



Dubuque County Zoning Board

Zoning Board Meeting Minutes – July 16, 2024

Chairperson Dave George called the meeting to order at 6 p.m.

Chairperson Dave George, Vice-Chairperson Samantha Boyes, Kevin Soppe, Kathleen Scherrman, Jerry Sigwarth, Lisa Flanagan and Steve Davis.

The Zoning Commission Board met at the Dubuque County West Campus, 1225 Seippel Rd, Dubuque, IA, 52002. You have the option to attend Zoning Board meetings. The County offers Zoom with both audio and video available. Every agenda will include information on how to login to attend that meeting. Those wishing to attend meetings in person may do so. All Zoning Board official meetings are recorded and available to be viewed at <https://www.dubuquecountyiowa.gov/467/Agendas-Minutes>

ROLL CALL - Members present: Dave George, Kevin Soppe, Kathleen Scherrman, Jerry Sigwarth, Lisa Flanagan, Samantha Boyes and Steve Davis. Staff Present: Tammy Henry, Ed Raber, and Amy Schmerbach.

New Business-Elections- A motion was made by Mr. Sigwarth, seconded by Mr. Soppe, to appoint Dave George as Chairperson of the Zoning Commission. Vote: 7-0. A motion was made by Mr. George, seconded by Mr. Sigwarth, to appoint Samantha Boyes as Vice-Chairperson of the Zoning Commission. Vote: 7-0.

APPROVAL OF MINUTES - A motion was made by Mr. Sigwarth, seconded by Ms. Boyes, and passed unanimously to approve the minutes, with the changes, of the June 18, 2024 meeting. Vote: 7-0.

PLAT APPROVAL:

Plat of Survey of On the Fence – Final Plat – Speaking to the Board was Mike Weber, Weber Land Surveying. A motion was made by Ms. Boyes, seconded by Mr. Sigwarth, to approve the plat and passed unanimously. Vote 7-0.

REZONING CASES:

ZC#07-18-24 Kenneth & Laura Southworth, Jr. and Carolyn Jacobson A-1 Agricultural to A-2 Agricultural Residential. Speaking to the Board was Dave Schneider, Schneider Land Surveying. A motion was made by Ms. Flanagan, seconded by Ms. Boyes to approve the rezoning of 1.9 acres from A-1, Agricultural to A-2, Agricultural Residential for one home only and the remainder will stay A-1, Agricultural. That the NE SW Section 18, T89N, R1E, Center Township is not allowed to have another dwelling unless the property is rezoned for that use. The motion passed unanimously. Vote 7-0.

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ZC#07-19-24 Jason & Heidi Wall A-1 Agricultural to R-1 Rural Residential. Speaking to the Board was Dave Schneider, Schneider Land Surveying. **A motion was made by Mr. Davis, seconded by Ms. Boyes to table the rezoning of 30.03 acres from A-1, Agricultural to R-1, Rural Residential until they have a more in-depth development plan. The motion passed unanimously. Vote: 7-0.**

ZC#07-20-24 JJR Investments LLC and Jason Rauen A-1 Agricultural to R-1 Rural Residential Speaking to the Board was Dave Schneider, Schneider Land Surveying. **A motion was made by Ms. Boyes, seconded by Mr. Sigwarth, to deny the rezoning of 10.5 acres from A-1, Agricultural to R-1, Rural Residential. The motion passed. Vote: 6-0. Ms. Scherrman abstained.**

ZC#01-01-24 Renewable Energy Ordinance

Mr. Raber said minor changes were made to the working draft such as verbiage and minimum 1,320 feet setback from all property lines and road right-of-way lines and 1,320 feet from any residential dwelling or Iowa DNR regulated Animal Feeding Operation including confinement feeding operations or open feedlots, that is not on a participating lot. The board decided to remove 1,320 feet from any dwelling and just keep the minimum setback 1,320 feet from all property lines, road right-of way lines, and Iowa DNR regulated Animal Feeding Operation including confinement feeding operations or open feedlots, that is not on a participating lot. The board agreed Chapter 5-2.3 “Authorized Factory Representative” should cover any USWECS, USSECS, AND USBESS projects. Mr. George said throughout the document it refers to “Dubuque County” and proposed to change the title to be more specific throughout the document such as Dubuque County Supervisors or Dubuque County Zoning Administrator because this will clarify the authority. The board agreed 5-10.3.B should read 1,320 feet from all property lines, road right-of way lines, and Iowa DNR regulated Animal Feeding Operation including confinement feeding operations or open feedlots, that is not on a participating lot. Add animal feeding operation to Chapter 5-10-3.I. The board agreed to add stray voltage monitoring and mitigation to 5-30-1.A. Remove Commercial from chapter 1-19.4. The Zoning Commission requested a copy of the edited ordinance documents that will be submitted to the Dubuque County Board of Supervisors. **A motion was made by Ms. Boyes, seconded by Mr. Sigwarth, to forward the recommendation of the “REO” Renewable Energy Overlay Zoning Ordinance and the Chapter 5-Renewable Energy Ordinance with changes to the Dubuque County Board of Supervisors. The motion passed. Vote 6-1. Mr. George, Mr. Soppe, Mr. Davis, Ms. Scherrman and Ms. Boyes voted in favor of the motion. Ms. Flanagan was against the motion.**

OLD BUSINESS: Update on Previous Zoning Cases

Ms. Henry said ZC#06-13-24 On the Fence LLC/William & Jane Heiar A-1 Agricultural to M-1 Industrial, ZC#06-14-24 William & Jane Heiar A-1 Agricultural to R-2, Single Family Residential, ZC#06-15-24 Kenneth & Debra Link and Andy Link A-1 Agricultural to A-2 Agricultural Residential, and ZC#06-16-24 Matthew & Kaci Simon A-1 Agricultural to A-2 Agricultural Residential were approved by the Dubuque County Board of Supervisors.

NEW BUSINESS: Discussion on Zoning Code Update

PUBLIC COMMENTS: Jeff Pape said he would like to see more restrictions with the WECS shadow flicker. Craig Recker said WECS shadow flicker effects people as individuals and cattle farmers however, he appreciated & admired the amount of hard work the Zoning Commission has put into this ordinance, and he is comfortable with the way the current ordinance draft reads and believes it has gone in the right direction. Jake Reuter thanked the Zoning Commission for putting so much time into adopting this ordinance. Supervisor Ann McDonough asked the public to continue to appear at the Supervisors Meeting for anymore public input they would like to provide. Mr. Recker & Mr. Pape said they would also review the changes that would be made to the ordinance prior to it being presented to the Dubuque County Supervisors. Mr. Recker said he hopes that the Dubuque County Supervisors take the recommendations of the Zoning Commission and follows through with the adoption of the ordinance. Mr. Recker said most of the public that attended the meetings are in favor of the current draft and he could not see a reason why the Dubuque County Supervisors would not be in favor of this draft.

ADJOURNMENT: A motion was made by Mr. Sigwarth, seconded by Ms. Boyes to adjourn the meeting. The motion passed unanimously. Vote: 7-0. The meeting ended at 9:50 p.m.