**MINUTES OF THE CITY OF OKOBOJI PLANNING AND ZONING COMMISSION**
**MEETING HELD ON JULY 28,2025 – 5:30 PM**

The Planning and Zoning Commission met on the above date and time at the Okoboji City Hall. Commission members present were Matt Lanfear, John McMahon, Barb Mendenhall, Barry Nadler, and Doris Welle. Others present were City Administrator Michael Meyers, Ruth Ann Burke, Michael Burke, Matt Thelen, Dan Sanders, Dustin Reynolds, and Darrin Kruse.

**NEW BUSINESS**

Doris Welle chaired the meeting.

Chairperson Welle presented the previous meeting minutes. Motion made by Commissioner Nadler and a second by Commissioner Lanfear to approve the meting minutes from June 30, 2025. The following Commissioners voted AYE: Lanfear, McMahon, Mendenhall, Nadler, Welle. Motion passes 5-0.

Chairperson Welle presented for consideration and recommendation an application for Emergency Lakeshore Landscaping for the property located at 3807 Lake Shore Drive.

City Administrator Meyers provided an overview of the application. Meyers noted that this application is to repair and reconstruct a lakeshore failure that took place in June 2024. Meyers advised that City Staff has administratively approved many of these but that this application involved a boathouse reconstruction and wished to get Commission recommendation similar to another application that was approved in the previous calendar year. Meyers presented photos displaying significant lakeshore and structure damages along with preexisting photos. Meyers noted from the landscaping perspective that it was similar to many other already approved plans.

Matt Thelen, Oleson Landscape & Design, provide a detailed overview of the proposed reconstruction. Thelen noted that the foundation of the structure should be removed as its compromised and replaced.

City Administrator Meyers noted that the entire structure will need to be on the correct side of the ordinary high water mark. Meyers asked the height of the boat house and it was noted that the interior height was 9 feet and that it was a one-story structure.

Commission Nadler inquired if the plan complies with the lakeshore landscaping ordinance. Meyers noted that from an engineering perspective it meets the intent of the ordinance. Meyers explained the process of how these are reviewed.

Motion made by Commissioner Mendenhall and a second by Commission McMahon to recommend the Emergency Lakeshore Landscaping Application for approval. The following Commissioners voted AYE: Lanfear, McMahon, Mendenhall, Nadler, Welle. Motion passes 5-0.

Dustin Reynolds, Midwest Companies, advised the Commission how challenging it has become to find engineers to do lakeshore and low impact development plans.

Chairperson Welle moved agenda item “E” as the next item for consideration.

Chairperson Welle opened a public hearing to discuss a potential rezoning of 2001 Highway 71 N and 2101 Highway 71 N (Okoboji Summer Theatre) from a split zoned R-1/C-1 to be entirely C-1.

City Administrator Meyers explained that the Okoboji Summer Theatre property is split-zoned: approximately three-quarters of the lot is C-1, General Commercial, while the rear quarter is R-1, Single Family Residential. He noted this likely stems from when zoning was first established in the early 1970s, when district boundaries were set by fixed distances from the highway rather than by lot lines.

This split zoning creates challenges for the Theatre, which would like to replace student housing located in the R-1 portion of the property. R-1 zoning does not permit multiple small housing units, regardless of the fact that most of the lot is zoned commercial. Meyers pointed out that the original cottages were likely built without close attention to the zoning requirements at the time.

He shared that he has met with Theatre representatives multiple times, and all parties agree it is best to resolve the ambiguity moving forward. Rezoning the property fully to commercial would eliminate the conflict and allow proper permitting.

Michael Burke, representing Okoboji Summer Theatre, added that the City previously approved a master plan for improvements in 2014 and that the updates will enhance the overall appearance of the site.

Meyers emphasized that this action primarily addresses a quirky zoning situation and will help prevent future issues.

Motion made by Commissioner Lanfear and a second by Commission Mendenhall to recommend approval for the request of rezoning. The following Commissioners voted AYE: Lanfear, McMahon, Mendenhall, Nadler, Welle. Motion passes 5-0.

Chairperson Welle opened a public hearing to discuss a proposed amendment to the 2013 Okoboji Zoning Ordinance to add Section 7.10, required a post-foundation survey for all structures and additions exceeding 500 square feet within a R-3, Lakeshore Residential zoned district.

City Administrator Meyers explained that residents within the R-3 Lakeshore Residential district would be required to submit a post-foundation survey verifying that the foundation was placed accurately and in accordance with the site plan approved by the City as part of their permit.

Commissioner Mendenhall positively discussed the minutes from the previous meetings discussion on this topic.

Motion made by Commissioner Nadler and a second by Commission McMahon to recommend approval for the amendment to the 2013 Okoboji Zoning Ordinance to add Section 7.10, requiring a post-foundation survey for all structures and additions exceeding 500 square feet within a R-3, Lakeshore Residential zoned district. The following Commissioners voted AYE: Lanfear, McMahon, Mendenhall, Nadler, Welle. Motion passes 5-0.

Chairperson Welle opened a public hearing to discuss a proposed amendment to the 2013 Okoboji Zoning Ordinance related to the rear yard setback requirements for principal and accessory structures in R-3 Lakeshore Residential zoned properties. City Administrator Meyers advised that he reviewed all lake adjacent lots within the City of Okoboji, including both West Lake and East Lake, to the best of his ability with the tools available. Meyers noted that his data was an educated estimate utilizing GIS tools, and while it may be accurate it could also be off by several feet. Meyers explained that he reviewed how far principal and accessory structures were set back from the rear lot line and also looked at how changes to setback requirements might affect the buildable area of each lot.

Meyers reported that not many principal structures are at 0’ on the lot line and those that are were generally built within the past five to ten years. He noted that the bigger problem appeared to be accessory structures, as many detached garages and similar buildings are located directly on the lot line. Meyers reminded the Commission that one of the main concerns from the previous meeting was ensuring that a homeowner could back a full-size vehicle out of a garage and remain wholly on private property. He noted that full-size trucks are generally about 20’ in length. Using that standard, Meyers analyzed a 20’ setback and advised that approximately 49 of 313 principal structures (16%) would become nonconforming, about 66% of accessory structures would become nonconforming, and 105 properties would lose more than 15% of their buildable area. Meyers clarified that 15% was an arbitrary figure but used as an example of how lots could be impacted.

Commissioner Mendenhall asked what impact this would have on accessory dwelling units. Meyers explained that ADUs are required to meet principal structure setbacks, meaning they could currently be located at 0’ from the lot line, and that the proposed change would limit opportunities for ADUs. Discussion followed regarding how this setback might create nonconformity across the community.

Commissioner Nadler advised that residents he had spoken with largely agreed that backing a vehicle out of a garage while staying on private property was a valid safety concern. Nadler added that his property is nonconforming and that it has not created problems.

Commissioner Mendenhall noted that while there had been prior discussion of using a formula based on lot depth or other factors, she felt it was simpler to use a fixed number.

Commissioner Lanfear described data and analytics he prepared using Meyers’ review, which suggested a 9’ setback as the least impactful option, though he clarified that he was not specifically recommending that number.

Chairperson Welle noted that very few residents own small cars and that larger vehicles are the norm. Dan Sanders commented that the majority of impacted structures were accessory buildings.

Commissioner McMahon reminded the Commission that nonconforming does not mean a property owner is in violation or that the property is negatively marked, but rather that the ordinance has changed and the property configuration is no longer permitted under current code. McMahon stated that while he did not like the number of nonconforming properties the change would create, he felt that when considered in the context of why the change was being made, it was more acceptable.

Chairperson Welle observed that the City of Okoboji is currently on the extreme end in Dickinson County regarding rear yard setbacks.

Commissioner Lanfear stated that he had not realized principal and accessory structures could be considered separately and asked City Administrator Meyers to provide examples of accessory structures. Meyers responded that accessory structures include detached garages, carports, storage sheds, and similar, but that most were detached garages.

Commissioner Mendenhall asked about new homes being built and whether they typically had attached or detached garages. Meyers replied that he believed almost all new builds were using attached garages, which are considered part of the principal structure.

Dan Sanders encouraged that principal and accessory structure setbacks be treated separately.

Motion was made by Commissioner Nadler and seconded by Commissioner Mendenhall to recommend to the City Council an amendment to Section 7.5 requiring a 20' rear yard setback for littoral (lakeshore) lots for principal structures. The following Commissioners voted AYE: Lanfear, McMahon, Mendenhall, Nadler, Welle. Motion passed 5-0.

Motion was made by Commissioner Nadler and seconded by Commissioner McMahon to recommend to the City Council an amendment to Section 11.12.4 requiring a 20' rear yard setback for accessory structures in the R-3 Lakeshore Residential district. The following Commissioners voted AYE: McMahon, Mendenhall, Nadler, Welle. The following Commissioner voted NAY: Lanfear. Motion passed 4-1.

ADJOURNMENT

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Chairperson Dorris Welle

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City Administrator Michael Meyers