CITY OF OKOBOJI BOARD OF ADJUSTMENT
MEETING MINUTES FROM SEPTEMBER 1, 2026 – 6:00PM
OKOBOJI CITY HALL, 1322 HIGHWAY 71 N., OKOBOJI, IOWA 51355

The Board of Adjustment met on the above date at 6:00PM in the Okoboji City Hall. Board Members Duling, Liesveld, Norland, Reed and Vaubel were present. Others present were John Stevens, Kathy Burney, Carol Brevik, Jon Ingvall, Micki Kohorst, Rod Simonson, and Glen Huyck.

Board Member Reed chaired the meeting.

Motion made by Board Member Liesveld and a second by Board Member Vaubel to approve the meeting minutes from May 4, 2026. The following Board Members voted "AYE": Duling, Liesveld, Norland, Reed, Vaubel. Motion approved 5-0.

Board Member Reed opened a public hearing to consider a variance request from Common Holdings, LLC, owner of the property located at 1302 Highway 71 N., Okoboji, Iowa 51355. The applicant was seeking a 6'8" variance from the required front yard setback along Highway 71 to allow for the construction of a garage.

City Administrator Meyers detailed the request. Meyers noted that the property owner was working on four units and adding garages to each unit. Meyers explained that the property owner had previously obtained a Conditional Use Permit from the City of Okoboji for the use of condominiums. As per the City's zoning regulations, when a property zoned Commercial transitions from a commercial use to a residential use, the applicable setbacks also change. Meyers explained that when the property transitioned to residential use, the front yard setback increased from 20' to 30'. As a result, large portions of the existing structure became nonconforming. Meyers explained that the applicant wished to extend a garage from the existing structure while following the existing wall line. Meyers noted that while the initial point of connection is nonconforming, the structure gradually extends back into the conforming area. This was only for one of the four units. The other three units had already been permitted and begun construction on the garages.

Board Member Liesveld acknowledged the previously issued Conditional Use Permit but questioned why the setback issue had not been anticipated when the CUP was approved. Board Member Reed stated that the Board had approved the garages as part of the project when originally considering the CUP. Meyers reminded the Board that the CUP was strictly for the use of the property and did not address construction or applicable zoning regulations. Meyers noted that the first time he had seen a detailed site plan was with the submittal of the permit application, at which time he identified the noncompliance of the westernmost garage associated with Unit 1.

John Stevens, representing the property owner, provided a detailed review of the site and construction plans.

Board Member Reed stated that it was likely not realized at the time that the change in setbacks would create an issue for the property. Meyers noted that if the property were being used commercially, a variance would not be necessary.

Board Member Norland asked whether there were any potential alternatives that could be considered. Stevens stated that the solution would likely involve cutting a pie-shaped section out of the garage, which would look extremely out of place.

Board Member Vaubel addressed the letters received regarding the project. City Administrator Meyers noted that three letters had been submitted in opposition to the project.

Board Member Liesveld asked those in attendance for their thoughts on the matter. Kathy Burney stated that the project had not been successful and that the developer continued to request changes. Burney felt that the developer should follow the established regulations. Board Member Liesveld asked Burney what she felt had not been successful. Burney stated that the units were not selling well and that the project had subsequently changed to allow short-term rentals. Burney stated that she was opposed to short-term rentals. Meyers clarified that the City had neither approved nor denied short-term rentals, as State law prohibits the City from regulating them. Meyers noted that the Planning and Zoning Commission had previously discussed the matter. Burney asked what additional changes the developer might ultimately request.

Rod Simonson stated that the variance would make no difference to anyone. Simonson advised that the request would not affect anyone and that requiring the applicant to cut out a portion of the garage would result in an unusual appearance. Simonson felt that the City should allow the variance and that everyone in the surrounding area would be better off as a result. Simonson felt that people were being overly critical because they were opposed to the original project.

Micki Kohorst noted that she had built a house and was required to follow all applicable regulations. Kohorst felt that everyone else should be required to do the same.

Board Member Reed acknowledged Kohorst's comments but noted that the structure was already existing and that the change in use had created the nonconformity. Reed agreed with Simonson that the proposed garage would look better as presented and that the variance would not change conditions for anyone. Reed felt that the letters and comments received were directed more toward opposition to the condominiums than to the requested variance itself.

Board Member Dulin stated that there was no issue with allowing the garage to be squared off in alignment with the previously existing structure.

Board Member Reed closed the public hearing.

Motion made by Board Member Vaubel and a second by Board Member Duling to approve the variance as presented. The following Board Members voted "AYE": Duling, Liesveld, Norland, Reed, Vaubel. Motion approved 5-0.

Board Member Reed opened a public hearing to consider a variance request from Sheree Vohs, owner of the property located at 5901 Lake Shore Drive, Okoboji, Iowa 51355. The applicant was seeking a variance from the minimum dwelling structure size requirements to construct an accessory dwelling unit measuring 32'x18'. The City's zoning code requires at least three exterior walls to be a minimum of 22' in length.

City Administrator Meyers discussed how State law requires cities to allow accessory dwelling units, but that these ADUs must conform to the regulations applicable to principal structures. Meyers noted that the City has a minimum dwelling unit size requirement that effectively prohibits tiny homes and other small dwelling units. Meyers advised that a structure must have 900 square feet of floor area, inclusive of the house, garage, and other applicable areas, but that the zoning code also requires three exterior walls to be at least 22' in length, exclusive of garages, decks, porches, and similar features. Meyers noted the differences between the two definitions. Meyers advised that, in this instance, the proposed structure meets the 900-square-foot requirement but does not meet the requirement for three exterior walls measuring at least 22'. Meyers noted that a question raised regarding the regulations was whether the City should be promoting larger accessory dwelling units than what property owners wish to construct.

Board Member Norland asked why the structure could not be designed to meet the minimum regulations. Jon Ingvall, representing the property owner, stated that a compliant structure would appear too large on the lot and that the property owner wanted something smaller and more quaint. Ingvall noted that the neighbors would also prefer a smaller structure.

Board Member Liesveld discussed the precedent that could be established by approving the variance. Liesveld noted that approval would essentially eliminate the minimum dwelling size requirement. Liesveld felt that either a lot has sufficient space for an ADU or it does not. Ingvall argued that each situation is unique and that the Board of Adjustment would need to consider each property individually.

Board Member Reed felt that if the City believed the regulations were too restrictive, the Planning and Zoning Commission should research the matter.

Board Member Liesveld again asked whether the structure could be built in compliance with the regulations. Ingvall stated that it could, but doing so would cause the structure to extend into the driveway, requiring a portion of the driveway to be removed.

Ingvall noted that the intent was to create a space for the property owner's grandchildren and a playroom for them. He stated that the property owner wished to include a second floor on the structure to accommodate that use. Meyers noted that the only way an

accessory building could exceed 15' in height was if it qualified as an accessory dwelling unit.

Ingvall stated that the property owner could construct a large garage with a height of 15', but advised that it would be unattractive. Instead, he argued that they were attempting to construct a smaller structure that would remain compact and aesthetically pleasing. Ingvall also noted that the proposed design would help preserve some of the trees on the lot.

Board Member Norland stated that there were no existing conditions preventing the property owner from constructing a compliant structure. Ingvall again noted the issue with the driveway.

Board Member Reed stated that she appreciated the desire for a smaller structure but acknowledged the potential for additional issues and felt that the matter would be better addressed by the Planning and Zoning Commission.

Ingvall noted that he believed each scenario should be considered individually and stand on its own merits.

Discussion took place regarding the desire to encourage smaller ADUs while also determining what constitutes an excessively small structure. Board Member Norland encouraged the Planning and Zoning Commission to review the matter.

Board Member Vaubel asked what the purpose would be of referring the matter to the Planning and Zoning Commission. City Administrator Meyers noted that if the variance were denied and it was the City's intent to allow such structures, the regulations would need to be amended through a legislative change to the City's zoning code.

Ingvall argued that he would pursue a zoning change if the variance were denied. He stated that he felt it was in the City's best interest to examine each request on a case-by-case basis rather than allowing property owners to construct small structures without consideration of individual circumstances.

Meyers concluded that even if the variance were approved, he would still recommend that the Planning and Zoning Commission consider reviewing the regulations. Meyers advised that when the Board of Adjustment approves a variance, it often indicates that a regulation may be problematic or warrant further consideration. The Planning and Zoning Commission may or may not agree with that assessment.

Meyers felt that regardless of whether such structures should be allowed, the City needed to either reaffirm that it did not wish to allow them or modify its regulations to address the new State law.

Board Member Reed closed the public hearing.

Motion made by Board Member Liesveld and a second by Board Member Norland to deny the variance as presented. The following Board Members voted “AYE”: Duling, Liesveld, Norland, Reed, Vaubel. Motion approved 5-0.

ADJOURNMENT.

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Erin Reed, Chair

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Michael Meyers, City Administrator