

Dickinson County Board of Adjustment
July 22, 2024
7:00 P.M.

The Dickinson County Board of Adjustment met Monday July 22,2024 at 7:00 P.M. in the community room of the Dickinson County Courthouse.

Members present were Jeff Ashland, Alex Oponski, Kirby Berhow, Cami Wills and Susan Clark.

Also in attendance was Megan Kardell, Planning & Zoning Administrator, Lee McKim, Dickinson County Zoning Assistant and Steven Goodlow, Dickinson County Attorney.

Jeff Ashland, Chairman called the meeting to order at 7:00 p.m. and read the opening statement.

First on the agenda was Roll Call.

Second on the agenda was New Business:

1. Troy & Linda Budden, Variance, BLDG on Leased Land, Township 100 Spirit Lakem BLK 2, 1st ADD Jones Pasture, Dickinson County, Iowa. The principal structure Parcel Number 0315477701 and the leased land Parcel Number is 0315477004. The address is 25489 Pasture Lake Dr., Spirit Lake, Iowa.

Description of Variance: Two side yard variances. 1) requesting a 9' foot North side yard setback when 25' feet is required due to the road, a variance of 16' feet. 2) Requesting a 16' feet South side yard setback when 25' feet is required due to the road, a variance of 9 feet.

Troy Budden took the podium with his wife Linda Budden in attendance. Budden stated he's owned the 1977 trailer for 25 years, but the floor is falling out, also you can see the outside through wall and there is a concern of mold inside. Budden would new manufacture home to be a better and safer place for their family.

Pat Mohning took to the podium, stated he prepared the site and drainage plan. The lot area is unique in shape and tight with three sides being a platted road. Mohning says the new home won't impede the lake or site lines for the road, it will be a little shorter in length and wider in width than what they currently have, and with a covered deck. Mohning went into detail on the setbacks and the soil quality restoration.

Kardell stated the proposal of 2 non-conforming uses will be eliminated, the mobile home will be gone, and minimal building width is 22 feet. It is in R -2, 1 & 2 residential area and no longer in the sanitary sewer easement area. Kardell stated that it does have 3 roads around the property and that's why it needs a variance.

Ashland asked the board if they had any questions. Ashland asked Budden about the trailer that is there now, being removed and Budden said yes it will be removed. Berhow asked if the other mobile home was Budden's. Budden replied it has nothing to do with them.

Ashland asked for correspondence, was none.

Wills asked if any other written correspondence, there is none.

Ashland asked about public comment, there was none.

Ashland asked for a motion to vote, Oponski made the motion, Clark seconded.

The votes are approved 5-0. Ashland, Berhow, Clark, Oponski, and Wills.

Third item on the agenda Old or unknown business. None.

Approval from the May 28, 2024 minutes, Wills motioned, Berhow seconded. All in favor.

Communications

Kardell discussed the changes for Planning & Zoning to the ordinance being brought up in August and will give the Board of Adjustment a copy when it's updated, as well.

Kardell stated we received Agency Notification from Red Rock Wind. Depending on when they filed, approximately it would be the week of Thanksgiving to hopefully schedule it the week before Thanksgiving due to maybe not having a full board.

Goodlow asked about Woodlyn Hills' status. Kardell said it was a campground previously approved, but it was appealed to court. Kardell discussed the case to bring the board up to date as we have a new member.

Ashland asked if pipelines would come to the board. Goodlow said he didn't believe so. Kardell said if an application was filed it could, as it's a Conditional Use. Goodlow and Kardell discussed with the board.

Wills asked questions regarding Ivan Simpson's farm property and the runoff towards the trail. Ashland said it's over. Kardell said Cole Budach County engineer has made his ruling on it. Kardell stated she will make sure Simpson does the 2-soil quality restoration.

Fourth item on the agenda was Adjournment.

Berhow motioned to adjourn, Wills seconded the motion. All were in favor.

(For more information, see BOA 07 22 24)