

Dubuque County Zoning Board of Adjustment Minutes of June 1, 2021

Chairperson Ben Schroeder called the meeting to order at 7 p.m.

A. ROLL CALL: Members present at the Dubuque County West Campus, 1225 Seippel Road: Ben Schroeder, Lillian Kremer, Michelle Switzer, Dave Klein & Loras Link. Staff Present at the Dubuque County West Campus, 1225 Seippel Road: Tammy Henry and Amy Schmerbach.

B. APPROVAL OF MINUTES: A motion was made by Ms. Switzer, **seconded by Mr. Klein and passed unanimously to approve the Minutes of the April 6, 2021 meeting. Vote: 5-0.**

C. PUBLIC HEARINGS:

1. BA#05-10-21 GREG & MINDY MILBERT SPECIAL USE PERMIT (TABLED FROM THE MAY 4, 2021 MEETING)

The applicants are requesting a Special Use Permit to build a 40' x 20' storage shed in a non-conforming residential use in an A-1, Agricultural zoning district. The property, located along Black Hills Road approximately .45 miles southeast of the City of Dyersville, is legally described as Lot 1 Black Hills Farm Subdivision Plat #2 Section 26, (T89N-R2W), New Wine Township, Dubuque County, Iowa.

The property is 5.45 acres with a home. The applicants would like to build the 40' x 20' storage shed so they can move all of their things they are storing outside into the new building. They plan to landscape around the shed to will give it a nice curb appeal. The property is zoned A-1, Agricultural and because of the size of the lot, it is a non-conforming use and requires a Special Use Permit to be allowed to make changes. Ten (10) letters were sent, ten (10) were delivered and the City of Dyersville was notified There were no comments in regards to this case.

Speaking to the Board was Greg Milbert, 13194 Black Hills Rd, Dyersville. Mr. Schroeder administered the following Oath asking the participant to raise his right hand. "Do you solemnly swear you will tell the truth, the whole truth and nothing but the truth?" He said yes.

Ms. Kremer asked if he has already started construction. He said yes and this was before he knew he had to have a special use permit.

Mr. Schroeder asked if anyone had any questions. No one spoke.

A motion was made by Mr. Klein, **seconded by Ms. Switzer to approve the Special Use Permit. The motion passed unanimously by a vote of 5-0.**

2. BA#06-17-21 JARED & RACHEL HAMMERAND VARIANCE

The applicants are requesting to build a 24' x 30' detached garage in an R-1, Rural Residential zoning district. They are requesting to build 6' from the left side yard, they will need a 44' variance to the 50' required. The property, located along Hammerand Road approximately 2.02 miles east of the City of Sherrill is legally described as Lot 2

Meadowland Acres No.2, Section 16, (T90N-R2E) Peru Township, Dubuque County, Iowa.

The property is 5 acres with a home and outbuildings. The applicants would like to build a 24'x 30' detached garage for cars and personal storage. Because the property is sloped and would require extensive dirt work the location they are requesting will need a left side yard variance and they feel this is the ideal location and the best use of the property for the garage. Four (4) letters were sent, four (4) were delivered and the City of Dubuque was notified. There were no comments in regards to this case.

Speaking to the Board was Jared Hammerand, 12728 Hammerand Rd, Sherrill. Mr. Schroeder administered the following Oath asking the participant to raise his right hand. "Do you solemnly swear you will tell the truth, the whole truth and nothing but the truth?" He said yes.

Ms. Kremer asked if he farmed. Mr. Hammerand said no, however, his wife keeps her horses in the field next to them.

Speaking to the Board was a neighbor, Christopher Reichling, who said he is in favor of the request.

Mr. Schroeder asked if anyone had any questions. No one spoke.

Mr. Klein asked if he would have efficient room to get to his septic and well if he ever needed to repair something. Mr. Hammerand said yes.

A motion was made by Mr. Klein, **seconded by Ms. Switzer to approve the variance. The motion passed unanimously by a vote of 5-0.**

3. BA#06-18-21 MIKE HODGE & ANNETTE HALL VARIANCES

The applicants are requesting to build a 100'4" x 64' Single Family Home in an R-2, Single Family Residential zoning district. They are requesting to build 35' from the front yard, they will need a 15' variance to the 50' required, they also want to build 5' from the right side yard they will need a 15' variance to the 20' required. The property, located along Chicory Street adjacent to the City of Sageville, is legally described as Lot 8 Wildflower Ridge Sub # 3, Section 03, (T89N-R2E) Dubuque Township, Dubuque County, Iowa.

The property is a 1.67 acre lot. The applicants would like to build a single family home. Because of the shape of the lot, several easements and placement of power lines on the property the home will need to be built closer to the front lot line and closer to the right side yard lot line. The applicants also own the lot on the right side of this property. Five (5) letters were sent, four (4) were delivered and the City of Sageville was notified. Vendors Unlimited Corp did not pick up their letter. There were no comments in regards to this case.

Speaking to the Board was Annette Hall, 16763 Corey Daniel Ct, Dubuque. Mr. Schroeder administered the following Oath asking the participant to raise her right hand. "Do you solemnly swear you will tell the truth, the whole truth and nothing but the truth?" She said yes.

Ms. Hall said the lot is pie shaped and on the back side of it is a retention basin and over to the left is the power lines so they would like to build as far away from them as possible. She said this lot abuts another property that they own.

Mr. Schroeder asked where the water run off would go. Ms. Hall said it should go to the retention basin.

Mr. Schroeder asked if anyone had any questions. No one spoke.

A motion was made by Ms. Kremer, **seconded by Mr. Klein to approve the variances. The motion passed unanimously by a vote of 5-0.**

4. BA#06-19-21 SCOTT & KAREN BROWN VARIANCES

The applicants are requesting to build a 40' x 60' shed in an R-1, Rural Residential zoning district. They are requesting to build 15' from the right side yard, they will need a 35' variance to the 50' required, they also want to build the garage 15.25'tall, and they will need a 3.75'height variance to the 11.5' required. The property, located along Olde Highway Road approximately .52 miles east of the City of Centralia, is legally described as Lot 2 Woodward Farm Section 35, (T89N-R1E), Center Township, Dubuque County, Iowa.

The property is 20.66 acres with a home. The applicants would like to build a 40' x 60' shed for storage. Because of the topography of their property, the requested placement is the flattest area to build. It would be very costly to move dirt if they had to build in a different locations. The right side lot line borders a pasture so will not be close to neighbors home or buildings. Two (2) letters were sent, two (2) were delivered and the City of Centralia was notified. There were no comments in regards to this case.

Speaking to the Board was Scott Brown, 16677 Old Highway Rd., Peosta. Mr. Schroeder administered the following Oath asking the participant to raise his right hand. "Do you solemnly swear you will tell the truth, the whole truth and nothing but the truth?" He said yes.

Mr. Schroeder asked if the water will run off into the pasture or if it will stay on his property. Mr. Brown said he thinks he will be a little farther away from the lot line that first thought. He said it is the flattest piece of ground on their property.

Ms. Kremer asked if he has thought about building the shed closer to his driveway and farther away from the property line. Mr. Brown said once he gets the building started he is hoping to be further away from the property line but just wanted to make sure he has enough room.

Ms. Kremer asked if he had talked to anyone from the neighboring Oberbroeckling properties that join his. Mr. Brown said he is friends with Mr. Oberbroeckling and they have no problem with his request. He said any of the trees that they cut down will go in Oberbroeckling's ravine for erosion control.

Mr. Klein asked if he plans to adding gutters. Mr. Brown said he plans to add gutters all the way around the building.

Mr. Schroeder asked if anyone had any questions. No one spoke.

A motion was made by Mr. Klein, **seconded by Ms. Switzer to approve the variances. The motion passed unanimously by a vote of 5-0.**

5. BA#06-20-21 MATTHEW MESCHER/VERIZON WIRELESS SPECIAL USE PERMIT

Mr. Schroeder said this case is now off the agenda because they will be placing the tower in the City of Dyersville.

Ms. Henry said she has confirmation from Verizon that the site location for the tower will be moving onto the property owned by Go The Distance Baseball to be in the same location as all the other wireless carriers. She said the City of Dyersville is requiring this.

D. PUBLIC COMMENTS: None

E. OLD BUSINESS:

Mr. Schroeder asked what was going on with Dave Klein's application to be on the Board. Ms. Henry said the Board of Supervisors has it will be reviewed sometime this month. She said there is one other potential application.

F. NEW BUSINESS:

Mr. Schroeder and Ms. Henry thought it would be a good idea for the Board to write an introduction that would be read before each meeting about what the Board is and does and what they expect from any participants. They composed one and it will be ready at the next meeting.

G. ADJOURNMENT: A motion was made by Mr. Link seconded by Ms. Switzer and passed unanimously to adjourn. Vote: 5-0. The meeting adjourned at 7:47 p.m.