

**MINUTES
CITY OF DUBUQUE ZONING BOARD OF ADJUSTMENT
REGULAR SESSION**

5:30 p.m.

Thursday, June 27, 2024

City Council Chambers, Historic Federal Building

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

Board Members Excused: Gwen Kosel, Rena Stierman

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 5:30 p.m.

MINUTES:

Chairperson McCoy requested an edit for the April 25, 2024 minutes reading “Duba also stated that a historic review had occurred and was approved.”

Motion by Ahlvin, seconded by Mauss, to approve the minutes of the April 25, 2024 Zoning Board of Adjustment as amended. Motion carried by the following vote: Aye – Ahlvin, Mauss, and McCoy; Nay – None.

Motion by Ahlvin, seconded by Mauss, to approve the minutes of the May 23, 2024 Zoning Board of Adjustment meeting as submitted. Motion carried by the following vote: Aye – Ahlvin, Mauss, McCoy; Nay – None.

DOCKET – 20-24: Application of Cathy Recker, 390 Glen Oak Street, to construct an addition 3’ from side property line where 6’ is required in an R-1 Single-Family Residential zoning district.

Cathy Recker, 390 Glen Oak Street, spoke in favor of the request. She explained that she’s requesting a 3’ side setback to construct addition on the southeast corner of her home.

There was no public input.

Staff Member Moon detailed the staff report noting the request is to allow a 3’ side setback where 6’ is required. She displayed imagery of the home and surrounding area. She explained the addition would be 288 square feet and clarified that the 288 sq. ft. included an additional 2’ of length along the alley to allow for flexibility during construction and that this area was reflected in the staff report images and the total square footage of the

addition.

The Board discussed the request and had no concerns as they thought the addition fit the neighborhood and would have little impact since it's adjacent to an alley.

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

DOCKET – 21-24: Application of Gulshan Abbas, 1691 Asbury Road to allow a second wall sign where one is permitted in the C-2 Neighborhood Shopping Center zoning district.

Tipu, manager of Beecher's, 1691 Asbury Road, spoke in favor of the request. He explained that they are requesting one sign saying "Beecher's". He explained that it is a long building with no sign showing the Beecher's branding on it. He noted the Beecher's name is 101 years old. He stated the "Vape" portion may be removed from the existing Liquor and Vape sign as they may discontinue that part of the business.

There was no public input.

Staff Member Duba detailed the staff report noting the request to add one 16 square foot wall sign. He described the property and surrounding area, businesses, and zoning. He explained how the property has two separate businesses and is seeking to add a Beecher's sign to help with marketing them and distinguishing their offerings. He expressed that granting the variance would likely have little impact on surrounding properties and noted the letter of support from the owners of 1646-1648 Finley Street.

Board Member Ahlvin expressed support for the request and stated that since the property functions as two separate businesses he saw no issue.

Board Member Mauss saw no issue with the request, noting the building is set back from the street and that there is commercial zoning across the street concluding that the proposed sign should not be impacted.

Chairperson McCoy asked the applicant if he would like to table the request as he felt it didn't meet the requirements and with only three members present there wouldn't be enough affirmative votes to approve the request.

The applicant nodded in agreement to Chairperson McCoy's question but did not request to table. The Commission and staff further reiterated to the applicant that he would need to request to table as the Board could not do it for him. Tipu did not request to table and the Board proceeded with the vote.

Motion by McCoy, seconded by Mauss, to approve the request as submitted. Motion denied by the following vote: Aye – Ahlvin and Mauss; Nay – McCoy, citing the following criteria:

2. Because of this disadvantage, the owner is unable to make reasonable use of the

- affected property; and
3. This disadvantage does not exist because of conditions created by the owner or previous owners of the property.

DOCKET – 22-24: Application of Cynthia Widmar, 2486 Merfeld Lane, to construct a carport 0' from side property line where 6' is required in an R-1 Single-Family Residential zoning district.

Cynthia Widmar, 2486 Merfeld Lane, spoke in favor of the request. She explained that she's lived there for 27 years and is looking to make some home improvements. She stated that she'd like to build an open carport, and that the neighbors are okay with it.

Chairperson McCoy asked about what type of roof the carport would have, and Widmar replied that her contractor is figuring it out, but it will have gutters.

There was no public input.

Staff Member Schrobilgen detailed the staff report noting the proposed carport is 28' by 13', and it will be built off and north of the existing addition. He described different roof types and recommended a shed roof similar to the previous addition to the home. He noted that the property slopes to the rear of the home to the southwest and away from the nearest neighbors. He stated that a building permit would be required and that two letters of support were submitted, from property owners of 1793 & 1795 Floraview Drive. He recommended three conditions for the Board's consideration.

The Board agreed with the conditions and had no concerns with the project which was reinforced by the neighbors' written support.

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

1. That stormwater is managed on the subject property.
2. That the property line is demonstrated to the satisfaction of the Building Official.
3. That the north and east sides remain open as per the definition of carport.

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

ITEMS FROM PUBLIC: None.

ITEMS FROM BOARD: None.

ITEMS FROM STAFF: None.

ADJOURNMENT: Motion by Mauss, seconded by Ahlvin, to adjourn the June 27, 2024 Zoning Board of Adjustment meeting. Motion carried by the following vote: Aye – Ahlvin, Mauss, and McCoy; Nay – None

The meeting adjourned at 5:50 p.m.

Respectfully submitted,



Shena Moon, Associate Planner

July 25, 2024

Adopted