

Dickinson County Board of Adjustment

March 24, 2025

7:00 P.M.

The Dickinson County Board of Adjustment met Monday March 24, 2025, at 7:00 P.M. in the community room of the Dickinson County Courthouse.

The members present were Jeff Ashland, Kirby Berhow, Susan Clark and Douglas Westerman. Absent was Alex Oponski. Also in attendance were Megan Kardell, Planning & Zoning Administrator, Lee McKim, Dickinson County Zoning Assistant and Steven Goodlow, Dickinson County Attorney.

Jeff Ashland, Chairman called the meeting to order at 7:00 p.m. and read the opening statement.

First on the agenda Approval of agenda. Berhow motioned for approval of agenda, Westerman seconded. All in favor, Ashland, Clark, Westerman and Berhow.

Roll Call

New Business There is none.

Old or Unknown: Tabled from February 24, 2025, John & Kelly Bentz, Lot 1 Blk 1, Methodist Camp, Dickinson County, Iowa. Parcel Number 0601185004. The address of the principal structure is 21325 S Park Drive, Spirit Lake, IA.

John & Kelly Bentz came to the podium to explain the variance they are asking for from the Board. Kelly stated they wanted to add a supporting solid foundation under the structure, as the house was built 90 years ago with no footings. Kelly explained that the south portion of the house is in a grandfathered easement, and it needs to come back into the property for the zero setback. Also that it is rotting, and they would like to put a slab foundation under that. John talked about when they bought the property back in 2018 and describing the slope of the property, that he would like to have the flow of water a different direction away from the house. Kelly explained that by repairing these issues, they can retire and make this their primary home

Berhow asked about the drainage, as the water that runs towards Park Drive. Kelly said it will go towards Park Drive but it will also have the Forma Drain, to mitigate the runoff with a better direction. John explained the French drains they have at their other home work well and they would like to have that at this home as well, to enhance the drainage system.

Clark asked if they were adding gutters. Kelly stated they will add them to support the yard. John talked about the design shown on the overhead and the goal is to lift the structure and then put foundation underneath. Kelly explained that a new roof system will be built to support the home, due to its age. Ashland asked about the French drain location will be. John stated it will go on the East side and Northeast portion of the yard.

Kardell read the written correspondence from Dr. Elizabeth & Kurt Stoebe, Kim & Gary Hinrichsen, Karen Taylor Burton & Charles Weatherwax and Mark & Deb Protexter.

Public Comments –

Keith Brann, from the board of Monarch Cove, took to the podium. Brann voted for support for this project, explaining he is on the Monarch Cove board and that Bentz's project will help with investment in the neighborhood.

Westerman commented that they are addressing the runoff and safety for the front door with the proposal. Ashland stated he had concerns for safety with Monarch Cove, as it is narrow for fire trucks to get in.

Berhow motioned to vote to have a front yard(house) of 19 feet when 25 feet is required a variance of 6 feet, to have a front yard (deck) of 10' feet when 14' feet is required, a variance of 4', to have a side yard of 12 feet when 25 feet is required due to a corner lot, a variance of 13 feet and to have a rear yard of 0 feet when 20 feet is required, a variance of 20 feet. Clark Seconded.

The votes are 4-0 approved. Ashland, Clark, Westerman and Berhow.

Third item on the agenda is Old or unknown business. There is none.

Fourth item on the agenda is Approval of February 24, 2025, minutes. Clark motioned to approve the minutes and Berhow seconded. All in favor, Ashland, Berhow, Clark, and Westerman.

Fifth on the agenda is Communications

Kardell stated the new amendments for the R-3 & R -4 districts are the papers printed for the board members for their ordinance binders.

Kardell said Red Rock Invenenergy Wind Energy had their pre-conference at the Inn in the Peacock Room. Kardell said they have 45-90 days to have a meeting with the Board of Adjustment. Once submitted, we will let the Board know as we do have a variance application on the agenda for April. Kardell asked Ashland if the start time could be moved to 6pm, if the Red Rock application comes in. Ashland stated that it was fine for a time change start.

Sixth item on the agenda was Adjournment.

Westerman motioned to adjourn; Clark seconded the motion. All were in favor, Ashland, Berhow, Clark, Westerman.

(For more information, see BOA 03 24 25)