

**POTTAWATTAMIE COUNTY
BOARD OF ADJUSTMENT MINUTES
WEDNESDAY, SEPTEMBER 22, 2021
SUPERVISORS' HEARING ROOM-COUNTY COURTHOUSE
227 SOUTH 6TH STREET, COUNCIL BLUFFS, IOWA**

1. CALL TO ORDER

Chairman Genereux called the meeting to order at 5:30 P.M.

2. ROLL CALL

Members Present: Genereux, Pierce, Leaders, Anderson
Members Absent: Huerter
Staff Present: Kalstrup

3. MINUTES

Motion #1: to approve the Minutes of August 25, 2021.
Motion by: Leaders.
Second by: Anderson.
Vote: Unanimous. Motion carried.

4. PUBLIC HEARING

The Chairman read a statement advising the audience that the public hearings would be conducted in accordance with the Board's Rules of Procedure.

CASE #ZV-2021-02

PROPERTY OWNER: Kenneth T – Jackie Moore
REQUEST: A zoning variance to allow an accessory dwelling unit to be constructed on a 3.68 acre lot in lieu of a 4 acre lot.
TOWNSHIP: James
STREET: 38286 Juniper Rd
ZONING: A-2 (Agricultural Production)
LEGAL DESCRIPTION: 28-76-40 PT S1/2 SW COMM 1029.61'W OF S1/4 COR OF SECT 28 TH W357' N482' E357' S482' TO POB (PARCEL 20140)

Motion #2: to open the public hearing on Case #ZV-2021-02.
Motion by: Pierce.
Second by: Anderson.
Vote: Unanimous Vote. Motion Carried.

Motion #3: to close the public hearing on Case #ZV-2021-02.
Motion by: Leaders.
Second by: Anderson.
Vote: Unanimous Vote. Motion Carried.

Motion #4: to approve the request of Kenneth T – Jackie Moore for a zoning variance to allow an accessory dwelling unit to be constructed on a 3.68 acre lot in lieu of a 4 acre lot, as filed under Case #ZV-2021-05, subject to the following conditions:

1. The applicant shall secure permit approval through the County Building Code Division to ensure that the structure complies with the Pottawattamie County, Iowa, Building and Zoning Codes.
2. The applicant shall secure permit approval through the County Environmental Health Division for the septic system.

3. The applicant shall follow Pottawattamie Code Section 8.004.095 in regards to Accessory Dwelling Units (ADU).
4. The primary single family dwelling and the ADU must share a well.

Based on the following finding of facts:

1. The two dwellings will share a well, therefore the applicants' lot size is sufficient to support the proposed structure and additional septic system.
2. ADUs are a principle use in the A-2 Zoning District.
3. This proposal allows for the applicants to care for the parent.
4. The subject property is located in an area which consists primarily of ag uses. The ADU is not foreseen to have any negative impact on area properties.
5. The existing road system is adequate to accommodate this structure.
6. The aforementioned conditions will minimize any potential adverse impact on adjoining properties.

Motion by: Leaders.
Second by: Anderson.
Vote: Ayes – Leaders, Genereux, Anderson, Pierce. Motion Carried.

5. ADJOURNMENT

Motion #5: to adjourn.
Motion by: Leaders.
Second by: Anderson.
Vote: Unanimous. Motion carried.

The meeting was adjourned at approximately 5:48 P.M.

APPROVED: _____
Mike Genereux, Chairman Date

ATTEST: _____
Pam Kalstrup, Acting Planning Director
Planning & Development