

DICKINSON COUNTY BOARD OF ADJUSTMENT

Monday, October 26, 2009

7:00 P.M.

The Dickinson County Board of Adjustment met Monday, October 26, 2009 at 7:00 p.m. in the community room of the Dickinson County Courthouse.

Members present were Don Oleson, Dennis Jackson and Bob Duncan. Absent were Jeff Ashland and Wendell Williams.

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 Dennis and Beatrice Salmon, a variance on Lot 384 and common ground, Francis Sites. Oleson read the description of the variance.

All members had viewed the site.

Beatrice Salmon said there is a correction on their site plan. The accessory building shown on the rear is not going to be built.

Oleson asked about the 4 feet walkway on the northeast side. If they just got a permit for a new house, why wasn't that part of the original plan?

Mrs. Salmon said originally they wanted a 10 feet driveway along the property line. They saved a well which moved the house over 2 feet, so the driveway went away. When the foundation was built, the door at the back of the house ended up too high off the ground to access without a walkway.

Duncan asked the Salmons to explain part of the deck that was already built.

Mr. Salmon said there was a step out with steps going to the back of the house. There was a misunderstanding between the contractor and himself. Salmon wanted a 4' walkway, but the contractor built a 4' walkway with posts adding 7.5" for a 10' section. The rest of walkway will be 4' overall width.

Jackson said he doesn't have a problem with it. He just wondered how the door ended up so high off the ground.

Oleson said with the accessory building out of the plan, they have more green space.

There was no correspondence or phone calls received.

There being no questions from the public, Duncan moved to vote on the application as presented. Jackson second. All were in favor. The vote was recorded as all approve. Oleson read from the vote result form.

- 2nd item of new business was Kevin and Lauri Bousema, a variance for Parcels E, F and G, part of Plat of Village Park and part of Strube's Plat. Oleson read the description of the variance.

All members had viewed the site.

Dave Butterworth, contractor, represented the Bousema's. He said this request is very complex from a land perspective, but simple from the variance perspective. He tried to be very thorough in his detail of the lot history. The side yards for the house are correct

and the lakeside yard is correct. The only variance request is for a 4 feet rear yard. The garage will line up with other garages down the road. The property is within two subdivisions and the right of way is different for each subdivision.

Duncan asked if the side yard requirement was 5 feet or 8 feet.

Oleson said 5 feet for a lake lot.

Jackson commented that the flags marking the site were not marked, so it was difficult to understand what some of them were for.

Jackson said the alignment is the same as the neighbors in back as far as a safety concern.

There was no correspondence or phone calls received.

Oleson asked if Kohlhaase had looked at the drainage plan. There needs to be more silt fence in place as dirt is washing over the steps to the lake. Because of the topography of the lot, there needs to be drains to catch the water.

There were no questions from the public.

Oleson asked about the road right of way which was shown on the site plan as 66 feet.

Duncan moved to vote on the application as presented. Jackson seconded. All were in favor. The vote was recorded as all approve. Oleson read from the vote result form.

- 3rd item of new business was Patrick and Joan Kuehl and Robert Rizk. This application was requested to be postponed until the meeting of November 23rd.

Third on the agenda was approval of the minutes of September 28, 2009. Duncan moved to approve the minutes as written. Jackson seconded. All were in favor.

Fourth on the agenda was communications. Oleson said he had received two calls from Horizon Wind Energy, but they didn't leave a message.

Saunders said Mark Wagner's court date was October 22nd. He entered a plea of no contest to one charge and agreed to pay civil penalties and court costs on all three charges. The other two charges were dropped.

Kohlhaase said Wagner will give the office a letter by November 1st of what he is going to do with the house parked on Conroy Johnson's land. If the intent is to have it moved to another city or county or disposed of, that must be done by the end of December. If the intent is to place it in Dickinson County, he has 9 months to have that accomplished.

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

Sixth on the agenda was old or unknown business. Kohlhaase said Kuehl would be continued next month. There are no other applications known right now.

Seventh on the agenda was other. Jackson asked if a permit had been issued for a property on 190th Street. He noticed the roof was torn off. Kohlhaase said that was for Kirschbaum and he did have a permit.

Eighth on the agenda was adjournment. Duncan moved to adjourn. Jackson seconded. All were in favor. The meeting adjourned at 7:29 p.m.