

Dickinson County Board of Adjustment

August 31, 2026

7:00 P.M.

The Dickinson County Board of Adjustment met on Monday August 31, 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, 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. Erik Larsen, Variance, Lot A, Town of Montgomery, Dickinson County, Iowa. Parcel Number 0234127002. The address is 193rd Ave, Spirit Lake, IA 51360.

Erik Larsen came to the podium asking for a variance, to bring his property into compliance with the current zoning regulations. Larsen talked about the property through the years and his acquiring the adjoining land to make a homestead. Larsen also discussed that without the variance it wouldn't be complying and unable to sell it if he chose too.

Ashland asked if the board had any questions. Kardell asked to speak about the parcel, as what Larsen is doing, is a lot line adjustment and bringing it into compliance. Kardell explained it has never been complying since Larsen purchased it.

Berhow asked if 2 variances. Kardell stated no, there is only 1 variance as the narrative makes it appear that way, but because the home already meets the minimum requirements for an existing or abandoned acreage site of a minimum of 20, 000 square feet, there is no variance required for that corner parcel.

Clark asked if the larger building will be part of the property. Larsen stated yes that it will be part of the homestead. Clark asked about the septic system. Larsen said the septic is on the north side. Clark stated she wanted to check to make sure it wouldn't drain onto the other property. Kardell stated it wouldn't.

Ashland asked how big a house Larsen was building. Larsen stated the size is about 4400 square feet.

Oponski asked about the movement of the dirt and if Larsen would build with or without the variance. Larsen stated he would build but the variance gives the other piece of land compliance if he decided to sell.

Westerman asked about the 10-acre stipulation. Kardell explained currently in the bulk regulations in the Agriculture District it is that a 10-acre parcel or an existing or abandoned farmstead of 20,000 square feet. Kardell explained the other parcel has never been 10 acres, so it's been out of conformity. Kardell stated if a true farmer were to purchase it, for agricultural purposes, build a house they would be exempt from zoning. Kardell discussed that other folks that are not farmers must follow the zoning ordinance.

Correspondence- None

Public Comment- None

Berhow motioned to vote to have 7 acres when 10 acres is required a variance of 3 acres. Westerman seconded.

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

Fourth item on the agenda is Approval of July 27, 2026 minutes. Oponski motioned to approve the minutes. Clark seconded. All in favor, Ashland, Clark, Oponski, Westerman and Berhow.

Fifth on the agenda is Communications

Kardell discussed the cancelled meeting back on August 3, 2026, and that it was resolved.

Kardell asked the board members if someone would want to volunteer for a special committee for the comp plan committee. Kardell stated we are updating the 2006 comp plan with the company RDG leading it and most meetings would be during the day.

Kardell stated there isn't an update for Red Rock.

Oponski asked what the status is for Woodlyn Hills. Kardell stated she knows there is an extension, but she hasn't seen any movement on it.

Sixth item on the agenda was Adjournment

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

(For more information, see BOA 08 31 26)