

Dickinson County Board of Adjustment

July 27, 2026

7:00 P.M.

The Dickinson County Board of Adjustment met on Monday July 27, 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. Clark motioned for approval of the agenda, Berhow seconded. All in favor, Ashland, Clark, Oponski, Westerman and Berhow.

Roll Call

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

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

Second on the agenda was New Business

1. Andrea Barrera & Danielle Johnson, Variance, Methodist Camp Sub S390BLK V Township 99, Lakeville Township Lot 4 EXC S'ly TRT of Dickinson County, Iowa. Parcel Number 0601197009. The address is 15459 Mitchell Ave, Spirit Lake, IA 51360.

Danielle Johnson, Adam Johnson, Andrea Barrera and Anthony Barrera are all co-owners of the property who all came up to the podium to state that the front porch is all rotten and needs replacing. Adam Johnson talked about that the kids are all growing up and they need the room to segregate the males and females. Adam Johnson explained that they would not go further into the road, as they are already too close and they want to utilize their space for future grandkids. Danielle Johnson said that the gas had to be moved to the front of the house, as it was in the middle of the south side and Black Hills moved it.

Westerman asked about the rotten porch and the roof line. Adam Johnson explained that the bottom joists are sitting in dirt and he would like to put a slope on the roof.

Oponski asked about the existing porch being on the ground. Adam Johnson said that the footings and joists are sitting in the dirt and it's a step down and he would raise it up to floor level to 5.5 inches, as there will be no excavating. Adam Johnson clarified that the drainage plan will have gutters put on, as currently there are none.

Ashland asked about the drainage plan. Adam Johnson commented that currently there is none,

but there will be a drainage plan of gutters to go towards the road or the rocks to the southeast corner.

Correspondence – None

Public Comments – David Brighton and his sister Marcia Brighton-Brebner addressed the board from the podium stating that he has gutters on his house, but he does have concerns of safety for that area as there was a fire years ago, firefighters couldn't get through the tight areas. Brighton shared his concerns with his property being landlocked and how his place is in danger. Brighton stated the garbage trucks are now larger and can't get back in by the houses, so his concern for the fire trucks not making it back by the houses, he does not want the applicant to be able to enlarge the house.

Ashland stated he sees the tight areas in this area and around the county.

Clark said it looks like it's the same footprint as already, so the building is what the building is. Westerman stated he took pictures when he did his site visit and he believed the trees would be in the way before the house would, not to discount safety, to state the trees would catch before the house.

Oponski Motioned to vote to have a front yard of 5 feet when 25 feet is required a variance of 20 feet. To have a North side yard of 10 feet (due to a corner lot) when 25 feet is required, a variance of 15 feet. Berhow seconded.

The votes are 5-0. All in Favor. Berhow, Westerman, Oponski, Clark and Ashland.

Brighton stated to Kardell, that Johnson doesn't follow the rules and if he doesn't follow the rules, he will be back for repercussions.

2. Gavin & Martha Goodenow, Variance, Methodist Camp Township 99: Lakeville Township Lot 9 BLK Q, Dickinson County, Iowa. Parcel Number 0601188005. The address is 21334 Linn Street, Spirit Lake, IA 51360.

Gavin and Martha Goodenow approached the podium stating their house owned by his parents and they are buying it from them, it was built in the 1930's and was added onto in the 1980's. Goodenow explained that when his parents owned it, it had 2 rooms and they would like to change the roof to have more headroom as well repairing the floors by adding 2 feet and do some floor work to make it even as they both have settling issues.

Ashland asked how much they are raising it. Goodenow stated they would raise it about 2 feet to the wall level. The roof will stay below the highest point of the existing cabin.

Westerman asked by raising it, what are they doing with the air conditioner. Goodenow said they will get rid of the old unit and add a split unit for heat and air.

Correspondence – Kardell read letters from Craig and Karen Floss, as well as a letter from Grant and Janene Goodenow.

Public Comment- None

Berhow motioned to vote, to have a side yard (west) of 14 feet when 25 feet is required a variance of 11 feet. To have a rear yard (north) of 9 feet when 25 feet is required, and a variance of 6 feet. Westerman seconded.

The votes are approved 5-0. All in favor, Ashland, Clark, Oponski, Westerman and Berhow.

Fourth item on the agenda is Approval of May 26, 2026, minutes. Oponski motioned to approve the minutes with the amendment of the correction on page 3 and to add Ashland in the vote. Clark seconded. All in favor, Ashland, Clark, Oponski, Westerman and Berhow.

Fifth on the agenda is Communications

Kardell explained that next meeting is for an Administrative Appeal. Kardell handed out the board's packets for the Administrative Appeal meeting. Kardell stated the order of the items listed in their packets are as follows:

Notice from Fitzgibbons Law Firm on Appeal of Compliance Permit No. 89-26 (Myers), Permit 89-26 (Myers), Notice of Public Hearing and Article # 28 Board of Adjustment.

The state statute allows us to meet next Monday August 3rd, 2026.

Kardell went over the process of the next meeting for the board. Kardell also stated that Assistant County attorney Jon Martin was going to reach out to the applicant and see if the matter could be resolved before the meeting.

Westerman asked how the process would be and if they voted. Kardell stated yes, they will vote to either overturn or affirm the determination made by the administrative officer.

Kardell also discussed that there is a stay on the process for the homeowner, making sure the board understood there is no work being done at this time.

Kardell talked about an application for next month at the regular meeting, it would be for a yard variance.

Kardell discussed being deposed in June and Oponski in July for the wind turbines. Kardell stated the trial will take place on October 20, 2026.

Sixth item on the agenda was Adjournment

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

(For more information, see BOA 07 27 26)