



Approved

MINUTES

CITY OF DUBUQUE ZONING BOARD OF ADJUSTMENT

REGULAR SESSION

4:00 p.m.

Thursday, May 24, 2012

City Council Chamber, Historic Federal Building

Board Members Present: Chairperson Mike Ruden; Board Members Randy Klauer, Jeff Cremer, Heath Hutchinson and Bill Gibbs; Staff Members Kyle Kritz and Wally Wernimont.

Board Members Excused: None.

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 by Chairperson Ruden at 4:02 p.m.

MINUTES: The Minutes of the April 26, 2012 meeting were unanimously approved, as submitted.

SPECIAL EXCEPTIONS

DOCKET 27-12: Application of Charles & Ruth Ellis for a special exception for property located at 373 S. Grandview Avenue to build an attached garage/addition 2' from the east side property line, 6' required, and 6' from the rear property line, 20' required; and to cover 49% of the lot with structure, 40% maximum allowed, in an R-1 Single-Family Residential zoning district.

Charles and Ruth Ellis reviewed their request noting that the addition will contain a bedroom, bathroom and laundry facilities located on the main floor. Ms. Ellis explained that there will be a garage located below the addition that will be accessed from the alley. She stated that there will be a lift in the garage that will be ADA accessible and will take her husband from the garage floor area into the new addition located above.

Sherry Cheney, 379 S. Grandview, spoke in favor of the request. She said that she lives next door to the Ellis' and that she has no objection to the request. She said that the addition is well thought out and aesthetically pleasing.

Staff Member Wally Wernimont presented the staff report. He distributed an aerial and photos of the site to the Board. He explained that the existing garage is substandard in size for modern vehicles. He explained that the applicant is proposing to demolish the existing garage and construct an addition to the house. He said that the main floor of

the addition will be ADA accessible. He explained that a garage will be located below main floor of the addition and will be accessed from the alley at the rear of the property. He explained a special exception is required because of setbacks for property lines and lot area coverage.

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

CONDITIONAL USE PERMITS:

DOCKET 28-12: Application of David Heiar, City of Dubuque for a conditional use permit for property located in the Dubuque Industrial Center South (Lot 1 of 2 South Fork Industrial Subdivision No. 1) to allow placement of fill on flood plain of the South Fork of Catfish Creek outside of the floodway to facilitate development of an Industrial Park.

Chairperson Ruden excused himself from the Board due to a conflict of interest.

John Wandschneider, IIW Engineers & Surveyors, represented the City of Dubuque's Economic Development Department. He explained that the City has contracted with IIW and they have prepared a detailed hydraulic analysis of the site. He explained that the City is proposing to place fill in the flood plain. He explained that no fill would be placed in the floodway. He explained that portions of the site are being filled to create detention basins to capture water from the 100-year storm from the site. He explained that the tops of the detention basins will be located above the 100-year flood plain.

Karen Rokusek, 121 Cousins Road, said that she would like more detail about the request.

Staff Member Wernimont provided a packet of information to Ms. Rokusek. He explained that when the adjacent property owners received a notice from the Planning Services Department it states that additional information may be obtained by contacting the Planning Services Department.

Mrs. Rokusek had questions about traffic and the development of the industrial park.

Staff Member Wernimont explained that there will be a couple of public hearings in regards to rezoning the property to allow the industrial park. He explained that, at this time, they are applying for a conditional use permit only to place fill on the flood plain.

Staff Member Kyle Kritz presented the staff report. He said the request is to add fill in the flood plain. He explained that a conditional use permit is required to place fill in a flood plain classified as a Zone A. He said that the Iowa Department of Natural

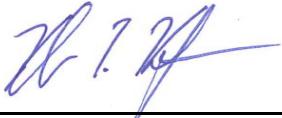
Resources (IDNR) and United States Army Corps of Engineers has been contacted. He said that staff is awaiting a response from IDNR that IIW has determined that no wetlands will be encroached on by the proposed fill. He explained that if the Board approves the conditional use permit, it should be approved contingent upon IDNR approval.

Motion by Klauer, seconded by Gibbs, to approve the request contingent upon the Iowa Department of Natural Resources' approval for placement of fill in the flood plain.

Motion carried by the following vote: Aye – Klauer, Cremer, Hutchinson and Gibbs; Nay – None; Abstain – Ruden.

ADJOURNMENT: The meeting adjourned at 4:20 p.m.

Respectfully submitted,



Kyle L. Kritz, Associate Planner

Adopted—June 28, 2012