

CITY OF OKOBOJI BOARD OF ADJUSTMENT MEETING
TUESDAY, OCTOBER 29, 2019 – 6:00PM
OKOBOJI CITY HALL
1322 HWY 71 N., OKOBOJI, IOWA 51355

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 Ann Mugge, Dan Sanders, Owen Primavera, Steve Dulin, and Joyce Waddell. Others present were City Administrator Michael Meyers, Nicole Cain, Nancy Cain, Alyx Campbell, and Michael Jensen.

Board Member Primavera chaired the meeting and call the meeting to order at 6:00pm.

Motion made by Board Member Dulin and a second by Board Member Sanders to approve the minutes from the previous Board of Adjustment meeting on September 24, 2019. The following Board Members voted YEA: Mugge, Sanders, Primavera, Dulin, Waddell. Motion passed 5-0.

Chairperson Primavera opened a public hearing to consider a variance request from Alyx Campbell, 1207 Depot Avenue, Unit #2, City of Okoboji, Iowa, 51355. The requested variance was for a front yard deck that will encroach into the front yard setback that is not allowable under Article V, Section 5.5 of the City of Okoboji Zoning Ordinance.

Chairperson Primavera read aloud the relevant documentation submitted to the Board of Adjustment including, but not limited to, application, appeal letter, memorandum from the City Administrator, and other details pertaining to the proposed deck. Chairperson Primavera indicated that there were no letters in favor or in opposition of the proposed project. Alyx Campbell, Nicole Cain, and Nancy Cain attended to speak in favor of the proposed deck.

Campbell advised that he did not have anything additional to add beyond what was already spelled out in the documentation. Campbell addressed the issue of the much larger right-of-way than that of the other residential neighborhoods in Okoboji. With the larger right-of-way that sets the property back much further than that of other neighborhoods.

City Administrator Meyers gave an overview on right-of-way widths in the City of Okoboji. Meyers confirmed that the right-of-way in front of this property is generally larger than most in the City. Meyers guessed that perhaps when Depot was originally platted it was intended to be more of an arterial street than what it has become.

Campbell advised that the proposed deck is only slightly larger, by 1-foot, than that what was previously constructed. The previous deck was damaged by a tree branch in a wind storm.

Chairperson Primavera felt that the right-of-way was unusually large and a special circumstance. Board Member Dulin advised that his right-of-way in front of his house is significantly less.

Chairperson Primavera closed the public hearing at 6:19 PM.

A motion was made by Board Member Sanders and a second by Board Member Waddell to approve the variance and allow for the front yard encroachment. The following Board Members voted YEA: Mugge, Sanders, Primavera, Dulin, Waddell. Motion passed 5-0.

Chairperson Primavera opened a public hearing to consider a variance request from the City of Okoboji, Central Water System, and Whitecap LLC for the property associated with and around the Central Water System pump house located on the southeastern corner of the intersection of Eden Street and Fairfield Street located in the City of Okoboji, Iowa, 51355. The requested variance was for fencing up to 8'8" tall that is not allowable under Article XI, Section 11.5.

Chairperson Primavera read aloud the relevant documentation submitted to the Board of Adjustment including, but not limited to, application, memorandum from the City Administrator, and other details pertaining to the proposed fencing. Chairperson Primavera indicated that there was a letter of support from Lee Seemen. There were no letters in opposition. Michael Jensen attended to speak in favor of the proposed fence.

City Administrator Meyers advised that the majority of this project is within the City right-of-way. Meyers advised that private residents in the neighborhood wish to remove the white fencing and erect brown fencing. Meyers commented that the white fencing was initially meant to match that of the Inn property. Meyers commented that his biggest concern was that Central Water System was okay with the project. Meyers commented that they were okay with it. Meyers believes it will be an aesthetic improvement upon the neighborhood. Meyers advised that the fencing will be screening and securing the existing utility and generators at this location.

Michael Jensen advised that the fence would start at the concrete block wall and taper down towards the lake. Meyers advised that the existing concrete block wall is around 8.5' in height. Jensen advised that considerable discussion has been had with Central Water to ensure that the footprint was okay with Central Water System.

Chairperson Primavera closed the public hearing at 6:41 PM.

A motion was made by Board Member Dulin and a second by Board Member Waddell to approve the variance for fence height. The following Board Members voted YEA: Mugge, Sanders, Primavera, Dulin, Waddell. Motion passed 5-0.

Chairperson Primavera opened a public hearing to consider a Conditional Use Permit for a condominium the property located at 1301 Country Club Drive owned by Jensen Investments, LLC. The Planning and Zoning Commission recommended this Conditional Use Permit for approval on October 7, 2019. As per Article XVIII of the City of Okoboji Zoning Ordinance.

Chairperson Primavera read aloud the relevant documentation submitted to the Board of Adjustment including, but not limited to, application memorandum from the City Administrator, and detailed pertaining to Section 18.5, Conditional Use Standards and Restrictions, of the City of Okoboji Zoning Regulations.

City Administrator Meyers explained that the proposed condominium was a conditional use of the R-2 Zoning District (Multiple Family Residential). Meyers commented that the use of the property has always been a condominium and that the proposed use was to remain the same. Meyers commented that a conditional use permit was not issued originally because the use of the property pre-dated modern zoning regulations.

City Administrator Meyers explained the conditional use permit process to the Board of Adjustment and more specifically the permitted and conditional uses of the R-2 zoning district.

Chairperson Primavera noted the decrease in density with the proposed building compared to what was there previously.

Jensen explained the building plans in more detail and identified that the existing garages would remain along with the proposed new structure.

Chairperson Primavera closed the public hearing at 6:58 PM.

A motion was made by Board Member Mugge and a second by Board Member Waddell to approve the conditional use permit. The following Board Members voted YEA: Mugge, Sanders, Primavera, Dulin, Waddell. Board Member Dulin abstained. Motion passed 4-0.

The meeting was adjourned at 7:00 PM.

ADJOURNMENT

Michael Meyers
City Administrator