

Dubuque County Zoning Board of Adjustment Minutes of September 6, 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, Dave Klein and Loras Link. Staff Present at the Dubuque County West Campus, 1225 Seippel Road: Tammy Henry and Lindsey Schreiber.

B. APPROVAL OF MINUTES: A motion was made by Ms. Switzer, **seconded by Mr. Klein and passed unanimously to approve the Minutes of the August 2, 2022 meeting. Vote: 4-0.**

C. PUBLIC HEARINGS:

1. BA#09-30-22 JAMES & LORI KALMES VARIANCE

The applicants are requesting to build a 56' x 94' single family home in a R-2, Single Family Residential zoning district. They are requesting to build 23' from the front lot line, they will need a 7' variance to the 30' required. The property is located on Johnson Lane approximately 4.06 miles southeast of the City of Dubuque, is legally described as Lots 1 & 2 in Section 14, (T88N-R3E) Mosalem Township, Dubuque County, Iowa.

The property is .83 acres of vacant land. The applicants would like to build the home to have a river view and placement is crucial to obtain the view. The location of the home would keep them 40' from the side lot line instead of the 15' required and will not cause a hardship to surrounding properties. The applicants own 2 lots and wish to build on the back lot and leave the front lot vacant. They will continue to have access through Johnson Lane. Six (6) letters were sent, (4) were delivered. Dale Mangers & Iowa Chicago & Eastern RR Corp did not pick up their letters. There were no comments in regarding this case.

Speaking to the board was James & Lori Kalmes, 4953 Wakasu Lane, Dubuque. Mr. Kalmes said they wanted to keep the front lot vacant so their son could build a home in the future.

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

A motion was made by Ms. Switzer, **seconded by Mr. Schroeder to approve the variance with the condition that there has to be gutters and down spouts that direct the water onto the owner's property. The motion passed unanimously. Vote: 4-0.**

2. BA#09-31-22 GERALD & JENNIFER ELBERT SPECIAL USE PERMIT

The applicants are requesting a Special Use Permit to build a 60' x 100' personal storage shed in an A-1, Agricultural zoning district. The property is located along Daisy Hill Lane approximately .45 miles east of the City of Sageville, is legally described as Lot 1 Mueller Place Section 2, (T89N-R2E), Dubuque Township, Dubuque County, Iowa.

The property is 14.83 acres with a home with multiple out buildings. The applicants plan to remove the existing storage shed and replace it. The storage shed will be used to prevent the outdoor storage of tractors, trailers, and mowers. The applicants will reside

their garage to match the outside of the storage building. Nine (9) letters were sent, (8) were delivered and the City of Sageville was notified. Robert & Judith Freiburger did not pick up their letter. There were two comments regarding this case from Alan Dostal, 10757 Daisy Hill Lane & Mark Zimmerman, 10736 Daisy Hill Lane. They have no issues or concerns with the Elbert's building plans.

Speaking to the board was Gerald Elbert, 10765 Daisy Hill Lane, Dubuque. Mr. Elbert said he had nothing to add to his case.

A motion was made by Ms. Switzer, **seconded by Mr. Link to approve the Special Use Permit with the condition that the applicants must control the water runoff onto their property by grading or gutters and down spouts. The motion passed unanimously. Vote: 4-0.**

3. BA#09-32-22 GERALD & JENNIFER ELBERT VARIANCES

The applicants are requesting to build a 60' x 100' personal storage shed in an A-1, Agricultural zoning district. They are requesting to build 15' from the front lot line, they will need a 65' variance to the 80' required and they are requesting to build 15' from the right-side lot line, they will need a 35' variance to the 50' required. The applicants are requesting to build 2' taller than the 23' required, they will need a 2' height variance. The property is located along Daisy Hill Lane approximately .45 miles east of the City of Sageville, is legally described as Lot 1 Mueller Place Section 2, (T89N-R2E), Dubuque Township, Dubuque County, Iowa.

The property is .831 acres with a home with multiple storage buildings. The applicants are requesting the variance to avoid disturbing the least amount land. With the topography of the land and setback requirements the building would be in a low spot on the land and the applicants want to avoid possible flooding issues. Five (5) letters were sent, (5) were delivered and the City of Sageville was notified. There were two comments regarding this case from Alan Dostal, 10757 Daisy Hill Lane & Mark Zimmerman, 10736 Daisy Hill Lane. They have no issues or concerns with the Elbert's building plans.

Speaking to the board was Gerald Elbert, 10765 Daisy Hill Lane, Dubuque. Mr. Elbert said originally, he was requesting to build 15' from the front property line however, when he met with his contractor, he said the building would most likely be 20' to 30' from the front property line.

Mr. Elbert said the original home does sit higher than the storage building however, the dimensions of the storage building are taller so that's why the height variance is needed even though the buildings will sit fairly level.

The board discussed with Mr. Elbert the condition of controlling the water runoff onto his own property.

A motion was made by Mr. Klein, **seconded by Mr. Link to approve the variances with the condition that the applicants must control the water runoff onto their property by grading or gutters and down spouts. The motion passed unanimously. Vote: 4-0.**

D. PUBLIC COMMENTS:

E. OLD BUSINESS:

Ms. Henry said the Ordinances changes were approved and would be published September 7, 2022. She said that new ordinance books would be printed soon and wants to review the changes with the board at one of the upcoming meetings. Ms. Henry said that we are still looking to fill the vacancy of one female board member.

F. NEW BUSINESS:

G. ADJOURNMENT: A motion was made by Mr. Klein, seconded by Ms. Switzer and passed unanimously to adjourn. Vote: 4-0. The meeting adjourned at 7:23 p.m.