



Dubuque County Board of Adjustment Board of Adjustment Meeting Minutes July 1, 2025

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

Chairperson Ben Schroeder, Vice-Chairperson Dave Klein, Loras Link, DeVon Welty,
Penny Wulfekuhle

The Board of Adjustment met at the Dubuque County West Campus, 1225 Seippel Rd, Dubuque, IA, 52002. You have the option to attend Board of Adjustment 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: Ben Schroeder, DeVon Welty, Loras Link, Dave Klein, and Penny Wulfekuhle. Staff Present: Tammy Henry and Lindsey Murphy.

APPROVAL OF MINUTES – A motion was made by Ms. Welty, **seconded by Mr. Link, and passed unanimously to approve the minutes of the June 3, 2025, meeting. Vote: 5-0.**

PUBLIC HEARINGS:

BA#07-25-25 Kenneth Boyes -Variances-Speaking to the board was Kenneth Boyes. A motion was made by Mr. Link, **seconded by Mr. Schroeder, to approve the variance request. The motion passed unanimously. Vote: 5-0.**

BA#07-26-25 Dallas & Katrina Clasen-Variance-Speaking to the board was Dallas Clasen. A motion was made by Ms. Welty, **seconded by Ms. Wulfekuhle, to approve the variance request. The motion passed unanimously. Vote: 5-0.**

BA#07-27-25 Joseph & Susan Berger – Variance-Speaking to the board was Susan Berger. Mr. Norbert Link provided a letter in opposition to the variance request. See attached. Mr. TJ Williams also spoke in opposition to the variance request by stating the variance request was too close to his property and would obstruct the view. A motion was made by Mr. Schroeder, **seconded by Mr. Klein to table the variance request. The board requested the applicant to return with a new site plan that presented a compromise between the applicant and surrounding neighbors. The motion passed unanimously. Vote: 5-0.**

PUBLIC COMMENTS: The board discussed House File 652 which discussed requests that posed a practical difficulty to the property.

OLD BUSINESS:

NEW BUSINESS:

ADJOURNMENT: A motion was made by Mr. Klein, **seconded by Mr. Schroeder to adjourn the meeting. The motion passed unanimously. Vote: 5-0. The meeting ended at 8:26 p.m.**

Dubuque County Zoning Board
Berger Zoning Variance

I am Norbert Link

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BY: *L. J. Murphy*

My wife and I live at 11955 Deer Valley Trail. Our Yard is directly behind the area of the Berger property where the proposed addition would be located.

We are opposed to the variance request.

SET Back Requirements are put in place to specifically stop this kind of issue and protect all surrounding property owners.

The Berger lot is basically rectangular and sits parallel to the street. Hence it is wide rather than deep.

Any buyer of a property has the responsibility to be aware of setback requirements regardless of location. While ideas and desires change as time goes on, they still have to abide by the rules. If something doesn't fit, you either modify the plan or find a different place instead of impinging on others.

This is a large addition and would place the rear end of it within 26 feet of our common property line.

This presents a couple immediate problems besides the close proximity-

1. Drainage. We already get a lot of run-off from that yard when a hard rain occurs bringing water and mud. Adding that much more roof and hard surface and with so much less area to catch or slow the runoff, it will be a lot worse. I also suspect there will not be much done to prevent this given the small amount of room available.
2. Noise. Currently we often hear sports games and music in our house over the sound of the TV or radio coming from the Berger house/yard. I don't know of there is an outside speaker or what but we don't want to bring that closer. We hear this regardless of the time of year with the windows closed.

We bought the property to have room and not get folks building 'close'.

Norbert F. Link 1 July 2025
Shyllie A. Link 1 July, 2025