

**POTTAWATTAMIE COUNTY
BOARD OF ADJUSTMENT MINUTES
WEDNESDAY, MAY 26, 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, Huerter, Leaders, Pierce
Members Absent: Anderson
Staff Present: Kalstrup, Wyant

3. MINUTES

Motion #1: to approve the Minutes of February 24, 2021.
Motion by: Pierce.
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-2021-02

PROPERTY OWNER: Patricia E Birusingh
REPRESENTED BY: Geoff DeOld
REQUEST: Conditional use approval to permit a private school in an A-4 Zoning District.
TOWNSHIP: Lake/Hardin
STREET: 20525 Monument Rd
ZONING: A-4 (Loess Hills District)
LEGAL DESCRIPTION: 11-75-44 NE1/4 E OF RR

Motion #2: to open the public hearing on Case #CU-2021-02
Motion by: Leaders.
Second by: Huerter.
Vote: Unanimous Vote. Motion Carried.

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

Motion #4: to approve the request of Patricia E Birusingh for conditional use approval to permit a private school in an A-3 Zoning District, as filed under Case #CU-2021-02, subject to the following conditions:

1. The applicant shall obtain the necessary Commercial Building Permits to renovate the building in accordance with Pottawattamie County Building Codes.
2. If the well servicing the property will be utilized by the public, it must be approved by the Department of Natural Resources as a Public Water Well.

3. The septic system shall be installed to Code and sized to handle present and future capacity.
4. The parking lot shall be constructed in accordance with Pottawattamie County Codes in addition to providing the necessary ADA hard surface parking space(s).
5. Signage shall be limited to Pottawattamie County Code.
6. The drive for this conditional use shall comply with Section 503 of the International Fire Code.
7. Site shall be inspected and certificate of occupancy shall be issued prior to commencement of commercial activities.

based on the following findings of fact:

1. The subject property is located in the A-4 (Loess Hills) 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-4 District.
2. The subject property is located in an area primarily utilized for agricultural and residential. This conditional use is not foreseen to have any negative impact on area properties.
3. The existing road system is not foreseen to be impacted.
4. The aforementioned conditions will minimize any potential adverse impact on adjoining properties.

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

Vote: Unanimous Vote. Motion Carried.

7. ADJOURNMENT

Motion #5: to adjourn.
Motion by: Pierce.
Second by: Huerter.
Vote: Unanimous. Motion carried.

The meeting was adjourned at approximately 6:18 P.M.

APPROVED: _____

Mike Genereux, Chairman

Date

ATTEST: _____

Matt Wyant, Planning Director
Planning & Development