

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

5:00 p.m.

Thursday, December 18, 2014

City Council Chamber, Historic Federal Building

Board Members Present: Chairperson Eugene Bird, Jr.; Board Members Jonathan McCoy, Jeff Cremer, and Joyce Pope; Staff Members Guy Hemenway and Kyle Kritz.

Board Members Excused: Board Member Bill Gibbs.

CALL TO ORDER: The meeting was called to order at 5:04 p.m.

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

MINUTES: The minutes of the November 20, 2014 Zoning Board of Adjustment meeting were approved unanimously as submitted.

DOCKET 58-14: Application of Gary and Joan Miller/Mary's Inn for a conditional use permit to allow a group home as a conditional use in an R-3 Moderate Density Multi-family Residential zoning district for property located at 2098 Rosemont.

The request was withdrawn by the applicant.

DOCKET 59-14: Application of Lange Sign Group for a variance for property located at 4455 Dodge Street to permit four wall-mounted signs on the building, two signs maximum permitted, in a C-3 General Commercial zoning district.

Jeff Haun, speaking on behalf of Riley's Automobile Dealership, outlined the request to place four signs on their building. He said that subsequent to the large building addition on the west side, it is necessary to put a sign for each of the three automobile brands on the building and to keep the larger "Parts and Service" sign in place.

Staff Member Hemenway reviewed the C-3 district sign regulations as they applied to the subject property, noting that the large scale building is permitted a maximum of two wall-mounted signs of up to 10% of the wall area with a cap of 400 square feet. He said that, although Riley's is asking to place four wall-mounted signs on the building, they will be well below the 400 square foot maximum aggregate sign area permitted.

Staff Member Hemenway reviewed each sign's square footage and location on the building.

Board Member McCoy asked if there had been a variance granted for the building. Staff Member Hemenway noted that a variance had been applied for in the past, but not approved. Board Member McCoy asked if the applicant was intent on placing additional signage on the property if the variance were to be approved. Mr. Haun said that they were not going to install additional signage on the premises.

Chairperson Bird discussed the building layout and addition with the applicant.

Board Members discussed the request and felt that, as the aggregate square footage of the proposed signage was below the total amount of square footage permitted, it was appropriate.

Motion by McCoy, seconded by Cremer, to approve the requested to permit four wall-mounted signs on the building, two signs maximum permitted, in a C-3 General Commercial District. Motion was approved by the following vote: Aye – McCoy, Cremer, Pope, and Bird; Nay – None.

DOCKET 60-14: Application of Roger McIntyre for a conditional use permit for property located at 2600 Central Avenue to allow an indoor restaurant as a conditional use in a C-1 Neighborhood Commercial zoning district.

Roger McIntyre, 2600 Central Avenue, reviewed the proposed expansion of his business stating that his intent is to incorporate a kitchen area. He said there will be no additional seating or employees.

Doug Heim said that he was Mr. McIntyre's contractor and that he had reviewed the building plans with City's Building Services Department.

Board Member Pope asked if the business was currently a restaurant. Mr. McIntyre said it was not at this time.

Board Member McCoy asked about required parking. Mr. McIntyre said he will add paving to the existing lot in an effort to maintain the same number of spaces as are currently on the site.

Staff Member Hemenway reviewed the request, noting the size, location and floor plan of the proposed addition. He said that conversion of a portion of the bar to a restaurant will reduce the non-conformity as bars are no longer permitted in a C-1 District. He discussed parking issues stating that Mr. McIntyre would have to pave an additional area to replace the single parking place lost to the addition.

Chairperson Bird noted that the neighbors had been notified and that none had attended the meeting.

Board Members discussed the request and felt that the addition of a restaurant component to the bar would have very limited impact on the adjacent properties.

Motion by McCoy, seconded by Cremer, to approve the conditional use permit to allow an indoor restaurant in a C-1 Neighborhood Commercial zoning district. Motion was approved by the following vote: Aye – McCoy, Cremer, Pope, and Bird; Nay – None.

DOCKET 61-14: Application of RBS Subways, Inc. for a variance to permit a 323 square foot freestanding sign, 200 square foot maximum permitted, in a C-3 General Commercial zoning district for property located at 2150 Twin Valley Drive.

Chairperson Bird stepped down from the table.

Eugene Bird, Jr., representing Bird Sign Company / RBS Subways, Inc. asked that the request be tabled until the next regular Zoning Board of Adjustment meeting.

Motion by McCoy, seconded by Cremer, to table the variance at the applicant's request. Motion was approved by the following vote: Aye – McCoy, Cremer, and Pope; Nay – None.

ADJOURNMENT: The meeting adjourned at 5:45 p.m.

Respectfully submitted,

Kyle L. Kritz, Associate Planner

Adopted