

**CITY OF OKOBOJI BOARD OF ADJUSTMENT MINUTES
FOR THE MEETING HELD ON WEDNESDAY, AUGUST 31, 2016 AT 6:00 P.M.
OKOBOJI CITY HALL**

The Board of Adjustment for the City of Okoboji met on the above date at 6:00 p.m. in the Okoboji City Hall. Board members present were Primavera, Colton, Waddell, and Fitzgibbons. Absent: Peters. Others present were: Walter Huebner, Hank Grant, Cheri Olderbak, Mark Olderbak, Jay Fagen, Jim Blum, Walter Mendenhall, Barb Mendenhall, Denise Norland, Vera Verdoorn, Kae Hoppe, Jim Blum, Steve Hallgren, Dave Stein, Brad Beck, Perry Pearson and Lissa Ballis.

Chairperson Primavera called the meeting to order at 6:00 p.m. explaining the procedure for the meeting. There are two separate variances on the agenda. The first one the Board would address would be the Olderbak variance, then the Board would address the application for conditional use permit for an exception to the Lakeshore Landscape Permit Moratorium requested by the City of Okoboji for the seawall repair in front of 2307 and 2309 Holliday Way.

Primavera read the previous meetings minutes Waddell/Colton moved to approve the minutes of the previous meetings 6/27/16 and 07/05/16. All ayes. Motion carried.

Primavera read all correspondence pertinent to the variance request. Request was by Mark Olderbak of 3611 Fairfield Street (Lot 14, Block B of Subdivision Beck's Replat of Okoboji City) for relief of the LID (Low Impact Development) provisions of the zoning ordinance regulations.

Primavera then opened the public hearing.

Mark and Cheri Olderbak explained changes to the previous submitted plan, in which they have increased the onsite storage to 513 cubic feet. With the updated plan they now meet the storage requirement. With the location of the impervious area Olderbak will now be able to store excess runoff from Fairfield Street on the roadside portion of his lot as well.

Jim Blum explained the Olderbak's had more than adequate storage everywhere but the lakeshore bank side in fear of over saturating which could cause bank failure.

Brad Beck city engineer stated the new plan has met all but one of the City of Okoboji's requirements and agrees that there are concerns with saturating the existing lakeshore bank by constructing low impact development practices near the lakeshore bank. Beck feels this area is not suitable for LID due to the risks involved on such a steep bank.

Fitzgibbons asked how the other homes in the area have met the requirements. Beck stated he believed we have granted a variance to the property North of the Olderbak's in recent years. He explained when the City of Okoboji drafted this LID ordinance it was with the intention that in this type of circumstance with property on a high lakeshore bank there would be the ability to come to the Board of Adjustment for a variance in such cases.

Grant asked if the wall that was built on the lakeshore of this property last year included drainage and if that would help absorb the water to help with the lakeshore saturation problem. Beck stated it would not if there was too much water and if it came down too quickly. Blum explained how in an event where there is too much rain for the city storm sewer to handle and if it starts going over the curb the lakeshore wall would never hold. If the lakeshore bank becomes saturated it would cause too much pressure behind the wall and blow it out.

Much discussion ensued and was determined that due to the high bank and concern with the lakeshore bank failure if LID practices were put in place on the lakeshore side a variance would be allowed.

Primavera closed the public hearing.

Grant/Waddell moved to approve the variance as presented. Roll call vote. All present voted in favor. Unanimously approved 4-0.

The Board then moved on to the second matter on the agenda.

Board to conduct a public hearing to consider a variance request by the City of Okoboji for a conditional use permit for an exception to the Lakeshore Landscape Permit Moratorium for the seawall repair in front of 2307 and 2309 Holliday Way.

Primavera reviewed the City of Okoboji application. Primavera read all correspondence pertinent to the case.

Dave Stein city attorney gave a little background on the Moratorium.

Primavera then opened the Public Hearing.

Primavera stated after looking at the property there was no question that repair needed to be done immediately to prevent total failure of the seawall in that area. Brad Beck city engineer stated with the strong South winds and the high water this season has taken out the old rip rap that was placed along the wall previously. While this is not a permanent fix, this will band aid the problem until the city can find a more permanent solution.

There was a discussion about how the rock would be brought in and what would be the right way to fix it in the future.

Beck mentioned the City of Okoboji had to apply for a Sovereign Lands Permit through the Iowa DNR and are waiting on that approval before the city could proceed with the project.

Fitzgibbons/Colton moved to approve the exception as presented. Roll call vote. All present voted in favor. Unanimously approved 4-0.

The Board then adjourned 7:12 P.M.