

Dubuque County Zoning Board of Adjustment Minutes of the November 8, 2023 meeting

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, Dave Klein and Penny Wulfekuhle. 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 October 3, 2023 meeting. Vote: 5-0.**

C. PUBLIC HEARINGS:

1. BA#11-41-23 RONALD & MARY BREITBACH VARIANCE

The applicants are requesting to build a 16' x 24' detached garage in an R-2, Single Family Residential zoning district. They are requesting to build 20' from the front lot line, they will need a 30' variance to the 50' required. The property is located along Rte. 3 approximately .11 miles east of the City of Rickardsville and is legally described as Lot 2 SW SW Section 28, T90N, R1E, Jefferson Township, Dubuque County, Iowa.

The property is .42 acres with a Single-Family Home. The applicants would like to build the detached garage for personal storage. The applicants are requesting the variance because of the size of the lot and the topography of the property. The applicants plan to match the siding to the existing home. Five (5) letters were sent, (5) were delivered and the City of Rickardsville was notified. There were no comments regarding this case.

Speaking to the board was Ronald Breitbach, 18869 Route 3, Durango. Mr. Schroeder administered the following Oath asking the participant to raise his 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 he had anything to add to his case and he said no.

Ms. Wulfekuhle asked if Mr. Breitbach planned to use the existing driveway to access the building or did he plan to request access off of Route 3? Mr. Breitbach said he planned to use the existing access because he knows he would not be granted access off Route 3. He said it would be too dangerous to add an additional access because of the curve of the road.

Mr. Schroeder asked if he planned to add gutters and down spouts to the building to direct the water runoff onto his own property and Mr. Breitbach said yes.

Mr. Klein asked if the reasons he was requesting to build closer to the front lot line was to allow easier access from the existing driveway and because of the grade of the lot? Mr. Breitbach said yes. He said the back of the property tilts downhill.

Mr. Schroeder asked if anyone had additional questions, no one spoke.

A motion was made by Mr. Link, **seconded by Mr. Klein to approve the variance request with the condition that there must be gutters and down spouts that direct the water onto the owner's property. The motion passed unanimously. Vote: 5-0.**

2. BA#11-42-23 JEFFREY & DEBBIE KRONLAGE VARIANCE

The applicants are requesting to build an 11' x 16' shed in an R-2, Single Family Residential zoning district. They are requesting to build 10' feet from the right-side lot line, they will need a 10' variance to the 20' required. The property is located along Sandalwood Court adjacent to the City of Dyersville and is legally described as Lot 8 Spruce Hollow Sub, Section 28, T89N, R2W, New Wine Township, Dubuque County, Iowa.

The property is 1.02 acres with a Single-Family Home. The applicants would like the storage shed to store gardening tools, lawn mower and snow blower. Nine (9) letters were sent, (7) were delivered and the City of Dyersville was notified. Martin & Sheila Krapfl and David & Rosann Buchheit did not pick up their letters. There were no comments regarding this case.

Speaking to the board was Jeffrey & Debbie Kronlage, 13596 Sandalwood Ct, Dyersville. Mr. Schroeder administered the following Oath asking the participants to raise their hands. "Do you solemnly swear you will tell the truth, the whole truth and nothing but the truth?" They said yes. Mr. Schroeder asked if they had anything to add to their case? Mr. Kronlage said that the background Ms. Henry read in said variance request was from the front lot line when the request was for a right-side lot line variance. Ms. Henry said it was a typo and it would be corrected to read the right-side lot line.

Mr. Schroeder asked if anyone had additional questions, no one spoke.

A motion was made by Ms. Switzer, **seconded by Mr. Link to approve the variance request with the condition that there must be gutters and down spouts that direct the water onto the owner's property. The motion passed unanimously. Vote: 5-0.**

3. BA#11-43-23 LEROY & SUSAN SCHUELLER VARIANCE

The applicants are requesting to build a 20' x 30' addition to their home in an A-2, Agricultural Residential zoning district. They are requesting to build 30' from the front lot line, they will need a 20' variance to the 50' required. The property is located along Circle Ridge Road approximately .99 miles northeast of the City of Sherrill and is legally described as Lot 2 Circle Ridge Sub, Section 7, T90N, R2E, Peru Township, Dubuque County, Iowa.

The property is 2.18 acres with a Single-Family Home and Agricultural Buildings. The applicants would like to remove the existing screen porch and replace it with bedrooms that are handicap accessible. Three (3) letters were sent, (3) were delivered and the City of Sherrill was notified. There were no comments regarding this case.

Speaking to the board was Leroy & Susan Schueller, 22027 Bumpster Rd. Sherrill, IA. Mr. Schroeder administered the following Oath asking the participants to raise their hands. "Do you solemnly swear you will tell the truth, the whole truth and nothing but the truth?" They said yes. Mr. Schroeder asked if they had anything to add to their case and they said no?

Ms. Henry said the Schueller's purchased the home from their son and they are currently doing renovations inside the home and they want to make the front of the home handicap accessible and add additional bedrooms.

Speaking to the board was Marvin Ambrosy, 14247 Circle Ridge Rd, Sherrill. Mr. Schroeder administered the following Oath asking the participant to raise his hand. "Do you solemnly swear you will tell the truth, the whole truth and nothing but the truth?" He said yes.

Mr. Ambrosy said he lives across the road from the property, and he is in favor of the variance request.

Mr. Schroeder asked if anyone had additional questions, no one spoke.

A motion was made by Ms. Switzer, **seconded by Mr. Link to approve the variance request with the condition that there must be gutters and down spouts that direct the water onto the owner's property. The motion passed unanimously. Vote: 5-0.**

4. BA#11-44-23 LORAS & ANNA DECKER VARIANCE

The applicants are requesting to build a 14' x 24' detached shed in an R-2, Single Family Residential zoning district. They are requesting to build 15' from the right-side lot line, they will need a 5' variance to the 20' required. The property is located along Mound View Road approximately .66 miles southeast of the City of Dubuque and is legally described as Lot 9 Mound View, Section 5, T88N, R2E, Table Mound Township, Dubuque County, Iowa.

The property is .45 acres with a Single-Family Home. The applicants would like to replace an existing rundown shed with a new larger shed for personal storage. Twenty-three (23) letters were sent, (22) were delivered and the City of Dubuque was notified. Susan Keller Trust did not pick up the letter. There were no comments regarding this case.

Speaking to the board was Loras & Anna Decker, 11152 Mound View Dr., Dubuque. Mr. Schroeder administered the following Oath asking the participants to raise their hands. "Do you solemnly swear you will tell the truth, the whole truth and nothing but the truth?" They said yes. Mr. Schroeder asked if they had anything to add to their case and they said no?

Mr. Schroeder asked what the size of the existing shed was. Mr. Decker said it was 12' x 12' and it was removed from the property earlier that day. Ms. Decker said she has spoke to the surrounding neighbors and no one seem to have an issue with the request. She said they had restrictions as to where they could place the shed because of the septic location and two public right-of ways that surrounded the property.

Mr. Schroeder said he viewed this case as an improvement to property and since the existing building was in the same location, he felt the setback had already been in place.

Mr. Klein questioned why the adjacent owners name was missing on the map that is closest to the new structure. Ms. Henry explained that an adjustment had to be made

because the road had 13 different owners so to make the maps legible the information layer listing the ownership had to be removed, however, each owner was notified.

Mr. Klein asked if the new building would have a garage door and Mr. Decker said it would have one garage door and a walk-in door.

A motion was made by Mr. Klein, **seconded by Mr. Schroeder to approve the variance request with the condition that there must be gutters and down spouts that direct the water onto the owner's property. The motion passed unanimously. Vote: 5-0.**

D. PUBLIC COMMENTS:

E. OLD BUSINESS:

Ms. Henry said the Zoning Board was working on the Renewable Energy Ordinance and PC-Planned Complex.

F. NEW BUSINESS:

Ms. Schroeder asked if additional training would be offered to the boards in 2024. Ms. Henry said the goal is to offer additional training, however, nothing has been scheduled.

G. ADJOURNMENT: A motion was made by Mr. Link, seconded by Mr. Schroeder and passed unanimously to adjourn. Vote: 5-0. The meeting adjourned at 7:26 p.m.