

**CITY OF OKOBOJI BOARD OF ADJUSTMENT MEETING  
THURSDAY, JANUARY 30, 2020 – 6:00 PM  
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, and Steve Dulin. Joyce Waddell was present via telephone. Board Member Primavera was excused. Others present were City Administrator Michael Meyers, Lori Kutchel, and Scott Kutchel.

Board Member Sanders chaired the meeting and called the meeting to order at 6:00pm.

Motion made by Board Member Mugge and a second by Board Member Dulin to approve the minutes from the previous Board of Adjustment meeting on October 29, 2019. The following Board Members voted YEA: Mugge, Sanders, Dulin, Joyce. Motion passed 4-0.

Chairperson Sanders opened a public hearing to consider a variance request from Kutchel Homes, 1019 Highway 71 S., Okoboji, Iowa, 51355. The requested variance was for an additional identity sign on the norther portion of their building.

Chairperson Sanders re aloud the relevant documentation submitted to the Board of Adjustment including, but not limited to, application, appeal letter, memorandum from the City Administrator, Section 17.6.5 of the City of Okoboji Zoning Ordinance, and other details pertaining to the proposed signage. Chairperson Sanders read aloud one letter of support from Butch Parks and one letter of objection from Mark and Becky Klemme. Scott and Lori Kutchel were present to speak in favor of the proposed signage.

Chairperson Sanders opened a public hearing to discuss the proposed variance.

Scott Kutchel spoke in favor of the proposed signage and further detailed his request. Kutchel noted that motorists driving south are unable to recognize that there is an existing business in the southern unit due to it looking vacant from that portion of Highway 71. Kutchel noted that it is difficult for a southbound driver to see the exsiting signage without completely turning around.

Board Member Waddell requested clarification on which portion of the building the sign was being requested. Administrator Meyers and Kutchel confirmed that the proposed signage was just one sign, identical to the existing, specifically for the north portion of the structure.

Board Member Mugge discussed Section 13.7.C of the City's Zoning Ordinance which discusses the number of wall signs that may be mounted on any building. The Board and

Administrator Meyers discussed the ambiguity of this portion of the City's Zoning Ordinance including the differences between an identity sign and a wall sign.

Board Member Waddell inquired about whether this is or is not technically a corner lot. Administrator Meyers described that it was not due to no second street frontage.

Board Member Sanders inquired about a roof sign. Administrator Meyers advised that roof signs are not permissible and would require a variance on their own. Meyers opined that this would not be a good location for a roof sign as the building has specific wall signage areas running across the top.

Board Member Dulin acknowledge the difficulty of not being able to see the business and felt that adding a new sign would be a simple solution.

Board Member Mugge advised that it would be difficult for the Board to make an approval considering the language of the Zoning Ordinance.

Board Member Dulin commented that the building is not parallel to Highway 71 creating a hardship that is not faced by other businesses near by.

Board Member Sanders noted that the Board needed to make affirmative findings on Section 17.6.5 of the City's Zoning Ordinance. Sanders was not confident that he felt this met all of these criteria.

Scott Kutchel addressed these concerns and gave his explanation as to how his request satisfies these criteria explaining that his business cannot market itself in the same manner as other businesses that are parallel to Highway 71.

Board Member Sanders closed the public hearing at 6:39 PM.

Board Member Mugge explained that she did not want to set precedent. Mugge did believe that there were special circumstances with this application. Mugge believed that the Planning and Zoning Commission needs to review this portion of the signage regulations within the Zoning Ordinance.

Board Member Sanders did not believe the application meet all the necessary conditions. Sanders expressed concern over the precedent and what other buildings might want additional signage. Sanders referenced the ordinance and how it was written. Sanders too encouraged review of this portion of the Zoning Ordinance.

Board Member Dulin felt that this did meet the criteria and that the business faces hardships that other businesses do not. Dulin specifically notates the angle of the existing structure and how it creates issues which are at no fault of the occupant.

Board Member Mugge commented that there clearly was a sign on this wall before as evident by the fading of the paint. Mugge believed that this sign was within reason to be placed on the structure.

Board Member Waddell believed that the ordinance did not allow for this signage by the way it is presently written.

Motion made by Board Member Dulin and a second by Board Member Mugge to approve the proposed signage variance. The following Board Members voted YEA: Dulin, Mugge. The following Board Members voted NAY: Sanders, Waddell. Motion failed 2-2.

Scott Kutchel inquired about a second hearing with a full Board of Adjustment present. Administrator Meyers advised that he would follow up with the applicant on this possibility.

The meeting was adjourned at 7:00 PM.

ADJOURMENT.

Michael Meyers  
City Administrator