris including but not limited to the seeding, watering, and mowing of all lawns, the

pruning and cutting of all trees and shrubbery in such a manner and with such frequency as is consistent with good property management.

6. Landscape Completion

The yard associated with each Parcel shall be completely landscaped within one (1) year of the date upon which the residence thereon is completed

7. Cul-de-sac Maintenance. The cul-de-sac has a green space that is a storm water drain site. The 6 lots that make up each cul-de-sac will be responsible and share in the lawn care/beautification of the green space. These are lots 26-31. The city will maintain the inlets and underground piping.

Article III. Construction Procedures

Construction must be conducted so as not to be injurious or offensive to adjacent properties because of the emission or creation of noise, vibration, smoke, dust or other particulate matter, toxic or noxious waste materials, odors, fire and explosive hazard or glare.

All construction sites are to be maintained in a clean and orderly fashion throughout the construction process. Construction materials are to be neatly piled on site; debris and rubbish are to be contained and periodically removed; tall, unsightly weeds are to be routinely cut back, streets adjoining a construction site are to be frequently swept clean of dirt and construction trash. Any debris left by a Contractor on public streets shall be cleaned up by the Contractor. No open burning is allowed. Adjacent properties may not be used for the dumping of construction debris, dirt, trash, or such items. There will be no washing of any truck or car on the streets of Dogwood Properties Third Addition.

1. Erosion Control

The Contractor is responsible for an erosion and sediment control plan to be established and implemented to control runoff and contain silt within disturbed areas of the construction site.

2. Parking

All construction shall not interfere with the free passage of traffic through and around the site. Construction traffic must be sensitive to the traffic patterns, speed limits, and needs of the community.

3. Screening

Where particularly offensive construction activities occur adjacent to a developed property otherwise sensitive land use, the builder may require to erect a proper fence to screen that activity. Adjacent properties must also be protected from wind-born dust and debris.

4. Noise

Loud radios or noise will not be allowed within Dogwood Properties. This is distracting and discomforting to property owners. Normal radio levels are acceptable. Do not mount

speakers on vehicles or outside houses under construction. Remember that sound travels a long way on a windy day.

5. Temporary Structures/Signs

The installation and location of all temporary structures such as site trailers and leasing offices are approved. These structures must be promptly removed upon the completion of construction. Building permit boxes shall not be attached to existing trees.

6. Deliveries

No deliveries of equipment or material should be made before 7:00 A.M. or after 8:00 P.M. Operators of vehicles are required to see that they do not spill any damaging materials while within Dogwood Properties. If spillage occurs, operators or their contractors are responsible for cleanup. They are also required to contact governing agencies governing these occurrences. Clean ups done by the Declarant will be billed to the party responsible. Please report any spills as soon as they occur.

7. Trash

Dumpsters must be provided at the building site to collect trash and debris generated by construction and sub-contractors and their employees. They shall be emptied regularly to prevent overfilling. All dumpsters must be on property, no dumpsters can be placed in the street.

8. Work Hours

Construction work shall not begin before 7:00 A.M. nor continue after 8:30 P.M., Monday through Saturday. Special permission is necessary to move equipment or make deliveries on Sunday. All attempts should be made to coordinate construction schedules that may cause disruption to adjoining residents.

9. Protecting Vegetation

Trees and other vegetation that is to be saved according to the approved landscape plan must be flagged and, if necessary, protected by temporary barriers such as chain link fences or another suitable barrier. The Contractor shall not store equipment or materials within the dripline of existing vegetation to remain.

10. Vacant Property

All vacant property shall be kept neat and cleared of debris and shall be well and continuously maintained in its natural condition until construction commences on the property. Trespassing and/or storing material on vacant lots is not permitted unless permission is given by the Declarant.

11. Damage to Structures/Utilities

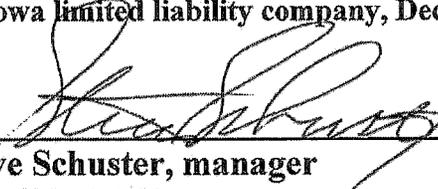
Any damage to streets and curbs, drainage inlets, streetlights, street markers, mailboxes, walls must be repaired to original condition by the party responsible. Repairs made by Declarant will be billed to the party responsible.

Any party who cuts any utility line such as water, sewer, electricity, cable TV or telephone shall be responsible for reporting the accident to the Declarant and the appropriate utility within 30 minutes.

12. Portable Toilets

Portable toilets must be provided by the General Contractor at the site.

DOGWOOD PROPERTIES LLC
an Iowa limited liability company, Declarant

By 

Steve Schuster, manager

Updated May 1, 2025