

**OKOBOJI PLANNING AND ZONING COMMISSION  
NOTICE OF PUBLIC HEARING FOR THE CONSIDERATION OF A TEXT  
AMENDMENT TO THE CITY'S ZONING ORDINANCE RELATING TO SECTION 14  
NONCONFORMANCE**

The City of Okoboji Planning and Zoning Commission will conduct a public hearing to consider a text amendment to Section 14 NONCONFORMANCE of the City of Okoboji's Zoning Ordinance to:

Add new language in Section 14 NONCONFORMANCE:

**Section 14.9. NONCONFORMING LOT OF RECORD.**

In any zoning district, notwithstanding limitations imposed by other provisions of this ordinance, any dwelling, building, or structure may be erected on any defined legal lot of record at the effective date of adoption of this ordinance, even if such lot of record does not meet the minimum lot size or lot width requirements for such zoning district that it is located in. Such a lot of record must be separate ownership and not contiguous with other lots under the same ownership. Although this provision allows such lot that do not meet the requirements for lot area or lot width, all such yard setback requirements and other site development requirements shall be enforced through application, review, and approval from the zoning administrator.

**Section 14.10. NONCONFORMING BUILDINGS AND STRUCTURES**

Where a lawful building or structure exists at the effective date of adoption or amendment of this ordinance that is not permitted under the terms of this ordinance because of restrictions on lot area, lot coverage, height, yard setbacks, or any other site development requirements; such building or structure may continue to be used so long as it remains otherwise lawful.

Furthermore, no such nonconforming structure shall be enlarged, structurally altered, or rebuilt in a way or manner that increases the nonconformity of such building or structure on the lot.

However, nonconforming buildings and structures may be structurally altered or enlarged in a way that does not specifically change the nature or intensity of the nonconforming use or increases the level of nonconformity that existed prior to the effective date of this ordinance. In an instance where a nonconforming building or structure (or a portion thereof) is encroaching into one or more required yard setback areas, such nonconforming building or structure may be altered, amended, or added onto in a way that squares up such building or structure; and whereas no such portion of any new construction shall not be permitted to encroach any closer to the property lines than that already established by such nonconforming building or structure.

The City of Okoboji Planning and Zoning Commission will hold a public hearing on the 4<sup>th</sup> day of September, 2018 at the hour of 5:30 PM in the City Hall in Okoboji Iowa. The terms and conditions of this amended/replaced language will be discussed/revised/changed and determined by the City's Planning and Zoning Commission and may be modified at the public hearing. Following said hearing the Planning and Zoning Commission may take action and make a recommendation to the City of Okoboji City Council.

Michael Meyers  
City Administrator / City Clerk