

Dickinson County Board of Adjustment
June 27, 2022
7:00 P.M.

The Dickinson County Board of Adjustment met Monday June 27, 2022 at 7:02 P.M. in the community room of the Dickinson County Courthouse.

Members present were Jeff Ashland, Kirby Berhow, Alex Oponski, Cami Wills, and Jen Johnson

Also in attendance was Steve Goodlow- Dickinson County Assistant Attorney, David Kohlhaase-Zoning Administrator and Megan Kardell-Dickinson County Zoning Assistant.

Jeff Ashland, Chairman called the meeting to order at 7:02 p.m. and read the opening statement.

First on the agenda was Roll Call.

Second on the agenda was New Business. 1st Item of New Business was Harriss & Debra Thomas Variance, Lot 19 & 20, Plat of Triboji, Dickinson County Iowa. The request was read.

Thomas introduced himself, neighbor Randall Olson, builder Cassidy Howard, and Beck Engineering firm representative Stacy Tegtmeier to the Board. He said they are asking for a variance from the existing zoning ordinance that applies to the portion of the home that faces the lake. The current setback requirement is 25' feet, the drawing/site plan shows the buildable area based on the current zoning ordinance. This home was constructed at the time ordinances were being implemented, but were not being enforced. By having a 3' feet setback they will be able to ensure the roofline, in addition to the foundation is all on their property. While working with Beck Engineering, they have identified how they will address drainage and will have a zero discharge lot. There have been some questions about construction opportunities on the other three sides, you'll notice the side yard setback is 8' feet. The house is either inside or right near that setback, they have no interest in going that direction. Similarly, to the left of the site (road side) with utilities and everything, it is just not a viable option for them. They also own 3 lots directly across Lakeview Drive, they include a 2 car garage, a 3 stall pad, and open space, so there is plenty of area for parking. Specific to what they might lose that others in the district have if the ordinance was literally applied, they would lose any amount of land to build on. The current structure that is proposed to be removed was built after the original home and was not built anywhere near as tight, so they are hoping to substantially improve the energy efficiency of their home. This is their year round home. They spent their first year here last year, including last winter and they came to understand that the base part of the home is weather tight, but the front porch is not. One can also see from the information in the packet that this addition will not impact the site lines for other adjacent properties. The area to the north is called Lakeview Park and is owned by the State of Iowa and managed by the Department of Natural Resources. Lot 18 to the south is represented by Randal Olson, and he believes there is a letter in the file from Lot 17 expressing their approval of the project.

Ashland asked if the board had any questions. There was none.

Correspondence was read.

Ashland opened the meeting to the public.

Randal Olson, 15236 Lakeview Dr. Lot 18 (Next door to the Thomas) they are wonderful neighbors and are in full support of the proposal.

Ashland closed the meeting to the public.

Oponski asked where on the map is 15236 Wilson Blvd.? Where do the people who were opposed live, in relation to the project.

Kardell said that these people thought the applicants were building towards the road. Kardell showed the locations on the screen via Beacon.

Johnson motioned to vote. Oponski seconded the motion. All were in favor.

Vote recorded as 5-0 Approval. Berhow, Wills, Oponski, Ashland, Johnson Approve.

2nd Item of New Business was Dana C Jackson, Living Trust c/o Patrick Jackson, Variance, Lot 56 and N'y TRT in Lot 58, (aka PAR "B") & Common Ground Francis Sites, Dickinson County, Iowa. The request was read.

Patrick Jackson 2803 Francis Sites Dr., introduced himself to the board. He is asking for a 5' feet variance on the north and east sides of the property to build a garage. The unique thing about their lot is they have a 25' feet setback on three sides of their property, which makes 71% of their property unbuildable due to current zoning codes. Two of the three of these streets, 28th street dead ends into the lake, the alley on the east side, also known as Acorn Avenue, serve only three properties, with themselves being one of them. They are not thru streets, and there is virtually no traffic. Jackson talked with Dan Eckert the County Engineer, he called that alley a public easement only for the usage for owners, and not for public use. He is asking to build a 30' x 40' feet garage, he put his boat trailer on the lot, the trailer is 36' feet long, that is why he is asking for the 30' x 40' to fit his boat trailer. The boat trailer was parked inside the spray painted line, so the board could see why he chose that size of building. He talked to his neighbors, the only push back was having to remove some trees, that is why he is asking for the 5' feet variance on the east side. It would save some trees on the back side of the garage. Also the neighbors to the north and to the south wrote letters in support.

Correspondence was read.

Ashland opened the meeting. There was none. The meeting was closed.

Wills motioned to vote. Berhow seconded the motion. All in favor

Vote recorded as 5-0 Approval. Berhow, Wills, Ashland, Johnson, Oponski Approve.

3rd Item of New Business was Ivan Simpson, Conditional Use, Recreational Storage, NE1/4, SW1/4, Section 2, T99N, R37W, Lakeville Township, Dickinson County, Iowa. The request was read.

Ivan Simpson said this conditional use application is for a building that was built in 2013. Pat Mohning and Adam Simpson are also in attendance. Mr. Mohning brought to Simpson's attention that there was a permit filed, even though it was an AG building, they did file for a permit. When they did the building on the SW section of the home farm a year ago, they had an overwhelming response for storage, they are trying to meet those demands that are coming in constantly. This is their farm storage shop building, they are applying for a conditional use storage permit for that building. Mohning is going to talk about the drainage plan, which provides some really great benefits to the area.

Pat Mohning, Mohning Land Surveying said they drew up a drainage plan for the existing building. They have already gone ahead and had some gutters put on the building to help with some of the drainage. If the conditional use is approved, they will implement the drainage plan as proposed on the site plan. The east portion of the building will have buried tile lines from the downspouts, it would lead to a soil quality restoration area which would allow the rainwater runoff to seep into the ground, rather than running off the surface as it currently does. Then on the west side of the building there would be a rain garden. The benefit would take care of the impervious surface on the property. Currently it does just runoff the surface and he knows this causes some issues downstream across the bike trail to the east. This would help alleviate some of those concerns.

Berhow said that this building was possibly going to be built for cattle.

Simpson said that was the other building, there is another building that we are not talking about tonight that is 80' x 160'.

Ashland said this is the smaller building to the north.

Wills said she knows there is some runoff now on the bike trail, are you still going to put in the rain garden and the soil restoration area in if this is not approved.

Simpson said no, because it is about a \$20,000.00 expenditure and if he cannot supplement his income from storage, he is not going to spend the money.

Wills said it was originally built as an AG building, correct?

Simpson said correct.

Wills said there is a lot of agricultural equipment outside of the building, so her concern if they are going to use this building as a recreational vehicle storage use, are you going allow RV's and boats outside like you do with the agricultural equipment.

Simpson said no, they have an approval for outside storage on the north farm, which is the reason they requested outside storage for that location. On that particular piece of property there is probably 10 trailers and 1 RV parked there now.

Oponski asked what the bigger building, which did not get approved last time, is going to be used for.

Simpson said they will file for a variance and a conditional use application for the bigger building at another meeting.

Oponski clarified, for more boat storage?

Simpson said for recreational storage and for agricultural equipment. They do not have a lot of stuff in it right now. They had a major hail storm and they need to start reroofing and replacing walls.

No correspondence.

Ashland opened the meeting to the public.

Damon Pedersen 15624 N Tradewind Dr. lives across from this property. This shed is similar to the other shed, built for Ag storage, but used for boat storage. There are boats in this building as well as the other building, which the board has yet to approve. He showed pictures of the drainage that comes through Simpson's property. There is a considerable amount of water that comes through the property by the building. The big shed has actually impeded the water flow that comes through there, and now there are piles of dirt, rock, sand, clay that also prevent water from coming through. He is opposed to this, he does not know if Simpson can properly insure drainage is taken care of there, nor if the board approves this now, what guarantees that it will be done. He is asking for this for the whole 40 acres that he owns there, there is a problem with that.

Ashland closed the meeting to the public.

Ashland said he likes that they've proposed the rain garden, and by offering that to address some of the drainage issue downstream.

Kohlhaase said when this building was built Chapter 335.2 in the Iowa Code basically says that any land or buildings predominantly used for agricultural purposes is exempt from zoning, it supersedes us. So in reference to this building as an agricultural building, and is used as an agricultural building, the property owner is on their own, we cannot do or say anything. Like the gentleman just said, there were boats being stored there, we contacted Mr. Simpson right away and working with the County Attorney's office determined an agreement when those boats would be gone, he knew the process and procedure he had to go through in order to make a new application. If there is a concern about outside storage, in previous applications the board put a condition on the application to allow only inside storage. Remember any conditions attached to the vote must be agreed upon between the board and the applicant.

Oponski stated he remembered from the last meeting Simpson was to have the boats cleared out by a certain time, are all the boats out.

Simpson said there were out before the deadline.

Oponski said just to be clear, there are no boats in either of the buildings.

Simpson said totally empty.

Oponski asked if they could put a stipulation about making sure the drainage plan is done as designed.

Kohlhaase said basically he is going from Farms Exempt and to zoning. He is going to have to abide by the Zoning Ordinance. This would be the opportunity to review and discuss the drainage. Pat Mohning with Mohning Land Surveying is here and could discuss the drainage plan in more detail should the board wish.

Simpson said John Wills did a whole drainage plan on the back 40 and constructed water ways and brought all the drainage through the area to the road ditch. That was all approved and funded by the State as a comprehensive drainage plan for that area. That is part of the drainage plan they have done in the past.

Kohlhaase said Simpson is talking about the watershed from the West.

Oponski asked Mohning if he could address some of the concerns regarding the drainage and the pictures from Pedersen. Mohning viewed the pictures.

Oponski asked Mohning if the plan is sufficient to address what they are seeing in the pictures.

Mohning said the pictures show where the water is coming through basically on the south side, where there is fencing and on the south of that is where the water comes through this property. Further south of that is where the bigger building currently sits. The water shown in the pictures, is mostly water coming from the west. Certainly some of that water is coming off the existing building and so what he has shown would take care of that water. It would not take care of everything coming from that direction. They follow the zoning ordinance on how the rain gardens are sized. They amount to 1.25 infiltration in a 24 hour period, which is the standard to capture 95% of the rainfall events throughout the year.

Ashland asked Simpson if the conditional use was approved, would he implement the drainage plan as presented.

Simpson said absolutely.

Oponski asked in what period of time will the drainage plan be implemented

Simpson said immediately, they've already started it. They did almost \$10,000 dollars' worth of eavestrough. They are ready for a decision from the board to immediately start building the soil quality restoration and rain garden.

Oponski asked what the projected completion date for the drainage plan is.

Simpson said within 30 days.

Oponski asked if that would be the entire drainage plan.

Simpson said yes. They need it to be that fast because they would like to be able to use the storage facility in September and they need to have everything complete before then.

Ashland asked Kohlhaase about the conditional uses being good for 6 months.

Kohlhaase said the three conditions the board has mentioned was, only inside storage of recreational vehicle items, completion of the drainage plan by August 31 and a certification letter of completion from Pat Mohning stating the drainage plan is implemented as presented, third is this use is as good as long as it is used as recreational storage unless the use ceases for a period of 18 months then the use will go away.

Ashland said about outside storage of the agricultural equipment.

Kohlhaase said the farm machinery is agriculturally exempt, so there is not much the county can say about it.

Simpson said they might have something sit out for a short period of time, when boats get dropped off, there might be boats setting there occasionally, but it won't be long term. It will not be advertised as outside storage.

Kohlhaase said as long as it is reasonable.

Ashland asked Kohlhaase about Simpson's concerns about if a boat is there outside, do they need to verbalize that.

Kohlhaase said if the board would like to be clear about anything, you could say we the board understand there will be boats in and out and there may be a boat periodically in the parking area for the short term. During the off season when they are storing the boats they will all be inside. Mr. Simpson is shaking his head yes, and agrees.

Ashland said as long as it is not an issue.

Kohlhaase said he thinks the word is reasonable. We know and Simpson knows what the intent is here. If it gets to be next winter and there are 10 boats sitting outside, then we will have discussions.

Ashland asked Simpson if those conditions are agreeable.

Simpson said yes.

Oponski motioned to vote with conditions. Wills seconded the motion.

3-2 Approval.

Ashland-Approve, Johnson-Deny, Oponski-Approve, Wills-Deny, Berhow-Approve

4th Item of New Business. Twin Hills LLC, Conditional Use, Campground for Profit, Parcel "AA", of Gov't Lot 3 AND NE1/4, of SW1/4, of Section 21-99-36, Dickinson County, Iowa. Parcel #'s 0721326005 and 0721177021. The request was read.

Ashland noted the location was not well marked.

Kohlhaase said normally in these type of situations due to them being so large, you know the area, and have the drawings.

Ashland said they usually have flags.

Kohlhaase said he understands, case by case.

Goodlow requested from Chairman Ashland to read a statement.

Ashland gave permission.

Goodlow said earlier today he had a discussion with Jennifer Johnson regarding a potential, emphasis on potential, conflict of interest regarding the application coming before the board right now. It was determined that Jennifer Johnson does not stand to gain or profit one way or another regarding this application, but out of abundance of caution, we decided that Jennifer will not be participating in the contemplation or determination yay or nay of this application. He wants to emphasize the County appreciates all of Jennifer's hard work in relation to this board now and in the future.

Johnson said she would like to make a statement that this is an apparent conflict of interest as she is an outside contractor with the Iowa Great Lakes Association, which is a 501C4 organization, which its mission is to protect and preserve the Iowa Great Lakes.

Jamie Hunter asked for a clarification, who's decision was it that she will not be participating.

Goodlow said it was a joint decision between himself and Ms. Johnson.

Ashland who is here to represent the application.

Travis Hulstein introduced himself and his family to the board. Dave and Donna Hulstein (parents) own and operate Venture Group which owns and manages various real estate, including residential, commercial, agricultural, and gravel pits. His sister and himself own and operate Hulstein Excavating, which is an underground utility and concrete paving company that employs 80 people. His other siblings own and operate the generational farm. His wife has an in-home daycare during the winter months, they are very active in their community, church and other organizations. They've been looking for a parcel of land like this for some time before they came across this property. Their goal is to find something a little different. As they looked in the Okoboji area, it has some nice RV-Parks, but they wanted something a little more spacious, a view of the water, and some extra amenities. Most RV-Parks are building on flatter ground to utilize what they have, we utilize land to be what it should be, whether it is like that now or not. Their construction company and knowledge of land allows them to complete that vision effectively and efficiently. This is not the first project they have worked on together, they have all partnered in a property

called Diamond H Acres, which is a horse riding arena. It offers various services and is home to their first RV-Park. With their various business backgrounds, knowledge and experience, they think Twin Hills RV-Park will be something that will fit in perfect with the rest of the endeavors and it will be a great asset to the Okoboji area. They picked a local engineering firm, Beck Engineering to help them design this project, they wanted someone they not only trusted to help them make a beautiful design with some out of the box ideas, but also a firm that understood the area. When they approached Beck about working on this property, they explained they wanted something different, different from the rest, something they can all be proud of, something with elite amenities and an elegant curb appeal, and most of all something that will fit into this beautiful neighborhood, not an eye-sore but something the neighboring houses friends would stay at. After sometime they delivered on those wishes and believe they gave them everything that they were looking for. His wife, children, and he have had a cabin in Triboji for the last four years, they love the lakes and everything it has to offer. They enjoy the amenities the lakes area has because of the population it brings in, they also really enjoy the quite time during the week. They hope their RV-Park will allow other families to enjoy the Okoboji area as much as they do.

Jason Eygabroad, Beck Engineering will be addressing the technical aspect of the application. The layout being presented was not the first version, there were various options considered and then combined to provide a layout that utilizes the terrain and topography. The layout utilizes the hillside to provide views that may not be available in other locations. Consideration was taken to respect the neighborhood and to do the improvements right with paved surfaces and upscale structures, fences, and living screening for concealment while still achieving their goals. The intent of the presentation is to present the facts, figures and calculations. What is being presented is an 88 unit seasonal RV Park along 242th Ave. north of 190th St. The RV Park will be solely seasonal use and not short term. The property is zoned A-1 Agricultural and the current land use is pasture. Article #5 of the Dickinson County Zoning Ordinance 102 allows campgrounds as a permitted conditional use, and they request to the Board of Adjustment for the conditional use for the proposed RV Park in the A-1 district. The plan is not in conflict with the Comprehensive Plan, it allows campgrounds to be a principal conditional use in the A-1 district. The improvements meet all current A-1 zoning regulations, no variances are being requested. 13.79 lot area when 10 acres is required. All 50' feet front, rear, and side yards are being met or exceeded. 75% ground cover is allowed and 30% is being proposed. The entrance will be a concrete pavement and the access road will be a 24' feet paved road. The RV sites will be paved to allow for an RV and an additional vehicle to be parked. The remaining hard surface space can be used for additional parking, the other 50% of each site will be green space. The overhead view shows a typical section of the road way and a general layout of each campsite. Each campsite will be 15 to 20% larger than the U.S. Department of Interior Bureau of Recommendations Recreational Facilities design guidelines as well as the National Fire Protection Agency recommendations. With the proposed campsite will have a width of approximately 37' feet when 30' feet is the recommendation, the proposed length of 70' feet when 60' feet is the recommendation. There are 11 oversized parking stalls that could be used for standard or longer vehicles towards the north, there are 7 standard paved parking stalls near the clubhouse. All areas that are not paved roadways, buildings, or RV pads, will be green space and detention areas, approximately 70% of the property will be pervious surface. There will be little to no granular surface which will reduce the spread of dust. Each site will have a sewer, water, and an electrical connection available. There will be an approximate 1700 sq. ft. office and clubhouse building along with the pool, with the general intent of the clubhouse being private use for the residents. The pool will be fenced, gated and also intended for the private use of the residents. Approximate 1600 sq. ft. storm shelter is proposed, with that being sized based on the general specification of 5 sq. ft. per person, which complies with the Dickinson County Emergency Management guidelines. The clubhouse will be evaluated for the possibility of being combined as a storm shelter during sever weather events. Implementing the clubhouse as an alternate storm shelter will increase the structures available to residents and guests use as well as provide another option for shelter at a closer proximity to the southern portion of the property. The plan is to install a severe weather siren on site that is free standing or on the storm shelter. Dickinson County Emergency Management encourages a severe weather siren to be installed on the premise as the entire property is not currently within $\frac{3}{4}$ of a mile from a siren. The furthest point of the property is .6 miles from the Moore Lake siren. The plan is to install a siren on the same system as the county or is comparable to the county's system. They will make sure the siren will function with

the county's warnings. If requested by the neighboring properties, the siren may not be installed by the developer if it is going to be a nuisance to the neighbors. The dumpster enclosures will be three sided CMU or concrete wall with a gate for access as shown in the figure. Trash from each individual lot will be the responsibility of the resident, central collection is planned to be scheduled for pick up twice a week with additional collections added as needed. The property boundary that adjoin the current residents along the northern portion, will have a 6' feet high solid property fence installed near the property line. Tree and shrub planting will be added for accents, additional concealment, campfire smoke control and noise reduction especially along the north and west sides of the property. An entrance sign is proposed to direct patrons into the site and not past the entrance which will reduce unnecessary traffic entering 182nd St. A sign will also be installed at the exit directing all RV's leaving the site to make a left (south) turn on 242nd instead of having them meander down into the development. Utilizing private property and private docks for lake access will not be tolerated, this will be added to the campground rules. The intent is not to promote Triggs access as a boat ramp. This is certainly a public access, but it will not be sold as an access. All infrastructure including access roads will be paid for privately by the developer. No public money is planned to paid on the improvements. If there is interest, the developers are willing to work with the Dickinson County Trails Board to construct a recreational trail on the east side of 242nd Ave. along the property which would allow for a route for pedestrians to travel safely along this section of the roadway. On the general rendering there are trees scattered about, the fence, and the detention areas. Currently the installation of all infrastructure is to be considered private. A drainage analysis and report have been conducted, an assessment was completed comparing the existing and proposed 10 year and 100 year storm events. Current drainage pattern with surface and normal land flow that directly discharges into the 242nd Ave. right of way and across property towards 182nd St. The existing site is pasture and grass land type with prior disturbance, the proposed site will include grading, paving, green space, and detention areas to capture runoff. Storm sewer runoff will be captured in three separate detention areas. The detention areas will capture, slow down the flow and cool the water prior to entering the downstream storm sewer system and East Lake Okoboji. The proposed improvements utilizing the detention pong and controlled release will offset the changes to discharge flow rates at or below the predevelopment runoff rates. The 10 year storm rate on the north side of the property will decrease from approximately 14 feet cubic feet per second to 7 and the 100 year will go from about 30 to about 8 CFS. The 10 year storm rate on the west side of the property will remain similar at about 12 cubic feet per second, and the 100 year storm rate will decrease from about 25 CFS to about 17. Implementing the detention areas will actually help the storm water runoff rate from increasing, no drainage will be directed towards buildings or structures. The detention areas will be monitored and maintained by the developers, however the conditional use is based on the detention areas maintaining the capacity that is designed and presented, should the detention area degrade from lack of maintenance and issues and complaints arise, the zoning office could have the authority to request repairs. All cost associated with storm sewer and drainage improvements will be paid for by the developer. It is believed sewer capacity is available, one of the two parcels of land is currently not in the Iowa Great Lakes Sanitary District service area. The intention is to connect all units to the sanitary sewer district system on a condition of being annexed into the district. A septic system is not planned. All sewer connections to the RV's are to be hard pipe with the appropriate connections, seals or donuts, automatic service connection caps, per the IGLSD will be installed to lower chances of storm water entering the sanitary sewer system. All costs associated with the sanitary sewer improvements and service connection fees will be paid for by the developers. There is a letter in the file stating water will be supplied by Iowa Lakes Regional Water. They have the capacity and availability to provide water service by connecting to an existing 6" inch water main located on the west side of the property, which includes possibly adding fire protection. Iowa Lakes Regional Water model indicates the surrounding customers will not be significantly impacted by the connection. All cost incurred by the water supply improvements will be paid for by the developer. There is also a letter in the file stating this property is serviced by Iowa Lakes Electric Cooperative, they have the capacity for the development and look forward to providing service. There is a letter from Black Hills Energy for natural gas service should it be desired. An independent environmental review was conducted, keep in mind independent in this case means not in conjunction with U.S. Fish and Wildlife. The intent of the environmental review is to research the potential impact of development to waterways, vegetation and wildlife. The environmental study utilized the U.S. Fish and Wildlife Service IPaC program, no wetlands,

streams or ponds were identified on the proposed site. Due to the site currently being utilized as pasture with prior disturbance and little tree cover the impacts to potential habitat species are minimal, however what came up in the study was the monarch butterfly, the northern long eared bat, poweshik skipperling, prairie bush clover, and the western prairie fringed orchid. The U.S. Fish and Wildlife Service section 4D will apply to any tree clearing if northern long eared bats are encountered, which essentially limits tree clearing to take place from October to March 30. Contrary to google there is no evidence to support the property is in an East Okobojo Wildlife Management area. The land has been privately owned and the use has been pasture, the planting of trees will help offset any impacts to the current land. If any threatened or endangered species are encountered work will be suspended in the immediate area and the Iowa DNR will be contacted. A traffic impact analysis has been conducted, these sites will be seasonal, and nearly all RV movements will be limited to in/out and Spring/Fall. Traffic generated will mostly be from passenger vehicles. The entrance will be located at an existing intersection, the road is currently a no passing zone for north bound traffic. Assuming all traffic laws are obeyed through traffic should slow down prior to the curve and when vehicles are turning into the development. The additional traffic north of the property on Kelly's Beach Drive and 182nd should be limited. Assuming all RV park users turn at that exit, there is only one residential property on 242nd Ave., which will be passed when coming and going to the development. 242nd Ave. along the property is in good condition, it is currently a concrete surface with an 11' feet travel lanes and 6' feet paved shoulders. It will be encouraged and to post and enforce that the adjacent roadway is no parking. Fluctuations can occur in peak hour number movements but the ITE trip generation model predicts 36 movements per hour during the peak hour. Iowa DOT 2019 annual average daily traffic count shows 890 trips per day on 182nd St. north or east of the curve, which is past the Okobojo Woods entrance. 1420 trips per day were counted on A31 east of 242nd and 2400 on A31 west of 242nd. Traffic totals 4220 west of the bridge on Linden Dr./Triggs Resort. 242nd Ave. and 182nd St. have a federal functional classification of a local road way, while County Road A31 and Linden Dr. have a federal classification as a minor collector. Dickinson County Sheriff Greg Baloun commented that their current structure is set up with the capability of handling a population of 120,000 on weekends, and the proposed development is not foreseen as a public safety issue requiring the Sheriff's office to hire additional staff. There were no calls for sheriff services to a private campground in 2021. Lakes Regional Healthcare has commented that the development will be serviced by Lakes Regional Healthcare ambulance services, they requested a map be provided once construction is complete providing locations of shelters and other pertinent information. A final layout will be shared with all emergency response teams showing critical structures and site numbers. Dickinson County EMS had some comments in the file, a severe weather siren could/would be installed, storm shelter, safety signage will be displayed at the clubhouse and storm shelter. Additional information will be provide on request or as needed, safety signage will notify occupants on how to sign up for the county's notification system, Dickinson Alert. Information will be provided by Dickinson County EMS and the developers. The information displayed will include a map of the campground layout and locations of important landmarks. This map will also be brought to Dickinson County EMS. The Milford Fire department services this area, they echoed the storm siren and shelter, the also asked to coordinate with the rural water to incorporate potential fire protection such as fire hydrants. Dickinson County Engineer, Dan Eckert has commented that the site distance for the proposed entrance will not be an issue and its location in relation to the Kelly's Beach drive is logical. The entrance will be located at the intersection and the road is a no passing zone for northbound traffic. It is a common opinion is that RV Parks will not generate tax dollars in the community, all taxes are assessed by the assessed value, a possible roll back tax levy equaling the tax amount. The assessment is based on land use, mainly the difference between what is present today and what is being presented. Simply increasing the assessed value through the improvements will increase the property tax generated. The property will be taxed on a commercial basis once the RV Park is completed. An emergency preparedness plan has been drafted and will be posted in the clubhouse and will be provided to each campsite and upon request or as needed. Safety is a top priority for all residents and guests, they encourage all people to sign up for Dickinson Alert and provides a link to the website. The plan recommends calling 911 first for an emergency and also provides a phone number for the RV park manager to assist in an emergency. The plan includes an evacuation plan/route as well as direction on when to use the severe weather shelter. Individual lot owners, families, and guests are encouraged to establish their own safety response plan that caters to their needs. Leases will be seasonal, which will encourage long term

use, no short term use is planned. The owner will not be insuring individual or personal property, the lessee will agree to indemnify and hold harmless the owner against all claims for damages for property or injury. Individuals are required to carry personal insurance coverage. Park rules have been drafted and will be provided to each lot owner and posted in the clubhouse, they will be reviewed and updated annually. The RV park will be managed by Kayla Hulstein, the manager's phone number will be posted and will be available for contact 24/7 during the operational period which is planned to be from April 1 to October 1. Water and sewer rates will be included in the seasonal fee, electrical rates will be metered and the responsibility of each lot owner. Without prior approval RV's longer than 44' feet and older than 20 years will not be permitted. RV's will be allowed to be left on site during the non-operational winter months. No other items will be able to be stored outside or near the RV. All valves and connections will be disconnected and winterized. The posted speed limit is 10 mph, golf carts and UTV's will be allowed in the campground with the purchase of a private permit. All UTV's will be licensed and legally registered. All golf carts and UTV's will only be operated by licensed drivers. Renting to RV's to others will not be permitted, management must approve all building/site alterations. Attached decks will be allowed, permitted roofed structures will not be allowed, and portable storage sheds not larger than 10 x 10 will be allowed. Each unit will have a personalized name sign and lot number which will not only help the owners and visitors, but most importantly first responders. All personal fire pits must be approved by management, manufactured smokeless pits, quiet time is 10pm daily, all children must be at their site or under the supervision of an adult, no generators will be allowed to run during quiet time. Each campsite will be allowed two pets as long as they are registered and leashed at all times, no fireworks other than sparklers will be allowed. A summary of Article #21 Conditional Use Standards, improvements will not be a detriment or endanger the public health safety, morals, comfort, or general welfare of the county. Recall the emergency services and Sheriff have stated that they are able to service the development without concern. Recreational trail could be constructed along the west side of the property to aid and improve pedestrian safety. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood. He is assuming there are differing opinions on this and we will have to agree to disagree, but various appraisals seem to lead to different conclusions. The property is not in a wildlife management area. The improvements will not impede normal development to the surrounding area, it is the developers feeling that the RV Park will not impede future development. Adequate utilities, access roads, drainage, and facilities will be provided. The access to these utilities have been discussed and are in the file. Adequate measures have been taken to provide ingress and egress to minimize impacts to public streets, correspondence from the County Engineer agrees with the location of the access in relation to Kelly Beach and is logical. There will be no flammable or explosive materials, quiet hours are established as well as trees and fence for screening, and plantings to help control the noise. There will be no discernible vibration, no odorous gas or matter. There will not be any discernible air pollution due to fly-ash, dust, vapors, or other harmful substances, there is no industrial activity being planned. Again trees for the screening and paved roads will reduce the spread of dust, and smokeless fire pits are planned. The use will not involve any direct glare, the use will not involve activities that substantially increase traffic on public streets. The traffic impact was discussed and should encourage and enforce no parking on the roadway. Activities substantially increasing the burden on any public utilities or facilities unless provisions are made for any necessary adjustments, as previously discussed, there are letters in the file stating the utilities have been evaluated and are available. All infrastructure improvements will be installed solely at the cost of the developer. The use will not be in conflict with the Dickinson County Comprehensive Land Use Plan, as previously stated Dickinson County Zoning allows a campground to be a principal conditional use under commercial use in the A-1 Agricultural District. The comprehensive plan is a guide and the zoning ordinance is law. The existing land use is a pasture, it has previously been disturbed. The plan integrates storm water detentions, green space, and recreation. The developers are willing to accept if the RV Park ceases operation for a continuous period of greater than 18 months, the conditional use for the RV Park will be voided. This does not account for seasonal shutdown maintenance. They hope the information that was provided helps clarify any questions or concerns you may have had while reviewing the submitted documentation. They also hope that it helps to envision the finished project and how it could enhance the area and ensures the developers are interested in constructing the project in a manner that respects the neighborhood. By incorporating things such as paved

roadways, paved RV sites, privacy fence, living fences and buffers, detention areas, green spaces and requires smokeless fire pits are measures taken to improve user experience but also reduce maintenance throughout the RV Park and nuisances to adjoining properties.

Ashland asked if the board has any questions.

Wills said she was looking at the letter from Iowa Lakes Regional Water and it indicates that at first the proposal was submitted with 141, then 88, but it states that the model shows that it would have the ability to provide service to Twin Hills campground under both projections without significantly affecting the surrounding customers at this time, does that mean there will be some impact to surrounding customers.

Eygabroad said unfortunately Iowa Lakes Regional Water does their own analysis, so he is not able to quantify significantly, other than just restating what you just mentioned. He can only assume, as they've seen various correspondence this potentially started as 250 and then down to 140, and now to 88 they progressively started high and went to low we were assured that there was service. There is correspondence today saying, at least a fire hydrant or some fire protection is a possibility to hook up to their 6" inch line, it was separate from the correspondence in the file.

Wills asked if there was a time frame on that being a possibility, one month, six months, do you know.

Eygabroad said the actual possibility of it being, it was confirmed that there is capability to have it.

Wills said right away.

Eygabroad said yes.

Wills said the storm shelter is 5' feet per person.

Eygabroad said it is 5 sq. ft per person.

Wills said one of the things she saw was that campers can invite guests at no charge up to 25, so will that storm shelter hold enough people if everyone had 25 guests or how is that going to be track.

Eygabroad said the short answer is no. If all 88 sites had 25 people, now if the clubhouse was also maxed out, it would be fairly close. There has been discussions about that 25 number in the development, the intention of that was to be for family get together's/family gatherings, not some of the other things that happen with the younger crowd. That would need to be looked at and addressed on how many groups could be allowed. Whether that number gets reduced down to another number or in the rules, there is only a select number of groups at a time.

Wills said total capacity is still in question for storm shelters purposes.

Eygabroad said the total number if both storm shelters are used would be 660.

Wills said the clubhouse will serve as a storm shelter.

Eygabroad said that this the plan, it is not designed, it would have to go through an architect for a structural analysis, but that is the plan.

Wills asked what is the distance from the furthest spot to the storm shelter, and do we know how long it takes to get there.

Eygabroad said travel time would depend on the person, if both structures are used, it is 500' feet.

Wills asked if there will be an on-site manager present 24/7?

Eygabroad said the intention is leaning toward not, but there has been talk, possibility if they needed to do so. Another thing is the possibility asking one of the first residents whom is willing to take that role, along with original developers, so there is someone on site all of the time.

Berhow said regarding the sanitary system, the one side is already approved, the south side would need to be annexed, and you don't know if that will happen, is that correct?

Eygabroad said that knowledge was somewhat recent, the intention for this conditional use is for that to be conditional on this application. The intention is not to have a private sewer. So if that south property cannot be annexed in, it would not happen.

Berhow said the privacy fence on the north side, would that cover the entire north section of the property.

Eygabroad said the fence starts at the entrance off 242nd on the west side and travels east, jogs north along the west side of that detention area and then wraps around the curve all along the north side, wraps around and heads south for a short distance.

Wills asked how high the fence is.

Eygabroad said 6' feet.

Wills said if the south property was not annexed, it would not happen, you mean the request will be pulled.

Eygabroad said if this request is based on that property being annexed to allow for public sewer, then if that couldn't happen, he does not believe the conditional use would be valid.

Oponski asked how far away (Kayla-manager) lives.

Kayla Hulstein said about an hour and a half.

Oponski asked if there was anything closer.

Travis Hulstein said they live in the Edgerton area, but they are in the Triboji area on the weekends and possibly more.

Eygabroad said that is why they said if them being off-site doesn't work, then having someone who is a resident be the manager or at least the contact person is the next solution.

Oponski said he believes they made reference to the detention ponds draining into the lake.

Eygabroad said eventually.

Oponski asked what is the distance between the detention ponds and the lake.

Eygabroad said approximately 500 to 600 feet, the drainage path, per Iowa Code follows the same drainage path that is existing, just gets retained in the detention ponds before it goes north towards 182nd or into the 242nd right of way, then there is a drainage way that heads northwest towards the lake.

Oponski said he is still not clear, if that south part is not annexed, and you cannot hook up to sanitary, what is the plan.

Eygabroad said then they would probably be coming back to this board with something different, because they expect this conditional use to approved based upon the south portion being annexed into the district.

Oponski asked if they started that process.

Eygabroad said this is the start of that process, what is presented tonight, the plan before you has no intention on having a private sewer septic system. That cannot happen based on what has been presented. What is shown on the plan is laid out for public sewer throughout, with gravity mains serving each unit, and then there is a green line on the site plan showing the connection to the sanitary system.

Correspondence was read by Kardell. And a video was shown via link.

Ashland said at this point in our meeting, it is getting quite late, typically we would open the meeting up to the public, he knows there are many in attendance, but it would be his recommendation to continue this.

Ashland asked Goodlow his thoughts.

Goodlow agreed to bring everyone back fresh.

Ashland asked Goodlow about the correspondence and if that portion would be complete.

Goodlow said he and Kohlhaase talked about that, he thinks the opportunity was for today to write a letter, he timed it at 2 hours and 20 minutes. The public hearing is still open, we can adjourn it, have them come back to the podium and talk as long as we need to.

Ashland said that if the office gets a stack of letters, do we have to read those again?

Goodlow said he would venture to guess just about everyone on 182nd has written a letter, or he hopes they have if they wanted to. His question is, does this go to the next regularly scheduled meeting.

Kohlhaase said we do not have anything official yet, the deadline for the next meeting is this Wednesday at noon, under your rules #12 the board may continue a decision however a matter so continued will be considered at the next scheduled meeting or at such time an applicant is ready to proceed. The next meeting is July 25, unless you would work with the applicant and call a different day to continue this. From what we have done in the past, where the meeting stops is where it continues. Next time we would be at this point in time in the meeting and you would open it up for public comment, which is where the meeting will start when this is continued.

Ashland said what he would like to do is officially end the correspondence reading and the next part would be opening it to the public.

Kohlhaase said he would make that an official statement.

Ashland said the correspondence has all been read, they are going to be opening their discussion to the public at the next meeting.

Goodlow said you are not closing the public meeting tonight.

Ashland said that is correct.

Goodlow said he would suggest to work with the applicant aside from the regularly scheduled one so they can start right away at 7:00pm with public comment and hopefully at the next meeting reach some completion one way or another.

Kohlhaase said on assuming, we will have at least 2 applications.

Kardell said possibly 3.

Oponski asked Goodlow if they can ask that only new information be presented.

Goodlow said since it is a public meeting you will probably hear some of the same things we've heard here tonight. He thinks our position here has always been if one takes the time to write a letter, we read it, if one take the time to come to the podium to talk, we listen and we go from there.

Oponski said he thought if it gets long they can ask.

Kohlhaase said one option they do have under the Board of Adjustment Code of Bylaws would be that under Article 7, Section 5, last paragraph, the chairman with the support of 3 of the board members can impose time limits in cases deemed to be special cases, so that the meeting can be held expeditiously. The Chair could ask at the next meeting by a show of hands who wants to speak, then you could make that decision based on amount of people. Oponski, that is something that has been said, one cannot stop people from speaking, but it would be nice if what information is to be presented be new information.

Discussion on date and time for continuation meeting. The continuation was scheduled for the Twin Hills, LLC on July 18, 2022 at 7:00pm.

Third item on the agenda was Old or Unknown Business. Kohlhaase said the next Monday, the regularly scheduled meeting, there might be between 2 to 3 applications.

Fourth item on the agenda was Approval of the minutes from June 06, 2022. Oponski motioned to approve. Johnson seconded the motion. All were in favor.

Fifth item on the agenda was Communications. There was none.

Sixth item on the agenda was Adjournment. Oponski motioned to adjourn. Johnson seconded the motion. All were in favor.