

BOARD OF ADJUSTMENT – Harlan, Iowa – March 31, 2025

The Board of Adjustment of the City of Harlan met pursuant to the law and the rules of said Board in special session in the Council Chambers in City Hall at 4:30 P.M. on the 31st day of March 2025. Chairman Christensen called the meeting to order, and the following members were:

Present: Mike Burroughs, Mike Christensen, Ruthanne Grimsley, Julie Olson, Doug Hammer
Also Present: Board Secretary Susan Brammann, Ashley Schleis, Building Inspector Roger Bissen, City Administrator Gervas Mgonja

The Chairman presented the agenda. It was moved by Hammer and seconded by Grimsley that the agenda be approved. Roll call vote: AYES: Olson, Christensen, Grimsley, Burroughs, Hammer. NAYS: None. Motion carried.

Chairman Christensen asked that any conflicts of interest be stated. None were stated.

It was moved by Grimsley and seconded by Burroughs to approve the minutes from the 12/27/24 meeting. Roll call vote: AYES: Olson, Christensen, Grimsley, Burroughs, Hammer. NAYS: None. Motion carried.

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

- a. CASE BA2025-001 – Application by Faith Investments, LLC for a variance to allow tenant Honeycomb Haven short term lodging for quilting retreats at 517 Court St., Harlan, IA that is currently zoned B-1.

Motion to open meeting by Burroughs and seconded by Olson. Roll call vote: AYES: Olson, Christensen, Grimsley, Burroughs, Hammer. NAYS: None. Motion carried.

Petitioner was present with Annie Wooster owner of Honeycomb Haven. Honeycomb Haven's plans are to hold weekend crafting retreats. Maximum number of people in building would be 7. Some are traveling from different cities and will need to use a room for an overnight stay.

Zoning Admin was present to address zoning regulations. According to Chapter 165.7.C - Residential uses are allowed with Board of Adjustment approval if:

- (1) The dwelling (residential use) is located on the first (ground) floor of a permitted non-residential use and does not occupy more than 50% of the space for residential use on that level. The business use shall occupy the street side (front) portion of the first (ground) floor.

Zoning Admin stated that business is up front with less than 50% use for the overnight stays. There is an ordinance on parking, however, petitioner stated that there is parking in the back near the alley and have advised retreat attendees to use that parking.

Neighbors – No Neighbors present at meeting

SCSB Email – Stated North parking lot fills up quickly and they are concerned that parking on the Southside would be limited due to short term lodging. No other concerns.

Jerry Henscheid came into City Hall inquiring about BOA application. It was explained to him, and he had no concerns.

It was moved by Hammer and seconded by Burroughs to close the public hearing. Roll call vote: AYES: Olson, Christensen, Grimsley, Burroughs, Hammer. NAYS: None. Motion carried.

It was moved by Grimsley and seconded by Burroughs to approve the application. Roll call vote: AYES: Olson, Christensen, Grimsley, Burroughs, Hammer. NAYS: None. Motion carried.

Other Business: None

There being no further business, the meeting was adjourned.

Susan Brammann

Susan Brammann, 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 – JUNE 3, 2025

The Board of Adjustment of the City of Harlan met pursuant to the law and the rules of said Board in special session in the Council Chambers in City Hall at 12:05 P.M. on the 3rd day of June 2025. Chairman Christensen called the meeting to order, and the following members were:

Present: Mike Burroughs, Mike Christensen, Ruthanne Grimsley, Doug Hammer

Present Electronically: Julie Olson

Also Present: Board Secretary Susan Brammann, Building Inspector Roger Bissen, Code Enforcement Officer Jack Gubbels, City Administrator Gervas Mgonja

The Chairman presented the agenda. It was moved by Hammer and seconded by Burroughs that the agenda be approved. Roll call vote: AYES: Olson, Christensen, Grimsley, Burroughs, Hammer. NAYS: None. Motion carried.

Chairman Christensen asked that any conflicts of interest be stated. None were stated.

It was moved by Grimsley and seconded by Hammer to approve the minutes from the 03/31/2025 meeting. Roll call vote: AYES: Olson, Christensen, Grimsley, Burroughs, Hammer. NAYS: None. Motion carried.

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

- a. CASE BA2025-002 – Application by Nicholas Beermann for a variance to allow a 6 ft fence on a corner lot located at 1802 7th Street, Harlan, IA 51537

Motion to open meeting by Grimsley and seconded by Burroughs. Roll call vote: AYES: Olson, Christensen, Grimsley, Burroughs, Hammer. NAYS: None. Motion carried.

Petitioner was present to request variance for 6 ft. fence located at 1802 7th St. Fence has already been constructed to 6 ft for containing Petitioner's animals and for their children's safety.

Zoning Admin was present to explain that properties located on corner lots have 2 front yards. Due to line of site issues, the recommendation is that fences shall be allowed to the maximum height of 48 inches. Zoning Admin did not have any issues with the existing 6 ft. fence obstructing view from the street.

Neighbors – None were present

It was moved by Hammer and seconded by Burroughs to close the public hearing. Roll call vote: AYES: Olson, Christensen, Grimsley, Burroughs, Hammer. NAYS: None. Motion carried.

It was moved by Burroughs and seconded by Grimsley to approve the application. Roll call vote: AYES: Olson, Christensen, Grimsley, Burroughs, Hammer. NAYS: None. Motion carried.

Other Business: Hammer and Grimsley agreed to serve 1 additional 4-year term ending 07/01/2029. It was decided that electing officers will be done at next meeting.

There being no further business, the meeting was adjourned.

Susan Brammann

Susan Brammann, 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 – SEPTEMBER 2, 2025

The Board of Adjustment of the City of Harlan met pursuant to the law and the rules of said Board in special session in the Council Chambers in City Hall at 12:00P.M. on the 2nd day of September 2025. Chairman Christensen called the meeting to order, and the following members were:

Present: Mike Burroughs, Mike Christensen, Ruthanne Grimsley, Julie Olson

Absent: Doug Hammer

Present Electronically: Julie Olson

Also Present: Board Secretary Susan Brammann, Building Inspector Roger Bissen, City Administrator Gervas Mgonja, City Clerk Ashley Schleis, Code Enforcement Officer Jack Gubbels

The Chairman presented the agenda. It was moved by Burroughs and seconded by Grimsley that the agenda be approved. Roll call vote: AYES: Olson, Christensen, Grimsley, Burroughs. NAYS: None. Motion carried.

Chairman Christensen asked that any conflicts of interest be stated. None were stated.

It was moved by Burroughs and seconded by Grimsley to approve the minutes from the 06/03/2025 meeting. Roll call vote: AYES: Olson, Christensen, Grimsley, Burroughs. NAYS: None. Motion carried.

Nominate Chair and Vice-Chairperson through 6/30/26: Ruth Grimsley was nominated as Chair. It was moved by Burroughs and seconded by Grimsley. Motion carried unanimously. Mike Burroughs was nominated as Vice-Chairperson. It was moved by Burroughs and seconded by Christensen. Motion carried unanimously.

Newly appointed Chair Grimsley announced that this was the date, time, and place for the public hearing regarding:

- a. **CASE BA2025-003** –Application by Megan Londo, DBA Grow Easy Grant Solutions at 1305 8th St. for a non-conforming use of property, home business.

Motion to open meeting by Christensen and seconded by Burroughs. Roll call vote: AYES: Olson, Christensen, Grimsley, Burroughs. NAYS: None. Motion carried.

Petitioner was present to explain that her grant writing business is an at-home business with no need for parking spaces for any clients.

Zoning Admin had no comments or objections to an at home business at that location.

Neighbors – None were present

It was moved by Burroughs and seconded by Christensen to close the public hearing. Roll call vote: AYES: Olson, Christensen, Grimsley, Burroughs. NAYS: None. Motion carried.

It was moved by Christensen and seconded by Burroughs to approve the application. Roll call vote: AYES: Olson, Christensen, Grimsley, Burroughs. NAYS: None. Motion carried.

- b. **CASE BA2025-004** - Application by Bruce Burger for a shed variance at property located at 201 5th St., Harlan, IA

Motion to open meeting by Christensen and seconded by Burroughs. Roll call vote: AYES: Olson, Christensen, Grimsley, Burroughs. NAYS: None. Motion carried.

Petitioner was present to state that last year he had burned down the house, leaving the garage. He would like more storage units and is asking to place 2 storage containers on property.

Zoning Admin was present to explain that according to Harlan's City Code of Ordinances, Chapter 165, 165.09, 4, that a shed or storage container both are considered accessory buildings and are only allowed when there is a primary structure such as a house on the property in an R-2. Also, sheds are to be in the back yard and the property at 201 5th St. is a corner lot, therefore there is not a backyard, but 2 front yards.

City Clerk was present to state all lots need to have a primary building on property before placing a shed. We don't want to set a precedence that placing sheds or storage units on empty lots is okay.

City Administrator was present to state that a storage container would not be appropriate to place on property. A shed with a roof would look nicer and help with the beautification of the City of Harlan.

Neighbors – None were present

It was moved by Christensen and seconded by Burroughs to close the public hearing. Roll call vote: AYES: Olson, Christensen, Grimsley, Burroughs. NAYS: None. Motion carried.

It was moved by Christensen and seconded by Burroughs to approve the application with the stipulation that a prefab or constructed shed be placed on property and not a shipping container of any kind. Decision was based on the fact the homeowner has adjacent properties with dwellings. Roll call vote: AYES: Olson, Christensen, Grimsley, Burroughs. NAYS: None. Motion carried.

Other Business: None

There being no further business, the meeting was adjourned.

Susan Brammann

Susan Brammann, Secretary

Mike Christensen, Chairperson

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