

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

5:00 p.m.

Thursday, December 17, 2020
Virtual Meeting

Due to the COVID-19 pandemic and mandates for social distancing, this meeting was conducted virtually.

Board Members Present: Vice Chair Keith Ahlvin, Board Members Bethany Golombeski and Gwen Kosel

Board Members Excused: Matt Mauss and Jonathan McCoy

Board Members Unexcused: none

Staff Members Present: Guy Hemenway, Travis Schrobilgen, and Jason Duba

CALL TO ORDER: The meeting was called to order by Vice Chair Ahlvin at 5:00 p.m.

MINUTES: Motion by Golombeski, seconded by Kosel, to approve the minutes of the November 19, 2020 Zoning Board of Adjustment meeting as submitted. Motion carried by the following vote: Aye – Golombeski, Kosel, and Ahlvin; Nay – None.

DOCKET – 59-20: Application of Don and Angie Heim, 596 University Ave. to construct a 12' x 18'3" carport 4'4" from the front property line (University Ave) and 2' from the east side property line, where 20' and 4' minimum is required respectively in an R-3 Moderate Density Multi-Family Residential zoning district.

Don Heim, 596 University, spoke in favor of the request. He explained the revised request, which he said is a shorter carport nearer the front property line. He said this would enable the carport to be set back 6' from the rear property line.

Staff Member Hemenway detailed the staff report noting the request had been changed in response to input from the neighbor's attorney and Board members at last month's meeting. He noted that the houses on both sides of the proposed carport are both owned by the Heims. He said that as both adjacent homes are built up to the front property line, a carport be set back 4'4" from the frontage will not be out of character with the neighborhood. Staff member Hemenway recommended that, if approved, the Board require that the carport remain an open design.

Board members said that felt the concerns raised at the previous meeting had been addressed and agreed that the carport should have an open design.

Motion by Golombeski, seconded by Kosel, to approve the request to construct a 12' x 18'3" carport 4'4" from the front property line (University Ave) and 2' from the east side property line with the condition that it be of an open design. Motion carried by the following vote: Aye – Golombeski, Kosel, and Ahlvin; Nay – None.

DOCKET – 60-20: Application of Jeffrey Morton, 896 Mt. Carmel Rd. to construct a garage 1' from the west side property line, where 6' minimum is required, and 1,150 sq. ft. in area, where 1,000 sq. ft. is the maximum allowed, in an R-1 Single-Family Residential zoning district.

Jeffrey Morton, Architect, 206 Bluff St, spoke in favor of the request. He explained that the proposed garage is going to replace the existing garage. He said they are trying to preserve a nearby white pine tree and avoid disturbing the neighbor's garage and retaining wall. He said they contacted the neighbors, and they all approve of the proposal. He noted that the proposed garage footprint will expand a few feet to the north to the existing driveway.

Staff Member Hemenway detailed the staff report noting the proposed garage is slightly larger and extends further north than the existing garage. He said that the garage, as proposed, would not increase impermeable area because it would be built over an existing paved driveway. He recommended that storm water runoff be directed to the subject property.

The Board expressed no concerns, noting that the nearest neighbor did not oppose the proposal.

Motion by Golombeski, seconded by Kosel, to approve the request to construct a garage 1' from the west side property line and 1,150 sq. ft. in area with the condition that storm water runoff from the garage be directed on to the subject property. Motion carried by the following vote: Aye – Golombeski, Kosel, and Ahlvin; Nay – None.

DOCKET – 63-20: Application of Dalton Dietz, 815 Rush St. to construct a 6' x 15' front porch 10' from the front property line where 20' minimum is required in an R-1 Single-Family Residential zoning district.

Dalton Dietz, 3222 Arrowwood Lane, spoke in favor of the request. He explained that he is building a stoop, not a porch. He said that they talked to the neighbors and that they had submitted a petition in favor of the request.

Staff Member Schrobilgen detailed the staff report noting that the proposed stoop should not interfere with visibility while with backing out of the driveway or navigating the intersection at Union Street or along Rush Street. He said that the adjacent residence to the northeast, which has the most potential to be impacted, is slightly uphill and over 125' from the proposed stoop. He recommended that, if approved, the stoop remain of an open design.

Board Members discussed the request and felt that as it was open and not covered it was appropriate.

Motion by Golombeski, seconded by Kosel, to approve the request to construct a 6' x 15' front porch 10' from the front property line with the condition that it remain of an open design. Motion carried by the following vote: Aye – Golombeski, Kosel, and Ahlvin; Nay – None.

DOCKET – 64-20: Application of Jordan Rettenmaier, 385 Saunders St. to construct a 24' x 36' detached garage for a total of 1,660 sq. ft. of detached accessory structures where 1,000 sq. ft. maximum of detached accessory structures is permitted in an R-1 Single-Family Residential zoning district.

Jordan Rettenmaier, 385 Saunders, spoke in favor of the request. He explained that the site diagram shows the proposed location of the garage on his 1.62-acre property. He said that he talked to neighbors who are supportive and like the idea of paving the driveway because there are gravel washouts now. He noted that the setbacks from adjacent properties are considerable.

Staff Member Schrobilgen detailed the staff report noting the proposed detached garage, a solar panel and an existing detached garage account for the 1,660 sq. ft. of detached accessory structures. He said that the detached garage will be placed more than 30' from the rear yard property lines of the adjacent properties and more than 100' from the nearest dwellings to the south. He noted that three letters of support from neighbors were received. He recommended that, if approved, the conditions of paving the driveway and prohibiting commercial uses be included.

The Board asked about the purpose of the garage and Mr. Rettenmaier explained that it would be for vehicle storage as his current garage is insufficient. Board Members agreed with the condition prohibiting commercial purposes. Board Member Ahlvin asked about the height of the garage, and Mr. Rettenmaier explained that it would be a single story with a height of 17'4" at its peak and a midpoint at or below 15'.

Motion by Golombeski, seconded by Kosel, to approve the request to construct a 24' x 36' detached garage for a total of 1,660 sq. ft. of detached accessory structures with the conditions that

- 1) The gravel driveway and parking areas be hard surfaced; and
- 2) the detached garage not be used for commercial purposes.

Motion carried by the following vote: Aye – Golombeski, Kosel, and Ahlvin; Nay – None.

ITEMS FROM PUBLIC: None.

ITEMS FROM BOARD: Matt Mauss arrived at this point and asked if he needed to do anything, and Staff Member Hemenway explained no, but if a member were to arrive during a case, they ought to abstain from voting on that case.

ITEMS FROM STAFF: Hemenway expressed gratitude to Ahlvin for stepping in to chair the meeting and to Golombeski and Kosel for being present to provide a quorum.

ADJOURNMENT: Motion by Golombeski, seconded by Kosel, to adjourn the December 17, 2020 Zoning Board of Adjustment meeting. Motion carried by the following vote: Aye – Ahlvin, Golombeski, Kosel; Nay – None

The meeting adjourned at 5:27 p.m.

Respectfully submitted,



Guy Hemenway, Assistant Planner

March 25, 2021
Adopted