

MINUTES
CITY OF DUBUQUE ZONING BOARD OF ADJUSTMENT
REGULAR SESSION

5:30 p.m.

Thursday, October 27, 2022

City Council Chambers, Historic Federal Building

Board Members Present: Chairperson Jonathan McCoy, Board Members Keith Ahlvin, Bethany Golombeski, and Matt Mauss.

Board Members Excused: Gwen Kosel

Board Members Unexcused: None

Staff Members Present: Shena Moon, Travis Schrobilgen and Jason Duba

CALL TO ORDER: The meeting was called to order by Chairperson McCoy at 5:32 p.m.

MINUTES: Motion by Mauss, seconded by Ahlvin, to approve the minutes of the September 22, 2022 Zoning Board of Adjustment meeting as submitted. Motion carried by the following vote: Aye – Ahlvin, Mauss and McCoy; Nay – None; Abstain – Golombeski.

DOCKET – 40-22: Application of James & Cynthia Riedl, 2508 Pennsylvania Avenue to construct an accessory structure 3' from the side property line where 6' is required and to allow 1,086 square feet of accessory structures where 1,000 square feet maximum is permitted in an R-1 Single-Family Residential zoning district.

James Riedl, 2508 Pennsylvania Avenue, spoke in favor of the request. He explained that he's hoping to build a wood shop/storage building. After getting a Special Exception approved last month, his contractor suggested building it a little bigger, which would take the total area of accessory structures to 1,086 square feet.

There was no public input.

Board members viewed the plans for the accessory structure that Mr. Riedl provided.

Staff Member Duba detailed the staff report noting characteristics of the property and the surrounding neighborhood, including numerous detached sheds and garages. He described the proposed shed and noted the smaller existing shed would remain on the property, bringing the total area of accessory structures to 1,086 square feet. He explained that there would be little impact to surrounding properties, and visibility would not be blocked.

The Board sought to clarify that the difference with this application is that it's marginally larger. They also received clarification from Mr. Riedl that the previously approved condition to provide a hard-surfaced driveway if the structure were regularly used for vehicle storage.

Motion by Mauss, seconded by Ahlvin, to approve the request with the following condition:

1. A hard-surfaced driveway would be required if the structure were regularly used for vehicle storage.

Motion carried by the following vote: Aye – Ahlvin, Golombeski, Mauss and McCoy; Nay – None.

DOCKET – 41-22: Application of Douglas Schlarman, 1020 & 1022 Bluff Street to construct an 8' x 36' deck 2' from the side property line where 3' is required and to cover 71% of the lots with structures where 50% maximum coverage is permitted and to have 0% greenspace where 20% minimum is required in an OR Office Residential zoning district.

Douglas Schlarman, 1020 Bluff Street, spoke in favor of the request. He explained that they went through historic review and got approval for the metal railing. He noted there's a small porch on 1022 Bluff that's being removed. He explained that since he owns both houses, they decided to have a deck that spans across both units for tenants to enjoy the neighborhood.

There was no public input at the meeting.

Staff Member Schrobilgen detailed the staff report noting the exceptions for setback, lot coverage, and green space. He explained that the existing structures are legally non-conforming. He stated that the removal of the green space is for a parking space, that this area is heavily developed with regard to the lack of green space, and that the deck would offset the green space as outdoor activity space. He noted the rear yard setback being at least 11.5' from the deck. He also reiterated that the properties are within the Jackson Park Historic District and that most exterior work requires historic review and that the deck was approved by the Historic Preservation Commission. He concluded, noting staff received one public comment call that asked for clarification on whether the proposed deck would impede on the 10' wide alley. They were neither in support or opposed to the project.

The Board asked for clarification on what the intended surface would be for the parking space and asked whether it was a green alley. Mr. Schlarman replied that he intends to pour concrete for the parking space and that a green alley is planned by the City, but it is not currently. Staff member Schrobilgen stated that any parking spaces would require a hard surface.

Motion by Ahlvin, seconded by Mauss, to approve the request with the following condition:

1. The deck remain of an open design.

Motion carried by the following vote: Aye – Ahlvin, Golombeski, Mauss and McCoy; Nay – None.

DOCKET – 42-22: Application of Debbie Roth, 857 Berkley Place to construct a 10' x 16' deck 8' from the front property line where 20' minimum is permitted in an R-1 Single-Family Residential zoning district.

Mike Arensdorf, contractor, spoke in favor of the request. He noted that the old stoop was falling apart. He explained that he thought they had a building permit, so he started construction of the larger deck.

Michelle Jaeger, 2725 Oak Crest, neighbor, spoke in favor of the request stating she had no objections to the deck and that Debbie is a great neighbor.

Staff Member Moon detailed the staff report noting that some construction has been started, that the deck encroaches into the front yard setback, and that it's 8' from the front property line and 17' from sidewalk. She noted that it is a front deck is consistent with other properties in the neighborhood. They received one call supporting the request.

The Board asked if an open design was an acceptable condition, and Mr. Arensdorf replied yes.

Motion by Golombeski, seconded by Mauss, to approve the request with the following condition:

1. The deck remain of an open design.

Motion carried by the following vote: Aye – Ahlvin, Golombeski, Mauss and McCoy; Nay – None.

DOCKET – 43-22: Application of Raechelle Ahmed, 1599 Washington Street to install a 7' in height privacy fence in the front yard (along 16th Street) where 4' in height maximum is permitted in the front yard in an R-2A Alternate Two-Family Residential zoning district.

Robert McDonald, 2070 Coates Street, spoke in favor of the request. He explained that they are hoping to put a privacy fence between the garage and the house.

There was no public input.

Staff Member Duba detailed the staff report noting that the property is a corner lot and that the house fronts on Washington Street. He said the fence will be along the 16th street front property line which is why it needs Board approval. He described the characteristics of the property and the neighborhood, noting that there are other houses with detached garages and fences nearby. He noted that visibility between drivers should be adequate but that the fence could impede visibility of pedestrians passing on the sidewalk.

The Board asked about cutting the fence at an angle for visibility of pedestrians, and Mr. McDonald stated that they could put it at a 45-degree angle from the garage to the sidewalk.

The Board also asked about the finish of the fence, and Mr. McDonald replied that it would be whitewashed. He also stated that he would install a neighbor-friendly fence.

Motion by McCoy, seconded by Mauss, to approve the request with the following conditions:

1. That the fence run at a 45-degree angle from the exiting garage to the front property line.
2. That the fence be neighbor-friendly with the horizontal structural beams facing the interior of the subject property.

Motion carried by the following vote: Aye – Ahlvin, Golombeski, Mauss and McCoy; Nay – None.

ITEMS FROM PUBLIC: None.

ITEMS FROM BOARD: None.

ITEMS FROM STAFF: Associate Planner Moon introduced new Planning Technician Matt O'Brien.

ADJOURNMENT: Motion by McCoy, seconded by Ahlvin, to adjourn the October 27, 2022, Zoning Board of Adjustment meeting. Motion carried by the following vote: Aye – Ahlvin, Golombeski, Kosel, Mauss and McCoy; Nay – None

The meeting adjourned at 5:59 p.m.

Respectfully submitted,



Shena Moon, Associate Planner

November 17, 2022
Adopted