

BOARD OF ADJUSTMENT – Harlan, Iowa – 03/13/17

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 4:30 P.M. on the 13th day of March, 2017. Chairperson Kayla Jacobs called the meeting to order and the following members were:

Present: Kayla Jacobs, Tim Miller, Mike Christensen, Jennifer Kelly

Absent: Jerry Wigness

Also Present: City Administrator Gene Gettys, Board Secretary Renee Hansen, Fire Chief/Building Inspector/Enforcing Officer Roger Bissen, and Shelby County Chamber of Commerce and Industry Director Todd Valline, Bruce Burger & Brian Christensen.

It was moved by Miller and seconded by M. Christensen 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 Miller that the 10/06/2016 minutes be approved. The motion carried unanimously.

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

- a) Case BA2017-01 - an application from Brian Christensen for a 1' rear yard variance to allow construction of a garage on a lot located at 608 5th St, Harlan (OT N/2 Lts 7&8 Blk 24). Per Ch.165.09.4, Residential zoning requires accessory buildings to be set a minimum four (4') foot from the lot line.

It was moved by M. Christensen and seconded by Kelly to open the hearing. The motion carried unanimously.

No oral or written objections were received.

It was moved by Miller and seconded by M. Christensen to close the hearing. The motion carried unanimously.

It was moved by Jacobs and seconded by Miller that the rear yard variance of 1' from the rear yard lot line be issued as a hardship because it abuts an undevelopable parcel. A roll call vote was had which was as follows:

Ayes: Jacobs, Miller, Christensen, Kelly

Nays: None

Whereupon the motion carried and the Enforcing Officer's decision will be overturned. A building permit for the garage will be issued.

- b) BA2017-02 - an application from Todd Valline, Shelby County Chamber of Commerce, for a 0' side yard variance to allow construction of a single family Duplexes, on Lts 64-69 GH Christiansen Subdivision, Harlan. Per Ch.165.16.7.C., R-2 zoning requires a minimum six (6') foot side yard depth.

It was moved by M. Christensen and seconded by Miller to open the hearing. The motion carried unanimously.

No oral or written objections were received.

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

It was moved by Miller and seconded by Kelly to grant a side yard variance as follows: to build 2 single family dwellings sharing a party wall with a 0' side variance on the party wall side of the dwelling, all other lot requirements must be met, Lts 64-69 in the GH Christensen Sub, 6 total single family dwelling units.

A roll call vote was had which was as follows:

Ayes: Miller, Christensen, Kelly

Nays: Jacobs

Whereupon the motion carried and the Enforcing Officer's decision will be overturned. A building permit for the 2 family dwellings will be issued.

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

Renee Hansen, Secretary

Kayla Jacobs, Chairperson

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