MINUTES OF THE CITY OF OKOBOJI PLANNING AND ZONING COMMISSION
MEETING HELD ON JUNE 30, 2025 AT 5:30PM

The Planning and Zoning Commission met on the above date and time at the Okoboji City Hall. Commission members present were John McMahon, Barry Nadler and Dorris Welle. Commissioner Matt Lanfear joined the meeting at 5:44PM. Commissioner Mendenhall was excused. Others present were City Administrator Michael Meyers and Dan Sanders.

NEW BUSINESS

Motion made by Commissioner Nadler and a second by Commissioner McMahon to approve the meeting minutes from the May 8, 2025 Planning and Zoning Commission meeting. The following Commissioners voted "YEA": McMahon, Nadler and Welle. Motion passed 3-0.

Chairperson Welle introduced a proposed zoning code amendment that would require a post-foundation survey for all new structures or additions exceeding 500 square feet within the R-3, Lakeshore Residential zoning district.

Commissioner Nadler expressed support for the proposal, stating that it was practical and could help avoid costly issues or disputes down the road by confirming compliance early in the construction process.

City Administrator Meyers clarified that this agenda item, along with the next, was intended to initiate discussion ahead of a potential public hearing, should the Commission choose to move forward. Meyers explained the proposed language, noting that any new principal structure (e.g., a house) or addition over 500 square feet on a permanent foundation would be required to submit a post-foundation survey to verify the foundation's placement matches what was submitted during the permit process.

Commissioner Nadler recommended using the term "structure" rather than "principal structure" to ensure the requirement applied broadly and consistently.

Meyers outlined proposed exemptions, including decks, patios, and small accessory buildings. He also noted that structures placed more than five feet beyond the required minimum setback would be exempt. For example, if the side yard setback is ten feet and the proposed structure is set back fifteen feet, a post-foundation survey would not be necessary due to the minimal risk of encroachment.

Chairperson Welle asked what type of documentation would be submitted. Meyers explained that a licensed land surveyor, hired by the property owner, would be responsible for re-surveying the lot to confirm the foundation's exact location and setbacks.

Commissioner Nadler inquired about enforcement. Meyers stated that the ordinance would require submission of the survey once the structure's walls begin going vertical. The City would monitor construction progress and follow up directly with contractors if surveys are not submitted. Meyers emphasized that once codified, compliance would be expected and enforced, and that violations could be referred to the City Attorney if necessary.

Meyers also noted that Dickinson County recently adopted a similar ordinance.

No formal action was taken at this meeting. The Commission discussed setting a public hearing for formal consideration in July.

Chairperson Welle introduced a proposed zoning code amendment that would increase the rear yard setback within the R-3, Lakeshore Residential zoning district.

City Administrator Meyers explained that current code allows for a zero-foot setback from the road for lake-adjacent properties. He noted a recent increase in construction of such structures and shared that residents have expressed concerns related to safety (visibility issues for vehicles, cyclists, and pedestrians), aesthetics, and snow removal. Meyers pointed out that the City of Okoboji is currently the only jurisdiction in the Iowa Great Lakes region with a 0' setback, while other communities typically require setbacks between 20 and 35 feet.

Meyers emphasized the distinction between principal and accessory structures, stating that while most principal structures are set further back, accessory structures are often built very close to the road. He wanted the Commission to be aware of these definitions when considering the amendment.

Commissioner Lanfear commented that many of the principal structures located near the road are newer homes.

Meyers also referenced new state legislation requiring that accessory dwelling units follow principal structure setback requirements. He noted that, under current code, guest houses could theoretically be built directly on the lot line, and increasing the setback could mitigate this issue, particularly on shallow lots.

Commissioner Lanfear suggested exploring a formula-based setback tied to lot size to avoid assigning an arbitrary number. Chairperson Welle expressed a preference for a fixed measurement. Meyers noted that using formulas was possible—side yard setbacks utilize a percentage of lot width, for example, are already calculated that way.

Lanfear emphasized the importance of presenting a thoughtful approach and wanted to understand the range of impact such a change could have, especially regarding how many properties would become nonconforming. He stressed the need for a setback that is both reasonable and meaningful.

Dan Sanders, a member of the public in attendance, urged the Commission to consider accessory structures specifically. He shared concerns about properties where vehicles must enter the street before they can fully back out of garages.

Commissioner Nadler stated the setback should be sufficient to allow a full vehicle to park behind a garage without encroaching onto public right-of-way.

Meyers acknowledged that a setback increase would likely result in a number of nonconforming structures.

Lanfear reiterated that lot depths vary significantly and applying a universal number may be difficult. Commissioner McMahon questioned whether a formula-based approach might disproportionately affect those with deeper lots. Lanfear responded that a formula could, in theory, be more equitable.

Sanders noted that while a formula might allow smaller setbacks for shallow lots, it wouldn't address the safety concern. He advocated for using a consistent measurement in feet to ensure uniformity and safety.

Commissioner Nadler asked if any nearby communities use a formula approach. Meyers replied that Milford uses a formula based on square footage of the structure. Nadler expressed a preference for consistent standards rather than varying setbacks by lot.

Lanfear raised the issue of how newly nonconforming structures would be treated. Nadler clarified that as long as the structure's footprint remains unchanged, renovations and repairs could still occur. Meyers agreed.

Chairperson Welle stated that no formal action would be taken at this meeting but recommended continuing the discussion in July, beginning with a proposed setback of 20 feet. Meyers agreed to compile additional data for further review.

Commissioner McMahon noted that this change would not drastically affect existing structures and that even those becoming nonconforming would not be impacted immediately. The proposed change would primarily apply to new property owners.

Meyers shared that a similar discussion occurred approximately 20–25 years ago but was not pursued at the time due to the number of nonconforming structures it would create. However, he noted that this discussion predated a more recent ordinance allowing otherwise conforming additions to nonconforming structures.

Meyers added that this change would likely have a greater impact on existing property owners seeking to expand due to growing families rather than new buyers who typically plan for setbacks when rebuilding.

Commissioner Lanfear reiterated his interest in reviewing more data and raised ongoing concerns about the potential for instant nonconformity. He wanted clarity on how those cases would be addressed.

Commissioner Nadler emphasized the importance of public safety, consistency, and allowing the Board of Adjustment to review individual cases based on merit. Chairperson Welle agreed.

Commissioner Lanfear concurred with the general direction of the discussion but reiterated his desire for an informed and well-reasoned decision regarding the appropriate setback number.

Chairperson Welle requested that City Administrator Meyers collect additional data and use 20 feet as a baseline for the next round of discussions. No further action was taken.

City Administrator provided the Commission an updated on recent legislation passed the state level requiring cities and counties to allow for accessory dwelling units to be allowed on residentially zoned properties. Meyers noted that he reviewed the legislation with the City Attorney and that both he and the attorney interpreted the legislation similarly.

ADJOURNMENT

The meeting adjourned at 6:42 PM.

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Michael Meyers
City Administrator