

**POTTAWATTAMIE COUNTY
BOARD OF ADJUSTMENT MINUTES
WEDNESDAY, FEBRUARY 23, 2022
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, Anderson, Kay
Staff Present: Kalstrup

3. MINUTES

Motion #1: to approve the Minutes of January 26, 2022.
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-2022-02

PROPERTY OWNER: Frazier Farms Inc.
APPLICANT: MidAmerican Energy Company
REPRESENTED BY: Marty Dostalík, Civil Engineering Consultants, Inc.
REQUEST: Conditional Use approval to permit the construction of an electrical substation in a Class A-3 (River Front & Ag Production) District.
TOWNSHIP: Rockford
STREET: Sumac Rd
ZONING: A-3 (River Front and Agricultural Production District)
LEGAL DESCRIPTION: 35-77-44 A parcel of land in the NW ¼ NE ¼ and the NE ¼ NW ¼ (surveyed as Parcel 21367).

Motion #2: to open the public hearing on Case #CU-2022-02
Motion by: Leaders.
Second by: Anderson.
Vote: Unanimous Vote. Motion Carried.

Motion #3: to close the public hearing on Case #CU-2022-02.
Motion by: Kay.
Second by: Anderson.
Vote: Unanimous Vote. Motion Carried.

Motion #4: to approve the request of MidAmerican Energy Company for conditional use approval to permit the construction of an electrical substation in a Class A-3 (River Front & Ag Production) District, subject to the following conditions:

1. The applicant shall complete the sketch plat application.
2. The applicant shall secure a Building Permit, Grading Permit and Flood Plain Development Permit.

based on the following findings of fact:

1. The subject property is located in the A-3 (River Front & Ag 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-3 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 an electrical substation and will not create a detrimental effect on adjacent properties.
3. The subject property consists of 5 acres and the placement of an electrical substation is not foreseen to have any negative impact on area properties.
4. The only time the proposed electrical substation will have any utilization of Sumac Road system is primarily during its initial construction. Traffic to the substation will be minimal after construction. The existing road system is adequate to accommodate said delivery and no negative impact should be encountered.

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

5. ADJOURNMENT

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

The meeting was adjourned at approximately 5:43 P.M.

APPROVED: _____
Mike Genereux, Chairman Date

ATTEST: _____
Matt Wyant, Planning Director
Planning & Development