



Approved

MINUTES
CITY OF DUBUQUE ZONING BOARD OF ADJUSTMENT
REGULAR SESSION

5:30 p.m.

Thursday, February 23, 2023

City Council Chambers, Historic Federal Building

Board Members Present: Chairperson Jonathan McCoy, Board Members Keith Ahlvin, Gwen Kosel, Rena Stierman and Matt Mauss.

Board Members Excused: None

Board Members Unexcused: None

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

CALL TO ORDER: The meeting was called to order by Vice Chairperson Ahlvin at 5:30 p.m.

MINUTES: Motion by Mauss, seconded by Kosel, to approve the minutes of the January 26, 2023 Zoning Board of Adjustment meeting as submitted. Motion carried by the following vote: Aye – Ahlvin, Kosel and Mauss; Nay – None; Abstain – Stierman.

DOCKET – 47-22 Tabled from December: Application of Pablo Ramirez, 1598 Washington Street to install a 6' high fence in the front yard (along 16th Street) where 4' high maximum is permitted in the front yard in an R-2A Alternate Two-Family Residential zoning district.

Pablo Ramirez, 6840 Crystal Lake Cave Road, spoke in favor of the request. He explained that he used to own the house and has sold it to his brother. He stated that he bought the house in 2015 when he was a police officer as part of a program to encourage officers to live in the neighborhood. He noted that he put up the fence to try to make his back yard more secure and comfortable, and he didn't realize that the front yard height requirement applied here. He explained that it would be a hardship on his injured veteran brother to alter the fence, which cost \$6,000 to install.

Staff Member Schrobilgen detailed the staff report noting there was a house in this location previously. He explained that the applicant has a 6' fence that encroaches on the visibility triangle, but it remains 7' from the alley and 11' from the street. He noted that it's 2' higher than the 4' allowed for front yard fences. He expressed that there are no other issues for safety.

Chairperson McCoy arrived at 5:45pm during Board discussion with the applicant.

The Board noted that the fence made sense for security and that it looked nice but that they noted concerns with the fence's encroachment on the visibility triangle. They conversed with the applicant on the feasibility of modifying the corner of the fence to remove it from the visibility triangle. Ramirez stated there have been no issues with traffic at that location and no calls for service during his time as a police officer. He stated that there is good visibility coming from the alley.

Another stated concern was that there was potential for the fence to go higher than proposed. Staff Member Schrobilgen stated that any additional height would require another Special Exception request.

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

1. The fence shall not encroach into the visibility triangle.

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

DOCKET – 04-23: Application of Mike Lange, Lange Sign Group, 1185 Roosevelt Extension to allow two directional signs to be 36 square feet each where nine square feet is allowed per sign.

Mike Lange, Lange Sign Group, 1780 IL Route 35, East Dubuque, Illinois, spoke in favor of the request. He explained that they are requesting two directional signs to help traffic that approaches along Roosevelt Ext. because the building along the street is the back or rear of the facility where no doors or offices are located. He said the signs would provide direction for truck drivers and visitors, and they need signage large enough for semi-truck drivers to see from a decent distance. He stated that because there is no driveway around the building, they have had problems with semis going the wrong location and having to back out, which is a safety concern. He explained that a normal directional sign has 2" copy, and these signs would have 4"- 5" copy. He noted the signs can't be installed mounted in the ground because there are high pressure pipes present.

Chairperson McCoy expressed that there was a lot of negative space and the large Klauer logo took up space on the signs and wondered if that was necessary. Mr. Lange stated that you can't see the wall-mounted business signs as you approach the intersection, so you wouldn't know you're at Klauer. Chairperson McCoy sought clarification of which diagrams were under review and Staff Member Duba noted that the signs in question were 1A and 1B.

Staff Member Duba detailed the staff report noting the identity and characteristics of the property and its surroundings. He noted the factory has expanded, and the company has rebranded so is seeking to install new signs throughout. He described the location where the signs are being requested, which is where approaching traffic has to decide which way to go, but there are not distinguishing architectural features such as loading docks to help them navigate. He noted the signs are on large building walls and are flush to the walls so would be an appropriate scale and not obstruct visibility.

Board Member Ahlvin expressed that this proposal represents a unique situation, and there could be confusion in this industrial area and saw no issue with the proposal.

McCoy sought to clarify that an unlimited number of directional signs are allowed, which Staff Member Duba confirmed.

Board Member Mauss stated that he worked in this area, and he agreed that it needed signs to help people navigate. He stated that he saw this proposal as beneficial.

Board Member Stierman acknowledged the increase, but she saw the proposal as helpful.

Motion by Ahlvin, seconded by Mauss, to approve the request as submitted. Motion carried by the following vote: Aye – Ahlvin, Kosel, Mauss, Stierman and McCoy; Nay – None.

DOCKET – 05-23: Application of Timothy and Barbara Schmidt, 2172 Orchard Drive to store a vehicle 6' from the front property line where 20' is required in an R-1 Single Family Residential zoning district.

Tim Schmidt, 2172 Orchard Drive, spoke in favor of the request. He explained that he's requesting to park his motor home 6' back from the property line. He expressed confusion about what this is all about and stated he's been parking there for 30 years.

McCoy expressed that it was likely an enforcement case as they are often created when a there is a complaint in the neighborhood.

Staff Member Moon detailed the staff report noting that the Zoning Enforcement Officer observed the vehicle after being in the area on a different call as per standard operating procedure. She explained that the Special Exception would allow the vehicle to be stored 6' from the front property line where a 20' setback is usually required. She described the property and its topography. She noted that two neighbors expressed support for the application.

The Board discussed how their approval lives with the property and thought of ways to reduce the scope of their approval. They settled on limiting the vehicle to an RV no longer than 35'. The applicant was amenable to that condition, as he did not intend to get a larger RV.

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

1. The stored vehicle be an RV no longer than 35'.

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

ITEMS FROM PUBLIC: None

ITEMS FROM BOARD: None

ITEMS FROM STAFF: Planning Services Manager Wernimont reminded the Board of the ISU Training on April 24.

Welcome was extended to new Board member Rena Stierman.

The upcoming UDC update was discussed.

The Airport Zoning Board of Adjustment and Election Officers was mentioned, and staff stated that those items would be added to the next agenda.

ADJOURNMENT: Motion by McCoy, seconded by Ahlvin, to adjourn the February 23, 2023 Zoning Board of Adjustment meeting. Motion carried by the following vote: Aye – Ahlvin, Kosel, Mauss, Stierman and McCoy; Nay – None

The meeting adjourned at 6:18 p.m.

Respectfully submitted,



Shena Moon, Associate Planner

March 23, 2023
Adopted