

DICKINSON COUNTY PLANNING AND ZONING COMMISSION

Monday, July 16, 2007

1:00 P.M.

The Dickinson County Planning and Zoning Commission met Monday, July 16, 2007 at 1:00 p.m. in the Dickinson County Community Building.

Members present were Sally Nielsen, Duane Moser, Tim Fairchild, Tony Weber, Bob Chaffin, Jon Gunderson and Mike Roach.

Sally Nielsen called the meeting to order at 1:00 p.m.

First on the agenda was approval of the minutes of May 21, 2007. Weber moved to approve the minutes as written. Gunderson seconded. All in favor.

Second on the agenda was Amy Streit, a rezoning application from A-1 Agricultural District to GC General Commercial for the SW ¼, Section 34, Diamond Lake Township.

Kohlhaase gave a review of the proposed location. Brian Goodell is the present owner. He then turned it over to Amy Streit to explain her plans.

Streit said she was born and raised in this area. She used to help her parents run a restaurant/bar, so she has some management experience. She would like to bring to the Iowa Great Lakes a business similar to one she is familiar with in Texas. This restaurant is in a rural setting. It's important to have a rural setting to complement the design of a barn setting. She wants to have a place that is comfortable for folks to come in work clothes, bring their families, or those who want to come dressed up. Tom Kuhlman of the Iowa Chamber has written a letter backing her business.

Seana Godbold of Beck Engineering said she did the planning for Amy Streit. The site is designed to fit within all the requirements for the structure, off-street parking, and A.D.A. requirements. The county engineer has given approval on the locations of the driveways. This area is serviced by a blacktop road. They concluded they needed DNR approval of the septic system. A tech from Spencer viewed the site and approved the size of the septic system. It was figured by the number of customers on a peak day.

Weber asked about the drainage swale that goes to the southeast of the property.

Seana said the driveways will be channeled into the ditches and down to the open drainage.

Nielsen asked for any other questions.

Moser asked if the Town of Montgomery was on a sewage service.

Kohlhaase said there is no public sewer. They are all private systems.

No correspondence was received at the office.

Moser asked what was the reason for the odd design at the rear of the property.

Streit said that was to avoid the water way.

Weber said on the south side of Montgomery, he knows there is some flooding at different times.

Goodell said in his experience, he has never had any water at this location.

There being no further questions, Fairchild moved to vote. Roach seconded. All were in favor. The vote was recorded as: all approve.

Third on the agenda was Leo Parks, Jr., rezoning application from R-1 Suburban Residential to HC Highway Commercial District, part of Lot B, Tusculum Beach.

Kohlhaase gave some history on this property. In 1999 Parks wanted to make improvements to his property. The zoning maps didn't show it as highway commercial. We had to make a correction due to mislocation shown on the zoning map. The zoning change was approved with the stipulation that the south 400 feet of the property remain as R-1 Suburban Residential. There were concerns of traffic from Francis Sites residents, the schools, etc. One option was to negotiate with the Hawns to purchase property to gain access to what is known as the Hawn Road. The Hawn Bros. in the meantime had gone through subdivision with Lot 6 to be available as an access.

Kohlhaase said the Parks and Hawn applications are two different applications, but kind of a package. The reason why the Highway Commercial is being requested is that Highway Commercial and General Commercial both work for marine storage, but our forefathers zoned it HC, so we are being consistent. Parks wants to rezone so he could expand into this area. The commission may want to discuss both applications as a whole.

Mr. Parks said they store a lot of their boats in this area. This will save them two miles on each trip, and they won't have to use the road by the school or the Francis Sites road. When the buildings went in back there, they have tried to be good neighbors. To have this rezoned would give them the opportunity as business grows and the size of boats grow to build another storage building.

Weber asked if this would be seasonal storage.

Parks said yes.

Weber said Parks wanted Lot 6 for access, but what is the intent of the other two lots?

Parks said for future building.

Weber asked if the pond was on Park's property.

Parks said the pond is on Leroy Lenz' property.

Jeff Hawn said his property and what Lenz owns was originally bought from Horizons. At one time it was used to take out gravel. The place has been used for commercial activity from day one. He is in the process now of cleaning it up and restoring the land.

There was a question from an adjoining landowner if the taxes on the surrounding property would be affected by the change of zoning.

Kohlhaase said in his opinion, the zoning change would make no difference to surrounding properties.

There was question of where the driveway from Park's property would be located?

Parks said it would be on the side next to Leroy Lenz.

Greg Place lives on 28th Street approximately 50 feet from where the current driveway goes in to the Parks storage buildings. He talked to other neighbors and they are very much in favor of this project going through because it will take boat traffic off this road making it much safer for bikers and joggers.

Kohlhaase asked Parks what would be the activity of the existing driveway into Francis Sites?

Parks said almost all of his activity will be going to the south. Lenz will use that driveway if he is going north, but use the access to 165th Street if going south.

There being no further questions, Weber moved to vote on the Parks application. Moser seconded. All were in favor. The vote was recorded as all approve.

Fourth on the agenda was Hawn Bros. Inc., rezoning application from R-1 Suburban Residential to HC Highway Commercial District, the west 228 feet of Lot 2, and all of Lot 5 and 6, Hawn Bros. Subdivision.

Weber moved to vote on the Hawn Bros. application. Gunderson seconded. All were in favor. The vote was recorded as all approve.

Fifth on the agenda was a discussion of maximum size of accessory buildings.

Kohlhaase said at the last meeting, it was noted that one of the supervisors had received a concern of a storage building in East Okoboji Beach. Presently, if a proposed accessory building is bigger than 12 x 24, it cannot occupy more than 30% of the required yard. Kohlhaase said in his experience, the requirement as written has worked so far. He explained how the measurement of the required yard is figured.

Moser asked for clarification on the 30% rule. He said he knew of an ordinance where there was a maximum size set for accessory buildings regardless of the size of the property.

Weber asked about height restrictions.

After more discussion, it was decided to leave the accessory building requirement alone.

Sixth on the agenda was any old, new or unknown business. Woodley reported that the West Okoboji Harbor overlay district discussion was tabled until the September meeting.

Weber moved to adjourn. Fairchild seconded. The meeting was adjourned at 1:50 p.m.

Filed By: _____

Date: _____