



Approved

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

4:00 p.m., Thursday, June 25, 2009
City Council Chamber, Historic Federal Building

Board Members Present: Vice Chairperson Randy Klauer; Board Members Jeff Cremer, Bill Gibbs and Heath Hutchinson; Staff Members Guy Hemenway and Wally Wernimont.

Board Members Excused: Chairperson Mike Ruden.

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

CALL TO ORDER: The meeting was called to order by Vice Chairperson Randy Klauer at 4:05 p.m.

MINUTES: Motion by Gibbs, seconded by Cremer to approve the minutes of the May 28, 2009 meeting. Motion carried by the following vote: Aye – Klauer, Cremer, Hutchinson and Gibbs; Nay - None.

SPECIAL EXCEPTIONS

DOCKET 25-09: Application of Corrinne A. Voss for a special exception for property located at 255 Pear Street to construct a 12 foot by 24 foot deck, 0 feet from the south side property line, 6 feet required; and 7 feet from the rear property line, 14 feet required; and to cover 59.3% of the lot with structures, 40% maximum permitted, in an R-1 Single-Family Residential zoning district.

Corinne Voss, 255 Pear Street, explained her request to the Board. She said that she has an existing concrete patio that is located at the rear of her residence. She said that the patio is cracking and that she would like to cover it with a wood deck.

Vice Chairperson Klauer asked if the deck would be located closer to the side property line than the existing concrete patio. Ms. Voss explained that the concrete will remain and the deck will be built over it and with the same setback.

The Board discussed setbacks from the property lines. Staff Member Hemenway reiterated the special exception request. He explained that the applicant is proposing to build a raised deck over an existing concrete pad.

Motion by Gibbs, seconded by Klauer, to approve the special exception request, as submitted. Motion carried by the following vote: Aye – Klauer, Cremer, Hutchinson and Gibbs; Nay – None.

DOCKET 26-09: Application of Kirk Dahl for a special exception for property located at 1399 Curtis Street to build a deck 1 foot from the east side property line, 6 feet required, in an R-1 Single-Family Residential zoning district..

Kirk Dahl, 1399 Curtis Street, said that he wants to place a raised deck above an existing poured concrete patio at the rear of his property. He said that the deck will be approximately 24 inches high. He said that the deck will be approximately 3 feet from the property line and will be located within the confines of the existing retaining wall.

The Board discussed the request. The applicant referred to a photo that indicates the location of the property line.

Staff Member Wernimont reviewed the staff report. He said that the Board can approve the request with the condition that the deck be located 3 feet from the side property line.

Motion by Gibbs, seconded by Cremer, to approve the special exception request, with the condition that the east side property line setback be a minimum of 3 feet. Motion carried by the following vote: Aye – Klauer, Cremer, Hutchinson and Gibbs; Nay – None.

DOCKET 27-09: Application of Dorrance Pitz for a special exception for property located at 1795 Sarah Street to build an attached carport 6 inches from the east side property line, 6 feet required, in an R-1 Single-Family Residential zoning district.

Dorrance Pitz, 1795 Sarah Street, said that he wants to build an attached carport 6 inches from the east side property line. He said that he neighbor at 1785 Sarah Street has no window or door openings along the west side of their house. He said that the carport will be open on three sides, but he may place canvas on the side to block snow in the winter. He said that the overhang will be located 6 inches from the property line and that the post will be placed back along the edge of the driveway. He said that he will direct water into a drain pipe that empties onto the street.

Staff Member Wernimont reviewed the staff report. He said that the adjacent neighbor at 1885 Sarah Street has an existing carport with a similar setback.

Motion by Gibbs, seconded by Cremer, to approve the special exception request, with the conditions, that: 1) the carport be built with an open design; 2) storm water be directed toward the street; 3) and the applicant demonstrate to the building official the location of the property line either by locating property pins or obtaining a survey.

Motion carried by the following vote: Aye – Klauer, Cremer, Hutchinson and Gibbs; Nay – None.

VARIANCES:

DOCKET 28-09: Application of Doug Warthan, Nissan Dubuque / Lange Sign Group for a variance for property located at 600 Century Drive to place 5 wall-mounted signs on a commercial building, 2 signs maximum permitted, in a C-3 General Commercial zoning district

Doug Warthan, 600 Century Drive, explained the request to the Board. He said that he is proposing to have five wall-mounted signs installed on the building. He said that Nissan is requiring this for a national branding campaign. He explained that Century Drive acts like two frontages, even though it is one street. He explained that the total square footage of the proposed wall-mounted signs is under the maximum square footage allowed at the site. He said that the free-standing Pontiac sign will be removed in October, 2010. He said that the GM Certified sign is also coming down.

The Board discussed the total number of signs proposed.

Staff Member Hemenway presented the staff report. He reiterated the variance request. He noted the number, location and the size of the signs. He explained that the applicant is proposing to install two service signs in addition to the Nissan signs. He said that the applicant is allowed to install two wall-mounted signs for a total of 400 square feet. He noted that the subject property only has one frontage.

Board Member Cremer asked about the location of the Goodwrench sign on the building. Mr. Warthan said that the Goodwrench sign has been removed. Vice Chairperson Klauer asked for clarification regarding the number of signs requested.

Staff Member Hemenway explained space requirements between the signs and how staff determines sign numbers. Board Member Gibbs said that the request is not excessive.

Motion by Gibbs, seconded by Cremer, to approve the variance, as submitted. Motion carried by the following vote: Aye – Klauer, Cremer, Hutchinson and Gibbs; Nay – None.

ADJOURNMENT: The meeting adjourned at 4:45 p.m.

Respectfully submitted,

Kyle L. Kritz, Associate Planner

Adopted