



Approved

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

5:30 p.m.

Thursday, April 24, 2025
Jule Operations & Training Center

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: Wally Wernimont, Shena Moon, and Travis Schrobilgen

CALL TO ORDER: The meeting was called to order by Chairperson McCoy at 5:37 p.m.

MINUTES: Motion by Kosel, seconded by McCoy, to approve the minutes of the February 27, 2025, Zoning Board of Adjustment meeting as submitted. Motion carried by the following vote: Aye – Kosel, Stierman, and McCoy; Nay – None; Abstain – Mauss, Ahlvin.

DOCKET – 08-25: Application of Ries Bohr, 1255 Washington Street, to allow residential use on the first floor where it is only allowed above the first floor in a C-4 Downtown Commercial zoning district.

Ries Bohr, 1255 Washington Street, spoke in favor of the request. He explained that almost all the homes in the area have residential on the first floor. He noted that the proposal is to add a dwelling on the outside of the building. He said he could already build above the first floor and that a dwelling unit at floor level versus eight feet in the air doesn't alter the neighborhood.

Rob Bohr, 16363 Derby Grange, spoke in favor of the request. He stated that his son is looking to be at the property so he can keep an eye on the business, that he will invest in the property, and will increase the value of the property.

Staff Member Schrobilgen detailed the staff report noting that the property is in a neighborhood that consists primarily of legally nonconforming residential structures and uses. He said the intent of the requirement to have residential use above the first floor only in order to preserve commercial activity at street level in downtown districts. Staff noted that the neighborhood and this portion of Washington Street were not developed with traditional commercial storefronts. Staff also clarified that the dwellings were constructed, and the zoning district was put in place afterward which explained the neighborhood's development pattern.

The Board discussed the proposal. Chairperson McCoy noted that the variance criteria are very specific and said it was tough to meet the five criteria. He read the five criteria for the applicant's information. He noted having reservations regarding a first-floor residence in perpetuity at the site. Board Member Ahlvin agreed that the variance criteria make variance approvals difficult.

Board Member Stierman noted no concerns with the request and stated that rules are in place for constructing a residence. Board Member Kosel noted no questions or concerns. Board Member Mauss noted that the area is unique with many residential uses on the first floor. He concluded that he does not have any concerns with the proposal.

There was no public input.

Motion by McCoy, seconded by Mauss, to approve the request as submitted. Motion carried by the following vote: Aye – Kosel, Mauss, and Stierman; Nay – Ahlvin and McCoy both citing criteria 1 and 2.

DOCKET – 12-25: Application of Rudy and Shawn Vera, 560 Jefferson Street, to construct a shed 1' from front property line (along Jefferson Street) and 2' from the side property line, where 20' and 6' minimum is required, respectively, and to construct a pergola 0' from the front property line (along Wilbur Street) where 20' minimum is required in the R-2 Two-Family Residential zoning district.

Shawn Vera, 560 Jefferson Street, spoke in favor of the request. She explained that the shed is a replacement of the previous shed which was too small. She noted they wanted it to look historic to fit into the neighborhood and went to the historic preservation commission for approval. She then described how the pergola was installed after they had received approval for a deck, but it turned out it didn't work with the site. She said they made changes, including constructing a new retaining wall and they decided to place a pergola instead of a deck.

Staff Member Schrobilgen detailed the staff report noting that both the shed and pergola were reviewed by the Historic Preservation Commission (HPC) and that both were approved. He said the property is unique and has two addresses because it sits on a bluff which divides the property in two. He noted that the case was found due to a complaint regarding building permits and that the Board approval, as well as the approval of the HPC, would be necessary for Planning staff to sign off on any building permit(s).

Board Members discussed the proposal, finding it appropriate. Board Member Alvin noted that the pergola should have the condition to remain of an open design and Board Member Stierman concurred. Chairperson McCoy asked the applicant if they were ok with the condition. They replied that they were.

There was no public input.

Motion by Ahlvin, seconded by Kosel, to approve the request with the following condition:
1. The pergola remain of an open design.

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

DOCKET – 13-25: Application of Donna Vaske, 2595 White Street, to store a vehicle 2' from the front and side property lines where 10' and 3' minimum is required, respectively, in an R-2A Alternate Two-Family Residential zoning district.

Donna Vaske, spoke in favor of the request. She explained that the van is in good condition and licensed, but the property only has one space. She said that parking availability is limited on the street and the school still operates.

Staff Member Moon detailed the staff report noting that the property formerly had a small garage in the same location. She explained that request came from a zoning enforcement action and the applicant was seeking approval to store a van on the existing concrete pad where the garage once stood. She shared a street view image of the site showing the existing curb cut onto the property.

The Board discussed the proposal noting no concerns. Chairperson McCoy asked the applicant if she was ok with a condition for a hard surface pad to the outside dimensions of the vehicle. Ms. Vaske replied that she was ok with that condition and that hard surface was already there.

There was no public input.

Motion by Ahlvin, seconded by Mauss, to approve the request with the following condition:
1. That vehicle storage is on a hard surface pad to the outside dimensions of the vehicle being stored.

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:

Chairperson McCoy administered the oath of office to Vice-Chair Ahlvin. Ahlvin read the oath in to the record.

Election of Officers:

Staff stated that it was time to elect officers. Board Member Mauss made a recommendation for McCoy to be Chair and Ahlvin to be Vice-Chair.

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

Appointment to the Airport Zoning Board of Adjustment:

Staff stated that it was time to appoint two Board Members to the Airport Zoning Board of Adjustment. The Board discussed appoint Stierman and Mauss.

Motion by McCoy, seconded by Ahlvin to approve appointment of Stierman and Mauss to the Airport Zoning Board of Adjustment. Motion carried by the following vote: Aye – Ahlvin, Kosel, Mauss, Stierman, and McCoy; Nay – None.

Board Member Meeting Availability:

Planning Services Director Wernimont briefly discussed the memo provided by staff. He noted that the Board is the only City Board or Commissions that is quasi-judicial which means their decisions are final and do not go to the City Council for approval. He explained that the Board Members do a great job in their reviews of each case and expressed gratitude for their commitment. Mr. Wernimont explained that the planning for Board meetings in order to ensure a quorum and preferably the attendance of all members at each meeting is critical to the Board being able to conduct the necessary reviews in a timely manner. He said last minute notification from Board Members who cannot attend is not ideal as applicants rely on having a quorum and that applicants need three affirmative votes in order to have a request approved. He explained that a late meeting cancelation is the worst case scenario for all parties involved. He said that if staff is aware that members cannot attend prior to publishing a meeting agenda, then staff can work to try to find an alternative date that will work for all Board members. This ensures a full Board attendance more consistently and would hopefully avoid scenarios where a meeting would have to be canceled last minute. Mr. Wernimont asked if the Board is interested in changing the time or date of the meetings in general. The Board noted that there are some days of the week and times of the year which allow charities the best rate on venues and that has caused some problems. The Board discussed that the current start time works. They also requested for staff to send out a 'availability' email a minimum of four weeks prior to a meeting date to get feedback from the Board. Staff also stated they would add a "next meeting date" discussion item to each meeting agenda going forward so as to prompt a conversation with the Board Members regarding availability for the next months' meeting.

Kosel left the meeting at 6:37 p.m.

Unified Development Code Update:

Planning Services Director Wally Wernimont updated the Board on where in the process the UDC update was. He said they will be reaching out for more specific reviews and changes and that final adoption is June 2026.

ADJOURNMENT: Motion by McCoy, seconded by Mauss, to adjourn the April 24, 2025, Zoning Board of Adjustment meeting. Motion carried by the following vote: Aye – Ahlvin, Mauss, Stierman and McCoy; Nay – None

The meeting adjourned at 6:45 p.m.

Respectfully submitted,



Shena Moon, Associate Planner

May 22, 2025

Adopted