

POTTAWATTAMIE COUNTY  
BOARD OF ADJUSTMENT  
REGULAR MEETING AGENDA

**WEDNESDAY, APRIL 24, 2019**  
**5:30 P.M.-Meeting**

SUPERVISORS' HEARING ROOM-COUNTY COURTHOUSE  
227 SOUTH 6TH STREET, COUNCIL BLUFFS, IOWA

**1. CALL TO ORDER**

Chairman Genereux called the meeting to order at \_\_\_\_\_ P.M.

**2. ROLL CALL**

Members Present:    Genereux White Fox Huerter Pierce

Members Absent:    Genereux White Fox Huerter Pierce

Staff Present:        Wyant        Kalstrup

**3. MINUTES**

Motion #1:            to approve the Minutes of March 27, 2019

Motion by:            \_\_\_\_\_

Second by:            \_\_\_\_\_

Vote:                    \_\_\_\_\_

**4. PUBLIC HEARINGS**

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 #CU-2019-01**

**APPLICANT:**            Thomas – Janna Feldman  
**REQUEST:**              Conditional use approval to permit temporary establishments involving larger assemblages of people.  
**TOWNSHIP:**              Boomer  
**STREET:**                31140 185<sup>th</sup> St  
**ZONING:**                 A-4 (Loess Hills)  
**LEGAL DESCRIPTION:** 18-77-43 PT SW SE S870.25' E477.6' (PARCEL A)

**CASE #ZV-2019-01**

**APPLICANT:**            Tyler E. Brunow  
**REQUEST:**              A 5'2" height variance to allow the construction of a pole building with a height of 27'2" in lieu of 22'.  
**TOWNSHIP:**              Garner  
**STREET:**                235<sup>th</sup> St  
**ZONING:**                 R-2  
**LEGAL DESCRIPTION:** AUD SUB NE1/4 36-75-43 PT LT 5 COMM 1101.46'N OF CTR OF SECT 36 TH SE392.28' NE590.07' NW607.30' S337.08' TO POB (PARCEL B)

**CASE #ZV-2019-02**

**APPLICANT:**            Cole Rupiper  
**REQUEST:**              A 50' front yard setback variance to allow the construction of a pole building with a front yard setback of 25' in lieu of 75'.  
**TOWNSHIP:**              Boomer  
**STREET:**                19337 Shadow Ave  
**ZONING:**                 A-4  
**LEGAL DESCRIPTION:** 29-77-43 LT 4 SW NW

**CASE #ZV-2019-03**

**APPLICANT:** MidAmerican Energy Company  
**REQUEST:** A 15' height variance repower existing Commercial Wind Turbine Generator with a height of 412' in lieu of 397'.  
**TOWNSHIP:** Layton  
**STREET:** 33266 530<sup>th</sup> Street  
**ZONING:** A-2  
**LEGAL DESCRIPTION:** 2-77-38 NE SE EXC I-80

**CASE #ZV-2019-04**

**APPLICANT:** MidAmerican Energy Company  
**REQUEST:** A 15' height variance repower existing Commercial Wind Turbine Generator with a height of 412' in lieu of 397'.  
**TOWNSHIP:** Layton  
**STREET:** 33267 530<sup>th</sup> Street  
**ZONING:** A-2  
**LEGAL DESCRIPTION:** 1-77-38 NW SW & EXC I-80

**CASE #ZV-2019-05**

**APPLICANT:** MidAmerican Energy Company  
**REQUEST:** A 24' height variance repower existing Commercial Wind Turbine Generator with a height of 412' in lieu of 388'.  
**TOWNSHIP:** Layton  
**STREET:** 32556 530<sup>th</sup> Street  
**ZONING:** A-2  
**LEGAL DESCRIPTION:** 11-77-38 SE NE

**CASE #ZV-2019-06**

**APPLICANT:** MidAmerican Energy Company  
**REQUEST:** A 17' height variance repower existing Commercial Wind Turbine Generator with a height of 412' in lieu of 395'.  
**TOWNSHIP:** Layton  
**STREET:** 32557 530<sup>th</sup> Street  
**ZONING:** A-2  
**LEGAL DESCRIPTION:** 12-77-38 SW NW

**CASE #ZV-2019-07**

**APPLICANT:** MidAmerican Energy Company  
**REQUEST:** A 13' height variance repower existing Commercial Wind Turbine Generator with a height of 412' in lieu of 399'.  
**TOWNSHIP:** Layton  
**STREET:** 31755 530<sup>th</sup> Street  
**ZONING:** A-2  
**LEGAL DESCRIPTION:** 13-77-38 NW NW EXC RR

**CASE #ZV-2019-08**

**APPLICANT:** MidAmerican Energy Company  
**REQUEST:** A 17' height variance repower existing Commercial Wind Turbine Generator with a height of 412' in lieu of 395'.  
**TOWNSHIP:** Layton  
**STREET:** 28382 500<sup>th</sup> Street  
**ZONING:** A-2  
**LEGAL DESCRIPTION:** 32-77-38 SE EXC S93 AC

**CASE #ZV-2019-09**

**APPLICANT:** MidAmerican Energy Company  
**REQUEST:** A 22' height variance repower existing Commercial Wind Turbine Generator with a height of 412' in lieu of 388'.  
**TOWNSHIP:** Layton  
**STREET:** 28383 500<sup>th</sup> Street  
**ZONING:** A-2  
**LEGAL DESCRIPTION:** 33-77-38 NW SW

**CASE #ZV-2019-10**

**APPLICANT:** MidAmerican Energy Company  
**REQUEST:** A 12' height variance repower existing Commercial Wind Turbine Generator with a height of 412' in lieu of 400'.  
**TOWNSHIP:** Layton  
**STREET:** 28356 510<sup>th</sup> Street  
**ZONING:** A-2  
**LEGAL DESCRIPTION:** 33-77-38 NE SE

**CASE #ZV-2019-11**

**APPLICANT:** MidAmerican Energy Company  
**REQUEST:** A 17' height variance repower existing Commercial Wind Turbine Generator with a height of 412' in lieu of 395'.  
**TOWNSHIP:** Layton  
**STREET:** 28357 510<sup>th</sup> Street  
**ZONING:** A-2  
**LEGAL DESCRIPTION:** 33-77-38 NW SE

**CASE #ZV-2019-12**

**APPLICANT:** MidAmerican Energy Company  
**REQUEST:** A 13' height variance repower existing Commercial Wind Turbine Generator with a height of 412' in lieu of 399'.  
**TOWNSHIP:** Layton  
**STREET:** 29199 515<sup>th</sup> Street  
**ZONING:** A-2  
**LEGAL DESCRIPTION:** 27-77-38 SW SE

**CASE #CU-82-003**

**APPLICANT:** Pottawattamie County  
**CURRENT PROPERTY OWNER:** Ronald L Bendorf Trust  
**REQUEST:** Public hearing to rescind conditional use approval to permit a commercial stable (to Ronald L Bendorf) as granted by the Zoning Board of Adjustment, Resolution #85-2, as the land use has subsequently been discontinued for a period of one (1) year or more.  
**TOWNSHIP:** Lewis  
**STREET:** 14323 230<sup>th</sup> ST  
**LEGAL DESCRIPTION:** 12-74-43 S508.74' W527.21' & S716.47' E796.28' NW SW

**CASE #CU-87-008**

**APPLICANT:** Pottawattamie County  
**CURRENT PROPERTY OWNER:** Marilyn J Gilmore Trust  
**REQUEST:** Public hearing to rescind conditional use approval to permit a commercial stable (to Carl Jones) as granted by the Zoning Board of Adjustment,

Resolution #87-19, as the land use has subsequently been discontinued for a period of one (1) year or more.

**TOWNSHIP:** Crescent  
**STREET:** 22438 Old Lincoln Hwy  
**LEGAL DESCRIPTION:** 36-76-44 PT NE SW COMM 371.38'W OF NE COR TH W968.26'  
S630.34' E411.31'NELY671.57'NWLY398.22' ALONG HWY ROW TO  
POB

**CASE #CU-89-005**

**APPLICANT:** Pottawattamie County  
**CURRENT**  
**PROPERTY OWNER:** Roger W – Susan R Day  
**REQUEST:** Public hearing to rescind conditional use approval to permit a commercial dog kennel (to Roger – Susan Day) as granted by the Zoning Board of Adjustment, Resolution #89-12, as the land use has subsequently been discontinued for a period of one (1) year or more.

**TOWNSHIP:** Grove  
**STREET:** 44087 Aspen Rd  
**LEGAL DESCRIPTION:** 28-74-39 N333' W926' SW SW

**CASE #CU-92-004**

**APPLICANT:** Pottawattamie County  
**CURRENT**  
**PROPERTY OWNER:** Jay K – Casey LH Ring  
**REQUEST:** Public hearing to rescind conditional use approval to permit a commercial dog kennel (to Joseph Calabro) as granted by the Zoning Board of Adjustment, Resolution #92-15, as the land use has subsequently been discontinued for a period of one (1) year or more.

**TOWNSHIP:** Neola  
**STREET:** 27748 Rosewood Rd  
**LEGAL DESCRIPTION:** 34-77-42 E1/2 SW SE EXC COMM SW COR E1/2 SW SE TH N498.9'  
SE161.99' S396.84' W130' TO POB

**CASE #CU-2000-06**

**APPLICANT:** Pottawattamie County  
**CURRENT**  
**PROPERTY OWNER:** Miko Koricic  
**REQUEST:** Public hearing to rescind conditional use approval to permit a commercial dog kennel (to Richard Hanson) as granted by the Zoning Board of Adjustment, Resolution #2000-20, as the land use has subsequently been discontinued for a period of one (1) year or more.

**TOWNSHIP:** Macedonia  
**STREET:** 10928 370<sup>th</sup> St  
**LEGAL DESCRIPTION:** 31-74-40 PT NE NE COMM NE COR TH S548.44' W429.01' N605.44'  
E427.86' TO POB

**CASE #CU-2001-009**

**APPLICANT:** Pottawattamie County  
**CURRENT**  
**PROPERTY OWNER:** Randall J – Joni L Hoffa  
**REQUEST:** Public hearing to rescind conditional use approval to permit a commercial stable (to Sharon M Knott) as granted by the Zoning Board of

Adjustment, Resolution #2002-04, as the land use has subsequently been discontinued for a period of one (1) year or more.

**TOWNSHIP:** Hardin  
**STREET:** 24748 Hackberry Rd  
**LEGAL DESCRIPTION:** 18-75-42 PT SW SE COMM SE COR N680.76' W320' S680.76' E320' TO POB (PARCEL C)

**CASE #CU-2001-08**

**APPLICANT:** Pottawattamie County  
**CURRENT**  
**PROPERTY OWNER:** Stacy M Gubbels  
**REQUEST:** Public hearing to rescind conditional use approval to permit a commercial dog kennel (to Jeff – Stacy Gubbels) as granted by the Zoning Board of Adjustment, Resolution #2004-01, as the land use has subsequently been discontinued for a period of one (1) year or more.

**TOWNSHIP:** Keg Creek  
**STREET:** 24467 Greenview Rd  
**LEGAL DESCRIPTION:** 6-74-42 COMM NE COR NE SW TH W397' S419' SELY TO A POINT 680' S OF POB TH N TO POB NE SW

**CASE #CU-2004-01**

**APPLICANT:** Pottawattamie County  
**CURRENT**  
**PROPERTY OWNER:** Shala Rane Chevalier  
**REQUEST:** Public hearing to rescind conditional use approval to permit a commercial dog kennel (to Joseph Calabro – Jessica Goodwin) as granted by the Zoning Board of Adjustment, Resolution #2004-03, as the land use has subsequently been discontinued for a period of one (1) year or more.

**TOWNSHIP:** Valley  
**STREET:** 26947 440<sup>th</sup> St  
**LEGAL DESCRIPTION:** 9-76-39 PT NW NW COMM NW COR TH E453.70' S404.40' W453.70' N404.40' TO POB (PARCEL A)

**CASE #CU-2005-06**

**APPLICANT:** Pottawattamie County  
**CURRENT**  
**PROPERTY OWNER:** David G – Tracy A Porter  
**REQUEST:** Public hearing to rescind conditional use approval to permit a commercial dog kennel (to David G – Tracy A Porter) as granted by the Zoning Board of Adjustment, Resolution #2005-05, as the land use has subsequently been discontinued for a period of one (1) year or more.

**TOWNSHIP:** Hazel Dell  
**STREET:** 25245 Lookout Ln  
**LEGAL DESCRIPTION:** 18-76-43 PT NW SW COMM 375.11'E SW COR NW SW NE587.54' N485.43' NW275.49' NW103.81' SW524.13' SW280.06' S23' TO POB (PARCEL F)

**CASE #CU-2008-02**

**APPLICANT:** Pottawattamie County

**CURRENT**

**PROPERTY OWNER:** David – Larry Bladt

**REQUEST:** Public hearing to rescind conditional use approval to permit a commercial dog kennel (to Doug – Kelly Benedict) as granted by the Zoning Board of Adjustment, Resolution #2008-02, as the land use has subsequently been discontinued for a period of one (1) year or more.

**TOWNSHIP:** Pleasant

**STREET:** 35974 Whippoorwill Rd

**LEGAL DESCRIPTION:**6-77-40 SE SW

**5. OTHER BUSINESS**

**6. ADJOURNMENT**

Motion #\_\_\_: to adjourn.

Motion by: \_\_\_\_\_

Second by: \_\_\_\_\_

Vote: \_\_\_\_\_

The meeting was adjourned at approximately \_\_\_\_\_ P.M.