

**Minutes of the Meeting of the
Allamakee County Board of Adjustments
March 9, 2021
Supervisors Office, First Floor, Courthouse, Waukon, IA**

Meeting was called or order at 4:30 P.M. by Chair Bernard Pratte.

Roll Call of Commission Members:			Term Expires
Chair	Bernard Pratte	Present	12/31/2021
	Gene Averhoff	Present	12/31/2022
Vice-Chair	Dennis Keatley	Present	12/31/2023
	Anne Klees	Present	12/31/2024
	VACANT		12/31/2025

Staff Present: Stephanie Runkle, Zoning Administrator and Mandy O'Neill, Administrative Assistant. All Board Members voting AYE, unless noted. MCU means Motion Carried Unanimously.

Others Present: Ann Langford, Mary Kay Shepard, Henry Shepard, Dawn Henning, Patty Frana, Jim Lass, Keith Frana via Zoom, John and Phyllis Verdon via Zoom, Brad Winters via Zoom

Klees made a motion to approve the agenda as presented. Keatley seconded. MCU.

Keatley made a motion to approve the July 23, 2020, September 30, 2020, and November 23, 2020 meeting minutes as presented. All in Favor. MCU.

Public Hearing:

1. Runkle presents staff report regarding Jim Lass's application for a variance request at 1915 Blue Heron Lane in Lansing, Iowa to reduce the side yard setback of 30' to 13' and the front yard setback to 23'. The owner plans to put in a new 1-stall garage that will be attached and constructed to match the house. The property has a detached 1-stall garage and covered breezeway connecting it to the home. The new garage would match the footprint of the existing garage and attach to the home providing ADA accessibility to the home from the garage. The new garage would also match the house in material and height. Lass informs the board that after the surveyor located the edge of the property he realizes he actually needs a variance for a 5' side yard setback, rather than a 13' side yard setback. Runkle informed the board that the variance application states 13' feet, so if Lass need 5' he needs to reapply with correct distance and the board is only able to vote yes or no on the variance submitted. Bud Pratte clarified that they could not change the application at a meeting, Runkle concurred. Hank Shepard asked the board to be able to address Lass. Pratte granted Shepard permission. Hank Shepard asked Lass about his plans and stated that more clarification was needed and could have been better described that the northwest corner of the property was going to be unchanged. Pratte questions the visibility of the people living behind the property, Averhoff asked about an overhang on the garage, Lass commented the overhang of the new garage will be 24" versus the current 48" overhang of the house. Brad Winters expressed his objection to the project via zoom, stating previous boards decisions as his basis for opposition. Klees reads aloud section 507.3 of the Allamakee County Zoning Ordinance. Keith Frana, via zoom, inquired about the height, width, and length within the building permit. Lass mentions that with the new survey shows that he actually needs a 5' variance for the set back on the side yard, instead of the original 13'. Pratte states Lass will have to re-apply and the process will have to start over because of the need for the 5' instead of 13'. Klees made a motion to table the decision, resubmit with correct measurements and start over. Averhoff seconds motion. All in favor. MCU

Keatley made a motion to adjourn. Klees seconded. MCU. Pratte declared the meeting adjourned.

Stephanie Runkle, Zoning Administrator and Mandy O'Neill Administrative Assistant- Date

**Minutes of the Meeting of the
Allamakee County Board of Adjustments
March 23, 2021
Supervisors Office, First Floor, Courthouse, Waukon, IA**

Meeting was called or order at 4:30 P.M. by Chair Bernard Pratte.

Roll Call of Commission Members:			Term Expires
Chair	Bernard Pratte	Present	12/31/2021
	Gene Averhoff	Present	12/31/2022
Vice-Chair	Dennis Keatley	Present	12/31/2023
	Anne Klees	Present	12/31/2024
	VACANT		12/31/2025

Staff Present: Stephanie Runkle, Zoning Administrator and Mandy O'Neill, Administrative Assistant. All Board Members voting AYE, unless noted. MCU means Motion Carried Unanimously.

Others Present: Mary Kay Shepard, Henry Shepard, Jim Lass, Brad Winters, Mark Boland, Brenda Lass via zoom, Keith and Patty Frana via zoom & Laurie Moody, Environmental Health Sanitarian via zoom.

Klees made a motion to approve the agenda as presented. Averhoff seconded. MCU.

Klees made a motion to approve the March 9, 2021 meeting minutes as presented; Keatley seconded. All in Favor. MCU.

Public Hearing:

2. Runkle presents staff report addendum regarding the continuation of Jim Lass's public hearing of his application for a variance request at 1915 Blue Heron Lane in Lansing, Iowa to reduce the side yard setback of 30' to 5.3' and the front yard setback of 25' to 24.1'. The owner plans to put in a new 1-stall garage that will be attached and constructed to match the house. The property has a detached 1-stall garage and covered breezeway connecting it to the home. The new garage would match the footprint of the existing garage and attach to the home providing ADA accessibility to the home from the garage. The new garage would also match the house in material and height.

Pratte asked if the audience had anything they would like to add.

-Brad Winters spoke of his frustration of prior projects done in their neighborhood.

- James Lass stated his roofline of the newly constructed garage will not have higher roofline and that the NW corner will be in the same exact spot as the current detached garage.

- Mark Boland stated the board assured neighbors 2 years ago that their view would be protected, and he doesn't want to get burned again.

A discussion took place on if the board can write a stipulation for life long of the property which resulted in "No".

-Brad Winters spoke about a new ordinance needing to be developed for our county which has community involvement in the planning. Runkle advised that there is hope to be working on an updated zoning ordinance in the next year.

Klees made a motion to accept the variance as it stands under the condition that the roof line of the new garage be no higher than house roof line. Averhoff second's motion. All in favor. MCU

Keatley made a motion to adjourn. Klees seconded. MCU. Pratte declared the meeting adjourned.

Stephanie Runkle, Zoning Administrator and Mandy O'Neill Administrative Assistant- Date

**Minutes of the Meeting of the
Allamakee County Board of Adjustments
March 30, 2021
Supervisors Office, First Floor, Courthouse, Waukon, IA**

Meeting was called or order at 4:33 P.M. by Chair Bernard Pratte.

Roll Call of Commission Members:			Term Expires
Chair	Bernard Pratte	Present	12/31/2021
	Gene Averhoff	Present	12/31/2022
Vice-Chair	Dennis Keatley	Present	12/31/2023
	Anne Klees	Present	12/31/2024
	VACANT		12/31/2025

Staff Present: Stephanie Runkle, Zoning Administrator and Mandy O'Neill, Administrative Assistant. All Board Members voting AYE, unless noted. MCU means Motion Carried Unanimously.

Others Present: Russ Seay and Jake Steele representing AMG via zoom; Loren Fiet, Cynthia Fiet and Wayne Kloke

Klees made a motion to approve the agenda as presented. Keatley seconded. MCU.

Keatley made a motion to approve the March 23, 2021 meeting minutes as presented; Pratte seconded. All in Favor. MCU.

Public Hearing:

3. Runkle presents staff report regarding AMG Technology Investment Group's public hearing of their application for a consideration of a conditional use permit to build a telecommunications tower to provide high speed internet at 816 Teeple Creek Road in Waukon, Iowa. The tower under consideration would be a 120' high mono pole with a base of 4' wide in diameter and a 4'-0" x 4'-0" concrete pad surrounding the base.

-Loren & Cynthia Fiet are adjoining property owners to the South and have concerns about Lorens pacemaker and merlin transmitter having interruption with the new tower proposal. They explain there is a repeater on their phone, and they have concerns about it interfering with the tower. Russ Seay speaks, on behalf of AMG Technology, stating that cable TV, cell phones and computer use have the same waves as this tower will produce. Fiet did speak with his cardiologist, who has never had a patient live that close to a tower. Wayne Kloke is a neighbor to the North of the property, who has the same concerns as Fiet. Seay states this tower will be run through the Connect America Fund that utilizes 5.1-5.8 GHZ, which is below FCC output thresholds.

-Klees asks AMG Technology if there is any consideration of an alternative location? Fiet states he heard they would like to place the towers every 10 miles. Seay stated they are in hopes of applying to spread the towers every 6-8 miles. Steele said they need flat land next to power availability. They don't intend to ever cut into harvestable land.

-Jake Steele showed maps of current towers they have placed and also showed their licensed areas in Iowa. Seay makes mention that the tower will not have a light on top nor anything flashing. There will also not be any guidewires from the tower to the ground, based on soil conditions. The tower will be embedded and rebar will reinforce the concrete pad.

-Fiet is requesting a written guarantee of no interference with the merlin system. Klees asks Seay if this is possible and he agrees that someone in engineering can provide this in writing.

Motion made by Klees and seconded by Keatley to approve the conditional use permit with the condition in writing that someone within the AMG company can assure medical devices, such as the merlin, will not be affected.

New Business: Pratte goes over the newly proposed 2021 Allamakee County Comprehensive Plan and zoning ordinance restructure needs.

Averhoff made a motion to adjourn at 5:40PM. Klees seconded. MCU. Pratte declared the meeting adjourned.

Stephanie Runkle, Zoning Administrator and Mandy O'Neill Administrative Assistant- Date

**Minutes of the Meeting of the
Allamakee County Board of Adjustments
May 4, 2021
Supervisors Office, First Floor, Courthouse, Waukon, IA**

Meeting was called or order at 4:33 P.M. by Chair Bernard Pratte.

Roll Call of Commission Members:

			Term Expires
Chair	Bernard Pratte	Present	12/31/2021
	Gene Averhoff	Present	12/31/2022
Vice-Chair	Dennis Keatley	Present	12/31/2023
	Anne Klees	Present	12/31/2024
	VACANT		12/31/2025

Staff Present: Stephanie Runkle, Zoning Administrator and Mandy O'Neill, Administrative Assistant. All Board Members voting AYE, unless noted. MCU means Motion Carried Unanimously.

Others Present: Tim Hogan and Brian Jermeland via zoom; Scott Berg, Ray & Jill Palmer, Fred Meierkord, Don Humes

Klees made a motion to approve the agenda as presented. All In Favor. MCU.

Keatley made a motion to approve the March 30, 2021 meeting minutes as presented. All in Favor. MCU.

Public Hearing:

1. Lansing Properties LLC 1456 Highway 9, Lansing-Consideration of a 7' Variance in order to redraw the property line from its current location to in between two of the buildings.

After discussion and review it was determined that the variance is appropriate in between the two buildings as it is necessary for the newly proposed re-zoning from I-1 to R-2 and C-1. Klees made a motion to accept the 7' variance and Keatley seconded. All in favor. MCU

2. Timothy and Brenda Hogan at Lot 30 Harpers Highlands, Harpers Ferry

Hogan is requesting to build a residence 25' into the 40' front yard setback. Per the Allamakee County Supervisors meeting this morning, Hogan was granted his application to build 15' into the bluffland protection district. Hogan mentions he is purchasing the neighboring lot for space only, not building on it. Averhoff made a motion to approve variance and Klees seconded. All in favor. MCU

3. Brian and Patricia Jermeland 1751 Views End Lane, Lansing

This property is triangular shaped with multiple easements at the front of the property and a steep grade toward the back of the property. To build further away from the front yard would require an enormous amount of fill to get the property to a buildable level, which is why they are requesting the 21' variance from the front yard setback of 40'. Keatley made a motion to approve the variance and Averhoff seconded. All in favor. MCU

4. Donald and Jaime Humes at 560 Cottage Road, Harpers Ferry

The Humes property has county ROW angling through it which creates an interesting lot to consider setbacks. They would like to build a 24'x42' cabin resulting in a zero-foot front and rear yard setback. Discussion took place on septic plans and floodplain permits. Keatley made a motion to approve the variance of a zero-foot setback under the condition that Humes' gets their floodplain permits with DNR and CORE approval. Averhoff seconded. All in favor. MCU

5. Ray and Jill Palmer at 657 Hwy 364 Unit 11, Harpers Ferry

Palmer's request for a variance is to build on a lot with less than 3 acres of buildable area excluding ROW and easements. DNR and CORE have approved their flood plain permit. After discussion and review, Averhoff made a motion to approve the variance for Palmer's to build their new home on the lot and Klees seconded. All in favor. MCU

Averhoff made a motion to adjourn at 6:05PM. Klees seconded. MCU. Pratte declared the meeting adjourned.

Stephanie Runkle, Zoning Administrator and Mandy O'Neill Administrative Assistant- Date