



Approved

MINUTES

CITY OF DUBUQUE ZONING BOARD OF ADJUSTMENT REGULAR SESSION

4:00 p.m.

Thursday, October 28, 2010

City Council Chamber, Historic Federal Building

Board Members Present: Vice-Chairperson Randy Klauer; Board Members Bill Gibbs and Jeff Cremer; Staff Members Kyle Kritz and Guy Hemenway.

Board Members Excused: Chairperson Mike Ruden and Board Member Heath Hutchinson.

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 at 4:06 p.m.

MINUTES: The minutes of the September 23, 2010, were approved unanimously, as submitted.

SPECIAL EXCEPTIONS

DOCKET 52-10: Application of Marty & Nancy McNamer for a special exception for property located at 1705 Auburn Street to build an addition 3 feet from the front property line (Delaware Street), 20 feet required, in an R-1 Single-Family Residential zoning district.

Marty McNamer, 1749 Creek Wood Drive, reviewed his request for the Board. He said he would like to place a small addition on the south side of the house to enable him to enlarge the kitchen.

Board Members reviewed photos of the property.

Staff Member Hemenway reviewed the request noting that the addition will be 3 feet from the front property line and that there is a 14 foot parkway on the south side of the house. He noted that vehicular/pedestrian visibility would not be impacted and that the view from adjacent residences would not be limited.

Board Member discussed the request and felt it is appropriate.

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

DOCKET 53-10: Application of Mike & Vi Elliott for a special exception for property located at 301 S. Grandview Avenue to build a detached garage 0 feet from the north and west property lines, 20 feet and 6 feet respectively required, in an R-1 Single-Family Residential zoning district.

Mike Elliott, 301 S. Grandview Avenue reviewed his request noting that the proposed detached garage will replace a smaller existing garage at the same location. He said that the new garage will not encroach any closer than the existing garage does.

Staff Member Hemenway reviewed the request and distributed photos and an aerial photo of the site. He explained that the applicant can rebuild the garage on the same footprint; however, he is asking to expand along both the alley and the street frontage; therefore, he said that a special exception is necessary.

Board Members studied the photos, reviewed the request, and felt that it was appropriate.

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

VARIANCE

DOCKET 54-10: Application of Tri-State Vein Center / Lange Sign / Steve Sloan, Vision Health for a variance for property located at 505 Cedar Cross Road to install a second freestanding sign, one sign maximum permitted, in a PC Planned Commercial zoning district.

Dr. Joseph Jenkins, 505 Cedar Cross Road, reviewed his request with the Board. He stated that property owner does not want to place any signs on the building; therefore, his ability to advertise the name and location of his business is limited.

Vice Chairperson Klauer clarified that the Tri-State Vein Center will not share the existing free-standing sign at the corner of Lake Ridge Drive and Cedar Cross Road.

Rick Droesky, Lange Sign Group, E. Dubuque, Illinois, noted that Dr. Jenkins' office is on the lower level of the building and that the access to the office is taken from the Lake Ridge.

Staff Member Hemenway reviewed the staff report noting the existing signage on the property and the proposed location for the second free-standing sign. He stated that this is not a typical multi-tenant commercial building because one tenant is in the lower level facing a side street and the main tenant is on the upper level facing Cedar Cross Road. He reviewed the C-2 District sign regulations.

Board Members reviewed signage allowed in the C-2 District and discussed the square footage of the two free-standing signs. Vice Chairperson Klauer proposed a condition that would limit any additional wall-mounted or free-standing signage on the site. The applicants said that they felt this limitation would be acceptable.

Board Member Gibbs asked if the building were converted to a single-tenant, would the sign have to be removed. Staff Member Hemenway said that it would be difficult to regulate as there is no way to monitor tenancy.

Board Members said that if a condition were placed upon the approval, they feel that it is appropriate.

Motion by Gibbs, seconded by Cremer, to approve the variance request, with the condition that no additional free-standing or wall-mounted signage be permitted on the premise. Motion carried by the following vote: Aye; Cremer, Gibbs and Klauer; Nay – None.

ADJOURNMENT: The meeting adjourned at 4:45 p.m.

Respectfully submitted,



Kyle L. Kritz, Associate Planner

Adopted—December 1, 2010