

**CITY OF OKOBOJI BOARD OF ADJUSTMENT MINUTES  
FOR THE MEETING HELD ON THURSDAY, AUGUST 10<sup>th</sup>, 2017 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 Owen Primavera, Dennis Colton, Joyce Waddell, Rebecca Peters, and Ann Mugge. Others present were: Duane Haith and Jason Peters.

Owen Primavera chaired the meeting and called the meeting to order at 6:00 p.m. Introductions were made at this time.

Colton/Waddell moved to approve the minutes of previous meeting of 07/18/2017. All ayes. Motion carried.

Primavera explained the agenda for the meeting. Request was made by Duane & Joan Haith, owners of 1503 Prospect Street to construct an 8' X 12' addition to the rear the current dwelling. A variance to expand an existing nonconforming dwelling and to allow the addition to encroach 3.1' into the rear yard and 3.6' into the southwest side yard setback is being requested. The proposed construction constitutes a non-conformity. Non-conformities are not allowed as defined in Article XIV General Regulations. This precludes the Haiths from obtaining a construction permit.

Primavera read into the record the following: Public Hearing Notice, Staff Report from Jason Peters; Correspondence from Leo Parks; Correspondence from Sean & Courtney Spellman; Correspondence from Duane and Joan Haith. Primavera described the additional items that were in their packet.

Primavera opened the public hearing for questions. Duane Haith thanked the Board for their service. Mr. Haith stated that he had attempted to speak with all his neighbors regarding the proposed project. Mr. Haith stated that given the new standards he would not be able to build anything on the current lot. Mugge inquired as to how far the addition would extend from the house. Mr. Haith stated that it would not go beyond the existing deck. Primavera stated he felt that there would be enough room for the fire personnel to get in and out. Primavera stated he felt that Mr. Haith's neighbors would not be able to see this addition and it would not affect their properties. Primavera closed the public hearing.

Mugge stated that the Board should apply the factors of Section 17.6 (5). Mugge felt that there are special conditions and circumstances exist that are peculiar to this property. Mugge stated that this property is already nonconforming due to the new ordinance. Primavera stated that he felt the Board was within their right to grant this variance.

Waddell/Peters moved to approve a variance to allow for the expansion of the existing nonconforming structure and for the addition to encroach approximately 3.1 feet into the rear yard setback and to encroach approximately 3.6 feet into the southwesterly side yard setback. Roll call vote. All present voted in favor. Unanimously approved 5-0. Motion carried.

With nothing further to discuss Rebecca Peters/Mugge moved to adjourn. All ayes.  
Motion carried. Meeting was adjourned at 6:18 P.M.

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Jason Peters  
City Clerk/City Administrator  
Zoning Administrator.