

Dickinson County Board of Adjustment

January 26, 2026

7:00 P.M.

The Dickinson County Board of Adjustment met on Monday January 26, 2026, at 7:00 P.M. in the community room of the Dickinson County Courthouse.

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 the agenda, Clark seconded. All in favor, Ashland, Clark, Oponski, Westerman and Berhow

Roll Call

The members that are present: Kirby Berhow, Douglas Westerman Susan Clark, Alex Oponski, and Jeff Ashland.

Also in attendance were Megan Kardell, Planning & Zoning Administrator, Lee McKim, Dickinson County Zoning Assistant and Jon Martin, Dickinson County Assistant Attorney, were all present.

Second on the agenda was Election of Officers:

- 1) For Chairman Jeff Ashland is nominated by Oponski, seconded by Clark seconded. All in favor Berhow, Westerman, Oponski, Clark and Ashland.
- 2) For Vice Chairman Alex Oponski is nominated by Berhow, Westerman seconded the motion. All in favor. Berhow, Westerman, Oponski, Clark and Ashland.
- 3) For Secretary Douglas Westerman is nominated by Oponski and seconded by Clark. All in favor Berhow, Westerman, Oponski, Clark and Ashland.
- 4) Westerman nominated Lee McKim, the Zoning Assistant, to take the minutes of the meetings, seconded by Berhow.

Third item on the agenda is New business:

1. Spring Jones & Matthew Moody, Variance, Section 25 Township 99 Range 36, Center Grove Townships ½ NENE EXCA Approx W 449 Dickinson County, Iowa. Parcel Number 0728200008. The address is 250th Ave, Milford, Iowa.

Jones approached the podium and spoke about how the opportunity of the land came to them and it was purchased in just 24 hours. Jones explained they want their family close by as the family are growing and have one grandchild and another on the way yet to maintain their separate spaces. Jones stated they wanted to keep the land open and rural.

Ashland asked if the board had any questions. – None

Ashland asked Kardell to go over the Iowa Laws regarding this application. Kardell stated the 2 homes can be built on this property, by dividing the parcels into 2 separate parcels, allowing them to avoid hardship if something happens to one owner. Kardell stated they are not ag exempt and need to follow the ordinance. Oponski asked for clarification on the sub dividing the property. Kardell explained the Iowa law effective July 1st, 2025, allowing accessory dwelling units (ADUs), which would permit two homes on a single parcel without subdivision.

Oponski asked about proposed square footage of the houses. Jones said hers would be between 3,000-5,000 square feet and Moody said his would be about 3,500-4,000 square feet as well. Oponski asked for clarification on why they wanted to parcel it off. Jones stated they have 4 kids and if something was to happen to them, one of the 4 kids could purchase the land while Moody could keep his property.

Ashland asked the board if they have any questions- None

Correspondence – Kardell read letters from Gary and Mary Moeller and Doug and Stacey Terril.

Public Comments – Daren Baxter came to the podium stating he is the neighbor to the south and expressed his concern with the 18 acres to south and is asking if the variance is approved if it sets the precedence of the property to the south for expansion. Baxter expressed concerns of not seeing any hardship proven for the Jones/Moody applicants.

Neil Slater came to the podium stating he owns the property to the north of Jones/Moody. Slater said he has concerns about the acreage being split or how many times it would be split.

Ashland asked if the board had any questions. Westerman stated he read from the laws, asking if it implies it's not setting precedent. Kardell stated each individual application is evaluated and no, it doesn't set precedent for a campground or development.

Westerman motioned to vote to divide a 12.56-acre parcel, having (2) 6.28 parcels in the A-1 Agricultural District, when 10 Acres is required, a variance of 6.28 acres each. Oponski seconded the motion.

Votes were 3-2 denied. Clark and Berhow approved. Ashland, Westerman and Oponski denied.

2. Evan Blom & Donna Blom, Variance, BLL Lots 10 & 11 TRT of Lot 14 W of Lots 10 & 11 Aud Plat 120 Dickinson County, Iowa. Parcel Number 0620380703. The address is 15964 Highway 86 # 18, Spirit Lake, Iowa.

Brian Van Bruggen, the previous owner, came to the podium representing Evan & Donna Blum, the new owners per the purchase agreement. Van Bruggen stated they are wanting to square off the new structure and bump it out 1 foot to the East to gain some separation from #17 as it is at an angle.

Ashland asked the width of the structure. Van Bruggen stated it is 19 feet 6 inches. Oponski asked for clarification on squaring off the entrance to the front. Kardell stated for PMC article

you don't get to mix n match, and that they are not going back in the original footprint as all the setbacks have changed.

Berhow asked about the overhang and height, if the gutters would be touching. Van Bruggen said it would be a 4' 12' pitch stating the pitch is less and the overhang is only 1 foot instead of 2 feet.

Clark asked about moving the propane tanks closer. Van Bruggen stated that it will be gone by and that the HVAC company will put a gas meter on the side with the HVAC unit on the north end. Clark asked if it was creating a fire hazard. Van Bruggen stated no, it will be 3.9 feet to the west.

Correspondence – Kardell read letters from Harold and Jill Hoftyzer, Anne Hathaway McAtee, Dale and Jill Plum, Sally and Michael Berry.

Public Comments – None

Ashland asked the board if they had any questions.

Berhow commented on the nay sayer comments that if they followed the exact footprint, there would be not much they could have done. Westerman stated if it was to be moved it would be an improvement for everyone. Clark stated she thought it was fair they didn't block the lake view.

Oponski motioned to have:

To have a rear yard of 4' feet when 5' feet is required, a variance of 1 foot

To have a west side yard of 0' feet when 3' feet is required, a variance of 3' feet

To have an east side yard of 2' feet when 3' feet is required, a variance of 1 foot

To have a front yard of 13' feet when 14' feet is required, due to alignment, a variance of 1' foot. Berhow seconded.

Votes are 5-0. All in favor, Ashland, Clark, Oponski, Westerman and Berhow.

Fourth item on the agenda is Approval of December 8, 2025, minutes. Westerman motioned to approve the minutes and Oponski seconded. All in favor, Ashland, Berhow, Clark, Oponski and Westerman.

Fifth on the agenda is Communications Kardell stated to look at the rules for next month or the next meeting.

Kardell stated Iowa Electric is repowering wind turbines over by Superior. Kardell stated for the board members to look at their calendar for 2 meeting days in April, the 27th and 28th. Kardell stated they will be holding preapplications. Westerman asked about the repowering. Kardell stated Iowa Electric will be changing the blades out and they will be 30 feet longer.

Discussion with the board members.

Sixth item on the agenda was Adjournment.

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

(For more information, see BOA 01 26 26)