

MINUTES  
**ZONING ADVISORY COMMISSION**  
**REGULAR SESSION**

6:00 p.m.

Wednesday, July 6, 2011  
City Council Chamber  
350 W. 6<sup>th</sup> Street, Dubuque, Iowa

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**PRESENT:** Chairperson Jeff Stiles; Commissioners Ron Smith, Stephen Hardie, Martha Christ, Patrick Norton, Charles Miller and Tom Henschel; Staff Members Kyle Kritz and Guy Hemenway.

**ABSENT:** None.

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**AFFIDAVIT OF COMPLIANCE:** Staff presented an Affidavit of Compliance verifying that the meeting was being held in compliance with the Iowa Open Meetings Law.

**CALL TO ORDER:** The meeting was called to order at 6:00 p.m.

**MINUTES:** The minutes of the June 1, 2011 meeting were approved, unanimously, as submitted.

**ELECTION OF OFFICERS:**

Commissioner Charlie Miller was unanimously elected as Chairperson; Commissioner Patrick Norton was unanimously elected as Vice-Chairperson; Commissioner Martha Christ was unanimously elected as Secretary of the Zoning Advisory Commission.

**PUBLIC HEARING\HILLCREST FAMILY SERVICES:** Application of Hillcrest Family Services to amend the Hillcrest Family Services ID Institutional District located at 2005 Asbury Road to allow the proposed chapel to be located 15 feet from the front property line (Wilbrecht Lane).

Gary Gansemer, 2223 Aspen Drive, stated that he is the President of Hillcrest Family Services. He explained the requested amendment is to position the chapel building on the lot within 15 feet of Wilbrecht Lane. Mr. Gansemer noted that the original conceptual plan inadvertently left out the setback of the chapel and if the 25-foot setback was complied with, the Chapel would encroach on the adjacent parking lot. Mr. Gansemer indicated that the City's maintenance building across the street is within five feet of the curb. He asked Commissioners to approve his request.

There were no public comments.

Staff Member Kritz said that the Commission is being asked to correct an oversight on the original concept plan indicating the location of the chapel on the Hillcrest Family Services campus. He said that the ordinance originally required a 25-foot setback, but that the new concept plan shows the chapel being set back 15 feet from the property line. He said that once an accurate to-scale drawing was provided, the encroachment on the parking lot and other buildings was evident. Therefore, the building had to be repositioned. He noted the non-conforming setbacks of other buildings in the neighborhood. He said that the building, at this location, would not affect site visibility along Wilbricht Lane.

Motion by Christ, seconded by Henschel, to approve the request. Motion carried by the following vote: Aye – Smith, Hardie, Christ, Norton, Miller, Henschel and Stiles; Nay – None.

**PUBLIC HEARING\KLUCK PLANNED RESIDENTIAL DISTRICT (referred from City Council):** Application of Tom Kluck to amend the Kluck Planned Residential District located at 2763 University Avenue to permit a 60 foot by 30 foot two-story common building with 3 apartments on the second story; set back 20 feet from the north side property line.

The applicant was not in attendance.

Bruce Schall, 2765 Beverly Avenue, stated that he is an adjacent neighbor and expressed concern regarding the impact of the proposed building on light, air and visibility to his property. He said that he felt that the development was being overbuilt.

Ashley Simon, 2752 Carlton Street, expressed concerns with the loss of natural habitat. She said she is opposed because the project would eliminate areas for wildlife.

Jim Simon, 2752 Carlton Street, spoke in opposition to the request noting concern with the density of the project and loss of habitat.

Staff Member Hemenway reviewed the staff report, reviewing the original requested amending proposed by Mr. Kluck at the June 1, 2011 Zoning Advisory Commission meeting. He stated that the Commission had recommended approval of the request with the condition that the common building remain 25 feet from the north side property line. He noted that Mr. Kluck asked the City Council at the June 20, 2011 meeting to override the Commission's recommendation for a 25-foot north setback and approve a 20-foot setback. The proposed amendment was then remanded to the Zoning Advisory Commission by the City Council for further consideration. He reviewed the current proposal and stated that Mr. Kluck had stated that there was an underground water line that prevented him from repositioning the building on the lot.

NOTE: Mr. Kluck arrived at 6:20 p.m.

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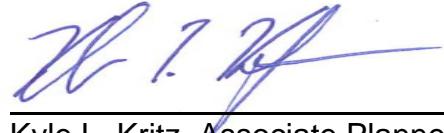
Commissioner Stiles noted that the easement for the water line created the need to change the position of the building on the lot.

Commissioner Hardie said that he was not inclined to permit the reduced setback. Commissioners Smith, Henschel and Miller said they agreed that the setback should remain 25 feet.

Motion by Henschel, seconded by Stiles, to approve the request. Motion denied by the following vote: Aye – None; Nay – Smith, Hardie, Christ, Norton, Miller, Henschel and Stiles.

**ADJOURNMENT:** The meeting adjourned at 6:30 p.m.

Respectfully submitted,



Kyle L. Kritz, Associate Planner

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Adopted—August 3, 2011