

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

5:00 p.m.

Thursday, April 22, 2021

Virtual Meeting

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

**Board Members Present:** Chairperson Jonathan McCoy, Board Members Keith Ahlvin, Bethany Golombeski, and Matt Mauss.

**Board Members Excused:** Gwen Kosel

**Board Members Unexcused:** None

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

**CALL TO ORDER:** The meeting was called to order by Chairperson McCoy at 5:00 p.m.

**MINUTES:** Motion by Ahlvin, seconded by Golombeski, to approve the minutes of the March 25, 2021 Zoning Board of Adjustment meeting as submitted. Motion carried by the following vote: Aye – Ahlvin, Golombeski, Mauss and McCoy; Nay – None.

**DOCKET – 07-21:** Application of Michael Lott, 2272 Prince St. to erect a detached structure 0' from the front property line (Regent St) where 10' minimum is required in an R-2A Alternate Two-Family Residential zoning district.

This request was withdrawn by staff citing an incomplete application.

**DOCKET – 08-21:** Application of Chris Martin, 1803 Key Way Drive to construct an addition 13' from the front property line where 20' minimum is required in an R-1 Single-Family Residential zoning district.

Mr. Martin, spoke in favor of the request. He explained that the addition would be for a master bedroom and bath and that the addition will match the existing structure.

Staff Member Hemenway detailed the staff report noting that the addition is 20' x 20' and that the property line tapers toward the applicant's property as it goes west. He noted that the adjacent property fronts away from the addition and that the view from the nearby driveway would not be impacted. He noted that the addition would not be detrimental to public safety with it being approximately 20' from the street.

The Board discussed the proposal finding it appropriate, provided it match the exterior of the home

Motion by McCoy, seconded by Golombeski, to approve the request to construct an addition 13' from the front property line where 20' minimum is required in an R-1 Single-Family Residential zoning district with the condition that the addition match the home's exterior. Motion carried by the following vote: Aye – Ahlvin, Golombeski, Mauss and McCoy; Nay – None.

**DOCKET – 09-21:** Application of Lana Forsky, 1756 Glenwood Ct. to erect a 6' high fence along the front property line (Pennsylvania Ave.) where 4' in height maximum is permitted in an R-1 Single Family Residential zoning district.

Lana Forsky, 1756 Glenwood Court, spoke in favor of the request. She explained that they hoped to build the fence to reduce the traffic noise from Pennsylvania Avenue. She said that they did not feel that a 4' fence would sufficiently block the noise.

Mark Newland, next-door neighbor at 1755 Glenwood Court, spoke in favor of the request.

Staff Member Duba detailed the staff report noting similar privacy fences nearby and that staff had no concerns regarding safety.

The Board discussed the proposal noting that the exterior of the fence should be neighbor-friendly.

Motion by Mauss, seconded by Ahlvin, to approve the request to erect a 6' high fence along the front property line (Pennsylvania Ave.) where 4' in height maximum is permitted in an R-1 Single Family Residential zoning district with the condition that the fence be neighbor-friendly. Motion carried by the following vote: Aye – Ahlvin, Golombeski, Mauss and McCoy; Nay – None.

**DOCKET – 10-21:** Application of Embassy Construction, LLC., 3860 Asbury Rd. to build a detached accessory structure to house a crematorium in an R-3 Moderate Density Multi-Family Residential zoning district.

Martin Winders, 620 E. 24<sup>th</sup> Street, spoke in favor of the request. He explained that the detached structure would house the crematorium and that they wanted to retain the ability to build the event center in the future.

Greg Yoko, 3660 Seville Drive, who also submitted a written letter of support, spoke in favor of the request noting that there are no significant concerns regarding this application and would endorse and support the issuance of a conditional use permit.

Staff Member Schrobilgen detailed the staff report noting the proposal is to add a 660 sq. ft. detached structure outside of the area already approved for a Conditional Use

Permit. He said that staff did not anticipate any issues regarding safety or public inconvenience and because of that, did not suggest and conditions.

The Board discussed the proposal and asked if the exterior treatment of the structure will match existing garage. Mr. Winders said that the exterior of the crematorium structure would be clad with vinyl siding that would match the garage.

Motion by McCoy, seconded by Mauss, to approve the request to build a detached accessory structure to house a crematorium in an R-3 Moderate Density Multi-Family Residential zoning district with the condition that the siding match the adjacent garage. Motion carried by the following vote: Aye – Ahlvin, Golombeski, Mauss and McCoy; Nay – None.

**DOCKET – 11-21:** Application of Jacob Meyer, 2808 Van Buren to build a deck 3' from the front property line where 20' minimum is required in an R-1 Single Family Residential zoning district.

Mr. Meyer, spoke in favor of the request noting the existing porch is in disrepair. He said they wished to expand the existing porch and improve curb appeal. He said the lot line is closer than expected and that there is still quite a bit of room.

Staff Member Hemenway detailed the staff report noting the parkway is large in front of the applicant's property and that there is no concern regarding public safety. He also noted there would be about 20' between the front of the deck and the street.

The Board discussed the proposal finding it appropriate, provided the deck remain of an open design.

Motion by McCoy, seconded by Golombeski, to approve the request to build a deck 3' from the front property line where 20' minimum is required in an R-1 Single Family Residential zoning district with the condition that the deck remain of an open design. Motion carried by the following vote: Aye – Ahlvin, Golombeski, Mauss and McCoy; Nay – None.

**ITEMS FROM PUBLIC:** None.

**ITEMS FROM BOARD:**

Board Member Mauss had a question that stemmed from a discussion he had with a member of the public. He asked for clarification on whether or not there was a setback for concrete flat-work.

Staff member Hemenway noted that at grade concrete can be installed "up to" the property line but also cautioned that the property owner should know the exact location of the property line. He recommended that the pavement not be pitched so as to direct runoff onto the neighboring property and that a right of way permit may be needed if the pour is near the right of way or public sidewalk.

**ITEMS FROM STAFF:**

- Election of Officers

Planning Services Manager Wally Wernimont noted that the Board is required to appoint officers at the first meeting of the year and recommended the Board nominate and motion to approve the positions.

The Board nominated McCoy as Board Chair and Ahlvin as Vice Chair.

Motion by McCoy, seconded by Mauss, to appoint Jonathan McCoy as Board Chair and Keith Ahlvin as Vice Chair. Motion carried by the following vote: Aye – Ahlvin, Golombeski, Mauss and McCoy; Nay – None.

- Appoint members to the Airport Zoning Board of Adjustment

Staff member Schrobilgen noted that The Zoning Board of Adjustment is required to appoint two of its members to the Airport Zoning Board of Adjustment per Unified Development Code Article 8-1(E). He noted that it is a voluntary position which requires City Council Appointment.

The Board agreed to retain Kosel and Mauss as liaisons.

Motion by McCoy, seconded by Golombeski, to appoint Gwen Kosel and Matt Mauss as the Zoning Board of Adjustment liaisons to the Airport Zoning Board of Adjustment. Motion carried by the following vote: Aye – Ahlvin, Golombeski, Mauss and McCoy; Nay – None.

- Board Input for City Council Goal Setting. Feedback by May 13.


Planning Services Manager Wally Wernimont discussed the goal setting process and noted the ZBA is somewhat different from other Board and Commissions because they are a regulatory board. He also noted that we are looking to maintain technology updates when returning to the Council Chambers and that it would fit as a request from the Board if they agreed. He said that in previous years we noted the number of cases in the previous fiscal year and ask to evaluation and update the UDC. He also stated that the ZBA has done a great job navigating the abrupt shift to virtual meetings.

The Board agreed with the summary of past submissions and requested that the document be handed out to the Board members for review and for additional suggestions.

**ADJOURNMENT:** Motion by McCoy, seconded by Mauss, to adjourn the April 22, 2021 Zoning Board of Adjustment meeting. Motion carried by the following vote: Aye – Ahlvin, Golombeski, Mauss and McCoy; Nay – None

The meeting adjourned at 5:45 p.m.

Respectfully submitted,

  
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Guy Hemenway, Assistant Planner

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May 17, 2021  
Adopted