

Dubuque County Zoning Board of Adjustment Minutes of February 1, 2022

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, Michelle Switzer, Loras Link and Dave Klein. Member Absent: Lillian Kremer. 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 Mr. Link, **seconded by Mr. Klein and passed unanimously to approve the Minutes of the January 4, 2022 meeting. Vote: 4-0.**

C. PUBLIC HEARINGS:

1. BA#02-05-22 JAMES & CATHERINE OLBERDING SPECIAL USE PERMIT

The applicants are requesting to build a 24.5' x 26' attached garage in a non-conforming heavy industrial use in an M-2, Heavy Industrial zoning district. The property located along Old Castle Road adjacent to the City of Dyersville, is legally described as Lot 2-1 9D Frank Olberding Subdivision; Lot 2-1 SW NW Section 6, (T88N-R2W), Dodge Township, Dubuque County, Iowa.

The property is .87 acres with an existing home that has a garage in the lower level of the home. The applicants would like to build an attached garage on the main level of the home so as they age it will be easier for them to access. This garage will also increase the value of their home. Fifteen (15) letters were sent, thirteen (13) were delivered and the City of Dyersville was notified. Jeff & Karen Digman, 31121 Olde Castle Rd., Dyersville and Three Rivers FS Co., 1200 Field of Dreams Way, Dyersville did not pick up their letters. There were two comments in regards to this case. Dan Steffen, Three Rivers FS, 32199 Old Castle Rd., Dyersville said Three Rivers has no issue with the request to build an attached garage. The Olberding's are good neighbors and people to work with. Donald Olberding, 31989 Olde Castle Rd, Dyersville said he is in favor of the request.

Speaking to the Board was Catherine Olberding, 32079 Olde Castle Road, Dyersville. 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.

Mr. Schroeder asked if Ms. Olberding wanted to add anything to her case. She said no.

Mr. Schroeder asked if anyone had any questions. Ms. Henry showed the Board the pictures of the existing lower garage.

A motion was made by Ms. Switzer, **seconded by Mr. Schroeder to approve the Special Use Permit. The motion passed unanimously. Vote: 4-0.**

D. PUBLIC COMMENTS:

Supervisor McDonough was listening to the meeting via zoom. She said she appreciates everything that the Board of Adjustment does.

E. OLD BUSINESS: None

F. NEW BUSINESS:

Discussion on BA#08-32-21 PfabcoLLC/Cory Pfab – Special Use Permit

Ms. Henry said they won't be having a lot of discussion about the case she just wants the Board of Adjustment members to know that this case will be coming forward to them next month because of a violation. She said that Mr. Pfab and his neighbors are all aware of this and any information she receives from Mr. Pfab or the neighbors will be forwarded to all the members of the Board of Adjustment. She said there will be an Official Notice and all the neighbors will be notified.

Mr. Schroeder suggested they talk to the County Attorney and find out what options they can they can exercise as a Board. Ms. Henry said she talked to the County Attorney and he said they can do a revocation, which would take away the Special Use Permit or they could alter the decision that they already made.

Ms. Henry said they need to change the date of the Board of Adjustment meeting in June 2022 because the conference room will be used for voting that day. The Board agreed to change it to June 6, 2022.

G. ADJOURNMENT: A motion was made by Ms. Switzer, **seconded by Mr. Schroeder and passed unanimously to adjourn. Vote: 4-0. The meeting adjourned at 7:15 p.m.**