

**POTTAWATTAMIE COUNTY  
BOARD OF ADJUSTMENT MINUTES  
WEDNESDAY, JULY 22, 2020  
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, Huerter, Leaders  
Members Absent: Pierce  
Staff Present: Kalstrup, Wyant

**3. MINUTES**

Motion #1: to approve the Minutes of April 22, 2019  
Motion by: Leaders.  
Second by: Huerter.  
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 #CU-2020-04**

**PROPERTY OWNER:** Carstens 1880 Farmstead Inc  
**APPLICANT:** Pork Belly Ventures LLC  
**REQUEST:** A Conditional Use Permit to allow temporary establishments or enterprises involving large assemblages of people or automobiles including, but not limited to, carnivals, circuses, rodeo grounds, show rings, livestock auction barns and yards, music festivals, sports festivals and similar uses.  
**TOWNSHIP:** Pleasant  
**STREET:** 32409 380<sup>th</sup> Street  
**ZONING:** A-2 (Agricultural Production) District  
**LEGAL DESCRIPTION:** 9-77-40 BLDG SITE N1/2 SW EXC COMM 82.38'W SE COR NE SW TH W527.54' N412.9'E527.53'S412.91' TO POB(EXEMPT PORTION)

Motion #2: to open the public hearing on Case #CU-2020-04.  
Motion by: Huerter.  
Second by: Leaders.  
Vote: Unanimous Vote. Motion Carried.

Motion #3: to close the public hearing on Case #CU-2020-04.  
Motion by: Huerter.  
Second by: Leaders.  
Vote: Unanimous Vote. Motion Carried.

Motion #4: to approve the request of Pork Belly Ventures LLC for a Conditional Use Permit to allow temporary establishments or enterprises involving large assemblages of people or automobiles including, but not limited to, carnivals, circuses, rodeo grounds, show rings, livestock auction barns and yards, music festivals, sports festivals and similar uses, as filed under Case #CU-2020-04, subject to the following conditions:

1. The applicant shall apply for the necessary permits to insure compliance Environmental Health Regulations and State Regulations.
2. No on-road parking shall be permitted during this event.
3. Any changes to the proposed events as approved shall be presented to the Board of Adjustment for review and approval prior to said change being made.
4. No late night events past 10P.M.
5. Limit the number of participants to seven hundred (700).

based on the following findings of fact:

***1. Does the proposed use conform to the Land Use Policy Plan?***

The subject property is located in the Class A-2 (Agricultural Production) District. The County Zoning Ordinance, which is adopted in conjunction with the Land Use Plan, stipulates that the proposed type of event is a permitted conditional use in the A-24 District.

***2. Is the site suitable for the proposed use? Such factors as size and shape of the property, topographic conditions, soil conditions to support water and septic systems, accessibility to transportation facilities, and soil erosion problems shall be considered.***

The proposed event is not the dominate use of the subject property. Conditions on sanitary facilities and parking address the potential land use concerns presented by this type of activity.

***3. Is the adjoining road system adequate to accommodate the proposed use in terms of the present traffic volume vs. road capacity and the general condition of the road system?***

The proposed event is not the dominate use of the subject property and is limited to a three day period.

***4. Can adequate measures be taken to minimize any potential adverse impacts on adjoining property? If so, stipulate such measures as required by the ordinance or special conditions that would be required.***

Yes, see imposed conditions

***5. Does the conditional use comply with all conditions imposed on it by the provisions of the district in which such conditional use may be authorized?***

The proposed special events will comply with all other provisions of the County Code.

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

**CASE #CU-2020-05**

**PROPERTY OWNER:** Mabel E Buboltz Trust  
**APPLICANT:** Reworx Services Group LLC, Tim Cofield  
**REQUEST:** A Conditional Use Permit to allow a transformer station, booster station or utility station.  
**TOWNSHIP:** Layton  
**STREET:** Truman Avenue  
**ZONING:** A-2 (Agricultural Production) District  
**LEGAL DESCRIPTION:** 14-77-38 NE SW

Motion #5: to open the public hearing on Case #CU-2020-05.  
Motion by: Leaders.  
Second by: Huerter.  
Vote: Unanimous Vote. Motion Carried.

Motion #6: to close the public hearing on Case #CU-2020-04.  
Motion by: Huerter.  
Second by: Leaders.  
Vote: Unanimous Vote. Motion Carried.

Motion #7: to approve the request of Reworx Services Group LLC, Tim Cofield for a Conditional Use Permit allow a transformer station, booster station or utility station, as filed under Case #CU-2020-05, subject to the following conditions:

1. The applicant shall apply for the necessary permits to insure compliance with the Pottawattamie County, Iowa, Building Code.
2. The leased area shall be fenced and gated.

Based on the following findings of facts:

1. The subject property is located in the A-2 (Agricultural Production) District. The County Zoning Ordinance, which is adopted in conjunction with the Land Use Plan, stipulates that the proposed land use is a permitted conditional use in the A-2 District. The Land Use Plan recognizes the need for adequate utilities to accommodate existing and future development.
2. The subject property is suitable for the placement of a booster station and will not create a detrimental effect on adjacent properties.
3. The subject property consists of 39 acres and the placement of a booster station is not foreseen to have any negative impact on area properties.
4. The only time the proposed booster station will have any utilization of the Truman Avenue road system is primarily during its initial construction. Traffic to the station will be minimal after construction. The existing road system is adequate to accommodate said delivery and no negative impact should be encountered.
5. The proposed station will meet the criteria set forth by the Zoning Ordinance.

## 5. ADJOURNMENT

Motion #8: to adjourn.  
Motion by: Leaders.  
Second by: Huerter.  
Vote: Unanimous. Motion carried.

The meeting was adjourned at approximately 6:15 P.M.

