

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

5:00 p.m.

Thursday, December 19, 2019

City Council Chamber, Historic Federal Building

**Board Members Present:** Chairperson Jonathan McCoy, Board Members Keith Ahlvin, Bethany Golombeski, and Gwen Kosel; Staff Members Guy Hemenway and Travis Schrobilgen.

**Board Members Excused:** Jeff Cremer.

**Board Members Unexcused:** None.

**CALL TO ORDER:** The meeting was called to order by Chairperson McCoy 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:** Motion by Ahlvin, seconded by Kosel, to approve the minutes of the November 21, 2019 Zoning Board of Adjustment meeting as submitted. Motion carried by the following vote: Aye – Ahlvin, Golombeski, Kosel and McCoy; Nay – None.

**DOCKET: 57-19**

**Special Exception**

**Applicant:**

Wulfekuhle Electric LLC

**Address:**

3390 Windsor Avenue

**Proposal:**

To install a 160,000 sq. ft. solar array in an R-1 Single-Family Residential zoning district.

Brianna Wulfekuhle, 108 Franklin St. Delhi, Iowa, said that she represented Wulfekuhle Electric and was speaking on behalf of the Franciscan Sisters. She discussed the proposal noting the arrays location and the site topography. She said that the array would not be visible from most of the surrounding residential properties because it was mostly located below the surrounding grade.

Sister Marie Segrand, 3390 Windsor Avenue, spoke on behalf of the Sisters of St. Francis. She noted the other environmental and educational initiatives that the Sisters have taken regarding sustainability. She said that the installation will be used to educate the public regarding the importance of solar energy.

Staff Member Hemenway detailed the staff report noting that standard residential subdivisions are usually zoned R-1 but that churches, schools and cemeteries are also

allowed in the R-1 district. He said that the subject property is a relatively large 63 acre campus with congregate housing and parking. He noted that churches can be up to 75 feet in height and that they are required to provide off-street parking. He said that the standards that govern residential development do not work well for large church and school campuses.

Staff Member Hemenway discussed the topography of the proposed array site noting that the residential neighborhood to the north sits higher in elevation. He said that the solar panels would not exceed 10 feet in height and would be located in the swale below the grade of the surrounding property. He discussed the surrounding land use noting that the congregate housing for the Sisters on the west side of the campus would screen the array from properties located along Windsor Avenue. He said that the residential development to the north is approximately 500 feet away, that there was a cemetery on the east side and that the Shalom Center and Hills and Dales are located on the south side of the lot. He said that the array at the proposed height and location would be barely visible from any of the adjacent properties. He said that people within 200 feet were notified and that he had received little input.

Chairperson McCoy asked in which direction the panels would be oriented. The applicant said that the panels would be stair stepped and oriented to the south. Chairperson McCoy asked if the applicant would consider screening to the northwest side of the property between the residential neighborhood and the array and to the south between Hills and Dales and the Shalom Center. The applicants noted the panels would absorb sunlight and would not create reflect glare toward the adjacent properties. The Board discussed the proposal noting that they had concerns regarding the lack of screening to the south and northeast.

Paul Hayes, 9133 Amelia Drive, said that because of an intervening hill, the Amelia Drive residential neighborhood would not be able to see the array.

Board Members discussed the potential for evergreen vegetation on the south side of the array to screen both the Shalom Center and Hills and Dales facilities.

Motion by McCoy, seconded by Ahlvin, to approve the Special Exception request for the solar array with the condition that an evergreen vegetative buffer be placed on the south side of the subject property as per Exhibit A. Motion carried by the following vote: Aye – Ahlvin, Golombeski, Kosel and McCoy; Nay – None.

**DOCKET: 58-19**

**Applicant:**

**Address:**

**Proposal:**

**Conditional Use Permit**

Christine Benton

1660 South Grandview Avenue

To open a home-based dog grooming business as a conditional use in an R-1 Single-Family Residential zoning district.

Board Member Kosel noted a potential conflict and stepped away from the table.

Christine Benton 1660 South Grandview Avenue said that she would like to operate a dog grooming business in her house.

There was no public input.

Staff Member Schrobilgen noted the lot area and location and said that the staff had recommended four conditions regarding the dog grooming business that would serve to mitigate any potential negative impacts on the neighborhood. He recommended that the Board require that the applicant groom no more than two dogs on the property at any one time, that dogs not be allowed to run outside unattended, that the property be kept free of animal waste and that dogs not be boarded or kenneled overnight.

Board Members discussed the request and said that given the recommended conditions they felt comfortable that the dog grooming business would not be disruptive.

Motion by Golombeski, seconded by Ahlvin, to approve Docket 58-19 Conditional Use Permit to allow a dog grooming business in an R1 Single Family Residential District with the conditions that: 1) the applicant groom no more than two dogs on the property at any one time, 2) the dogs not be allowed to run outside unattended, 3) the property be kept free of animal waste, and 4) the dogs not be boarded or kenneled overnight. Motion carried by the following vote: Aye – Ahlvin, Golombeski and McCoy; Nay – None; Abstain - Kosel.

**ITEMS FROM STAFF:** None.

**ITEMS FROM BOARD:** None.

**ITEMS FROM PUBLIC:** None.

**ADJOURNMENT:** Motion by McCoy, seconded by Golombeski, to adjourn the December 19, 2019 Zoning Board of Adjustment meeting. Motion carried by the following vote: Aye – Ahlvin, Golombeski, Kosel and McCoy; Nay – None

The meeting adjourned at 5:45 p.m.

Respectfully submitted,

  
Guy Hemenway, Assistant Planner

1-23-20  
~~12-19-19~~  
Adopted