

DICKINSON COUNTY BOARD OF ADJUSTMENT
Monday, March 24, 2014
7:00 P.M.

The Dickinson County Board of Adjustment met Monday, March 24, 2014 at 7:00 p.m. in the community room of the Dickinson County Courthouse, Spirit Lake, IA.

Members present were Don Oleson, Dennis Jackson, Mary Dannatt, Jeff Ashland and Bob Duncan.

Donald Oleson, 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.

- 1st item of new business was Paul and Debbie Heidebrink, variance, Lot 425 and common ground, Francis Sites, Dickinson County, Iowa. Oleson read the description of the variance.

All members had viewed the site.

Jim Blum, surveyor for the project, introduced applicants Paul and Debbie Heidebrink and contractor Rick Kent.

Blum said there is a 32 feet elevation change on this property from the road to the lake. There is a sanitary sewer easement in the front portion of the lot, leaving only 39 feet to build, so they are limited. All utilities are in place. There is plenty of room for the proposed Low Impact Development. They are proposing pervious pavers for parking and a drain tile leading to the rain garden on the lake side.

Oleson said there are two retaining walls that are shown. Will they be relocated.

Blum said the one closest to the road is to be removed for garage excavation. The one on the lakeside will be replaced.

Dannatt asked if the deck on the side of the existing home will be removed.

Kent said yes.

Duncan asked if they received a variance for the existing house to the north.

Kent said yes, there was the same problem with the sanitary sewer easement.

Ashland asked if parking and safety are any issue with the placement of their current home.

Deb Heidebrink said no.

There were questions on how close the proposed house would be to the sanitary sewer easement.

Blum said on the southeast side they hope to build up to the sanitary sewer easement line with a deck only. The house will be off the easement.

There was discussion of side lot lines and roof overhangs.

Oleson asked for comments from the public in attendance.

John Calsbeek, neighbor to the east, said he doesn't see any problems with this request.

Oleson said there was no correspondence received.

Ashland moved to vote on the application as presented. Duncan seconded. All were in favor. The vote was recorded as all approve.

Oleson read from the vote result form and zoning compliance permit completion deadline.

- 2nd item of new business was Daniel B. and Susan M. Bennett, variance, the S. ½ Lot 14 and all of Lot 15, Sub. Of S. 390' Blk. V, Methodist Camp, Dickinson County, Iowa. Oleson read the description of the variance.

All members had viewed the site.

Dan Bennett said their existing home has a deck sitting on concrete blocks and they were going to replace it which didn't require a variance, but they also have a bad bathroom situation with a slanting roof that a person can't stand up in. They want to raise the roof. They are not changing the square footage, but are adding to the volume, so need a variance. They are asking to change from a 4 feet to an 8 feet ceiling.

Oleson asked if this is a year around home.

Bennett said it will be eventually. They want to extend the roof over the deck, but leave it as an open deck.

Correspondence was read from James Benz, Monarch Cove Association, which stated that the association does not resist the variance requested by the Bennetts.

The members discussed stipulations to be placed on any approval.

Dannatt moved to approve a stipulation that this remain an open deck with a roof as presented in the application. Any changes in the future must be brought before the Board of Adjustment. Ashland seconded. All were in favor.

Duncan moved to vote on the application with the stipulation. Jackson seconded. All were in favor. The vote was all approve.

Oleson read from the vote result form and the zoning compliance permit deadline.

Third on the agenda were the minutes of February 24, 2014. Jackson moved to approve the minutes as written. Ashland seconded. All were in favor.

Fourth on the agenda was communications. There were none.

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

Sixth on the agenda was old or unknown business. Lonnie Saunders reported that on the Alan Mohling court case there is an upcoming hearing on the issuance of an injunction against any further building to be held April 2nd. The judge will decide whether Mohling can proceed with his building. The whole case should be done about July 1st.

Seventh on the agenda was other. There will be a variance next month from Methodist Camp.

Eighth on the agenda was adjournment. Duncan moved to adjourn. Dannatt seconded. All were in favor. The meeting adjourned at 7: 50 p.m.

(For more detail, refer to audio recording of the meeting.)