

Zoning Board of Adjustment Minutes –May 3, 2016

Mr. Hickson asked if anyone would like to speak in favor or against this case? No one spoke.

A motion was made by Mr. Koppes, **seconded by Ms. Burds to approve the variance. The motion passed unanimously by a vote of 4-0.**

2. BA#05-15-16 MATHY CONSTRUCTION CO (D/B/A) RIVER CITY PAVING SPECIAL USE PERMIT

The applicants are requesting a Special Use Permit to place a temporary Portable Asphalt Plant for the paving of Mud Lake Road and Circle Ridge Road in an M-2, Heavy Industrial zoning district. The property, located along Herber Road approximately .62 miles northeast of the city of Sageville, is legally described as Lot 1-1-1 Gov Lot 3, Lot 1-1 Gov Lot 2, SW ¼ NW ¼, Lot 1 Gov Lot 2, SE ¼ NW ¼, Lot 2-1 Gov Lot 2, Lot 2-1 NW ¼ NW ¼, Lot 1-1 NW ¼ NW ¼, all of Section 26 and Lots 2-1, 2-1-1, 2-1-1-1 NE ¼ SE ¼, Lots 2, 2-1, 2-1-1, 1-1-1-1 SE ¼ NE ¼, Lot 2, and Lot 1-1 NE ¼ NE all in Section 27, (T90N R2E) Peru Township, Dubuque County Iowa.

Ms. O’Shea stated Mathy Construction Company owns approximately 248.32 acres all zoned M-2 Heavy Industrial. The main use of the property is a quarry. River City Paving was the low bid for repaving of Circle Ridge Road and Mud Lake Road. They want to place a temporary batch plant in the quarry to use to pave the two county roads. Ten letters were sent, ten letters were delivered and the city of Sageville was notified. There were also three comments submitted for this case.

Ms. O’Shea stated one comment was from Brian Preston, Dubuque County Conservation that stated the Conservation Department and Board are in favor of the batch plant and will be glad to see Mud Lake Road completed. The State of Iowa out of Johnston Iowa stated the project would have no impact on their property. The last comment was from Gene Baxter, 19139 Rose Spur Lane. He stated that he is against the Special Use Permit because he does not want more traffic coming in and out of the quarry.

Speaking to the Board was Kevin Keuter, 1098 Clara Ct, Dubuque. Mr. Hickson administered the following Oath asking the participant to raise his right hand. “Do you solemnly swear you will tell the truth, the whole truth and nothing but the truth?” He said yes.

Mr. Keuter stated they are looking to put in a portable asphalt plant in the Rose Spur Quarry location to make it more efficient to pave the two roads. They are looking to have the portable plant in the quarry about 6-8 weeks depending on weather.

Ms. Burds asked how much extra traffic would this plant create? Mr. Keuter stated it would be about 25,000 ton of material. The higher traffic will run about 3 weeks or what it will take to get the roads complete.

Mr. Hickson asked if anyone would like to speak in favor or against this case? No one spoke.

A motion was made by Ms. Nolan, **seconded by Ms. Burds to approve the Special Use Permit. The motion passed unanimously by a vote of 4-0.**

D. PUBLIC COMMENTS: None

E. OLD BUSINESS:

1) Discussion Regarding Court Hearing

Ms. O’Shea said there was a hearing with the judge on April 20, 2016 for the Shooting Range case. The judge took closing arguments with no additional testimony. Ms. O’Shea stated she spoke with Les Reddick the attorney representing the county and he stated they should have a decision soon.

F. NEW BUSINESS:

1) Discussion on Fees

Ms. O’Shea said each Board member was given a copy of the current and new recommended fees. The current fees were adopted in 2005. There were some recommendations to change some of the fees such as plats and the Board of Adjustment, and Zoning Commission fees would increase by \$50.00. With the increase in cases, it might result in additional revenue of \$5700.00, which would be about a 16% increase.

A motion was made by Mr. Koppes, **seconded by Ms. Nolan to approve the recommended fees. The motion passed unanimously by a vote of 4-0.**

2) Discussion on Extension of BA#05-14-15 Robert & Stacy Barry

Ms. O’Shea stated Robert & Stacy Barry were granted a variance for an attached garage on May 5, 2015. The condition on the property was they had to have the entrance permit and that was done and approved.

Speaking to the Board was Robert Barry, 13118 English Mill Rd, Dubuque. Mr. Hickson administered the following Oath asking the participant to raise his right hand. “Do you solemnly swear you will tell the truth, the whole truth and nothing but the truth?” He said yes.

Mr. Barry stated the reason for the extension is because once they got the project going the concrete workers could not get there until November. The garage used to be on the lower level of the home and now it is on the main level of the home. They still have to frame the garage. He thinks an extension until August of 2016 will give them enough time to complete the project.

A motion was made by Ms. Burds, **seconded by Ms. Nolan to approve an extension until August 31, 2016. The motion passed unanimously by a vote of 4-0.**

G. ADJOURNMENT: A motion was made by Ms. Burds, **seconded by Ms. Nolan and passed unanimously to adjourn. Vote: 4-0. The meeting adjourned at 7:24 p.m.**