

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

5:00 p.m.

Thursday, November 20, 2014

City Council Chamber, Historic Federal Building

**Board Members Present:** Chairperson Eugene Bird; Board Members Jonathan McCoy, Joyce Pope, and Bill Gibbs; Staff Members Guy Hemenway and Wally Wernimont.

**Board Members Excused:** Board Member Jeff Cremer.

**CALL TO ORDER:** The meeting was called to order by Chairperson Bird at 5:05 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 October 23, 2014 Zoning Board of Adjustment meeting were approved unanimously as submitted.

**Docket 54-14:** Application of Tim and Christine Olson, 1090 Grove Terrace, for a special exception to construct a storage shed/playhouse 8 feet from the front property line (Grove Terrace,) 20 feet required in an R-2 Two-Family Residential zoning district.

Tim and Christine Olson, 1090 Grove Terrace, briefly outlined the project. Chris Olson said that they had no intention to build the shed closer to the property line illegally. She stated that it was her understanding that because the shed did not require a building permit that it did not need to meet required setbacks. She said the design of the storage shed/playhouse is in keeping with the historic character of the neighborhood. She said that the proposed storage shed will not impact sight lines to the river or the intersection of Grove Terrace and West 11<sup>th</sup> Street.

No one spoke in opposition to the request.

Staff Member Wernimont outlined the request. He referred to photos of the site. He noted that the proposed storage shed/playhouse will be located outside the visibility triangle of West 11<sup>th</sup> Street and Grove Terrace. He said that the proposed structure will not impact the views to the Mississippi River from the adjoining properties because of the topography of the site.

Motion by McCoy, seconded by Gibbs, to approve the special exception as submitted. Motion carried by the following vote: Aye – Bird, McCoy, Pope and Gibbs; Nay - None.

**Docket 55-14:** Application of Aaron Konrardy, for a special exception to build a single-family home at 2700 Arbor Hills Drive (PIN 1015252009) 120 feet from the front property line, 50 foot maximum setback permitted, in an R-1 Single Family Residential zoning district.

Aaron Konrardy, 18539 Highway 52 North, Durango, Iowa, said he is the contractor and will be constructing the home for Jason and Susan Hughes. He explained that the building site is 14 acres in size and located at the end of Arbor Hills Drive.

No one spoke in opposition to the request.

Staff Member Wernimont said that the applicant is proposing to build a single-family home 120 feet from the terminus of Arbor Hills Drive. He explained that the Fire Department has reviewed the request and noted the following: that the property shall be addressed at the street and that the paved driveway be a minimum of 14 feet in width. He explained that all the adjacent property owners were notified and he has received no comments.

Motion by McCoy, seconded by Gibbs, to approve the special exception with the condition that the driveway be addressed at the street, and that the driveway pavement be a minimum of 14 feet wide. Motion carried by the following vote: Aye – Bird, McCoy, Pope and Gibbs; Nay - None.

**Docket 56-14:** Richard Fuerst, 1048 Thomas Place, for a special exception to add a story 0 feet from the front and north side property lines, 10 feet and 3 feet setbacks required respectively, and to construct a second story deck 0 feet from the north side property line, 3 feet minimum setback required, in an R-2A Alternate Two-Family Residential zoning district.

Robert Fuerst, 659 Louella Lane, said that he is the contractor for the project. He explained that they are proposing to add an 8-foot tall story to the existing building and to construct a deck over the rear addition. He explained that the footprint of the home is small and they want to create additional living space.

No one spoke in opposition to the request.

Staff Member Wernimont said a special exception is required because a second floor addition will be located closer to the property line than what is allowed. He explained the existing building configuration and the proximity to Thomas Place and the adjoining lots. He noted that all the adjacent property owners were notified and staff has not received any comments.

Motion by McCoy, seconded by Gibbs, to approve the special exception as submitted. Motion carried by the following vote: Aye – Bird, McCoy, Pope and Gibbs; Nay - None.

**Docket 57-14:** Application of Brandon Merrick, 815 Rose Street for a special exception to add a sixth residential unit on an 11,330 square foot lot, 12,000 square foot minimum lot area required in an R-3 Moderate Density Multi-Family Residential zoning district.

Brandon Merrick, 8110 Southern Hills Circle, noted that he has purchased a five-plex. He said that he would like to add an additional unit to the building. He explained that he has already received approval through the Zoning Advisory commission and City Council to rezone the property to allow a six-plex. However, he is short 700 square feet of lot area required to add the residential unit. He said that he will reconfigure the parking lot in order to be compliant for the required amount of off-street parking.

No one spoke in opposition to the request.

Staff Member Hemenway presented the staff report. He explained that previously when the five-plex was built it was conforming to the zoning district at the time it was built. He explained that over time, the property was down zoned and that Mr. Merrick has received approval to rezone it to R-3 Moderate Density Multi-Family Residential in order to allow a six-plex. He explained that the property is deficient by 670 square feet in lot area in order to accommodate the six-plex. He explained that the Zoning Advisory Commission has required that the applicant submit a site plan to be reviewed for compliance with off-street parking.

Motion by McCoy, seconded by Gibbs, to approve the special exception as submitted. Motion carried by the following vote: Aye – Bird, McCoy and Gibbs; Nay - Pope.

**ADJOURNMENT:** The meeting adjourned at 5:17 p.m.

Respectfully submitted,

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Kyle L. Kritz, Associate Planner

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Adopted