

**POTTAWATTAMIE COUNTY  
BOARD OF ADJUSTMENT MINUTES  
WEDNESDAY, SEPTEMBER 30, 2020  
SUPERVISORS' HEARING ROOM-COUNTY COURTHOUSE  
227 SOUTH 6TH STREET, COUNCIL BLUFFS, IOWA**

**1. TOUR**

**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

**2. CALL TO ORDER**

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

**3. ROLL CALL**

**Members Present:** Anderson, Huerter, Leaders, Pierce, Genereux  
**Staff Present:** Kalstrup, Wyant

**4. PUBLIC MEETING**

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**TOWNSHIP:** Lewis  
**STREET:** Meadowview Parkway  
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**Motion #1:** to deny the request of David – Erin Panowicz for 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', as filed under Case #ZV-2020-16.

**Motion by:** Anderson.  
**Second by:** Leaders.  
**Vote:** Genereux-Nay, Leaders -Aye, Pierce-Nay, Huerter-Nay, Anderson Aye.  
Motion Failed.

**Motion #2:** to approve the request of David – Erin Panowicz for 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', as filed under Case #ZV-2020-16, based on the following findings of fact:

1. The property is split in half by a ravine that varies in depth from 10' to 20'
2. There is a petroleum pipeline with a 50' easement on the north side of the property.
3. The topography of the parcel does not allow for construction at the required 75' setback without significant dirt work being done.
4. The applicant had a soil compaction test conducted, which failed at the required 75' setback.

Motion by: Huerter.  
Second by: Pierce.  
Vote: Genereux-Aye, Leaders -Nay, Pierce-Aye, Huerter-Aye, Anderson Aye.  
Motion Carried.

**5. ADJOURNMENT**

Motion #3: to adjourn.  
Motion by: Leaders.  
Second by: Huerter.  
Vote: Unanimous. Motion carried.

The meeting was adjourned at approximately 5:45 P.M.

APPROVED: \_\_\_\_\_  
Mike Genereux, Chairman Date

ATTEST: \_\_\_\_\_  
Matt Wyant, Planning Director  
Planning & Development