



Approved

## MINUTES

### CITY OF DUBUQUE ZONING BOARD OF ADJUSTMENT REGULAR SESSION

4:00 p.m.

Thursday, November 19, 2009

City Council Chamber, Historic Federal Building

**Board Members Present:** Chairperson Mike Ruden; Board Members Randy Klauer, Jeff Cremer, Heath Hutchinson and Bill Gibbs; Staff Members Guy Hememway and Wally Wernimont.

**AFFIDAVIT OF COMPLIANCE:** Staff presented an Affidavit of Compliance verifying the meeting was being held in compliance with the Iowa Open Meetings Law.

**CALL TO ORDER:** The meeting was called to order by Chairperson Ruden at 4:00 p.m.

**MINUTES:** Motion by Klauer, seconded by Cremer to approve the minutes of the October 22, 2009 meeting. Motion carried by the following vote: Aye – Klauer, Cremer, Hutchinson Gibbs and Ruden; Nay - None.

### **SPECIAL EXCEPTIONS**

**DOCKET 52-09:** Application of Glen Bradley / City Housing Services Department for a special exception for property located at 1669 Washington Street to build a front porch 1 foot from the front property line, 10 feet required; and 1 foot from the north side property line, 3 feet required, in an R-2A Alternate Two-Family Residential zoning district.

Joleen Patterson, Housing Rehabilitation Supervisor, represented Glen Bradley. She outlined the special exception request. She explained that the front porch will reflect the historic character of the Washington Neighborhood.

No one spoke in opposition to the request.

Staff Member Wernimont reiterated the special exception request. He explained that the existing enclosed front porch will be removed and replaced with an open-style porch that is more in character with the neighborhood. He said that the front porch will not block the visibility to the sidewalk or street from the adjacent properties. He said that several other structures in the block are built closer to the front property line than the proposed front porch.

Motion by Klauer, seconded by Gibbs, to approve the special exception request as submitted. Motion carried by the following vote: Aye – Klauer, Cremer, Hutchinson, Gibbs and Ruden; Nay – None.

**DOCKET 53-09:** Application of Greg Welp / Opening Doors (Maria/Teresa Shelters) for a special exception for property located at 1111 Bluff Street to build an 8 foot by 20 foot attached front porch 16 feet from the front property line (11<sup>th</sup> Street), 20 foot minimum required; and to replace a flat roof with a hip roof with an overhang 0 feet from the front property line (11<sup>th</sup> Street), 20 foot minimum required, and 1 foot from the north side property line, 6 foot minimum required, in an OR Office Residential zoning district.

Greg Welp, 11 Cameroon Road, Galena, Illinois, explained that he is a volunteer for the women's shelter. He discussed the age and design of the existing structure at 1111 Bluff Street. He said that the proposal is to add a roof and two front porches to the structure.

No one spoke in opposition to the request.

Staff Member Hemenway presented the staff report. He explained that the applicants are trying to make the commercial structure look more residential. He said that the property is located in a mixed-residential neighborhood. He explained setbacks for property lines along 11<sup>th</sup> and Bluff Streets. He said that the porch will not encroach in the visibility triangle of the intersection of 11<sup>th</sup> and Bluff Streets.

Board Member Klauer asked if the porches will meet the required front yard setback along Bluff Street and if they will impact off-street parking. Staff Member Hemenway said that the proposed front porches will replace existing concrete planters and will not impact on off-street parking.

Motion by Klauer, seconded by Cremer, to approve the special exception request as submitted. Motion carried by the following vote: Aye – Klauer, Cremer, Hutchinson, Gibbs and Ruden; Nay – None.

**CONDITIONAL USE PERMITS:**

**DOCKET 47-09:** Application of Durrant Group Inc. for a conditional use permit for property located at 400 Ice Harbor Drive to erect a 40 foot high wind turbine, as a conditional use, in a PC Planned Commercial zoning district.

Staff noted that the applicant has submitted a request to withdraw the application.

Motion by Klauer, seconded by Gibbs, to accept the request to withdraw Docket 47-09. Motion carried by the following vote: Aye – Klauer, Cremer, Hutchinson, Gibbs and Ruden; Nay – None.

**VARIANCES:**

**DOCKET 54-09:** Application of Pizza Hut, Keith Wolff / Spirit Master Funding for a variance for property located at 2075 Kennedy Road to install two roof-mounted signs in a C-3 General Commercial zoning district.

The applicant was not in attendance; however, the Board decided to hear the docket.

No one spoke in opposition to the request.

Staff Member Hemenway presented the staff report. He explained that roof mounted signs are not allowed in this zoning district. He said the roof-mounted sign are a typical motif for the Pizza Hut franchise. He said that there are two existing roof-mounted signs and they are proposing to replace them with two smaller signs. Staff Member Hemenway distributed photos of the site to the Board

Motion by Klauer, seconded by Gibbs, to approve the variance as submitted. Motion carried by the following vote: Aye – Klauer, Cremer, Hutchinson, Gibbs and Ruden; Nay – None.

**ADJOURNMENT:** The meeting adjourned at 4:15 p.m.

Respectfully submitted,



Guy Hemenway, Assistant Planner

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Adopted—November 19, 2009