

Dickinson County Board of Adjustment
July 18, 2022
7:00 P.M.

The Dickinson County Board of Adjustment met Monday July 18, 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 There was none.

Third item on the agenda was Old or Unknown Business. Continuation from June 27, 2022: 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.

Ashland opened the meeting to the public. The following comments are the opinion of the participant speaking.

Lois Clark 24432 182nd St. Spirit Lake. Present of the Kelly's Beach, Twin Hills, Moore Lake Association. She has a few additional comments that were not included in the letters that the board listened to the last time. She would like to ask, what does Cedar Ridge, Fieldstone, the proposed RV park at Woodlyn Hills, and Eleanor Bedell State Park, have in common? She will come back to that in a minute. As the Board heard in the first meeting, approximately 150 addresses signed a petition and numerous letters were submitted stating the opposition to the location of this proposed RV park. The Board also heard some letters that were character references for the developers. One of the letters of support was from an Iowa address stating that they were always looking for a site to camp for a week or weekend. This plan speaks almost entirely to seasonal rentals, there is one place in the rules that allows for a tent at an additional cost for a weekend. She did not see any allowance for week/weekend units to be included. The Board has read and heard the reasons for opposition to this project. The Dickinson County future land use plan indicates that these parcels would be best suited as a residential development. The financial impact of allowing the 14 acres to be developed into an 88 unit RV park, verses 14 one acre lots for residential homes is significant. Using the financials found on the Dickinson County website for the newest RV Park, Cedar Ridge, one will see that 2020 taxes for 10.50 acres and an estimated 150 RV lots was \$2,860.00 with a business property credit of \$494.94. She then used the county website to get taxes on properties on 182nd St., but on the off lake side, to predict the property taxes to be collected on the 14 acres if they were developed into residential home properties. The total 2020 property taxes for 5 off lake properties on 182nd St., with a combined 15.73 acres, paid \$29,879.00 in property taxes for the September 2021/March 2022, 2020 tax year, versus \$2,860.00 paid by Cedar Ridge in the same time period. This site for the proposed Twin Hills, LLC RV park does not fit into our neighborhood. At this time, almost all of the residences on 182nd St. are single family homes. She will go back to her question, what do the previous mentioned RV campgrounds have in common? Cedar Ridge, Fieldstone, proposed Woodlyn Hills, and Eleanor Bedell State Park, none of them are located in a residential backyard area. This proposed RV park is not a good fit for this neighborhood, it is not a good location for an RV park. Approving this application will set a horrible prescient for future development in Dickinson County. For many reasons, please deny this application. It is your duty to serve the citizens of Dickinson County, to follow the eight standards that are laid out at the top of the application for the conditional use. She wanted to thank the Board for their time they have put in on this, the patience for listening to them, but most of all for the support that they give to responsible development in Dickinson County.

Marilyn Wiltgen 24281 182nd St., said she has a very peaceful and beautiful log home and has worked very hard to keep it up that way. Having an RV camp on the property behind her property could change that. RV camps are very noisy day and night, they would stayed in some when they traveled/rode motorcycles. The smoke from the campfires will also be a problem. Traffic is bad

now on 242nd St., adding campers, more trucks, and ATV's will make it worse. She has a well on her property and it was tested and it is good to use to drink, she would hate to see that change. The value of her property will change.

Aaron Mentele 24200 182nd St. said they bought their house two years ago, which is across from Ms. Wiltgen's house. They put a lot of planning into finding their home and have spent a lot of time renovating it. He has two kids, a daughter and a son, they are in high school, where time right now just flies. This is a big thing, a big decision, and after two years their home is perfect. Having a RV park immediately across the street from this site would totally change their home. He does not have the luxury to just pick up and move. He doesn't know what his options would be, he just knows that it would total change this home that they've worked so hard on to get it to where they want it to be. The only thing he can think of to explain this concern is to just put yourself in your own home. Just think about where you live and then just imagine immediately across the street having an 88 unit RV park. That is what we are all looking at, that is why they are all here. Everybody here is very proud of their homes, he knows this is probably not fun for any of the board, and he appreciates the time here. The Board is going to hear about the loss of property taxes, about water runoff, air pollution, sights, sounds, smells, all of these things that go with a campground, which will be right across the street from us. He does not think they can really quantify that, again without asking you to consider what your own home would look like with a new RV park immediately across the street. So everything he just mentioned, safety of two young kids, he thinks that they all can agree, it cannot be the same with an RV park across the road. Nothing against camping, it is fantastic, it's just this is a very quiet neighborhood.

Verne Schoeneman 25178 182nd St. said he has lived here for here for 42 years, he has concerns about the proposed retention ponds on the north side of the property and those ponds abut up to several residential properties. If the ponds overflow they will run onto the residential properties and into some structures. He noticed that they were located where they would not impact the park if they overflowed. If the pond do their job, they will filter out the silt and water, sometime those ponds will have to be cleaned out. What arrangement does the owner have to clean those ponds? Who inspects the ponds and who levies a fine if the ponds are functioning properly? Keeping that in mind, the value of the abject residential properties will be greatly reduced. Who wants to purchase property that may have water flooding their property? He was on the board of the East Okoboji Lakes Improvement Corp for 32 years, during those years they had many discussions about watershed and drainage of streams into East Lake. One pond of concern was on Conroy Johnson's property, on M56 (260th Ave) across from Arthur Heights. When that pond was built, he understands it was 25' feet deep, it had done its job over the years allowing the silt to settle out before it entered East Lake. The pond filled up with silt and no one was responsible for cleaning it out. With the approval from Johnson and the DNR, the East Okoboji Lake Improvement Corp. partnered with others to pay for dredging out the silt. In conclusion, if the board approve this, he thinks they are setting a precedent allowing somebody else's water to run off of their property onto somebody else's property, he thinks that is not acceptable. He cannot support an RV park built adjacent to residential property that could have RV park water running on and through others property. The park is located in the wrong location.

Daryl Ducommun 24437 182nd St., is a certified fire fighter one and two, he has concerns with the safety of this property. He has the letter Fire Chief wrote from Milford, at first he thought it was saying that it was no big deal, but what they are actually said is that "they will do their best of their abilities." This fire department in Milford has 19 members, all volunteers, and on average they serve 400-500 calls. He is on the Larrabee fire department that also has 19 members, they have about 25 calls a year. This proposed RV site, when they have guests, will have as many people as their entire district in Larrabee, and it doesn't bring any money to help pay for the expenses. It will have to be revisited at Milford as far as making a full time fireman because they just cannot handle this amount of volume. There are other RV parks that have been added into this district, and they do not have enough water to put in hydrants. If they put hydrants in anywhere, it will still have to be maintained by the water company. They said they cannot depend on it for water source. There are only 12 spots for visitors and that does not even make since. Beck Engineering said they have a building that is allows for 5 sq.ft. per person, that is a 108 people, if one would put the maximum amount of people in that building for safety, it would require an 11,000 sq.ft. building. There is

only one entrance and exit, if no cars are parked along there, the fire department could get in, but without adequate parking, there would be no way to get service and stop a fire.

Dave Stanley 24448 182nd St., he did a little research and googled Dickinson County conditional use permit and found that there are eight items to be considered when granting a conditional use permit. They are the most appropriate use of the land, conservation and stabilization of the values of property, adequate open space for light and air, concentration of population, congestion of public streets, promotion of public safety, morale, health, convenience and comfort, general welfare of the persons residing or working in the neighborhood of such use, and other zoning standards. Based on the conversation a few weeks ago, he thought he would look at these in more detail. What is the best appropriate use of this land, is it really building an RV park located on a steep hillside and removing an existing water buffer of the existing pasture. This site as stated previously is in the backyard of many residences. Number two is the conservation and stabilization of the value of property, the existing property owners, those of us on 182nd St., are very concerned about the property values decreasing based on this RV site, again which is located in a neighborhood, in people's backyards. Would anyone really want this site in their backyard, he doesn't think so. Number 3 is concentration of population, adding 88 more units with several hundred people during the busy summer season each weekend will add to an already busy street located near 500 Bridges Bay condominium units, Okoboji Woods condominiums, and the current houses on Kelly's Beach, Twin Hills and Moore Lake residential areas. This will go to number four which will add to the congestion of public streets, again adding these 88 units, more people, walkers, bikers, two dogs per unit, more dogs, and more utv's on an already overcrowded street that has potential danger for those people using the street and for those of us living there seasonally or year round. There is also very little law enforcement on that street. At the home owner's association meetings, they've asked the Sheriff to increase patrol to watch for speeders, they've had accidents with our population the way it is now. Expanding it may not be so good to the public safety and congestion on those streets. Number 5 promotion of public safety, morale, health convenience and comfort, this development will decrease public safety in the above mentioned reasons, and decrease the morale of those of us who own homes in this location. There are approximately 200 hundred home owners in the Kelly's Beach, Twin Hills, Moore Lake area, his estimation with simple math is over 1.5 million dollars in property taxes are paid every year. Existing home owners are very concern about RV people trespassing on their property, the increase in noise, partying, campfires, he knows they said smokeless campfire pits, really, who is going to enforce that, fireworks, they said sparklers, is the Sheriff going to be down there on the 4th of July weekend looking for fireworks, is it going to be complaint driven, then it is going to be too late, because one cannot prove who did it. There are a limited number of parking spaces, he came up with 19, someone else had 12, regardless, and where will the RV people park extra vehicles? If you look at the map, they have a spot for their one vehicle and their RV unit with no additional parking. 88 campsites, 19 additional parking sites, where do the boat trailers go? Where does the second car, wave runner, second boat trailer etc., do they park along the road? Will it be similar to what is going on at Cedar Ridge? They are parking almost in the road ditch and the property is lined with trailers, boats, and additional cars. This plan does not adequately address all the parking needs. They do not want to see these extra vehicles lining the streets. Number six the general welfare of the persons residing or working in the neighborhood of such use, there is no way, no reason what so ever that this development will increase the welfare of the people already living in this neighborhood. It will have the opposite effect to the homeowners already living there for the above mentioned reasons, not to mention, three weeks ago the board heard over two hours of written comments from people living on that street that were not in favor of this development. There was not one person from Dickinson County or a tax payer from Dickinson County that was in favor of this site. There were several letters from the developers friends in Minnesota who said they are good people, and he's sure they are. The other zoning standards is number seven, this must be addressed by the Dickinson County Board of Supervisors to develop and address a long term plan for the development of RV parks for both seasonal and short term rentals and to best decide where those locations are, and are away from existing neighborhoods. He knows there was talk and a call for action within Dickinson County to place a moratorium on new sites, it was motioned in the Supervisors meeting last week, there was no action taken. So he urges the board to not just jump into this, let's get it right. Now, tonight is not the right time, listen to the property owners, tax payers, and concerned citizens of Dickinson County who are overwhelmingly against

the development of this project. Vote no on the conditional permit. Thank you for your service and concern for Dickinson County.

Jim Venteicher 25449 182nd St., as a contractor he had dealt with planning and zoning several times about impervious surfaces and looking at this map one sees concrete under every camper, which is probably in runoff/drainage plan. As you look at other campsites one sees permanent roofs, he understands they are not allowing permanent roofs, but sheds, which is impervious surface, will shed water. So then how does an extra vehicle, parked along the road, are they considered impervious surfaces, he does not know. If there is an extra shed, awning, concrete slab that is above and beyond, he knows that at other campsites they've poured concrete, is that in the drainage plan. Are the ponds big enough to cover the extra structures, even if it is a temporary roof, it is shedding water. He knows in a residential area one has to get a permit for a permanent roof, he does not know if that always happens in situations like this, in residential areas, they have to get permits for every impervious surface.

Bob Wagner 24414 182nd St. said there was an interesting article that came out in the paper last week about RV parks that currently exist and those that are being developed. He thinks when one looks at one RV park, it is an isolated issue, one may not understand the magnitude that they are jumping into. There are already 2600 RV park spaces in the general area, he believes there is a systematic problem because most communities struggle to match their fire department and police department forces and utilities. It cost money, everything that is added cost money. There are already 2600 units not paying any taxes, they are going to add to that and increase it. There is a systemic problem that needs to be fixed. They need to step back and see if the community can afford this. They've seen their taxes on 182nd St., increase as the quality of the homes have increased. If this is added, then the taxes will decrease due to the value of the homes decreasing and it is compounding a really dangerous problem. He thinks that this something one has to look at Countywide and the resources that are limited already. He wishes the map expanded to the lake, which is right on the edge sitting there like a magnate with no access to it. Rules can be specified, but enforcement is terribly hard. What is the authority of the manager to intervene and enforce any of the policies that have been prescribed? In general there are not a lot of ways to enforce it. That can become a big problem particularly when the lake sits there with no access to it, those 88 units filled with kids who are there for fun. It's a hard magnate to stay away from. They also heard last time that there will be a safety fence, but when one is sitting in the house looking at the hill, all they will see are a fence and units sitting there. He finds little value in the fence. He is very concerned about the management aspect and if they can enforce what could happen.

Randy Pritts, 24544 182nd St. he has a letter addressed to the Board of Adjustment. He was at the Abbie Gardner cabin watching the archeological dig, he talked to Dr. John Doershuk about his area where he bought a home 26 years ago. He loves the rolling hills and the prairie, it is very calm and peaceful out there. Doershuk informed him when talking with him that this is the type of land that Native Americans sought out for water, high grounds, and wildlife. With enthusiasm Doershuk volunteered to come and check out the site, which he did. Pritts will read the letter by Dr. John Doershuk, PH.D. Director and State Archaeologist. The letter is in the file. In talking with him, he was certainly excited about that area as far as the possibility of having it in mounds. He thinks it would be very important to have an evaluation done. Pritts is not in favor for this project. He is not anti-camper, he used to camp, he just does not want it in a residential area. Please take that under consideration and thank you for your time.

Jamie Hunter attorney representing the Kelly's Beach Twin Hills Moore Lake homeowners association. She is here on behalf of them and is also here tonight to make the board's job easy. The RV park could be quickly denied because it is not considered a campground under Dickinson County Zoning Ordinance, which is the conditional use that has been applied for. Under Article 3, Section 2B, 36A of the zoning ordinance which is the only place she could find the definition of a campground. A campground is in the subcategory of Visitor Habitation. Visitor Habitation is defined as establishments primarily engaged in the provision of lodging services on a less-than-weekly basis. This proposal is for seasonal RV sites only, one cannot rent a site without also having a seasonal site. So for that reason this RV park does not fall under the County's definition of a campground. So it is not a permissible conditional use in the agricultural zoned land and one can deny it for that reason alone. Another reason it should be denied at the last meeting this board mentioned that this land had not been marked and flagged. Under Board of Adjustment rule

number seven, it states that no applications that are incomplete or when the property has not been marked and flagged as required should be considered. Also as we just heard Dr. Doershuk, the State Archaeologist whom has a compelling reason for this board to deny the permit. As we hear he is the archaeologist leading the dig at the Abbie Gardner site, Dr. Doershuk said there is a moderate to high likelihood of this being an archeological site, so a study must be done before any development is allowed to proceed on this site. There are a lot of other reasons to deny this application, many of those reasons were thoughtfully explained in the letters that we heard a few weeks ago. It is her understanding that the developer's materials were submitted to the board to review, but the letters from the public were not, the board heard them the same time everyone did as everyone sat here until after 11:00pm. So she wishes, and maybe she is wrong on this, but she wishes the board would have had the opportunity to read those letters before the meeting to be able to fully consider them and the amount of time these folks put into writing them. She counted over 75 pages of letters submitted by Dickinson County residences in opposition to this RV park with over 150 different families signing the petition of opposition. The Iowa Great Lakes Association which has approximately 1000 members are in opposition to this, the East Okoboji Lakes Improvement Corp have nearly 400 members and they are in opposition to it. These are the people who live here, work here, and care about this county the most. She hopes that the board takes their concerns into consideration. She wanted to touch base about the County's comprehensive plan, it is 186 pages long, what was heard from the applicants is that this plan does not conflict with the comprehensive plan merely because the land is zoned agricultural, and campgrounds are a condition use in the agricultural district. First she does not believe this is a campground, second this comprehensive plan which was developed back in 2006 includes a future land use map. We are 16 years into the future from when that map was created this land was contemplated as future residential. That makes since, it is located in a residential area and the county zoning ordinance does not allow a campground in R-2 or R-3 Single or Multi-Family Residential zoning. This RV does conflict with the comprehensive plan based on its future land use map. Third, the zoning map and the land use map is just one page of the 186 comprehensive plan, one needs to take a look at the other 185 pages of the plan. The plan requires the protecting, preservation, the mitigation of environmental areas and natural habitats, it scrutinizes commercial and residential uses near bodies of water and of course this is just 400' feet from East Lake Okoboji. As one saw on the video and one can see on the map there is a drainage ditch that runs straight from the detention pond across the road to East Lake Okoboji. The comprehensive plan also tells one to increase the tax base. When Ms. Clark was talking to the board about taxes, it's not just the home owners complaining about the taxes, the plan tells us one should be increasing the tax base. A residential development on this land would increase the tax base, a RV park does not. These are a few of the reasons why this is in conflict with the comprehensive land use plan. She also wanted to touch base on the environmental study that was included with the applicant's materials. It simply states that there are no watersheds on this property, but as far as she can tell there has not been a broader study about how this development will impact the Iowa Great Lakes, and she thinks that should be done. The lakes area is the most precious and valuable resource, it would irresponsible to approve RV parks like this without an independent study being performed and presented to the public for comment and scrutiny. RV parks like this will impact the environment, the water both directly through runoff, but also through increased vehicle traffic, lake pollution, boat traffic and things of that nature. It was also mentioned the County Supervisors discussed concerns about new RV parks just last week, with one supervisor calling for a moratorium until they can be better regulated. This is not saying there can never be another RV park in Dickinson County, there just asking to put a pause on them until the proper boards can take a look at the regulations and take a look at enforcement mechanisms for some of the issues that were brought up today before one continues with these developments. It is not just the County raising these concerns, similar conversations have been taking place in Milford, Okoboji, West Okoboji about taking a look at their zoning ordinances and seeing what they can do to better regulate development. She asks the board to respect the wishes of the county and the concerns of the cities within the county and respect the concerns of the local community. The last thing she wants to talk about is, in order for a conditional use permit to be granted, the board has to make specific findings. Those findings are located in Article #21 in the zoning ordinance, she is not going to go over those now, but the applicants have to meet all of the standards in Article #21, Section 4. There are question marks, such as what's significant when talking about the Iowa Lakes Regional Water letter says that access will not significantly impact the neighborhood, what all counts as impervious surfaces that went into the

drainage plan, one does not know how many RV sites are going to build sheds, which are allowed or decks, or vehicles being parked there. When there are questions like that, it does not meet the burden and it's not the community's job to prove to the board why the RV park would be detrimental to the county, but rather it is the applicants job that the standards have been met. The applicants have to prove that this RV park will not be detrimental to the county. There are so many unknowns, and with the concerns brought up from the residents and tax payers of Dickinson County, there is not support for this project. The applicants have not met their burden. One final request is once the public comment period has ended and the applicants present any new or changing information, she asks that the public have additional time to respond to that information.

Ashland asked if there anyone else whom would like to speak. There was not.

Ashland closed the meeting to the public.

Ashland asked Goodlow if they would open the meeting back up to the public as Hunter requested.

Goodlow said we will follow our rules as we always have.

Ashland said so our public portion is now closed.

Jason Eygabroad with Beck Engineering said he is here to represent the facts, figures, and calculations. There were quite a few things that were said in error in their opinion. He does fully respect the views and opinions of the public, however quite an effort went into representing the information a few weeks ago. He is not going to get into the weeds of what the request is, everyone knows that. He would like to touch on a few of the issues that were brought up, and reiterate a few of the facts. Out of the 13.97 acre lot area, approximately 30 percent will be impervious, the detention areas were designed according to what is planned to be impervious. Vehicles and such structures that are parked on impervious surfaces are not double counted, any vehicle already parked on a paved road or parking area is essentially irrelevant. If impervious surfaces were increased past what the plan is, it would be the responsibility of the developer to increase the detention area to offset any additional impervious surface. That is the intent of the design. The drainage pattern itself will be the same as what it is its now. Water flows to the north and west, that is why there are two different detention areas. The west one being shared and connected to a culvert, that water currently flows west and to the ditch and through the drainage ditch to the lake, as it has in the past. As mentioned last meeting, the 10 year and 100 year storms were evaluated and as a result of the detention, the runoff actually decreases, offsetting the impervious surface with detention, decreases the runoff rate. This being similar to any other residential development, they're following the Iowa SUDAS standards which are the statewide design guidelines. The downstream treatment and runoff rate was calculated to offset each other. There is room depending on how one does it, and how efficiently one parks, it may not all be on a paved surface, but there is room for 2-3 additional vehicles on each campsite. As they mentioned last time, they encourage the county or powers that be to sign the adjacent roadway as no parking. From a personal standpoint, he would like to see that, the developers have also said they are not interested in having cars parked on the adjacent roadways. The proposed shelter is 1600 sq. ft. and at 5 sq. ft per person that equals 320 people, it was also mentioned that they could look into implementing the clubhouse as a storm shelter as well which is approximately 1700 sq. ft. which would allow for another 340 people. So the shelters together have a total capacity of 660, which again is based on 5 sq. ft. per person which meets the Dickinson County Emergency Management requirements. Just kind of skipping over some of the details since they do not seem to be an issue. Water service, all they can go by is the Iowa Lakes Water service stating they have capacity to service the area. There is a plan to put in at least one fire hydrant to allow for a hook up, it does not sound like the developers are opposed to installing more if needed. Also, the letter came from the Milford Fire Department stating they will service the area, it did say to the best of their ability, but it did not say that will not or are not able to serve the area. Archeological significance, 75 centimeters is 30 inches, he does find it a little bit of a stretch to assume that if this area has an archeological significance, the adjoining properties that have been improved upon over the years would not have also impacted the area. He is not going to pretend to be a doctor of artifacts, but the top 30 inches they know has been disturbed throughout the years because there are piles out there with significant vegetation on them and there are homemade ponds dug previous to the current owners. The land to some extent has been disturbed in the past. Very seldom to his knowledge, in a non-federal aid project which it is required to do an archeological study, most of those are desktop studies. They

do not come out and dig for those, at least for highway and DOT type projects. They call them desktop study where they review information on various GIS programs, he has yet to have one come out to do any digging, the general rule of thumb is if one comes across something, the project stops and it is studied at that time. Just a brief touch on taxes, Cedar Ridge seems to come up frequently, next years estimated taxes are \$30,000, he does not recall the number used for the off lake properties, but current taxes on this property are \$618.00 because they are an AG use. Nobody will know what the taxes would be until the site is improved upon and reassessed, but if they would use something similar to Cedar Ridge, they would be on track for \$30,000 dollars give or take. He apologizes for one of the letters of support, it does mention weekend and short term use, they would like to reiterate the plan and intention in the rules is for an entire season, not short term fast through. In addition to the fence they plan to have bushes and trees to get above the 6' feet fence. There was one letter of opposition about increasing the fence height, but along with it there will be trees for additional concealment especially on the north and west sides. Smokeless fire pits, all he can say is, it's in the rules, and intended to be enforced. In addition to Article #21, conditional use standards, to summarize that, there are a couple, which one may have to agree to disagree, with all due respect, to what would and wouldn't be. There is no intention to expand the property, the adjacent property is owned by others at this time. So in running through the Articles of the conditional use, if you recall the emergency services and the Sheriff can service the development without concern, and the Sheriff's office did not have a single call to a private campground in 2021. Other safety factors, there has been discussion about adding a recreational trail on the west side, there have been some talks about how to incorporate that with the Dickinson County Trails along this immediate property. The developers have agreed to participate in the cost of that and deed that or have some sort of easement to the Trails Board. The RV park will not impede future development in the area. It also talks about access to utilities, the property is now all annexed into the sanitary district, which is one change that has happened since the previous meeting. The location of the access drive, there is a correspondence and agreement from the County Engineer, that it was the logical location across from Kelly's Beach Drive. Quiet hours are to be established and enforced, there is no industrial activity planned, they talked about no parking along the streets to avoid that congestions, and all infrastructure improvements will be installed at the cost of the developers. No public funds will be used for the infrastructure. The Dickinson County Zoning Ordinance allows for campgrounds to be a principal conditional use, under the commercial use in the A-1 Agricultural District. The comprehensive plan is the guide, the current zoning ordinance is the law. He hopes the information provided will help clarify any questions or concerns the board may have, he will take any additional questions.

Johnson said she volunteers with two lakes area animal shelters and currently they are at capacity. When one talks about a high density development like this, and they're allowing for two pets per spot that is a concern. They've spent the last 20 years taking care of the cats, calling them the "restaurant tract cats" along highway 71, because another RV park went and got cats to keep the rodent population down, did those cats do that, no, they ate in all the dumpsters, so the population exploded. The cats got hit by cars, people are stopping on the highway, so who takes on that extra burden, the area animal shelters? She would like to know what their plan is for animal control and welfare since they are allowing two pets per site.

Eygabroad said the intention is to not have rodent controlling cats.

Johnson said or if someone has a cat and it gets out.

Travis Hulstein asked if Johnson could restate the question.

Johnson said if the residents of the RV park have cats and the cats get out, they're not spayed or neutered and they start to reproduce, and now it is a menace to those in Moore Lake, as far as a shelter standpoint they are already overrun and cannot keep up, what are the developers going to do to make sure the seasonal residences take responsible care of the two pets the development allows.

Hulstein said his only comment to that would be the rules state the pets do need to be on a leash when they are outside. If they get rid of their cat, it wouldn't be any different than a resident in town, they do not have proposed policy if someone lets their cat go.

Johnson said to Eygabroad you didn't call the Okoboji tourism office asking for a letter of support for this, even though you stated it's not for tourist, it's strictly for RV park residences.

Eygabroad said a call was made to them to see what their interest level would be in having an RV park.

Johnson said but it's not affecting tourism, it's more of a seasonal residence correct?

Eygabroad said we as residences impact tourism.

Johnson said if she wanted to camp for a week or her sister come up from Iowa City and camp for a weekend, she is not allowed to camp at Twin Hills, correct?

Eygabroad said correct.

Johnson said then it is really not meant for tourists, it's meant for seasonal residence.

Eygabroad said correct.

Wills said Hunter and some of the homeowners have defined that this is not considered a campground. Were you countering that in your last comment?

Eygabroad said no, to him a campground and an RV park are similar.

Wills said she wants to make sure that was not his point.

Eygabroad said their intention is for them to be one in the same.

Oponski said (directing his comment to Kayla Hulstein) you are the manager, but are not onsite, so again there have been some concerns about enforcement of the policy, how will those lapses be addressed.

Kayla Hulstein said their intention is to have a campground host and hostess, who would be available 24/7 when she is not available.

Oponski asked how they will respond to concerns brought up by community members or those within the campground.

Hulstein said if someone were to have a concern, they could call them or visit the campsite directly. What specific concerns were you addressing? If there is a problem within the campground.

Oponski said if there is any violation within the agreement that they signed when they placed their camper on the property.

Hulstein said they have discussed having a policy in place with rights to terminate a camper from a campground.

Eygabroad said they have current rules and those rules will be reviewed and updated annually, all of the rules will be enforced and written reports filed with management. Multiple infractions will result in warnings, and may result in eviction without refund. That eviction could be immediate, depending on what management deems the infraction to be. Management will also conduct an internal review of all infractions annually and may not invite that tenant back if there are multiple offences.

Ashland stated his concern is about parking, let's say a third of the population has a boat/jet ski, are they going to be parking at this site with their boat/trailer?

Eygabroad said there is room next to the camper, they are deep enough for most boats. There is also the 11 stalls on the north side and they are deeper than standard. There is a contingency plan to have an offsite parking area for boats and additional vehicles. They are not going to publicly invite multiple boats to sit out there through the season.

Ashland said for example the 4th of July comes, is there going to be enough parking for everyone.

Eygabroad said it would be tight.

Ashland asked the public to please respect the discussion.

Eygabroad said there is 40' feet of depth, one car would be on grass completely, but there would be room for up to 3 or 4 cars if they got tight.

Ashland said with the RV and with the slide out.

Eygabroad said there would be an additional 9 feet along the RV.

Johnson said she knows the RV will remain there throughout the year but will the boats, ATV's trailers also remain there year round.

Eygabroad said during the off season everything is gone. No boats, trailers, ATV's, or loose materials out in the campground. The plan is to have a substantial amount of paving to keep gravel, and dust out of the area and to have a more upscale layout.

Travis Hulstein said he would like to touch on the supervision of the site. These are their lots for the season, they rent them individually, it is not like a hotel. It is their place for the year, it is their responsibility to keep their own lot clean, and if people have a problem, the reason they would contact us would be for something that is not against the law, but against their policy. If one is talking about something that was larger, they would need to call 911, just as if one's neighbor at their house would do something against the law. They will react accordingly to it.

He read his letter to the board. He is here with his family representing Twin Hills RV Park, as he's stated before this piece of land that they purchased did not come without a lot of research and thoroughly searching the area for something that fit well with what they are trying to achieve. He knows there has been a fair amount of controversy over RV parks, mostly the density of them. Those RV parks are not what they are trying to develop. Their lots are 50% larger than a conventional RV parks in the area, and the amenities will be more desirable than the others. In addition their rates will be 50 to 100 percent higher than others in the area. They do not know the need for the conventional RV park, but they have reached out to their target audience and have found out this is something they are looking for. This is not necessarily going to be a 55 and older RV park, but that is the market they are catering to. This is not their first RV park, Diamond H Acres is running successfully and smoothly, that property is a different model than this one but their biggest attraction there is having a nice view overlooking the river. It has adjoining residences abutting the property, and those residences were also skeptical at first, but after building it, there has not been any complaints or issues. That is what they are trying to do with this area, give people a great view with some high-end amenities like a pool, pickleball courts, concrete roads and pads, smokeless fire pits, better garbage service and nice large lots and a high end feel to it. The revenue this land will create will be a large amount greater than it is now. Between the increase in property taxes, gas, food and entertainment, these are the type of people that give the businesses residual income to be able to afford the extra amenities the Okoboji area has to offer and is accustomed too. This will be a three generational property, their family takes great pride in the work that they do and the property they develop. Their name is of great importance to them. They understand the magnitude in developing land in Okoboji, they've been working in the area for some time and acknowledge that this lake is really special, and the properties surrounding it need to be well taken care of in a diligent manner. They understand that change can be difficult, and there will be reluctance from some regardless of how this property is developed. They understand what it means to preserve and protect the meaningful experience of Okoboji, which many of you, including myself enjoy. Their goal is to offer this same experience to a new client base. They will do everything in their power to protect the moral values of the adjacent properties, to offer more opportunities to the local communities and businesses, and to make this RV park one you are proud of. So he is asking the board to give their family the opportunity to build Okoboji's finest RV park.

Ashland asked about fire hydrants installation.

Eygabroad said there would be an analysis done, and all of the fire hydrants will be installed at the same time.

Oponski requested Kardell read the list of conditions from the Woodlyn Hills application.

Discussion on stipulations between the board and the applicant.

Eygabroad said they will be a dry detention ponds.

Oponski asked if this agreement would be with Beck for maintenance.

Eygabroad said no, it would be with the developer, but his understanding that if it is a condition on this application, the zoning office would have the authority to require maintenance since it is part of the plan.

Kohlhaase said if it becomes a condition, and if the retention ponds fill up and it is not being maintained, it would be the responsibility of the Zoning office because it is a part of the approval if approved, in conjunction with the conditional use.

Stipulations:

- Second Club house is a shelter
- Maintenance for detention ponds, if cited 3 months to complete restoration
- Landscape for visual and sound barriers
Siren-medium size- installed before opening
- Large trash collection 2-3 times per week.
- Valid as long as it is used as a functioning campground, unless the use ceases for a period of 18 months or more, then campground use will cease
- On-site fulltime manager, living on site during the operation of the season
- Seasonal RV Campground operated from April 1 to October 1, outside of those dates, the campground is closed for operation.
- Quiet Time 10pm to 8am
 - No generators during quiet time
 - No unaccompanied individuals under 18
 - No fireworks-outside of sparklers
- And all other items presented in the application and presentation.

Oponski motioned to vote with the stipulations. Berhow seconded the motion.

Vote recorded as 4-0 deny. Berhow, Ashland, Wills, Oponski deny.

Fourth item on the agenda was Approval of the minutes from June 27, 2022. Berhow motioned to approve. Johnson seconded the motion. All were in favor.

Fifth item on the agenda was Communications. Kohlhaase said there is a meeting next Monday night, there is only one agenda item.

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