

Dickinson County Board of Adjustment  
March 30, 2017  
7:00 P.M.

The Dickinson County Board of Adjustment met Thursday, March 30, 2017 at 7:00 P.M. in the Community room of the Dickinson County Courthouse.

Members present were Jeff Ashland, Delmer Lee, and Tim Hemphill. Absent were Roxie Reekers and Neil Guess

Also in attendance was Lonnie Saunders, Assistant County Attorney.

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

First on the agenda was roll call.

Second on the agenda was new business.

1<sup>st</sup> item of new business was James Parks, Conditional Use Application for Lot 3 except the W. 5 acres, WayMar Estates, Dickinson County, Iowa, to develop an RV Park in the A-1 Agricultural District.

All members had viewed the site.

Jim Parks introduced himself and outlined his proposed RV Park plan. He said RV parks are in huge demand. Most all in the area are full. The proposed location has all the amenities. It is set aside from other housing developments. His plan is for 39 seasonal sites. People tend to stay year after year. The first approximately 200 feet on the lake is zoned so he cannot put trailers.

His RV sites will be 52' wide x 74' long. The park will be close to amenities and near the lake. There will be no new structures. The existing house and barn will stay. All pads for the trailers will be permeable rock. There will be as little impact on natural resources as possible. There is no sanitary sewer at present. Steve Anderson of the Sanitary Sewer District says in 2 to 5 years all lots will have sanitary sewer run to them and be inspected. Until that happens, he is going to use holding tanks. Each week or as often as needed, he will pump the sewage from the trailers and put it into a holding tank. If he gets ten units the first year, it will give him a good idea how much waste is created. On the lakeshore there will be no hoists, no marina, just a dock.

Ashland asked if the DNR has concerns with fires from the campground?

Parks said he originally had planned 45 sites, but to eliminate concerns of proximity to the DNR wildlife area, he put a road on both sides of the RV park 17 feet wide. All fire pits will be placed in the middle of the RV's, leaving the fire pits 77 feet away from the DNR ground. Parks said the fire rings are 9" tall, so wouldn't allow for a large fire

Hemphill said he talked to Pat Daly of the fire department. Daly said the plan looked good. He asked regarding the holding tanks, has Parks agreed with the Sanitary Sewer to annex into the sewer district when the sewer becomes available.

Parks said yes.

Ashland asked about a storm shelter.

Parks said if the barn will stay, a shelter of poured concrete walls will be inside the barn. If the barn is not structurally sound, he will build a free standing concrete shelter. If the barn stays he plans restrooms and laundry units inside.

Ashland asked what is planned along the lake.

Parks said he is asking for a conditional use only on the off lake land. On the lake he will have only a dock. No boats or hoists.

Ashland asked about the rules of the campground.

Parks said there will be no loud time. He will police that. As a rule, RV parks don't get loud. It's more a family atmosphere.

Hemphill asked if people come each year, would they be allowed to stay all winter?

Parks said yes.

Lee asked if Parks would include the park rules in conditions for approval.

Parks agreed.

Lee asked if low impact development was required.

Saunders said the proposed park would not be in violation of the county LID requirements.

Parks said the barbed wire fence is in good condition to keep people off the DNR land. The runoff will stay as it is now. John Wills will help design a plan to prevent any further runoff.

Ashland asked Chris LaRue of the DNR Wildlife Division to comment on any concerns he has with the proposed campground.

LaRue said Center Lake is a Wildlife Management area located in an urban setting. His concerns are protecting wildlife, water quality, runoff. Safety concerns are wild fires, and no propane tanks near any fuel source. Intensive use of the land may impact the existing natural areas and public recreation. In Iowa Code, any new development doesn't have to abide by the rule of no shooting within 200'. With future expansion, they have concerns on sewer and runoff to wetlands. The existing fence will stay in place. The DNR will continue to do their conservation practices like spraying weeds and having burn-offs. It will be more difficult with a campground nearby. There will still be public access to the land. It is used for dog training. They can't allow mowing of trails in order to protect wildlife nesting and bird migration. They don't want trash blowing on the property.

Pam Jordan asked about some ongoing DNR plans with tributaries going into West Lake.

LaRue said this project is to prevent carp from coming into Center Lake. They want to enhance existing wetlands south of this area to eliminate run-off into the lake. This RV project would have some minimal impacts on the project.

Ashland read written comments received regarding the proposed campground:

Mary Rumbaugh – in favor.

Randy and Ann DeVall – in favor.

Dan Eckert, County Engineer – wants to upgrade 165<sup>th</sup> Street, but will delay until sanitary sewer replaces the pipe under the road. He feels the increased camper traffic would have little impact on 165<sup>th</sup> St.

Sanitary Sewer District – There is currently no sewer into the property. They propose a sewer extension in the 165<sup>th</sup> Street right of way within 2 to 5 years. The proposed sewer will have capacity for 40 camper units. Their stipulation would be that the campground would voluntarily annex when requested and provide a private sewer easement and have it recorded. This property would be required to hook to sanitary sewer within one year of improvement.

John Wills, Coordinator, Clean Water Alliance – He finds an RV park to be a suitable use for this property. He offered his assistance in designing the park to limit runoff and pollutants to the lake.

Ashland then read correspondence received from the public.

David Halsrud – concerned and opposed to no sewer system and the use of a holding tank.

Bob and Karen Eichner – do not allow this RV park. They oppose this use so close to the lake.

Val and Kim Veripps – look for another place. They are concerned with leakage of sewage into the lake.

Comments from public in attendance:

Howard Paul, Chairman of Center Lake Improvement Assoc. – His concerns are a holding tank that requires cleaning every week. Center Lake has 42 homes on septic systems now and some are in disrepair. Funding may not be available for years to bring sanitary sewer to Center Lake. Other concerns: Wild fires started by campers, hunters discharging fire arms within 200' of the proposed campground, and disturbing wildlife in the habitat area.

Louis Faust – concerned with holding tanks being covered with dirt and could leak at some point without anyone knowing. Where does the waste go?

Parks said it is applied to fields in Clay County. He said the holding tanks will be set on pea gravel and inspected by the sanitary sewer. The holding tanks will be completely empty at the end of each season. The tanks are made of polyurethane or concrete.

Greg Mohr – Concerns with dock issues and fire danger. There has been lots of progress around Center Lake to clean the water. The residents don't want to lose all they have worked for.

Parks said there will be no hoists. He plans to be there to take care of the park every day. He has no plans to expand with the two lots to the south.

Howard Paul said why not wait until sewer is in, then develop.

Mark Reed said many Center Lake residents use 165<sup>th</sup> Street to get to the south side of the lake. It is already in poor condition. With increased traffic of RV's in and out, can the road hold up? He also has concerns with the holding tanks and a blind spot in the road.

Parks said his plan is the best scenario that could happen to this property. There is no concrete, no asphalt, no additional runoff. Someday a developer could buy this property and put up 40 condos. The proposed park is seasonal, and 99% are likely to leave their trailers there in off-season. He envisions people bringing in an RV and leaving it. He is not allowing rentals by the week.

Keith Ostenbrog – He is not in favor. What is the water supply and would the park residents have access to the street frontage?

Jordan said it is Iowa Lakes Regional Water.

LaRue said the street frontage is DNR property.

Carol Cranston said there should be a stipulation that the park can't be enlarged to more than 39 units and they can't have a dock longer than so many feet.

Saunders said the dock is in DNR jurisdiction.

There being no more comments, the meeting was closed to the public.

Saunders suggested the following stipulations be attached to any approval of the RV campground:

1. The rules as presented will be enforced at all times the park is occupied.
2. The property owner will voluntarily annex into the Sanitary Sewer District when requested.
3. The private sewer easement from the property to 165<sup>th</sup> Street will be hooked up to sanitary sewer within one year of notification that public sewer is available on 165<sup>th</sup> Street.
4. No more than 40 units allowed on the property.
5. One dock with no commercial hoists.
6. Row of trees on the south side of the lot.

Ashland suggested a stipulation of ongoing conditional use.

Lee suggested a stipulation on the holding tanks.

Saunders said it could be worded that the sewage holding tanks will comply with all state regulations.

Parks said between Mary Rumbaugh and the proposed park he will plant 6 to 7 evergreen trees. On the south side of the property he will plant hackberry, red oak and evergreens.

Lee asked if a holding tank is different than a septic tank?

Parks said yes.

Jordan asked the size of the holding tank.

Parks said the largest is 15,000 gallons. He would envision multiple tanks along the barn. He is not going to have the park open during hunting season.

Ashland asked for a motion to vote with the stipulations outlined by Saunders. Hemphill moved to vote with the stipulations as stated. Lee seconded. All were in favor.

The vote was recorded as Ashland – approve, Lee – approve, Hemphill – deny. The application was denied.

Third on the agenda was old business. There was none.

Fourth on the agenda was approval of the minutes of January 23, 2017. Lee moved to approve the minutes. Hemphill seconded. All were in favor.

Fifth on the agenda was communications. There were none.

Sixth on the agenda was report of officers and committees. There were none.

Seventh on the agenda was unknown business. There was none.

Eighth on the agenda was adjournment. Lee moved to adjourn. Hemphill seconded. All were in favor.

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