



CITY OF HARLAN

CITY HALL 711 DURANT ST BOX 650 HARLAN IA 51537
PHONE 712-755-5137 FAX 712-755-5138
EMAIL INFO@CITYOFHARLAN.COM

AGENDA

TO: BOARD OF ADJUSTMENT - Mike Christensen
Tim Miller
Jennifer Kelley
Ruthanne Grimsley

This is to advise you that there will be a meeting of the Board of Adjustment on **March 29, 2019, Noon, in the Council Chambers in City Hall.**

The Agenda is as follows:

- 1) Approval of Agenda
- 2) Conflict of Interest
- 3) Approval of 10/17/2018 minutes
- 4) New Business
 - a) BA2019-001 – Application for a setback variance at 1418 Grand Ave. by Steve & Susan Finn-owner and Randy Chamberlain – contractor
- 5) Other Business
- 6) Adjournment



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AMENDED AGENDA

TO: BOARD OF ADJUSTMENT - Mike Christensen
Tim Miller
Jennifer Kelley
Ruthanne Grimsley
Al Ickes

This is to advise you that there will be a meeting of the Board of Adjustment on **March 29, 2019, Noon, in the Council Chambers in City Hall.**

The Agenda is as follows:

- 1) Approval of Agenda
- 2) Conflict of Interest
- 3) Approval of 10/17/2018 minutes
- 4) New Business
 - a. BA2019-001 – Application for side and rear yard setbacks variance at 1418 Grand Ave. by Steve & Susan Finn-owner and Randy Chamberlain – contractor
 - b. BA2019-002 – Application for side yard setback variance at 608 5th St., by Bruce Burger - contractor
- 5) Other Business
- 6) Adjournment

BOARD OF ADJUSTMENT – Harlan, Iowa – 03/29/2019

The Board of Adjustment of the City of Harlan met pursuant to law and the rules of said Board in special session in the Council Chambers in City Hall at Noon on the 3rd day of March 2018. Chairperson Christensen called the meeting to order and the following members were:

Present: Mike Christensen, Tim Miller, Jennifer Kelly, Ruthanne Grimsley, & Al Ikes
Also Present: City Administrator Gene Gettys, Board Secretary Renee Hansen, Brian Christiansen, Randy Chamberlain, and Mayor Mike Kolbe

It was moved by Grimsley and seconded by Miller that the agenda be approved. The motion carried unanimously.

The Chairperson asked that any conflicts of interest be stated. None were stated.

It was moved by Grimsley and seconded by Kelly that the 10/17/2018 minutes be approved. The motion carried unanimously.

Chairperson Christensen announced that this was the date, time, and place for the public hearings regarding:

Case BA2019-001 – an application by Randy Chamberlain for Steve & Susan Finn, 1410 Grand Ave., for variance of a 22' rear set back and a 4' side yard setback.

Motion to open meeting by Miller and seconded by Grimsley.

No objections have been filed with City Hall.

Discussion: R-1 zoning has a 35ft rear yard setback and a 10' side yard setback. Requesting a variance to accommodate a narrow driveway.

It was moved by Grimsley and seconded by Kelly to close the public hearing. The motion carried unanimously.

It was moved by Miller and was seconded by Kelly to allow the owner a 22 setback for the rear lot line and 4' for the side yard setback.

Ayes: Christensen, Miller, Kelly, Grimsley, Ickes

Nays: None

Whereupon the motion carried.

Case BA2019-002 – an application by Bruce Burger, 608 5th St., for a 0' side yard setback variance.

Motion to open meeting by Grimsley and seconded by Ickes.

No objections have been filed with City Hall.

Discussion: R-2 zoning has a 6' side yard setback. Requesting a variance against an unused Alley to the North. New structure will be place were the old structure was.

It was moved by Grimsley and seconded by Ickes to close the public hearing. The motion carried unanimously.

It was moved by Grimsley and was seconded by Miller to allow the owner a 0' North side yard set back.

Ayes: Christensen, Miller, Kelly, Grimsley, Ickes

Nays: None

Whereupon the motion carried.

Meeting adjourned.

There being no further business, the meeting on motion adjourned.

Renee Hansen, Secretary

Mike Christensen, Chairperson

These minutes are as recorded by the Secretary and are subject to Board approval at the next called meeting.

BOARD OF ADJUSTMENT – Harlan, Iowa – 03/29/2019

The Board of Adjustment of the City of Harlan met pursuant to law and the rules of said Board in special session in the Council Chambers in City Hall at Noon on the 29th day of March 2018. Chairperson Christensen called the meeting to order and the following members were:

Present: Mike Christensen, Tim Miller, Jennifer Kelly, Ruthanne Grimsley, & Al Ikes
Also Present: City Administrator Gene Gettys, Board Secretary Renee Hansen, Brian Christiansen, Randy Chamberlain, and Mayor Mike Kolbe

It was moved by Grimsley and seconded by Miller that the agenda be approved. The motion carried unanimously.

The Chairperson asked that any conflicts of interest be stated. None were stated.

It was moved by Grimsley and seconded by Kelly that the 10/17/2018 minutes be approved. The motion carried unanimously.

Chairperson Christensen announced that this was the date, time, and place for the public hearings regarding:

Case BA2019-001 – an application by Randy Chamberlain for Steve & Susan Finn, 1410 Grand Ave., for variance of a 22' rear set back and a 4' side yard setback.

Motion to open meeting by Miller and seconded by Grimsley.

No objections have been filed with City Hall.

Discussion: R-1 zoning has a 35' rear yard setback and a 10' side yard setback. Requesting a variance to accommodate a narrow driveway.

It was moved by Grimsley and seconded by Kelly to close the public hearing. The motion carried unanimously.

It was moved by Miller and was seconded by Kelly to allow the owner a 22' setback for the rear lot line and 4' for the side yard setback.

Ayes: Christensen, Miller, Kelly, Grimsley, Ickes

Nays: None

Whereupon the motion carried.

Case BA2019-002 – an application by Bruce Burger, 608 5th St., for a 0' side yard setback variance.

Motion to open meeting by Grimsley and seconded by Ickes.

No objections have been filed with City Hall.

Discussion: R-2 zoning has a 6' side yard setback. Requesting a variance against an unused Alley to the North. New structure will be place were the old structure was.

It was moved by Grimsley and seconded by Ickes to close the public hearing. The motion carried unanimously.

It was moved by Grimsley and was seconded by Miller to allow the owner a 0' North side yard set back.

Ayes: Christensen, Miller, Kelly, Grimsley, Ickes

Nays: None

Whereupon the motion carried.

Meeting adjourned.

There being no further business, the meeting on motion adjourned.

Renee Hansen, Secretary

Mike Christensen, Chairperson

These minutes are as recorded by the Secretary and are subject to Board approval at the next called meeting.



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AMENDED AGENDA

TO: BOARD OF ADJUSTMENT - Mike Christensen - Chair
Tim Miller
Jennifer Kelley
Ruthanne Grimsley
Al Ickes

This is to advise you that there will be a meeting of the Board of Adjustment on **June 3, 2019, Noon, in the Council Chambers in City Hall.**

The Agenda is as follows:

- 1) Approval of Agenda
- 2) Conflict of Interest
- 3) Appointment of Chairperson & Vice Chairperson
- 4) Approval of 03/29/2019 minutes
- 5) New Business
 - a. BA2019-003 – Application for a Home-Based Business submitted by Austin Jacobsen, Cyclone Custom Prints.
 - b. Home Based Business notifications
- 6) Other Business
- 7) Adjournment



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AMENDED AGENDA

TO: BOARD OF ADJUSTMENT - Mike Christensen - Chair
Tim Miller
Jennifer Kelley
Ruthanne Grimsley
Al Ickes

This is to advise you that there will be a meeting of the Board of Adjustment on **June 3, 2019, Noon, in the Council Chambers in City Hall.**

The Agenda is as follows:

- 1) Approval of Agenda
- 2) Conflict of Interest
- 3) Appointment of Chairperson & Vice Chairperson
- 4) Approval of 03/29/2019 minutes
- 5) New Business
 - a. BA2019-003 – Application for a Home-Based Business submitted by Austin Jacobsen, Cyclone Custom Prints.
 - b. Home Based Business notifications
- 6) Other Business
- 7) Adjournment



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AGENDA

TO: BOARD OF ADJUSTMENT - Mike Christensen - Chair
Jennifer Kelley
Ruthanne Grimsley
Al Ickes

This is to advise you that there will be a meeting of the Board of Adjustment on **June 20, 2019, Noon, in the Council Chambers in City Hall.**

The Agenda is as follows:

- 1) Approval of Agenda
- 2) Conflict of Interest
- 3) Approval of 06/03/2019 minutes
- 4) New Business
 - a. BA2019-004 – Application for a special exception use for 1306 3rd St., by Express Towing
 - b. BA2019-005 – Application for a non-conforming use for 1407 Garfield Ave. by James Sheehan
- 5) Other Business
- 6) Adjournment

BOARD OF ADJUSTMENT		
Al Ickes - completing term for Bolton	5 yrs.	7/1/2019
Vacant - being filled	5 yrs.	7/1/2020
Mike Christensen	5 yrs.	7/1/2021
Ruthanne Grimsley	5 yrs.	7/1/2022
Jennifer Kelly	5 yrs.	7/1/2023

BOARD OF ADJUSTMENT – Harlan, Iowa – 06/20/2019

The Board of Adjustment of the City of Harlan met pursuant to law and the rules of said Board in special session in the Council Chambers in City Hall at Noon on the 20th day of June 2019. Chairperson Christensen called the meeting to order and the following members were:

Present: Mike Christensen, Jennifer Kelly, & Al Ickes

Absent: Ruthanne Grimsley

Also Present: City Administrator Gene Gettys, Board Secretary Renee Hansen, Building Inspector Roger Bissen, Mayor Mike Kolbe, Randy Ouren – for James Sheehan, Dane Stevens, Gordon L von Ahsen, Isaak Wangler, Chantel Lytle, Ann Andersen, Seth Johannsen, Dan Schmitz, Jim Zimmerman, Harold & Marlene Brensel, Donna Schmidt, Karen Arkfeld, Ken Fahn, Ros Arkfeld, Joey Arkfeld and Tyler Arkfeld.

It was moved by Ickes and seconded by Kelly that the agenda be approved. The motion carried unanimously.

The Chairperson asked that any conflicts of interest be stated. None were stated.

It was moved by Kelly and seconded by Ickes that the 06/03/2019 minutes be approved. The motion carried unanimously.

Chairperson Christensen announced that this was the date, time, and place for the public hearings regarding:

Case BA2019-004 – an application by Dane Stevens, dba Express Towing, located at 1306 3rd St. for a special exception use of this property.

Motion to open meeting by Ickes and seconded by Kelly.

No objections have been filed with City Hall.

Present to be heard: Dane Stevens, requesting a special exception use in an I-2 zoning district for a fun plex type business with batting cages, go carts, arcade, climbing wall. Has started some building renovations.

Gettys explained current zoning & that his request falls outside of an I-2 district. This is why BOA is hearing this case.

Adjacent landowners Schmidt, Fahn, & Arkfeld, expressed many concerns of safety in an area that many trucks and tractors use for farming.

Bissen said this property has been used as a factory in the past and would need to change the classification of this building so the building code would alter.

Commission members discussed safety concerns.

It was moved by Kelly and seconded by Ickes to close the public hearing. The motion carried unanimously.

It was moved by Ickes and was seconded by Kelly to table this hearing to address safety concerns, owner to meet with building inspector and come up with a site plan to present to Board of Adjustment.

Roll Call Vote

Ayes: Christensen, Kelly, Ickes

Nays: None

Whereupon the motion carried.

Chairperson Christensen announced that this was the date, time, and place for the public hearings regarding:

Case BA2019-005 – an application by James Sheehan for 1407 Garfield for a special exception use of this property

Motion to open meeting by Kelly and seconded by Ickes.

No objections have been filed with City Hall.

Present to be heard: Randy Ouren for James Sheehan, applicant, requesting a special exception use to use the old dental office as a laundry mat. Very costly to transition this property into a home.

Gettys provided history of how a dental office was a permitted special exception use in a R-1 zone 50 years ago, this property was built for a dental office with permission from the BOA. From a zoning perspective the new use would need to be as equally appropriate or more appropriate than the previous use. It was also important to consider and preserve the integrity of a residential zone.

Adjacent landowners: Brensel's concerned with what a laundry mat would do to do the neighborhood. Zimmerman voiced that he felt the property should remain residential because of children in the neighborhood. Andersen would like to keep the integrity of this residential zone. Johannsen feels the hours of operations would disturb neighboring families.

Ted Williams sent his concerns via a neighbor; he is worried about his property value if a laundry mat is housed next to his home.

The general consensus was that a laundry mat is not suitable for this neighborhood.

It was moved by Ickes and seconded by Kelly to close the public hearing. The motion carried unanimously.

It was moved by Ickes and was seconded by Kelly to deny the request for a laundry mat in an R-2 zoning district.

Roll Call Vote

Ayes: Christensen, Kelly, Ickes

Nays: None

Whereupon the motion carried.

Meeting adjourned.

There being no further business, the meeting on motion adjourned.

Renee Hansen, Secretary

Mike Christensen, Chairperson

These minutes are as recorded by the Secretary and are subject to Board approval at the next called meeting.



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AGENDA

TO: BOARD OF ADJUSTMENT - Mike Christensen - Chair
Jennifer Kelley
Ruthanne Grimsley
Al Ickes
Isaak Wangler

This is to advise you that there will be a meeting of the Board of Adjustment on **July 26, 2019, Noon, in the Council Chambers in City Hall.**

The Agenda is as follows:

- 1) Approval of Agenda
- 2) Conflict of Interest
- 3) Approval of 06/20/2019 minutes
- 4) New Business
 - a. BA2019-006 – Application by Mike Mumm for a setback variance for a property located at Victoria & 3rd Streets, Parcel No. 833130000003.
- 5) Other Business
- 6) Adjournment

BOARD OF ADJUSTMENT		
Mike Christensen	5 yrs.	7/1/2021
Ruthanne Grimsley	5 yrs.	7/1/2022
Jennifer Kelly	5 yrs.	7/1/2023
Al Ickes	5 yrs.	7/1/2024
Isaak Wangler	5 yrs.	7/1/2024

BOARD OF ADJUSTMENT – Harlan, Iowa – 09/05/2019

The Board of Adjustment of the City of Harlan met pursuant to law and the rules of said Board in special session in the Council Chambers in City Hall at Noon on the 5th day of September 2019. Chairperson Christensen called the meeting to order and the following members were:

Present: Mike Christensen, Al Ickes, Isaak Wangler, Jennifer Kelly, & Ruthanne Grimsley
Absent:

Also Present: Zoning Administrator Gene Gettys, Board Secretary Renee Hansen, Marian & Don Kaufman, Rod Baxter, Dustin Hansen, & Angie Newland.

It was moved by Grimsley and seconded by Ickes that the agenda be approved. The motion carried unanimously.

The Chairperson asked that any conflicts of interest be stated. None were stated.

It was moved by Kelly and seconded by Grimsley that the 07/26/2019 minutes be approved. The motion carried unanimously.

Chairperson Christensen announced that this was the date, time, and place for the public hearings regarding:

CASE BA2019-007 – an application by Stephanie Robinson & Dustin Hansen, contractor, for a 0’ side yard setback variance and a 7’ rear setback from east property line variance for a property located at 1320 Lincoln Ave.

Motion to open meeting by Ickes and seconded by Wangler.

No objections have been filed with City Hall.

Dustin Hansen explained the need for variances. The lot is small, owner will be in a wheelchair eventually, so everything needs to be built to accommodate this.

Angie Newland was present to ask questions about lot lines.

Gene Gettys explained that there are many cases of smaller lots that have been granted variances for that reason.

It was moved by Grimsley and seconded by Kelly to close the public hearing. The motion carried unanimously.

It was moved by Grimsley and was seconded by Kelly to allow a 0’ rear yard setback and a 7’ or greater side yard setback contingent upon the location of the property lines by locating property pins or by a survey.

Roll Call Vote

Ayes: Christensen, Kelly, Ickes, Wangler, Grimsley

Nays: None

Whereupon the motion carried.

Chairperson Christensen announced that this was the date, time, and place for the public hearings regarding:

CASE BA2019-008 – an application by, Application by Marian & Don Kaufman for a variance to construct a 6’ projection from the house located at 1802 W Park St.

Motion to open meeting by Grimsley and seconded by Kelly.

No objections have been filed with City Hall.

The owners brought in two letters from neighbors in favor of the application.

Rod Baxter spoke on behalf of the owners noting that they need a way to access their home and the proposed 6’ projection of the porch would allow this.

It was moved by Kelly and seconded by Grimsley to close the public hearing. The motion carried unanimously.

It was moved by Wangler and was seconded by Ickes to allow a 6' projection from the front of the house.

Roll Call Vote

Ayes: Christensen, Kelly, Ickes, Wangler, Grimsley

Nays: None

Whereupon the motion carried.

Meeting adjourned.

There being no further business, the meeting on motion adjourned.

Renee Hansen, Secretary

Mike Christensen, Chairperson

These minutes are as recorded by the Secretary and are subject to Board approval at the next called meeting.

BOARD OF ADJUSTMENT – Harlan, Iowa – 10/14/2019

The Board of Adjustment of the City of Harlan met pursuant to law and the rules of said Board in special session in the Council Chambers in City Hall at Noon on the 14th day of October 2019. Chairperson Christensen called the meeting to order and the following members were:

Present: Mike Christensen, Al Ickes, Jennifer Kelly, & Ruthanne Grimsley

Absent: Isaak Wangler

Also Present: Zoning Administrator Gene Gettys, Board Secretary Renee Hansen, Ryan Brodersen

It was moved by Grimsley and seconded by Kelly that the agenda be approved. The motion carried unanimously.

The Chairperson asked that any conflicts of interest be stated. None were stated.

It was moved by Ickes and seconded by Grimsley that the 09/05/2019 minutes be approved. The motion carried unanimously.

Chairperson Christensen announced that this was the date, time, and place for the public hearings regarding:

CASE BA2019-009 – an application by Kyle Miller & Ryne Nelsen for a Home Business permit located at 1220 Baldwin St. The business is called Stars & Bars Entertainment. No business will be conducted at the home just the business bookkeeping, scheduling and storing of equipment.

Motion to open meeting by Kelly and seconded by Ickes.

No objections have been filed with City Hall. Ryan Brodersen, owner of neighboring property, was present to hear what this business would entail.

Gettys explained that this type of home business is required by ordinance to come before the Board of Adj. for approval. He also stated no signs in an R-1 district.

It was moved by Kelly and seconded by Grimsley to close the public hearing. The motion carried unanimously.

It was moved by Ickes and was seconded by Grimsley to grant the request for a Home Business Permit

Roll Call Vote

Ayes: Christensen, Kelly, Ickes, Grimsley

Nays: None

Whereupon the motion carried.

Meeting adjourned.

There being no further business, the meeting on motion adjourned.

Renee Hansen, Secretary

Mike Christensen, Chairperson

These minutes are as recorded by the Secretary and are subject to Board approval at the next called meeting.