MINUTE OF THE CITY OF OKOBOJI PLANNING AND ZONING COMMISSION
MEETING HELD ON OCTOBER 27, 2025 – 5:30PM

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, John Hight, Mat Thelen, Ryan Brown, Steve Wilkening, Brigid Wilkening, and Ross McWhirter.

NEW BUSINESS

Doris Welle chaired the meeting.

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

Chairperson Welle opened discussion regarding previously issued emergency lakeshore landscaping permits. City Administrator Meyers explained that City staff had issued three emergency lakeshore landscaping permits for adjacent properties that were impacted by natural disaster events during the summer of 2024. He noted that the reconstruction work had generally followed methods historically accepted by the City, however, City staff was hesitant to close out the project.

Meyers stated that both he and the City Engineer believed the final construction was not consistent with the plans originally submitted. Specifically, he noted the presence of a shelf-like or flat area at the toe of the lakeshore. Meyers advised that had this condition been clearly represented on the plans, the City would not have approved it. He explained that the plans appeared to call for a consistent slope to the lake, which was not what was ultimately constructed. Meyers described ongoing communication with the contractor and property owners regarding how to proceed and reiterated that he was uncomfortable signing off on the projects without direction from the Commission.

Commissioner Nadler asked for clarification on the concern. Meyers explained that flat areas at the toe of the lakeshore are typically avoided or prohibited due to the risk of them being used as patios, storage areas, or other recreational spaces. While the current homeowners strongly stated that this was not their intention, Meyers noted that property ownership can change, and future owners may use the area differently. He referenced a recent situation where a naturally occurring flat area was converted into a pea gravel patio, which the City required to be restored to a native condition.

Mat Thelen, contractor representing the property owners, stated that the properties lost more than 700 cubic yards of soil into the lake due to a landslide beyond the owners' control. He explained that the soil could either be removed or left in place, and removal would have added approximately $200,000 to the already substantial project cost. Thelen stated that the area identified by the City as "flat" consisted of eroded material that needed to be riprapped for stabilization. He also noted that this buffer area was necessary to protect the reconstructed bank from future erosion or collapse. Thelen further stated that most of the area in question fell under State jurisdiction rather than City jurisdiction and emphasized that the space was small and, in his opinion, largely unusable for anything beyond dock storage or access.

Commissioner Mendenhall asked why the slope did not extend farther lakeward to eliminate the shelf. Thelen explained the necessity to protect the bank and that naturally occurring springs within the bank required tiling and influenced the final design, noting the prevalence of springs along the lakeshore.

Commissioner Lanfear stated that it seems the contractor had made an on-site environmental determination. While acknowledging Meyers' concerns, he emphasized the small size of the area and noted that there were no legal ways to construct permanent improvements there regardless.

Property owner Brigid Wilkening stated that her intent was to heavily vegetate the area so it would blend naturally into the environment. Commissioner Mendenhall stated that while he believed her intentions, she remained concerned about future property transfers and asked whether there was a way to restrict future use.

Commissioner Lanfear commented that the contractor should have communicated the issue more clearly with the City prior to and during construction, but acknowledged that the situation had already occurred.

Meyers clarified that City staff had been granted authority to administratively approve these emergency permits to expedite recovery efforts for disaster-impacted property owners. He stated that it is uncommon for staff to approve lakeshore landscaping permits without Commission review, but this authority was granted to move projects forward efficiently. Meyers emphasized that he was not characterizing the outcome as right or wrong, but rather as unexpected, and sought Commission direction on whether to accept it or require changes. He reiterated that his concern was rooted in precedent, noting that while a structure was unlikely, patio-style use was more probable.

Commissioner Nadler asked Meyers how he would recommend moving forward. Meyers responded that the decision rested with the Commission but suggested that the area be vegetated and that the City and property owners enter into a recorded agreement permanently restricting

the construction of structures, patios, or similar improvements. Commissioner Mendenhall agreed and emphasized the importance of the restriction being permanent.

Meyers reiterated that while the issue may seem minor, similar proposals had been denied in the past. Commissioner Lanfear discussed alternative construction options but reiterated that it would be unfair to penalize property owners for damage caused by a landslide. He stated that Commissioner Mendenhall's proposed solution was reasonable and consistent.

A motion was made by Commissioner Mendenhall and seconded by Commissioner Lanfear to approve the project as constructed, subject to the condition that the property owners sign and record documentation permanently prohibiting the construction of any structures, hard surfacing, fire pits, or similar improvements in the area. The following Commissioners voted AYE: Lanfear, McMahon, Mendenhall, Nadler, Welle. Motion passes 5-0.

Regarding lakeshore landscaping, Commissioner Mendenhall expressed concern about an ongoing lakeshore landscaping project she had previously opposed earlier in the summer. Commissioner Mendenhall reiterated her interpretation of the intent of the ordinance and stated that she did not believe the final project outcome aligned with what the City seeks to encourage. She emphasized the importance of exercising caution when reviewing and approving lakeshore landscaping applications. No further action was taken.

Chairperson Welle opened a public hearing to consider a recommendation on an application for lakeshore landscaping at 1205 Lake Shore Drive.

City Administrator Meyers explained that the property, located along Smith's Bay, contains an existing retaining wall that has deteriorated. The property owner proposes to replace the retaining wall and reconstruct the steps leading down to the dock. Meyers noted that no additional lakeshore work is planned beyond these replacements. He stated that while the project minimally meets the definition of lakeshore landscaping, the required excavation into the lakeshore triggers the ordinance. Ross McWhirter provided an overview of the project on behalf of the homeowner.

A motion was made by Commissioner Nadler and seconded by Commissioner McMahon to recommend for approval the application for lakeshore landscaping. The following Commissioners voted AYE: Nadler, McMahon, Welle. Commissioner Mendenhall and Lanfear abstained from voting. Motion was approved 3-0-2.

Chairperson Welle opened a public hearing to consider a recommendation on an application for lakeshore landscaping at 1404 Highway 71.

Ryan Brown, contractor representing the property owner, stated that the project is located near the trestle bridge and the Okoboji Store. Brown explained that the existing retaining walls are failing, creating safety concerns, and that the current conditions are aesthetically undesirable. He also addressed existing drainage issues associated with the site.

Chairperson Welle inquired whether the property was state-owned or privately owned and was advised that it is private property.

Commissioner Nadler commented on the unsafe conditions currently present at the site.

Commissioner Lanfear asked about water runoff impacts from the project. Brown explained that large riprap will be installed in front of the project area to slow and filter runoff. Commissioner Lanfear also inquired about the use of a nearby building and expressed concern regarding potential mechanical or engine-related activity that could introduce oil or other fluids. Brown confirmed that no such activities occur in that building.

A motion was made by Commissioner Mendenhall and seconded by Commissioner Lanfear to recommend for approval the application for lakeshore landscaping. The following Commissioners voted AYE: Nadler, McMahon, Welle, Mendenhall, Lanfear. Motion was approved 5-0.

ADJOURNMENT

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Doris Welle, Chairperson

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Michael Meyers, City Administrator