

DICKINSON COUNTY PLANNING AND ZONING COMMISSION

March 17, 2025

1:00 P.M.

The Dickinson County Planning and Zoning Commission met on Monday March 17, 2025, at 1:00 P.M. in the Dickinson County Courthouse.

The members present were Erica Schultes, Derek Lee, Nancy Menke, Spencer Heywood, David Besch, Carol Pierce and James Blum. Also, present were Megan Kardell, Dickinson County Zoning Administrator, Lee McKim Zoning Assistant and Steve Goodlow, Dickinson County Attorney.

James Blum, acting as Vice Chairperson, called the meeting to order at 1:00 p.m.

First Item on the Agenda Election of Officers

Schultes Nominated James Blum for Chairperson, Menke seconded the nomination.

Besch Nominated Carol Pierce as Vice Chairperson, Schultes seconded the nomination.

Schultes Nominated Lee McKim as Secretary, Besch seconded the nomination.

All were in favor. 2025 Officers are James Blum Chairperson, Carol Pierce Vice Chairperson and Lee McKim Secretary.

Second on the Agenda

Menke motioned to approve the minutes from January 20,2025. Schultes motioned to second the minutes. All approved Blum, Besch, Heywood, Menke, Lee, Pierce, Schultes

Third on the Agenda

1. New Business:

1. Re-Zoning on the parcel identified as 0709276009, Horizons Inc Township 99, Center Grove Township Lot A EXC 5.50 AC Tract, Dickinson County, Iowa. The application has been submitted by Dennis Rognes & Dustin Reynolds c/o Midwest RE Holdings LLC for rezoning A-1 Agricultural District & R-1 Suburban Residential District to GC – General Commercial District.

Kardell gave her staff report.

Seth Hellinga of EXP Realty approached the podium representing Dustin Reynolds and he wanted to explain to the commission about how they would like to have the property for growth of boat hoist storage and granular materials for Reynolds company.

Pierce asked about the boat hoist lifts and would Reynolds be having them for a lot of people or private use. Hellinga stated that in the off season it would be boat hoist storage for Reynolds customers. Pierce asked if another building would be added, as well as access on 165th. Hellinga stated not at this time.

Besch stated that the down corner is a slough. Hellinga agreed that it is, and the dirt work would be done there as well, but there would be no fill on the north side.

Blum asked about gravel and granular materials. Reynolds took the podium and explained they go through a lot of granular materials, crushed concrete, mulch, river rock and limestone. Those items are in the vicinity of Spirit Lake, but they must go to Milford and areas for granular. Reynolds stated they rent lots for boat lifts, and it would be nice to have everything in the same location.

Blum asked Reynolds about owning a lot in Hawn's Storage. Reynolds stated yes, he does. Kardell showed on the map the area. Reynolds explained they have a 5-year lease on that building. Blum asked about a lot further west and if Reynolds had direct access to the lot. Reynolds stated he did not. Blum asked Kardell to check the ordinance if crushing concrete onsite is allowed. Kardell checked the ordinance and told Reynolds to not crush concrete there as it is not allowed

Discussion with commission and Reynolds on the lot's uses, conforming, non-conforming, lack of site plans, number of hoists between 200/300 and drainage.

Kardell read from Ordinance 102 on the use that Reynolds can be there, he just can't crush concrete on it.

Schultes asked Kardell how good the soil quality is and how many homes it would provide. Kardell stated, it depended on the subdivision, and she recommended no more than 5 homes. Blum stated there is 30-35 acres over there and could put possibly 30 lots.

Reynolds asked Kardell to clarify what zone is needed to crush concrete. Kardell stated that HI Heavy Industrial would be best. Schultes asked for clarification on what use would be best for Reynolds needs. Reynolds and Hellinga stated that they wouldn't crush concrete on this site.

Kardell read a letter from Matthew Hawn in opposition.

Public Comments:

Ryan Hawn came to the podium to express his opposition if the rezoning is allowed as he believes the value of his house will decrease, and for his children's safety with the increased traffic.

William Hawn stood at the podium to express his concerns about an increase in the traffic as he has little kids and his opposition to the rezoning to obstruct this natural skyline. Hawn asked if Reynolds built an access road and if it could connect to Maytum's. Kardell said it could connect but he would have to go through the engineer's office for that access.

Paige May came to the podium to express her concern with her 2 kids riding their bikes on the street and getting on the bus. May doesn't want to look at the boat hoists as well as having the extra noise pollution, also there will be extra garbage in the ditches, and another concern is protecting the wildlife that is in the area. May worries about the value of the properties in the area decreases.

William Hawn returned to the podium to ask if Reynolds could build a road next to his property, and if Reynolds would be able to connect to Maytum's property on the south side for people to access their storage units. Kardell responded that the ingress and egress off of 165th would need to be approved by the County Engineer and anything on the private property would need to be agreed upon between the property owners. Hawn said it would double his traffic. Kardell said the Maytum's main access to their property is off 255th Ave. Blum stated he believed that Hawn's concern was the traffic from a potential road all the way to 28th Street. Hawn agreed with Blum.

Mike Watts stepped up to the podium to ask what Reynold's intention is for the NW and W boundary of the property by the swamp. Reynolds stated there is low ground and water flow down to the pond. The back corner Reynolds doesn't have any plans for that corner as it would be hard to get at. Watts stated his pond comes from Erie and the natural flow of water goes right across the hill past William's.

Jon Williams at the podium talked about how the drainage from the pond goes through the property, as he has 2 tiles there. Reynolds remarked about the drainage and that the area is tough to use, to have any access to it.

Barb Clayton stepped to the podium and asked if county drain tiles go through it. Kardell stated no.

Public Comments closed.

Schultes asked the applicants if the SE corner would be the location if they put it in a building. Schultes also asked where the gravel parking lot with the boat hoists would be located and where the access would be. Reynolds stated he hadn't been out there, he then showed the location where the parking lot would be, and the access location would be on 165th Street.

Hellinga and Reynolds responded to the neighbors, that they want to work with them and would be aware of the kids. Reynolds said he could plant trees and do a 30-foot buffer.

Besch stated concerns with the water drainage and the possible bottleneck of the water not having any place slow down. Reynolds stated the parking lot would be all granules.

Blum stated his concerns that the drainage continues through Maytum's property, and the pond is in the wet land area and any runoff is going to have an increase.

Hellinga stated at the point of a building going up they would have an engineer involved and for the granule material and the concerns of drainage, and traffic, they would do what is asked. Hellinga explained this is an unintrusive area of land, and if it was residential, it would have drainage problems. Hellinga stated if the buildings went up, they would do the drainage plans and would have a buffer for neighbor concerns. Hellinga stated that one of the Hawn owners is interested in selling land to Reynolds.

Besch asked about a prior drainage/site plan done before the application would've been beneficial, to make the drainage work. Reynolds responded that the property is useable for what they need now.

Blum asked how many acres are to the west of Reynolds. Reynolds stated those weren't offered to him for sale.

Schultes stated that she can't make a solid decision due to the lack of information. Reynolds responded that he would want to have approximately 200-300 hoists for now. Reynolds said he doesn't own this piece yet and to put extra money on engineering isn't

Menke asked if the commission could put some stipulations on it. Kardell stated yes, the commission could.

Pierce asked for clarification on the number of hoists. Reynolds said 200-300 boat hoists on Kuhlman's and there are more boat lifts being added; he is trying to find an appropriate place for them all. Schultes stated that with Reynolds not knowing the number of hoists is one of the reasons for lack of information. Reynolds explained there is ample space for the hoists away from the road and residential back in the corner. Blum went over the number of hoists, increase in traffic, concerns of safety with the neighborhood and for Reynolds to haul gravel, and store the hoists.

Pierce recommended a motion to vote. It was seconded by Besch.

The votes were denied 7-0. Blum, Besch, Heywood, Menke, Pierce, Lee and Schultes.

Fourth on the Agenda was Old, unknown, or other business to be discussed.

Kardell handed out a sheet on the permit fees we charge for permits. Kardell mentioned that the discussion on fees was brought up, specifically to conditional uses and rezoning as well as the fees haven't changed in 11 years. Kardell talked about the revenue the zoning office brings in in relation to the fees. Kardell asked the commission to think about whether they wanted to increase the fees and to what monetarily denomination. Schultes asked if Kardell has checked with other jurisdictions on their fees. Kardell responded that she did not and will check. Clayton asked since wind is a separate item, that the fee could be separate. Kardell responded that you could as well as campgrounds. Pierce stated that it looks like cherry picking and to avoid that.

Kardell talked she has been challenged about RV 's being used, on personal property and not in an RV campground. Kardell stated a resident has asked as she was turned in, for having a RV on her property. Kardell said she has reached out to other county jurisdictions on their procedures

for RV's and length of stay . Most county jurisdictions are 7-14 day stays, and Wahpeton is the only one that does do a permit and fee.

Kardell revisited the Utility Scale Solar and Battery ordinance draft with the commission. Kardell will get back to the commission before we get ready to draft an ordinance.

Kardell brought up a map with a line of sight across 3-4 lots, as things were grandfathered in. Kardell stated to leave the definition building or a conditional building. The house would gain footage, but the shop would lose footage. Kardell stated she must go with the term building as it is stated in the Ordinance. Kardell asked if the commission wanted the definition principal building or just building. Discussion with commission on the shop, building, line of sight and setbacks on any new structure going forward.

Fifth item on the agenda was Adjournment. Schultes motioned to adjourn and was seconded by Pierce. All in favor, Blum, Besch, Menke, Lee, Heywood, Pierce and Schultes.

(For more information see P&Z 03 17 25 recording)