

**CITY OF OKOBOJI PLANNING AND ZONING COMMISSION MEETING MINUTES
MONDAY OCTOBER 7, 2019 – 5:30 PM
OKOBOJI CITY HALL**

The Planning and Zoning Commission for the City of Okoboji met on the above date at 5:30 PM in the Okoboji City Hall. Commission members present were Les Marousek, Hank Grant, Perry Pearson, Barb Mendenhall, and Jane Shuttleworth. Others present were City Administrator Michael Meyers and Michael Jensen.

Commissioner Perry Pearson chaired the meeting and called the meeting to order.

Motion made by Commissioner Grant and a second by Commissioner Shuttleworth to approve the minutes from the previous Planning and Zoning Commission meeting held on September 3, 2019 with edits to be made relating to a date that was incorrect. The following Commissioners voted “YEA”: Marousek, Grant, Pearson, Mendenhall, Shuttleworth. Motion passed 5-0.

Chairperson Pearson introduced and opened a public hearing to make a recommendation on a Conditional Use Permit Application from Jensen Investments, LLC, 1301 Country Club Drive, Okoboji, Dickinson County, Iowa. There were no written letters in favor or opposition of the Conditional Use Permit.

Pearson invited Michael Jensen to give an overview of the proposed Conditional Use Permit. Jensen advised that the existing building caught fire and that the more appropriate route would be to demolish and rebuild. Jensen explained that this would be less an apartment building and more of a townhouse building with garages. Jensen advised that this new building would be structured as a condominium more so than an apartment.

Commissioner Shuttleworth inquired why a conditional use permit was needed when the existing use was already an apartment or condominium. City Administrator Meyers advised that City Staff looked for an already existing conditional use permit and reminded the Commission that conditional use permits run with the land until the use is no longer. Meyers advised that the existing structure was built in the very early 1970s and that it pre-dated modern Okoboji zoning therefore a conditional use permit was never issued. In order to rebuild, Meyers advised that a conditional use permit would be needed.

Discussion took place relating to the definitions of ‘APARTMENT’ and ‘CONDOMINIUM’, the Planning and Zoning Commission came to the determination that the term condominium was more appropriate for this.

Chairperson Pearson commented on the amount of detail provided to the Commission relating to the conditional use standards and restrictions laid out in Section 18.5 of the City’s Zoning Regulations.

Motion made by Commissioner Mendenhall and a second by Commissioner Grant to recommend the conditional use permit application for Jensen Investments, LLC of 1301 Country Club Drive for approval to the City of Okoboji Board of Adjustment with the condition that this be considered a condominium not an apartment. The following Commissioners voted "YEA": Marousek, Grant, Pearson, Mendenhall, Shuttleworth. Motion passed 5-0.

Chairperson Pearson discussed issues of lakeshore landscaping specifically relating to Permit #18-26. City Administrator Meyers explained that the final project was not matching what was submitted to the City in terms of lakeshore landscaping. Meyers explained that there were some additional tiered walls that were never resented in a plan. Meyers commented that he felt what was done was entirely consistent with the ordinance but the City was never advised of the changes. Meyers advised that he has reached out to the property owner and their representatives but had not heard back at this time. Meyers wanted to advise the Commission.

Commissioner Mendenhall advised that the changes taking place on lakeshore landscaping projects needs to stop. Commissioner Grant advised better communication may be better. Meyers advised that communication starts with the issuance of the permit. Meyers remaindered the Commission that the City requires contractors and engineers to sign off on a final inspection form that states the property owner and applicant have built this project to spec and to plan. Meyers advised that this happened for this project but still was not to plan.

Commissioner Mendenhall read aloud the sections of the lakeshore landscaping ordinance pertaining to the City levying fines against those who go off script.

Commissioner Grant advised he felt the Engineer on the project should be present to explain why the final inspection was signed off on.

Meyers advised that the revisions to the lakeshore landscaping ordinance give City Staff enough administrative flexibility to review mid-project changes without significant additional input.

Chairperson Pearson advised that the City needs to spell out mid-project changes better from the onset.

The Planning and Zoning Commission requested that the property owner and representatives of the property owner appear before the Commission in November to discuss further.

No further action taken.

City Administrator Meyers reminded the Planning and Zoning Commission that he has a long list of zoning items that he would like to address that he will be working on over the winter in an effort to move them along.

City Administrator Meyers reminded Commissioner Mendenhall, Pearson, and Grant that they are signed up for a training seminar on October 15, 2019.

Commissioner Shuttleworth briefly discussed other issues of lakeshore landscaping including a process being promoted by the Dickinson County Clean Water Alliance.

Motion made by Commissioner Grant and a second by Commissioner Marousek to adjourn. The following Commissioners voted "YEA": Marousek, Grant, Pearson, Mendenhall, Shuttleworth. Motion passed 5-0.

ADJOURNMENT

Michael Meyers
City Administrator
City of Okoboji