

DICKINSON COUNTY PLANNING AND ZONING COMMISSION

May 19, 2025

1:00 P.M.

The Dickinson County Planning and Zoning Commission met on Monday May 19, 2025 at 1:00 P.M. in the Dickinson County Courthouse.

Present were Megan Kardell, Dickinson County Zoning Administrator and Lee McKim Zoning Assistant. Steve Goodlow, Dickinson County Attorney, was absent.

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

First Item on the Agenda Roll Call Erica Shultes, Derek Lee, Carol Pierce, Nancy Menke, Spencer Heywood and James Blum are present. David Besch was absent.

Second on the Agenda is Approval of minutes

Pierce motioned to approve the minutes from April 2, 2025. Pierce questioned a statement from Kardell on page 2, 3rd paragraph regarding pre and post development. Kardell said it was regarding runoff; the post development runoff rate cannot exceed the pre-development runoff rate. Heywood seconded. All approved Blum, Heywood, Menke, Pierce, Lee, Schultes.

Third on the Agenda was New Business

1. Recommendation to the Board of Supervisors for an Amendment to the Comprehensive Land Use Plan, Future Land Use Map from Residential to Commercial on parcel 0236400020.

Kardell stated there was an error for # 1 no action needed.

2. Recommendation to the Board of Supervisors for a Re-Zoning on Spirit Lake Section 36 Township 100 Range 37 Diamond Lake Township S OF RR OF S 40 AC LOT 2 EXC TRTS SUBDIV SE, Parcel 0236400020. The application has been submitted by Paul Kollasch for HC Highway Commercial District & A-1 Agricultural District to HC Highway Commercial District.

Kardell gave her staff report.

Paul Kollasch came to the podium stating he has had his business, Kollasch Welding Machine shop, since 1990. Kollasch has a person who would like to take over the business as he would like to retire. Kollasch stated since it is in a duly zoned area, he needs it to be rezoned for the future owners. Blum asked if the parcel Kollasch is keeping is parcel Q. Kollasch answered yes as he will live there on that property. Pierce wanted to clarify that the blue color on the zoning map is

Highway Commercial. Kardell stated it is then it goes to A-1 Agricultural District. Discussion with the commission on the land and the HC highway commercial uses.

No public comment.

Pierce motioned to change the zoning from HC Highway Commercial District & A-1 Agricultural District to HC Highway Commercial District. Schultes seconded.

All votes are approved 6-0. Schultes, Lee, Pierce, Menke, Heywood and Blum.

3. Recommendation to the Board of Supervisors for an Amendment to the Comprehensive Land Use Plan, Future Land Use Map from Residential to Commercial on parcel 0709276009.

Kardell gave her staff report.

Ben Groen with Beck Engineering came to the podium, representing the applicants. Groen requested the west half to be rezoned to Suburban Residential District and the east half to GC General Commercial District. The east half is for commercial use and the west half would be for residential needs in the county.

Schultes asked about the map and if the rezoning would create a spot zoning. Kardell stated no.

Pierce asked for clarification on what the applicant would like to do for the east and west areas on the property. Kardell brought up a map from Beacon and showed the classifications of the land halves stating the east goes to GC General Commercial District and the west goes to R-1 Suburban Residential District. Pierce asked if the egress is the same and asked why they are desiring to make the flip. Groen stated it would align with the existing zoning areas of Residential and the Commercial areas.

Pierce asked about the drainage and if there is any difference between the 2 lots. Groen responded the entire lot drains either to the low spot on the south or a low spot on the north. Groen said the drainage patterns wouldn't effectively be changed by development on those lots.

Blum asked for the clarification of the number of boat hoists. Groen stated it would be 300 boat hoists maximum. Dustin Reynolds came to the podium, stating they would continue to store 300 hoists in the back corner of the Hawn property if they don't get approval.

Blum asked about the maintenance building area being next to the residences as that would have a lot of noise. Reynolds said they could move it back, they put it there to make it look nice, to be beneficial for less traffic going by as the working area to the west. Blum asked about the gravel parking space and how many acres there are for parking. Groen stated he didn't have that information with him. Blum then asked about a design for the runoff. Groen stated yes, they had a design for the runoff and for the 100-year runoff as well. Blum suggested the plans to be reviewed by the county engineer.

No correspondence

Public Comments

Melissa Hawn came to the podium to voice her concern about the increases in traffic and safety of her children. Hawn stated she is concerned with any flooding that could happen to her property and surrounding area. Groen came back to the podium to state that the runoff is lower on the properties in the east. Groen said it shouldn't have runoff concerns towards the residential properties.

Paige May stepped up to the podium, stating that her 2 kids won't be able to ride bikes on the road due to increasing traffic. May is worried about her house value and stated she didn't feel this area is right for this business.

Public Comment was closed.

Schultes asked for clarification on the 4 lots being planned out at this time. Groen said there are no plans at this time. Schultes asked if the lots are 1 acre lots or are they at the minimum 1 acre. Groen said yes, they are 1 acre lots and the 2 front lots would be split and access between to the rear lots.

Schultes asked about drainage and if the soil is good for septic in this area. Kardell stated she would request a percolation test for the soils area as the soil is marginal.

Blum talked about how it says a storage area in the plan, and wanted to know why Reynolds would haul items to the location if you can't crush gravel there. Reynolds said with the landscaping business it would be nice to have a concrete bunker with mulch for other projects.

Schultes asked about the suburban residential area with a shop and living fence. Groen said they are open to what's acceptable and the shop could be moved. Schultes asked if the equipment was around the shop. Reynolds said yes there is equipment there at the shop, and they are willing to make it work if the equipment needs to be in a certain spot and with the evergreen trees. Kardell stated the side yard setback for from a general commercial district abutting the residential district is 12 feet.

Blum clarified that the property is still in Rognes name. Reynolds said that was correct, he hasn't purchased it yet.

Pierce motioned for the Future Land Use map to be changed for Residential to Commercial on the east side. Menke seconded.

The votes were 4-2 approved to recommend to the Board of Supervisors for an Amendment to the Comprehensive Land Use Plan, Future Land Use Map from Residential to Commercial on parcel 0709276009. Lee, Pierce, Menke, Heywood Approved. Blum and Schultes Denied.

4. Recommendation to the Board of Supervisors for a Re-Zoning on Parcel 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 the West half of the A-1 Agricultural District & the East half R-1 Suburban Residential District to the West half R-1 Suburban Residential and East half to GC – General Commercial District.

Public Comment

May approached the podium and asked if this project would dry out her well. Kardell said not typically as they could do a shared well for the area and she hasn't had any dry out. Blum stated they would have to come back to Planning & Zoning to propose a subdivision plat and to address the septic tanks or tie into rural water from Spirit Lake.

Seth Hellinga real estate agent came to the podium stating information on the property that it has been on the realty market for 18 months and several people explored the property to see if could be a residential area. Hellinga stated he believed there are challenges making the property all residential and with soil quality as it is.

Barb Clayton went to the podium asking for clarification of the rezoning status. Kardell stated they only voted on the Comprehensive Land Use map for changes to the Board of Supervisors.

Blum asked about the shop building distance being 30 feet to the property line. Hellinga stated there would be a minimum of 30 feet to create the buffer.

Public Comments Closed

Schultes said she would like to have some living fence buffers along the shop side and that no hoists along the property line where it is residentially zoned, also that there is no storage between the shop and property line. Kardell clarified that the south property line to the north end of the district setbacks and there will be no boat hoists allowed in that area. Blum asked for the 50 feet setback and Schultes agreed. Blum asked for a living fence of 2 rows of evergreens alternated in the first 50 feet from the property line. Schultes asked for the evergreen trees to be 30 feet in diameter. Blum agreed.

Blum asked for a stipulation of continuous dust control, seal coat or asphalt, up to 50 feet north of residential area to the east. Blum specified he wanted permanent dust control in the form of linseed treatment.

Menke asked about the distance from the road to the entrance. Kardell stated it is about 150 feet and that the county engineer didn't see any issues at this time, but the county engineer would have further review.

Menke motioned to vote with the 4 stipulations: no outside storage from south property line to 50 feet north of the residential area on the east, 2 rows of evergreen trees as a living fence, permanent dust control on the road extending 50 feet north of the residential area on the east, and a maximum of 300-boat hoists. Seconded by Pierce.

The votes were 5-1 approved with 4 stipulations: no outside storage from south property line to 50 feet north of the residential area on the east, 2 rows of evergreen trees as a living fence, permanent dust control on the road extending 50 feet north of the residential area on the east, and a maximum of 300-boat hoists..

Heywood, Menke, Pierce, Lee and Schultes approved. Blum denied.

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

Line of Sight-

1. Line of Sight

- i. Building (current) vs. principal building – agreed upon by all commission members

2. Fees

- i. Rezoning (current \$100.00) to \$250.00
- ii. Zoning Compliance add an additional tier
 - 1. Look at starting the fees at \$50.00 to \$600.00 max)

Pierce asked Kardell to confirm the fee increase due to it is based on the work and postage being the consideration. Kardell said yes and that she visited with her peers in other counties to be in the same fee pricing schedule.

- iii. Landscaping (current \$300.00 max) increases to \$600.00 max

- iv. Large application conditional use tier for WECS/PUD to be \$500.00

3. RV Dwelling Use

Kardell stated if we do proceed to allow residents to use RV as a dwelling, we need to be able to permit the RV dwelling use for 7-14 days. Minimum of \$50.00 permit. Blum said no to doing a permit. Pierce agreed with Blum, there will be no permit, no change. All the commission members in agreement.

4. Accessory Dwelling Units

Kardell stated Governor Reynolds passed a law that allows accessory dwelling units on residential property, and it goes into effect July 1st, 2025. Kardell stated that for zoning to meet the items that are in the new law, we would need to amend the accessory buildings article. The proposed zoning amendment would be as follows:

Zoning Amendment:

Article #17, Section 7 Accessory Buildings, F. No accessory building shall be used for dwelling purposes unless it meets the items outlined below

- F.1 Accessory dwelling unit must be on the same lot as the principal dwelling

- F.2 An accessory dwelling unit shall not exceed one thousand square feet or fifty percent of the size of the single-family residence whichever is larger
- F.3 Mobile home or manufactured home being utilized as an accessory dwelling must be converted to real property by being placed on a permanent foundation and assessed for real estate taxes.
- F.5 All utilities including but not limited to water, sewer, gas/electric are required.
- F.4 A accessory dwelling unit permit is required and subject to the standards above.

Blum asked about the fees. Kardell stated that the fees charged will be based upon the value of the home. Blum stated he would like a separate accessory dwelling application. Kardell stated it would fall under the Zoning Compliance Application.

Discussion with the commission on sizes, mobile, manufactured, modular and constructed homes on sizes and fees.

5. Fences

Kardell proposed to amend the fence ordinance due to encountering issues of having the same side of fencing material on both sides of the fence. Kardell read from the fence ordinance to clarify the definition for commission members. Kardell stated the City of Arnolds Park ordinance states that “if there is one side of the fence that is the decorative or “finished” side of the fencing material, such finished side of the fence shall be placed facing outward from the property it is installed.” Commission agreed to have the finished/decorative side to the outside of the fence.

Menke requested to discuss amending the wind turbine ordinance and asked that it be put on the next month’s agenda. Menke also clarified to discuss increasing the stipulations of the wind turbines in being proactive as she was not on Planning & Zoning commission before. Pierce asked if they would form a subcommittee again, as one was formed before. Kardell said she would put it on the agenda as a discussion point.

Fifth on the Agenda was Adjournment

Schultes motioned to adjourn. Pierce seconded.

(For more information see P&Z 05 19 25 recording)