

DICKINSON COUNTY BOARD OF ADJUSTMENT
Monday June 23, 2014
7:00 P.M.

The Dickinson County Board of Adjustment met Monday, June 23, 2014 at 7:00 P.M. in the community room of the Dickinson County Courthouse.

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

Don 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 Hansen, Variance, Lot 5, Block R, Methodist Camp, Dickinson County, Iowa. Olson read the variance requested. All members viewed the site.

Paul Hansen, owner, represented himself. Hansen reviewed his current site plan for the house and garage, highlighting the fact that he figured out a way to eliminate the second story, which was present in his previous variance request. Hansen indicated that the front yard variance is to extend the roof over the sidewalk to prevent ice buildup, an unnecessary hardship. The second variance is to keep the grandfathered garage dimensions to help with storage as well as to enlarge the garage for a modern vehicle and provide additional storage space.

Oleson asked if the garage doors are going to face the North.

Paul indicated there might be an accessory door to the North, but no garage doors.

Oleson asked about a tree in the yard and how the garage would affect the trees.

Hansen has no intention of removing the trees, the door will just be used as access to the garage. Hansen indicated that he would have to replace the sewer that will go under the garage.

Ashland asked if the garage footing are going to remain intact.

Hansen said the footings will be replaced along with new walls and a new roof will be constructed with all new supports.

Oleson Is the existing shed going to stay?

Hansen said the shed can stay or go.

Oleson asked if a permit was issued for the shed.

Hansen said yes there was a permit issued.

Kohlhaase said that our office would have to check to see if there was a permit issued, he did not know offhand.

Duncan asked Hansen if he had thought of changing his site plan with concerns to the garage to eliminate one of the variances.

Hansen said he does not believe there would be enough space to back out of the garage if he were to change the site plan to what Duncan was suggesting.

Ashland agreed with Hansen.

Oleson stated that this is a very large variance and it is a large undertaking.

Oleson asked for comments for the public in attendance.

James Benz, President of Monarch Cove, said that the association is in favor and support of the variances proposed by Mr. Hansen. Benz went on to mention the history and characteristics of Monarch

Cove are what makes that area special, and many of them live with variances on their property due to current zoning laws.

Benz distributed pictures to the board members. The first picture was of the green space/park that will never be built upon, the next picture is of the ally that will not be built upon. Benz said if the variances are approved, the improvements that Mr. Hansen is going to be constructing will only beautify the space around him. The last picture is of the driveway, which is built on 6 inches of the association's land, but no one minds.

Victor (Could not hear last name), a neighbor to Mr. Hansen in Monarch Cove, said Mr. Hansen is a person who want to upgrade the community, and we support his decisions.

Correspondence was read. The letters can be found in the file.

Oleson asked if there is a motion.

Ashland motioned to vote on the application as published.

Oleson asked for discussion.

Oleson feels the proposed structure is too large for the size of the lot.

Duncan agreed with Oleson.

Dannatt said she doesn't understand why the 1' variance is an issue since it already exists.

James Benz, the President of Monarch Cove tried to interject.

Oleson reminded the public the hearing is now closed and the discussion was now between the board members.

Discussion continued.

Jackson seconded the motion to vote on the application as published.

Oleson said Hansen has many other options for this property, and extending the variance is setting a president.

Ashland asked if Oleson had an issue with any of the other variances besides the garage variance.

Oleson said no.

Jackson asked Hansen what the dimensions of the addition to the garage.

Hansen said it was about 13 or 14 feet.

Ashland said we need to look at each application on an individual basis.

Oleson called for the vote. Vote recorded as Oleson deny, Dannatt approve, Ashland approve, Jackson approve, Duncan deny. Oleson read the vote result form and zoning compliance deadline information.

Oleson announced that the Wangler variance, which was on the agenda for tonight was withdrawn.

Third on the agenda were the minutes from May 21, and 27th 2014. Jackson moved to approve the minutes as written. Ashland seconded. All aye.

Fourth on the agenda was communications. There could be a variance request for the July meeting for Rex and Susan Wangler. There will also be a Zoning Administrator review for a building application that was issued by Kohlhaase.

Fifth of the agenda was report of officers and committees. Oleson said he had a call from Bob Bendickson concerning the Mohling variance and possible litigation. Saunders recommends that the board not to talk with anyone, without talking with him beforehand.

Jackson asked about a car port across from Mr. Hansen's property and if they had a permit to build this structure. Kohlhaase knew the property in question and informed the board that a permit was issued for this structure.

Saunders gave an update on the Al Mohling litigation.

Sixth on the agenda was old or unknown business. There was none.

Seventh on the agenda was other. There was none.

Eighth on the agenda was adjournment. Jackson moved to adjourn. Ashland seconded. All aye. The meeting adjourned at 7:55.

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