

Dickinson County Board of Adjustment
August 24, 2020
7:00 P.M.

The Dickinson County Board of Adjustment met Monday August 24, 2020 at 7:00 P.M. in the community room of the Dickinson County Courthouse and via zoom.

Members present were Jeff Ashland, Alex Oponski, Jen Johnson, Delmer Lee, and Kirby Berhow.

Also in attendance was David Kohlhaase- Dickinson County Zoning Administrator and Megan Kardell-Dickinson County Zoning Assistant

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. Jerry Uittenbogaard, Lot 1A, Frahm's Addition, Dickinson County, Iowa. The request was read.

Jerry Uittenbogaard introduced himself to the board. He owns his own business in Sheldon, IA and will be the general contractor for this project. They purchased the property in December of 2019 with the hopes to make this their final place, they would like to live here until they no longer can. They understand the rear yard setback is 25' feet and they would like to add a 4' 6" addition to the garage, that red triangle on the site plan is the area where they need a little help. The goal is to change the garage entry from the east to the north. When you back out of the garage it is considerably lower than the frontage road, and there are some safety issues on the road. They cannot see anyone on the frontage road until it is too late. There have been a couple of close calls. If they can back out and make a Y-turn on their property and drive directly onto 250th Ave., they feel that it would be safer. They have tried to look at other options, this is probably the best and most logical option. They also have heard from the neighbors and the County about the hedge on the property. The neighbors are very unhappy about the hedge and have been for a lot of years, to everyone's satisfaction, that hedge will be removed and the driveway will connect to 250th Ave. They have talked to the neighbors on both the left and right sides of the property about the proposal, and they have no objections. They talked to the neighbor and Iowa Lakes Regional Water about the encroachment on the easement and ILRW sent a letter stating that it wasn't an issue. There is also letter and driveway permit from Dan Eckert to put in the driveway and connecting it to 250th Ave. He did not have any issues with it.

Ashland asked if the garage elevation will be the same as it is now.

Uittenbogaard said he plans to raise the garage floor up 6" to eliminate a step.

Ashland asked if the drain in the driveway will remain.

Uittenbogaard said yes.

Oponski asked about the drawing, it isn't exactly correct, because you are going to have a turnaround area.

Uittenbogaard said that the drawing doesn't show the turnaround area. It's actually on the other side of that retaining wall into that rocky parking area. You should be able to back out of the garage left and turn the front of the car around so you can drive out. It will be much safer.

Oponski asked if everything will be paved or asphalted, and if everything will go into the drain.

Uittenbogaard said yes. The surface water from the existing driveway will become greenspace/shrubbery. The proposed concrete driveway will be where the window and walk in door is located. The lot will have about the same amount of concrete.

Oponski, said that was his question, so you will take out the existing concrete around the drain, but keep the drain and have the area around the drain become more natural.

Uittenbogaard said yes.

Lee said the driveway kind of swings to the left now.

Uittenbogaard said yes.

Ashland asked if they will be tempted to just back out on to the highway.

Uittenbogaard said that the pick-up will go on the right side, he feels there is enough room on the shoulder to do the Y-turn to drive out onto the road. Either direction you could do the y-turn

Berhow said that was his concern as well, it would improve what you had there before.

Uittenbogaard said that by the time you get past the tree, you are going on to the frontage road and by that time, there have been vehicles there waiting for us to get out of the way.

Ashland said the primary motivation is safety.

Uittenbogaard said yes.

Correspondence was read.

Ashland opened the meeting to the public.

Seth Hellinga, realtor, lives in Lake Park, and they have a real estate office in Spirit Lake, one thing he noticed while listing the property if you look at where the property lines are extended out and where it curves, that's kind of a transition point from 250th on to the frontage road, and when you are backing out of that driveway you are kind of hidden, because it is elevated down and you have vehicles on 250th Ave., coming on the frontage road and it just seem like when your vehicle pops out of that lower area you are right in the right-of-way where those vehicles are transiting on to the frontage road. He thinks by doing this for the property owners, they will be backing up on to their property, not onto the frontage road or right of way and will be able to pull out and see who's coming. They would be more visible to those looking to exit 250th Ave., as well.

Gerald Phipps, 15625 250th Ave., he is all for this and it will help their traffic. The only concern they have is above the wall, if service trucks park there they cannot see the traffic. That is why they fought with the previous owner who grew the hedge, they couldn't see the traffic.

Ashland closed the public meeting.

Berhow motioned to vote on the application. Lee seconded the motion.

Vote recorded as 5-0 approve. Johnson, Lee, Oponski, Berhow, Ashland approve.

Third on the agenda was Old Business. Kohlhaase informed the Board that Scout Clean Energy has sold the proposed wind project to Next Era Wind. The County met with the Next Era last week, they are hoping to come to the Board in 2021.

Fourth on the agenda was approval of the minutes from July 27, 2020. Oponski motioned to approve. Lee seconded the motion. All were in favor.

Fifth on the agenda was Communications. There was none.

Sixth on the agenda was Status Update. Kohlhaase gave the board an update regarding variances and conditional use applications from the last year.

Seventh on the agenda was Adjournment. Johnson motioned to adjourn. Berhow seconded the motion. All were in favor.

(For more information see recording BOA 08 24 2020)