

**POTTAWATTAMIE COUNTY
BOARD OF ADJUSTMENT MINUTES
WEDNESDAY, SEPTEMBER 23, 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: Anderson, Huerter, Leaders, Pierce, Genereux
Staff Present: Kalstrup, Wyant

3. MINUTES

Motion #1: to approve the Minutes of August 26, 2020
Motion by: Huerter.
Second by: Pierce.
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-2020-15

PROPERTY OWNER: Patrick D – Kathy A Minikus

REQUEST: An 11' front yard setback variance and a 1.5' side yard setback variance to allow the construction of an attached garage with a front yard setback of 64' in lieu of 75' and with a side yard setback of 23.5' in lieu of 25'.

TOWNSHIP: Crescent

STREET: 22742 Linden Rd W

ZONING: A-4 (Loess Hills) District

LEGAL DESCRIPTION: OAK VALLEY SUB DIV I S1/2 LT 26 & N25' LT 25 OAK VALLEY SUB DIV II

Motion #2: to open the public hearing on Case #ZV-2020-15.
Motion by: Leaders.
Second by: Huerter.
Vote: Unanimous Vote. Motion Carried.

Motion #3: to close the public hearing on Case #ZV-2020-15.
Motion by: Huerter.
Second by: Leaders.
Vote: Unanimous Vote. Motion Carried.

Motion #4: to deny the request of Patrick D – Kathy A Minikus for an 11' front yard setback variance and a 1.5' side yard setback variance to allow the construction of an attached garage with a front yard setback of 64' in lieu of 75' and with a side yard setback of 23.5' in lieu of 25', as filed under Case #ZV-2020-15, based on the following findings of facts:

1. The applicant has failed to submit evidence to insure that fulfillment of the terms of Section 8.096.030.02 of the County Code can be complied with in the granting of the requested variance.

Motion by: Leaders.
Second by: Huerter.
Vote: Unanimous Vote. Motion Carried.

CASE #ZV-2020-16

PROPERTY OWNER: David – Erin Panowicz
REQUEST: A 15' front yard setback variance to allow the construction of a single family dwelling with a front yard setback of 60' in lieu of 75'.
TOWNSHIP: Lewis
STREET: Meadowview Parkway
ZONING: A-4 (Loess Hills) District
LEGAL DESCRIPTION: LEWIS TWP – HEARTLAND COUNTRY ESTATES LT 49

Motion #5: to open the public hearing on Case #ZV-2020-16.
Motion by: Huerter.
Second by: Pierce.
Vote: Unanimous Vote. Motion Carried.

Motion #6: to close the public hearing on Case #ZV-2020-16.
Motion by: Anderson.
Second by: Huerter.
Vote: Unanimous Vote. Motion Carried.

Motion #7: to tour the Case #CU-2020-16 (David -Erin Panowicz) property on Wednesday, September 30, 2020, leaving the Planning Office at 4:30 P.M. and to continue the Board's deliberation on this request to September 30, 2020 at 5:30 P.M.

Motion by: Leaders.
Second by: Huerter.
Vote: Unanimous Vote. Motion Carried.

5. ADJOURNMENT

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

The meeting was adjourned at approximately 6:30 P.M.

APPROVED: _____
Mike Genereux, Chairman Date

ATTEST: _____
Matt Wyant, Planning Director
Planning & Development