

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 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.