

**CITY OF OKOBOJI BOARD OF ADJUSTMENT MEETING MINUTES FOR THE
MEETING HELD ON TUESDAY, MARCH 26, 2019
OKOBOJI CITY HALL**

The Board of Adjustment for the City of Okoboji met on the above date at 6:00 PM in the Okoboji City Hall. Board members present were Joyce Wadell, Ann Mugge, Steve Dulin, and Dan Sanders. Owen Primavera was excused from the meeting. Others present were City Administrator Michael Meyers and Jeff Rose.

Board Member Ann Mugge chaired the meeting in the absence of Board Member Primavera. Mugge called the meeting to order at 6:00 PM.

Motion made by Board Member Dulin and a second by Board Member Sanders to approve the minutes of the previous Board of Adjustment meeting for November 27, 2018. The following Board Members voted YEA: Wadell, Mugge, Dulin, Sanders. Motion passed 4-0.

Chairperson Mugge opened a public hearing to consider the conditional use permit application for lakeshore landscaping for Doug and Deb Reichardt (representing JD Ventures), owners of Lot 15, Fair Oak Beach in the City of Okoboji, Iowa commonly known as 6701 Lakeshore Drive. Administrator Meyers expressed that there were no letters written in favor of or in opposition of the proposed project. Chairperson Mugge expressed that neighbors had expressed concern with the proposed stone being utilized in the project citing the ordinance's requirement for natural field stone. Mr. Jeff Rose, project engineer, was present to speak in favor of the proposed project. There was no opposition.

Chairperson Mugge inquired about the stone and Rose expressed the images presented by the applicant were the preferred stone. Board Member Sanders inquired how much of the wall would be exposed, Rose explained that on the lakeside the height would be around 3.5'.

Board Member Sanders asked questions relating to the larger drainage pipe on the north side of the property outletting at the lake. Rose explained that this particular pipe was on the neighboring property but that there would be an inclusion of additional rock to help with erosion at the toe of the lakeshore.

Chairperson Mugge again asked about the stone that was being utilized in that it was a veneer and not a natural field stone. Board Member Dulin explained that it is real stone but it is cut in such a manner to be applied to the walls. Mugge expressed concern that it will not look natural to the lakeshore as the ordinance intends. Board Member Dulin commented that from a structural standpoint the concrete walls faced with stone may be necessary considering the tremendous amount of weight being retained. Mugge commented that the neighbor to the north has natural stone.

Board Member Sanders commented that the application went through the Planning and Zoning without too much comment on the look of the stone. Meyers commented that the Planning

and Zoning only briefly discussed the stone and felt that the presented stone was acceptable. Meyers also commented that the Planning and Zoning Commission commented quite a bit on the drainage and the drainage swales.

Board Member Waddell commented that she felt that there could be a good selection of available stone to make it appear as natural as possible. Board Member Mugge inquired about the cement walls. Meyers advised that concrete walls faced with rock was a practice that is acceptable and has been done in the past. Meyers advised of some past projects that were approved using such technique. Meyers read aloud the lakeshore landscaping ordinance describing concrete reinforced walls and their facing. Jeff Rose commented that the plants would give good cover once mature.

Board Member Sanders asked aloud if the Board should take no action on the item and send it back to the Planning and Zoning Commission for comment. Meyers commented on the delays it would create for the applicant. Board Member Mugge asked Rose if the applicant could consider alternative stone. Board Member Dulin asked if the stone on the left of the submitted plans was acceptable, Board Member Mugge responded by saying she did not think the neighbors would wholly appreciate either option.

Board Member Sanders commented that Planning and Zoning Commission approved the proposed options for stone but questioned whether the Board should relitigate something that the Commission recommended for approval. Board Member Sanders addressed the fact that the ordinance was largely written by the Planning and Zoning Commission and that he did not feel as though he should question their intent. Board Member Sanders commented that he would hate to see the impact that the Board might impose on the property owner by requesting dramatic change.

Administrator Meyers again commented that both the Planning and Zoning Commission and the Board of Adjustment have waived on the type of stone before. Meyers explained alternative options for approvals.

Board Member Dulin explained that he was not sure what the mindset of the Planning and Zoning Commission was and that he did not want to step on their toes. Meyers explained that he is in the process of re-drafting the Lakeshore Landscaping ordinance to remove the Board of Adjustment from this discussion in the future to eliminate duplication. Board Member Sanders asked if this was final and Meyers explained that this was still in draft form and would have to go through typical approvals including City Council before adoption.

Board Member Mugge agreed with Board Member Dulin that the rest of the project is largely consistent with what is believed to be acceptable the hesitation was on the choice of stone.

Board Member Sanders made a motion to table the discussion until 6:00 PM on Tuesday, April 2nd, 2019 to have further discussion with the property owners. There was no second. Motion failed.

Board Member Dulin expressed concern second guessing the Planning and Zoning Commission. Board Member Mugge questioned whether or not the Planning and Zoning Commission recognized what the Board is commenting on. Board Member Dulin said the

conversation should be had between the City and the Commission and the Board and not to hold the property owner back.

Board Member Dulin commented that there are many options relating to cut field stone. Dulin commented that asking for cut field stone was not a terrible burden.

Meyers explained that the Board should not consider the wall on north side of the property as that will be addressed in the general building permit of the new house. Meyers advised the Board should only considered the work being done on the lakeshore from the ordinary high water mark to the general grade of the property.

Motion made by Board Member Dulin and a second by Board Member Mugge approve the conditional use permit for lakeshore landscaping on condition that the applicant utilize cut natural stone be used as approved by City Staff. The following Board Members voted YEA: Wadell, Mugge, Dulin. The following Board Members voted NAY: Sanders Motion passed 3-1.

Motion made by Board Member Mugge and a second by Board Member Waddell to adjourn the meeting. The meeting was adjourned.

ADJOURNMENT.

Michael Meyers
City Administrator