

ORDINANCE NO. 264

CITY OF OKOBOJI, IOWA

AN ORDINANCE AMENDING THE 2013 OKOBOJI ZONING ORDINANCE BY AMENDING SECTION 14.4 NONCONFORMING USES OR STRUCTURES IN ANY RESIDENTIAL ZONED DISTRICTS.

WHEREAS, the 2013 Okoboji Zoning Ordinance and zoning map on file in the office of the City Clerk designates certain standards as provided by Chapter 414, Code of Iowa, and;

WHEREAS, it is deemed advisable and recommended by the Planning and Zoning Commission that section 14.4 NONCONFORMING USES OR STRUCTURES IN ANY RESIDENTIAL ZONED DISTRICTS be amended within the Okoboji Zoning Ordinance;

NOW THEREFOR IT BE ORDANED, by the City Council of Okoboji, Iowa;

Section 1. AMENDING EXSITING ZONING TEXT, Section 14.4 NONCONFORMING USES OR STRUCTURES IN ANY RESIDENTIAL ZONED DISTRICT. The Okoboji Zoning Ordinance is hereby amended to read:

3. Board of Adjustment. The Board of Adjustment may permit the continuance of a nonconforming use that has been damaged by fire, flood, explosion, war, riot or act of God, to the extent of more than 50% of its market value, where the Board finds some compelling necessity requiring the continuance of the nonconforming use so long as the continuance of the nonconforming use does not increase in intensity.

Section 3. REPEALER. All ordinances or parts of the previous adopted 2013 Okoboji Zoning Ordinance, or amendments thereto, in conflict with the provisions of this zoning amendment are hereby repealed.

Section 4. SEVERABILITY CLAUSE. If any section, provision, or any part of this zoning amendment is determined to be invalid or unconstitutional, such adjudication shall not affect the validity of the previously adopted 2013 Okoboji Zoning Ordinance or amendments thereto, as a whole, or any part or provision of the zoning amendment not determined to be invalid or unconstitutional.

Section 5. EFFECTIVE DATE. This zoning amendment shall be in full force and effect from after passage and publication in a newspaper of general circulation in the City of Okoboji.

PASSED on the first consideration on JUNE 8, 8, 2021

PASSED on the second consideration on WAIVED, \_\_\_\_\_, 2021

PASSED on the third consideration on WAIVED, \_\_\_\_\_, 2021

ADOPTED on JUNE, 8, 2021

PUBLISHED on JUNE, 16, 2021

Mary VanderWoude, Mayor

Mary VanderWoude, Mayor

Michael Meyers

Michael Meyers, City Administrator / Clerk