Mount Vernon
Board of Adjustment
Meeting Minutes
September 15, 2026

The Mount Vernon Board of Adjustment met at 6:30 p.m. on September 15, 2026, at City Hall, 213 First St NW, Mount Vernon, IA; with the option of attendance via Zoom.

Call to Order: At 6:32 p.m., the Chairman of the Board, Roch Player, called the meeting to order.

Roll Call: With one of five seats open at this time, all four board members were present for the meeting: Roch Player, Rachel Mosier and new members Jeff Schweibert and Alexander Kurjatko, both of which were appointed in the fall of 2026.

Agenda Approval: Motion to approve, Schweibert; seconded by Kurjatko. All in favor.

Approval of Minutes – July 28, 2025: Motion to approve, Mosier; seconded by Schweibert. All in favor.

Agenda Item #3: Variance Request – 130 Joseph Lane SE – Accessory Structure
Staff member Bradbury provided a brief recap of House File 652, which took effect July 1, 2025, amending Iowa Code §414.12. This amendment provides a new standard for Boards of Adjustment to grant variances from area, dimensional and other numerically-related values. The application for 130 Joseph Lane SE seeks variance from Section 165.710.2.C of the Mount Vernon Code of Ordinances, which limits the square footage (area) of accessory buildings, making the new standard applicable.

Prior to discussion by the Board, Bradbury noted an update to the square footage of the Primary Dwelling Unit, as confirmed by the Linn County Assessor's office. Based on the existing code language, 130 Joseph Lane SE could accommodate an accessory structure of up to 812 square feet, the application is for 1,244 square feet.

Applicant Justine Haas was in attendance and noted that the prior owner performed their own property maintenance, including snow removal and lawn care, for both 130 and 196 Joseph Lane SE, as both properties were under the same ownership. The equipment was reportedly stored in one of three accessory structures at 196 Joseph Lane SE, which includes two barns. This arrangement has not been made available to Haas, creating a need to provide storage for maintenance vehicles on-site.

Hass further noted that the existing detached garage is insufficient in size, but also has two 7'x9' overhead doors, which present a challenge logistically for clearance with both vehicles and equipment. The proposal is for the addition of a second detached building, 40' x 40', with one large overhead door to accommodate taller vehicles and equipment. Haas noted that the building would not exceed the 20' height restriction.

Board member Player noted that the image presented by the applicant of the proposed building did not appear to accurately represent the stated size of the building (40'x40'). Haas confirmed this, noting the image was provided to demonstrate the proposed style of building and desired exterior finish.

Board member Mosier noted that inadequate storage for personal vehicles and maintenance equipment seemed sufficient for meeting the test of "practical difficulty"; noting, however, that a requirement for the exterior to either match or compliment that of the primary structure would be appropriate. Applicant confirmed she and her husband have intentions to paint the house to match or compliment the style of the accessory building as presented, in the spring of 2027.

Kurjatko noted that the proposal further satisfies additional requirements for granting a variance under the new standard. Based on the fact that it will not be visible to most surrounding properties, the proposed structure would be unlikely to alter the character of the neighborhood, nor would it's construction be contrary to the public interest. Kurjatko further agreed that a practical difficulty had been demonstrated based on the equipment necessary for maintaining properties in secluded locations and of larger size. As the prior arrangement for storage of maintenance vehicles is not available, the applicant could argue the matter was not self-created, as it would exist with any resident at that address. Kurjatko also expressed concern regarding the proposed size of the structure.

Schweibert noted that his concern for setting a precedent was countered by three factors unique to the property and the owners' proposal: the size of the lot (in excess of three acres), low visibility of the proposed location from the road (Country Club Drive SE) and the building being styled to look like a home (versus a pole barn). Schweibert further voiced appreciation for the new standard, noting that it makes it easier for Boards of Adjustment to grant a variance in a reasonable manner, a change that was long overdue.

Board member Player also noted his support for approval of a variance, citing the appropriateness within an agricultural or rural setting, but also echoed concern regarding size. Player inquired whether the condition of the existing garage warranted or would be considered by the applicant for removal, as this would reduce the total square footage of accessory structures. Haas indicated this had been considered and decided against, based on the structure's existing condition and useful life. Haas stated that the total square footage of accessory structures would be reduced to 120SF over the maximum,

if the existing garage were eliminated, but noted a second time their intent to keep the structure, stating demolition would “make no sense”.

Move to approve a variance requested from Chapter 165, Section 710 of the Mount Vernon Code of Ordinances, governing the maximum size restriction for Accessory Building in the Suburban Residential zoning district, with the following special conditions: accessory building not to exceed 40’ by 40’. Motion seconded by Schweibert. All members voting in favor.

Agenda Item #4: Conditional Use Permit at 421 1st Street NW for Alternative Energy Production

As applicant T-Mobile was not available, staff member Bradbury presented a brief history of the project with an explanation of IDNR requirements for containment and the project’s relocation due to proximity with a city wellhead.

Kurjatko noted the applicant’s reference to manual removal of precipitation from the secondary containment area. Upon review by the City’s engineer, the City has required that an enclosure be built for the generator to prevent such accumulation from occurring. Staff noted that Memorial Park lies within a historic district, and the design of that enclosure is therefore subject to approval by the Historic Preservation Commission. The site plan will also need to go before the Planning and Zoning Commission, with final approval provided by City Council.

Mosier requested additional information on the purpose, frequency and duration of test cycles, which were indicated in the application as “periodic”. Mosier noted the generator’s proximity to residential structures causes concern for both noise levels and exhaust, particularly with multiple generators located in the same area.

Staff noted the consideration of multiple generators is particularly relevant. The City’s generator (which predates IDNR regulation of diesel secondary containment and is therefore not enclosed), is intended to support City infrastructure only. This proposal is for sole support of T-Mobile’s equipment. If T-Mobile’s generator is approved and installed, it would be reasonable to expect an application from any other entity leasing space on the water tower, particularly if that infrastructure is also supporting cellular service.

Schweibert asked whether natural gas was available at this location, and whether it had been considered as an alternative to diesel, noting continuous supply in a time of emergency and a better application given the location and potential for exhaust fumes, noise and heat.

Chairman Player suggested tabling the matter with a request to the applicant to respond on the potential use of natural gas and consideration of shared-use with other entities to eliminate the need for multiple generators.

Moved by Schweibert to table the application by T-Mobile for a Conditional Use Permit allowing Alternative Energy Production at 421 1st Street NW, to allow the applicant to respond to questions regarding use of a natural gas-powered generator and exploration of shared-use with other entities. Seconded by Kurjatko. All member voting in favor.

Major Tom Wieseler was present to express his gratitude to the Board members for their service, and to welcome new members Jeff Schweibert and Alex Kurjatko to the Board. The Mayor noted that one position remains open on the board at this time.

Meeting adjourned at 7:53 p.m.