

**MINUTES OF THE MEETING OF THE
ALLAMAKEE COUNTY BOARD OF ADJUSTMENTS**

December 6, 2017

Board of Supervisors Office, First Floor, Courthouse, Waukon, Iowa

Meeting was called to order at 4:30 P. M. by Chairman Dr. Bernard Pratte.

Roll call of Commission Members:			Term Expires
Vice-Chair	Nancy Walleser	Present	12/31/2017
	Dennis Keatley	Present	12/31/2018
	Steve Weymiller	Present	12/31/2019
	Gwen Brainard	Present	12/31/2020
Chair	Bernard Pratte	Present	12/31/2021

Planning and Zoning Staff present: Tom Blake, Zoning Administrator. All Board members voting "AYE" unless noted. MCU means Motion Carried Unanimously.

Weymiller made a motion to approve the Agenda as presented. Walleser seconded. MCU

Walleser made a motion to approve the November 16, 2017 meeting minutes. Brainard seconded. MCU.

Public Hearings

1. Interstate Power and Light Company, Application for a conditional use to permit construction of a 250' communications tower to be located at the Allamakee County Home Farm, 877 Hwy 9, Waukon, IA. Blake advised that there were no opponents to the conditional use request. The company is working with the County Supervisors to enter into a deal to replace the current tower with a taller tower that will better serve Interstate Power, County Communications and other utility company communications. This will not be used as a cell tower and the applicants want to keep the space on the tower for future county and utility needs. Alternate locations were discussed. If the tower fails, the company engineers have indicated that the tower would fall upon itself, at approximately 2/3rds of the height. Keatley made a motion to approve the request with the Supervisors and Zoning Administrator to determine the final tower location. Weymiller seconded. MCU.

Walleser made a motion to adjourn, Brainard seconded. MCU.

Thomas Blake, Zoning Administrator and Board Secretary

**MINUTES OF THE MEETING OF THE
ALLAMAKEE COUNTY BOARD OF ADJUSTMENTS**

November 16, 2017

Board of Supervisors Office, First Floor, Courthouse, Waukon, Iowa

Meeting was called to order at 4:30 P. M. by Chairman Dr. Bernard Pratte.

Roll call of Commission Members:			Term Expires
Vice-Chair	Nancy Walleser	Present	12/31/2017
	Dennis Keatley	Absent	12/31/2018
	Steve Weymiller	Absent	12/31/2019
	Gwen Brainard	Present	12/31/2020
Chair	Bernard Pratte	Present	12/31/2021

Planning and Zoning Staff present: Tom Blake, Zoning Administrator. All Board members voting "AYE" unless noted. MCU means Motion Carried Unanimously.

Walleser made a motion to approve the Agenda as presented. Pratte seconded. MCU

Brainard made a motion to approve the September 27, 2017 meeting minutes. Walleser seconded. MCU.

Public Hearings

1. Jonkman, Jacob, Waukon, IA. Application for variance from the driveway/access requirements for a possible non-farm residence. Current requirement is 66 foot wide access/easement area width and applicant wants approval for a 19 foot wide easement area for a driveway base less than 22' wide. Blake presented staff report. Report indicated that the land division that resulted in the current property access width was done by Jonkman as owner after the 66'/22' access rule was adopted and Jonkman was aware of the requirement at that time. Blake recommended that staff does not feel Jonkman is eligible for variance since the situation was a result of the actions of the owner. Blake further recommended that Jonkman pursue alternative to variance by having an engineer design a drive safe for emergency vehicles, bypassing the 66'/22' access drive requirement. Walleser made a motion to deny the variance application noting that the applicant has an alternative process to provide access to the site. Brainard seconded. MCU.
2. Ronan, James, 2004 Silver Creek Road, Waukon, IA. Application for a variance from the front yard requirement to allow a cabin be set/built 14 feet from the right of way. Blake advised that there were no opponents to the variance. The variance was necessary due to the narrow buildable area between the bluff and the public right of way. Walleser made a motion to approve the variance as requested. Brainard seconded. MCU.

Board Consensus to establish the next meeting date of December 6, 2017.

Walleser made a motion to adjourn, Pratte seconded. MCU.

Thomas Blake, Zoning Administrator and Board Secretary

**MINUTES OF THE MEETING OF THE
ALLAMAKEE COUNTY BOARD OF ADJUSTMENTS**

September 27, 2017

Board of Supervisors Office, First Floor, Courthouse, Waukon, Iowa

Meeting was called to order at 4:30 P. M. by Chairman Dr. Bernard Pratte.

Roll call of Commission Members:			Term Expires
Vice-Chair	Nancy Walleser	Present	12/31/2017
	Dennis Keatley	Present	12/31/2018
	Steve Weymiller	Absent	12/31/2019
	Gwen Brainard	Present	12/31/2020
Chair	Bernard Pratte	Present	12/31/2021

Planning and Zoning Staff present: Tom Blake, Zoning Administrator. All Board members voting "AYE" unless noted. MCU means Motion Carried Unanimously.

Brainard made a motion to approve the Agenda as presented. Keatley seconded. MCU

Walleser made a motion to approve the August 30, 2017 meeting minutes. Brainard seconded. MCU.

Public Hearings

1. Stone, Pat, 2488 Four Corners Road, Waukon, IA. Application for a conditional use to allow a Home Industry on the above property. Stone wants to have a construction/excavation/contractor business/storage yard business on the property. He plans on building a shop building with a home in the building. Walleser made a motion to approve the Home Industry application upon the condition that Stone survey the property and no material storage or other work be done within 3' of the right of way (all other normal setbacks will be enforced). Brainard seconded. MCU.
2. Deppe, Lucas and Sarah, 2753 Highway 76, Dorchester, IA. Application for a variance from the front yard requirement to allow a new residence to be set/built 11 feet from the right of way. Blake advised that there were no opponents to the variance. The variance was necessary due to the narrow buildable area between the bluff and the highway right of way. Keatley made a motion to approve the variance as requested. Brainard seconded. MCU.
3. Keil, Bryan, 1588 River View Road, Lansing, IA. Application for a variance from the front yard requirement to allow an addition to a residence to be built to within 10 feet from the right of way. Blake advised that there were no opponents to the variance, however, the exact location of the right of way was not determined and it was possible that it was closer than the owner thought. Any addition to this residence would require a variance due to the narrow buildable area between the bluff and the county right of way. Blake recommended that a variance be approved for the planned structure, upon the condition that the structure is a minimum of 2 – 3 feet from the right of way, as determined by survey. Keatley made a motion to approve the variance as recommended by Blake. Pratte seconded. MCU.

Walleser made a motion to adjourn, Pratte seconded. MCU.

Thomas Blake, Zoning Administrator and Board Secretary

**MINUTES OF THE MEETING OF THE
ALLAMAKEE COUNTY BOARD OF ADJUSTMENTS**

August 30, 2017

Board of Supervisors Office, First Floor, Courthouse, Waukon, Iowa

Meeting was called to order at 4:30 P. M. by Chairman Dr. Bernard Pratte.

Roll call of Commission Members:			Term Expires
Vice-Chair	Nancy Walleser	Present	12/31/2017
	Dennis Keatley	Absent	12/31/2018
	Steve Weymiller	Present	12/31/2019
	Gwen Brainard	Present	12/31/2020
Chair	Bernard Pratte	Present	12/31/2021

Planning and Zoning Staff present: Tom Blake, Zoning Administrator. All Board members voting "AYE" unless noted. MCU means Motion Carried Unanimously.

Weymiller made a motion to approve the Agenda as presented. Walleser seconded. MCU

Brainard made a motion to approve the July 26, 2017 meeting minutes. Weymiller seconded. MCU.

Public Hearings

1. Palmer, Ray and Jill, 657 Highway 364, Unit 1 and 2, Harpers Ferry, IA. Application for a variance to reduce the minimum required area of a parcel to allow the development, sale and use of a parcel less than three acres in net area. Blake presented the staff report recommending the Board deny the request, finding that the creation of two lots from the one, small parcel would not follow the intent of the zoning ordinance and that one of the new parcels would not have adequate access, parking or area for a septic system. Jill Palmer described her plans to the Board, stating that she wanted to build a new cabin on the southern Lot (Unit 1) which would be for the use of family. Blake advised that an addition could be built onto the existing structure, if a septic system could be approved to support the additional bedrooms/bathrooms. This would not create a new parcel without adequate access or area. Walleser made a motion to deny the variance request. Weymiller seconded. MCU.

Walleser made a motion to adjourn, Brainard seconded. MCU.

Thomas Blake, Zoning Administrator and Board Secretary

**MINUTES OF THE MEETING OF THE
ALLAMAKEE COUNTY BOARD OF ADJUSTMENTS**

July 26, 2017

Board of Supervisors Office, First Floor, Courthouse, Waukon, Iowa

Meeting was called to order at 4:30 P. M. by Chairman Dr. Bernard Pratte.

Roll call of Commission Members:			Term Expires
Vice-Chair	Nancy Walleser	Absent	12/31/2017
	Dennis Keatley	Present	12/31/2018
	Steve Weymiller	Present	12/31/2019
	Gwen Brainard	Absent	12/31/2020
Chair	Bernard Pratte	Present	12/31/2021

Planning and Zoning Staff present: Tom Blake, Zoning Administrator. All Board members voting "AYE" unless noted. MCU means Motion Carried Unanimously.

Weymiller made a motion to approve the Agenda as presented. Keatley seconded. MCU

Keatley made a motion to approve the June 21, 2017 meeting minutes. Weymiller seconded. MCU.

Public Hearings

1. Terry Vonderohe, 2689 Wheatland Road, New Albin, IA. Application for a variance to reduce the front yard setback from 40 feet to 20 feet. Applicant plans to remove a current building that is 20 feet from the right of way, but also enlarge it. Blake presented a staff report, supporting the granting of a variance. It was noted that the new building will not be closer to the right of way than the current building and it would not create a sight distance or other hazard. Due to the location of the existing driveway, owner did not have any options in locating the building elsewhere. Keatley made a motion to approve the variance as requested. Weymiller seconded. MCU.
2. Don and DiAnne Haler, 1118 Forest Mills Road, Waukon, IA. Application for a variance to reduce the front yard setback from 40 feet to 20 feet. Applicant plans to add a garage onto the existing house. Blake presented the staff report, recommending the variance be approved. It was noted that the right of way was very wide (85 feet from center of highway) and the County Engineer was not supportive of disposing of any unnecessary right of way to Halers. Blake advised that the house was over 100 feet from the highway. Weymiller made a motion to approve a variance to reduce the front yard setback to 20 feet from the Right of Way, as requested. Keatley seconded. MCU.

There being no further business, Pratte declared the meeting adjourned.

Thomas Blake, Zoning Administrator and Board Secretary

There being no New or Old business, Brainard made a motion to adjourn. Pratte seconded. MCU.

Thomas Blake, Zoning Administrator and Board Secretary

**MINUTES OF THE MEETING OF THE
ALLAMAKEE COUNTY BOARD OF ADJUSTMENTS**

June 21, 2017

Board of Supervisors Office, First Floor, Courthouse, Waukon, Iowa

Meeting was called to order at 4:30 P. M. by Chairman Dr. Bernard Pratte.

Roll call of Commission Members:

Term Expires

Vice-Chair	Nancy Walleser	Present	12/31/2017
	Dennis Keatley	Present	12/31/2018
	Steve Weymiller	Present	12/31/2019
	Gwen Brainard	Present	12/31/2020
Chair	Bernard Pratte	Present	12/31/2021

Planning and Zoning Staff present: Tom Blake, Zoning Administrator. All Board members voting "AYE" unless noted. MCU means Motion Carried Unanimously.

Weymiller made a motion to approve the Agenda as presented. Walleser seconded. MCU

The minutes from the last meeting were not available for approval. They will be on the next meeting agenda.

Public Hearings

1. Tim and Kris Becker, 2234 Highway 26, Lansing, IA. Application for a variance to reduce the lot area of a legal non-conforming lot by selling a portion to a neighbor, Kevin Herman for the purpose of improving a driveway turnaround area. Blake presented a staff report, supporting the granting of a variance. He noted that both were non-conforming lots and the proposal would reduce the size of the larger lot/parcel and increase the size of the smaller lot/parcel. Also, this would improve ingress/egress to the lot. Keatley made a motion to approve the variance to permit the reduction of the area of the Becker lot in order to increase the area of the Herman lot. Brainard seconded. MCU.
2. Kelly Gavin, 1707 Point Vista Lane, Lansing, IA; Application for a variance to reduce the front yard setback to 0 feet where 40 feet is required. Blake presented the staff report, recommending the variance be denied due the Gavin's being able to build on the lot without a variance. He did not feel the extra cost was enough to meet the standard of a hardship. Discussion was held with the Gavin's regarding their need and motivation for requesting a variance. Blake advised that he visited the site and determined that the flagged location for the new residence was approximately 10 feet from the utility easement and 20' from the Right of Way. Pratte felt this could be a hardship when you consider the extra cost involved in moving additional ground and increasing the possibility of future erosion. Walleser was concerned about future construction needs on the lot (shed, garage, etc.) Keatley stated that he felt the information presented was sufficient to award a front yard setback reduction. Keatley made a motion to approve a variance to reduce the front yard setback to 20 feet from the Right of Way, as the house location is now planned. Pratte seconded. MCU.
3. Denk, Dan and Althoff, Cletus and Iva, 2450 Highway 76 SE, Waukon, IA: Blake advised that Denk was planning on purchasing a house and ground from the Althoff's. The proposed lot was less than the required three acres, net of easements. However, the proposed plat and the variance application had not yet been approved by the Althoff's and it is possible that the submission may be revised. After discussion, Walleser made a motion to continue this item until the next planned meeting date and time of July 19th at 4:30 PM. Weymiller seconded, MCU.

**MINUTES OF THE MEETING OF THE
ALLAMAKEE COUNTY BOARD OF ADJUSTMENTS**

May 31, 2017

Board of Supervisors Office, First Floor, Courthouse, Waukon, Iowa

Meeting was called to order at 4:30 P. M. by Chairman Dr. Bernard Pratte.

Roll call of Commission Members:			Term Expires
Vice-Chair	Nancy Walleser	Present	12/31/2017
	Dennis Keatley	Absent	12/31/2018
	Steve Weymiller	Present	12/31/2019
	Gwen Brainard	Present	12/31/2020
Chair	Bernard Pratte	Present	12/31/2021

Planning and Zoning Staff present: Tom Blake, Zoning Administrator. All Board members voting "AYE" unless noted. MCU means Motion Carried Unanimously.

Weymiller made a motion to approve the Agenda as presented. Walleser seconded. MCU

Walleser made a motion to approve the April 26, 2017 minutes. Weymiller seconded. MCU.

Public Hearings

1. Ron Bantz, 1106 Mohawk Road, Harpers Ferry, IA. Application for a variance to reduce the front yard setback from 40 feet to 20 feet to allow the construction of a 30' x 48' shop/garage building. Blake presented the staff report supporting the granting of a variance due to the topography of the site and the limited locations that could be built on. Weymiller made a motion to approve the variance to permit this building be located 20 feet from the Right of Way in accordance with the submitted site plan. Brainard seconded. MCU.

Board consensus to set June 14th or 21st, 2017 as the next meeting date.

Walleser made a motion to adjourn. Pratte seconded. MCU.

Thomas Blake, Zoning Administrator and Board Secretary

**MINUTES OF THE MEETING OF THE
ALLAMAKEE COUNTY BOARD OF ADJUSTMENTS**

April 26, 2017

Board of Supervisors Office, First Floor, Courthouse, Waukon, Iowa

Meeting was called to order at 4:30 P. M. by Chairman Dr. Bernard Pratte.

Roll call of Commission Members:			Term Expires
Vice-Chair	Nancy Walleser	Present	12/31/2017
	Dennis Keatley	Present	12/31/2018
	Steve Weymiller	Present	12/31/2019
	Gwen Brainard	Absent	12/31/2020
Chair	Bernard Pratte	Present	12/31/2021

Planning and Zoning Staff present: Tom Blake, Zoning Administrator. All Board members voting "AYE" unless noted. MCU means Motion Carried Unanimously.

Walleser made a motion to approve the Agenda as presented. Weymiller seconded. MCU

Keatley made a motion to approve the February 22, 2017 minutes. Weymiller seconded. MCU.

Public Hearings

1. Ashbacher, George: 416 Highway 76, Harpers Ferry, IA. Lot 31, Scenic Ridge View VII. Application for a conditional use to allow owner to establish a museum on property zoned A1. Discussion was held regarding the conditions necessary to permit this use. Traffic and handicapped accessibility were discussed. The owner claimed that he met all of the handicapped requirements per the State. No objections received. Walleser made a motion to approve the conditional use permit for a period of one year. Keatley seconded. MCU.
2. Wiemerslage, Robert and Mary, 601 Waterloo Creek Drive, Dorchester, IA. Application for a conditional use permit to allow establishment of a 7 unit private campground/RV Park for family use, not public. The site plan was reviewed and the flood plain preparedness was discussed. Weymiller made a motion to approve the conditional use permit in accordance with the submitted site plan and upon the conditions that no attachments (decks, etc) be allowed, the use is restricted to family members and the owners always have equipment available to remove the RV's in the event of flooding. Walleser seconded. MCU.

Board consensus to set May 31st, 2017 as the next meeting date (or, in the alternative, June 7, 2017, if conflicts arose.)

Walleser made a motion to adjourn. Keatley seconded. MCU.

Thomas Blake, Zoning Administrator and Board Secretary

**MINUTES OF THE MEETING OF THE
ALLAMAKEE COUNTY BOARD OF ADJUSTMENTS**

February 22, 2017

Board of Supervisors Office, First Floor, Courthouse, Waukon, Iowa

Meeting was called to order at 4:30 P. M. by Chairman Dr. Bernard Pratte.

Roll call of Commission Members:			Term Expires
Vice-Chair	Nancy Walleser	Present	12/31/2017
	Dennis Keatley	Present	12/31/2018
	Steve Weymiller	Absent	12/31/2019
	Gwen Brainard	Absent	12/31/2020
Chair	Bernard Pratte	Present	12/31/2021

Planning and Zoning Staff present: Tom Blake, Zoning Administrator. All Board members voting "AYE" unless noted. MCU means Motion Carried Unanimously.

Walleser made a motion to approve the Agenda as presented. Keatley seconded. MCU

Keatley made a motion to approve the January 18, 2017 minutes. Walleser seconded. MCU.

Public Hearings

1. Ashbacher, George: 416 Highway 76, Harpers Ferry, IA. Application for a conditional use to allow conversion of two existing storage sheds to mini-storage as a Home Industry. The business will be operated by the owners and occupants of the property. No objections received. Walleser made a motion to approve the conditional use permit. Keatley seconded. MCU.
2. Palmer, Darryl: 794 Highway 9, Waukon, IA. Application for a variance from the rear and side yard setback requirements of 30 feet and 10 feet to allow a structure to be built 8 feet from the property lines in an I1 zone. The structure will be used for the Palmer Repair business. The neighboring property owner, Mrs. Gesing was present to object to the granting of a variance. Blake advised that a structure of the size requested could be built on the property in approximately the same location without a variance. Blake recommended the variance be denied. The applicant was not present. Walleser made a motion to deny the variance request. Keatley seconded. MCU.

Keatley made a motion to adjourn. Walleser seconded. MCU.

Thomas Blake, Zoning Administrator and Board Secretary

**MINUTES OF THE MEETING OF THE
ALLAMAKEE COUNTY BOARD OF ADJUSTMENTS**

January 18, 2017

Board of Supervisors Office, First Floor, Courthouse, Waukon, Iowa

Meeting was called to order at 4:30 P. M. by Chairman Dr. Bernard Pratte.

Roll call of Commission Members:			Term Expires
Chair	Bernard Pratte	Present	12/31/2016
Vice-Chair	Nancy Walleser	Present	12/31/2017
	Dennis Keatley	Present	12/31/2018
	Steve Weymiller	Present	12/31/2019
	Gwen Brainard	Absent	12/31/2020

Planning and Zoning Staff present: Tom Blake, Zoning Administrator. All Board members voting "AYE" unless noted. MCU means Motion Carried Unanimously.

Walleser made a motion to approve the Agenda as presented. Weymiller seconded. MCU

Keatley made a motion to approve the December 14, 2016 minutes. Weymiller seconded. MCU.

Public Hearings

1. AC Skyways, a division of Allamakee Clayton Electric—An application(s) for conditional uses to allow communications towers/related equipment to be placed and used in the A1 district for the following locations (each location considered separately);
 - a. 356 Highway 51, Postville, IA, in the right of way of State Highway 51. After discussing and determining that the application met all of the standards for granting a use permit, Keatley made a motion to approve, Weymiller seconded. MCU.
 - b. 229 Highway 51, Postville, IA, on the applicants parcel that includes the electric utility offices. After discussing and determining that the application met all of the standards for granting a use permit, Weymiller made a motion to approve, Walleser seconded. MCU.
 - c. 663 Williams Creek Road, Postville, IA, in the right of way of Allamakee County. After discussing and determining that the application met all of the standards for granting a use permit, Walleser made a motion to approve, Keatley seconded. MCU.
 - d. 1023 Ludlow Road, Waukon, IA, on a privately leased parcel. After discussing and determining that the application met all of the standards for granting a use permit, Weymiller made a motion to approve, Walleser seconded. MCU.
 - e. At a location on the NW ¼ SE ¼ that is north and east of Iowa River Drive, Section 35, T100N, R5W in an existing utility right of way on private property. After discussing and determining that the application met all of the standards for granting a use permit, Walleser made a motion to approve, Keatley seconded. MCU.

Blake updated the Board members on the situation regarding the Green Quarry operated and owned by Bruening's.

Weymiller made a motion to adjourn. Keatley seconded. MCU.

Thomas Blake, Zoning Administrator and Board Secretary