



Approved

**MINUTES
ZONING ADVISORY COMMISSION
REGULAR SESSION**

6:00 p.m.

Wednesday, January 2, 2013
City Council Chamber
350 W. 6th Street, Dubuque, Iowa

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

ABSENT: Commissioner Eugene Bird.

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

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

MINUTES: The minutes of the December 5, 2012 meeting were approved unanimously as submitted.

ACTION ITEM\ PLAT OF SURVEY: Application of WMK Investment Properties, LLC requesting approval of the Plat of Survey for Wild Rose Place No. 2, for property located on Wild Rose Lane, south of Middle Road.

Commissioner Norton abstained due to a conflict of interest.

Ken Kress, representing WMK Investment Properties, LLC, detailed his request for the Commission. He said that the original plans to develop a subdivision have not been realized, and the intent was to split a parcel and sell it to an adjacent property owner to expand their farm area.

Staff Member Kritz discussed the request, noting that the site visibility issue at the intersection of Wild Rose Lane and Middle Road has not been resolved, and therefore, the subdivision plans did not move forward. He said that the attached draft resolution specifically conditions approval of the plat on the requirement that the existing and future owners of Lot 1 will not utilize Wild Rose Lane for access to the property. He noted that Lot 2 already has access to Wild Rose Lane, and that this split would not represent a change from the existing situation. He recommended approval of the plat, subject to waiving the lot frontage requirements for Lot 1.

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There were no public comments.

Commissioners discussed the request and had no objections.

Motion by Hardie, seconded by Christ, to approve the Plat of Survey of Wild Rose Place No. 2, subject to waiving the lot frontage requirements for Lot 1. Motion was approved by the following vote: Aye – Smith, Hardie, Christ, Henschel and Miller; Nay – None; Abstain – Norton.

ACTION ITEM\PLAT OF SURVEY: Application of the City of Dubuque for approval of the Plat of Survey of Lot 1 and Lot 1A of Dorgan's Sub No. 2 for property located at 251-253 W. 17th Street.

Commissioner Norton abstained due to a conflict of interest.

Staff Member Kritz stated he represented the City of Dubuque. He discussed the property history, residential lot configuration, and the existing right-of-way encroachment. He said the result of the right-of-way encroachment requires that a non-conforming lot be created regarding frontage and lot area. He recommended approval of the submitted plat subject to waiving the lot frontage lot area requirements for Lot 1.

There were no public comments.

Commissioners discussed the request and felt it was appropriate.

Motion by Henschel, seconded by Smith, to approve the Plat of Survey of Lot 1 and Lot 1A of Dorgan's Subdivision No 2 subject to waiving the lot frontage and lot area requirements for Lot 1. Motion was approved by the following vote: Aye – Smith, Hardie, Christ, Henschel and Miller; Nay – None; Abstain – Norton.

ACTION ITEM\REZONING: Application of Joe and Linda Delaney, requesting approval to rezone property located 900 Seippel Road, from CS Commercial Service and Wholesale District with conditions to AG Agricultural District

Joe Delaney reviewed the existing development of the site and the proposal to split the property and rezone the balance for use as an alfalfa field.

Staff Member Hemenway reviewed the location of the parcel, zoning and past land use of the property. He noted the status of the previous conditions attached to the property that were part of the original rezoning. He discussed the purpose and intent of the AG use, and noted that any reutilization of the property for something other than agricultural purposes would require another rezoning.

There were no public comments.

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Commissioners discussed the request and felt it was appropriate.

Motion by Hardie, seconded by Christ, to approve the rezoning of the property from CS(c) to AG. Motion was approved by the following vote: Aye – Smith, Hardie, Christ, Norton, Henschel and Miller; Nay – None.

ADJOURNMENT: The meeting adjourned at 6:20 p.m.

Respectfully submitted,



Kyle L. Kritz, Associate Planner

2-6-13

Adopted

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