

CITY OF OKOOBJI
MINUTES OF THE BOARD OF ADJUSTMENT MEETING
WEDNESDAY, JANUARY 6, 2020 – 6:00PM

The Board of Adjustment for the City of Okoboji met on the above date at 6:02pm via Zoom teleconference. Board Members present were Ann Mugge, Dan Sanders, Steve Dulin, and Owen Primavera. There is presently one Board of Adjustment position vacant. Others present were Michael Meyers, Koby Pritchard, Chad Kockx, Jim Caffrey, Debbi Parks, Jeff Hoemann, Mike Pritchard and Kim Tiefenthaler.

Board Member Dulin acting as Chairperson chaired the meeting and called the meeting to order at 6:00pm.

Motion made by Board Member Sanders and a second by Board Member Mugge to approve the minutes of the previous Board of Adjustment meeting on December 10, 2020. The following Board Members voted “YEA”: Mugge, Sanders, Dulin, Primavera. Motion passed 4-0.

Boardmember Dulin opened a public hearing to consider a variance request from the Seeman Chateau Condominium Association, owners of 1409 Givens Point, Okoboji, Iowa. The variance requested was to rebuild an existing deck with an added 10’ extension on the south side of their principal structure.

Boardmember Dulin read 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 request. There were no letters in support of or opposition to this variance request.

Jeff Hoemann spoke in favor of the proposed reconstruction and addition. Hoemann identified the age of the structure pertaining to the adopted zoning text. Hoemann advised they simply wished to first rebuild what they had in place and add on a few additional feet to expand their use of the deck.

Kim Tiefenthaler requested additional clarification from City Administrator Meyers pertaining to the City’s perceived violation of the Zoning Ordinance. Meyers provided maps and clarification on this matter. Tiefenthaler advised that the deck was in dire need of replacement and wanted to make the structure safe.

Mike Pritchard offer support for the project.

Jim Caffrey advised that the structure was in need of repair and unsafe.

Hoemann and Tiefenthaler advised the Board on previous maintenance projects and the current condition of the existing decks.

Board Member Mugge inquired about the deck extension. Condominium Association members present confirmed that their desire was to extend all of the decks an additional 10’ to the south.

Board Member Sanders advised that he felt there were two portions to this project and that the Board might consider portion one, the replacement of the deck, and portion two, the extension, separate of each other.

Boardmember Primavera discussed historical aspects of the Board of Adjustment and how he believed the intent has always been to allow for the repair of non-conforming structures within reason Primavera saw no issues with the proposed reconstruction.

Boardmember Dulin agreed with Boardmember Sanders to handle the issues separate of each other.

Boardmember Sanders advised that the current deck was all on a foundation that was part of the principal structure itself. Sanders advised that he feels strong for safety reasons and others that they should be allowed to reconstruct the current deck and stairwell to ensure sturdiness and safety. Sanders felt that there was a possible middle ground on the extension.

At the request of Boardmember Mugge, City Administrator Meyers gave a detailed overview of the nonconformity of the existing structure and how the 10' addition would also further the nonconformity of the structure.

Boardmember Dulin advised that he is in agreement on the replacement of the existing deck advising that he had no doubt it needed replacement.

Boardmember Mugge asked if there were ways to have the deck conform with the addition. Meyers advised that there certainly was but it would require a reconfiguration of the proposed footprint to avoid the non-conforming triangle of property on the eastern edge. Meyers advised that it was not so much the extension of the structure as it was the width of the structure on the east side.

Boardmember Dulin advised that he thought it would be challenging to construct an extension without it being in violation and aesthetically would look different. Boardmember Sanders advised of a way he felt would work.

Motion made by Boardmember Sanders and a second by Board Member Primavera to grant the variance to allow for the reconstruction of the current deck based on its current footprint and to allow for a 10' extension so long as there was no encroachment within the side yard setback. The following Board Members voted "YEA": Mugge, Sanders, Dulin, Primavera. Motion passed 4-0.

Boardmember Mugge advised that she was in agreement with this and did not want to expand the nonconformity of the lot.

Motion made by Boardmember Sanders and a second by Boardmember Mugge to adjourn the meeting. The following Board Members voted "YEA": Mugge, Sanders, Dulin, Primavera. Motion passed 4-0.

ADJOURNMENT

Michael Meyers, City Administrator

