

CITY OF OKOBOJI BOARD OF ADJUSTMENT MEETING MINUTES
FOR THE MEETING HELD ON TUESDAY, NOVEMBER 27, 2018
OKOBOJI CITY HALL

The Board of Adjustment for the City of Okoboji met on the above date at 6:00PM in the Okoboji City Hall. Board members present were Owen Primavera, Joyce Wadell, Ann Mugge, Steve Dulin, and Dan Sander, by telephone. Others present were Michael Meyers, City Administrator, John Hight, James Redmond, Daphne Redmond, Rick Wilkerson, Aaron Jones, and Brooke Stecker.

Board Member Owen Primavera chaired the meeting. Primavera called the meeting to order at 6:00 PM.

Motion made by Board Member Mugge and a second by Board Member Wadell to approve the minutes of the previous Board of Adjustment meeting for September 24, 2018. The following Board Members voted YEA: Primavera, Waddell, Mugge, Sanders, and Dulin. The following Board Members voted NAY: None. Motion passed 5-0.

Chairperson Primavera opened a public hearing at 6:02 PM to consider a variance request submitted by Mr. Aaron Jones of 3711 Fairfield to allow for the expansion of an existing legally non-conforming structure. Mr. Jones wishes to add a second story to his structure which is presently encroaching in the southern side of the yard of his property. The construction also represents other legal additions to the home.

Chairperson Primavera read aloud documentation presented to the Board by the City Administrator outlining the project including reading aloud Section 17.5A-D of the City of Okoboji Zoning Regulations. There were no letters received in favor or against the project. Mr. Aaron Jones spoke in favor of the project and clarified multiple points of his hand written letter which was read aloud by Chairperson Primavera. Mr. Rick Wilkerson questioned aspects of the second story and how it may impact his property's view of the lake. Chairperson Primavera explained that view in either direction is not something that the Board should consider so long as the property is conforming to the City's height restrictions. Mr. Jones displayed to Mr. Wilkerson a drawing he had showing that Mr. Wilkerson would not have a compromised view.

Board Member Mugge inquired about the overall height of the structure. Chairperson Primavera asked about the LID study and the water running off of the roof. Meyers explained that a LID has been submitted and approved which takes into account water on the roof. Mugge commented that she has issues of expanding upon the nonconformity especially considering how near this property is to the lot line.

Board Member Sanders asked if Mr. Wilkerson was still opposed after the additional information was presented to him. Mr. Wilkerson discussed just how close this structure was to the lot line and that was not something that he felt was appropriate.

Chairperson Primavera commented that the footprint was not changing and he did not have an issue with the structure going straight up on what was already existing. Primavera felt comfortable with water and drainage issues based on the approved LID plan. Primavera also discussed issues of fire safety.

Board Member Sanders inquired about the pitch of the roof. Mr. Jones advised there would be a slight pitch. Sanders expressed concern about 100% of the roof draining towards the Wilkerson property. Mr. Jones advised that he would be willing to reconfigure the pitch of the roof if necessary. Primavera commented that he felt this was accounted for in the LID plan.

Chairperson Primavera closed the public hearing at 6:36 PM. Additional conversation took place relating to drainage off the roof.

Motion made by Board Member Dulin and a second by Board Member Waddel to approve the requested variance. The following Board Members voted YEA: Primavera, Waddell, Sanders, and Dulin. The following Board Members voted NAY: Mugge. Motion passed 4-1.

Chairperson Primavera opened a public hearing at 6:44 PM to consider a variance request submitted by Mr. James W. and Ms. Daphne Redmond of 4907 Lakeshore Drive for construction within the side yard setback of their property which also represents the enlargement of a legally non-conforming structure. Mr. and Ms. Redmond also requested a waiver of the LID requirements.

Chairperson Primavera read aloud documentation presented to the Board by the City Administrator outlining the project including reading aloud Section 17.5A-D of the City of Okoboji Zoning Regulations. There were no letters received in favor or against the project. Mr. Redmond spoke in favor of the project advising the Board that he has had discussions with all of his neighbors and expressed the neighbor support of the project.

Chairperson Primavera expressed concern over the drainage of water on the lakeside of the property. Primavera referenced a letter from the City Engineer that the LID plan was not approved at the time of this hearing.

Board Member Mugge advised that this was new construction in the setbacks which traditionally has not been approved by the Board. Board Member Dulin agreed that if approved, they would be allowing entirely new construction to be non-conforming. Mugge advised that this was different than the previous in that the previous variance granted was previously existing.

Board Member Dulin inquired if the garage could at all be shifted to the north to be conforming. Mr. Redmond commented he was not sure how that could be accomplished given its current design.

Board Member Sanders asked about the closure of the access to the properties to the north. Mr. Redmond confirmed to the Board that he has had these discussions with his neighbors and that this would not be an issue noting that those properties access their property at another location.

Board Member Sanders asked about the availability of LID area on other locations of the lot. Mr. John Hight believed that there were areas for additional opportunity if the applicant were willing to consider things other than soil quality restoration. Mr. Redmond commented that he would be open to other LID options.

Chairman Primavera asked if the project could be redrawn and shifted to the north to ensure that it is compliant with zoning regulations. Mr. Redmond believed it could be, just would be a smaller garage and the aesthetics of it would change. Primavera commented that it likely could be approved administratively if represented as a more conforming addition.

Mr. Redmond elected to formally withdraw his application for a variance. Mr. Redmond plans to redraw and make the changes to avoid further variance hearings. No action was taken.

Motion made by Board Member Mugge and a second by Board Member Waddell to adjourn. The following Board Members voted YEA: Primavera, Waddell, Sanders, Mugge and Dulin. The following Board Members voted NAY: None. Motion passed 5-0.

ADJOURNMENT.