

**POTTAWATTAMIE COUNTY  
BOARD OF ADJUSTMENT MINUTES  
WEDNESDAY, NOVEMBER 16, 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: Leaders, Kay, Genereux, Huerter  
Members Absent: Anderson  
Staff Present: Kalstrup, Wyant

**3. MINUTES**

Motion #1: to approve the Minutes of September 21, 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 #ZV-2022-01**

**PROPERTY OWNER:**

Bryan and Angela Yoder

**REQUEST:**

A 6' height variance to allow the construction of a pole building with a height of 28' in lieu of 22'

**TOWNSHIP:**

Hardin

**STREET:**

18772 300<sup>th</sup> St

**ZONING:**

R-1 (Ag-Urban Transitional)

**LEGAL DESCRIPTION:**

PT NE NE COMM 1169.84'S NE COR TH S143.81' W745.5'  
N154.3' NELY60.78'NLY247.53' SE309.41'E139.07'  
S211.72'E280.5' NE28.23' N98.53' E75' TO POB (PARCEL A)

Motion #2: to open the public hearing on Case #ZV-2022-01  
Motion by: Kay.  
Second by: Huerter.  
Vote: Unanimous Vote. Motion Carried.

Motion #3: to close the public hearing on Case #ZV-2022-01.  
Motion by: Leaders.  
Second by: Huerter.  
Vote: Unanimous Vote. Motion Carried.

Motion #4: to approve the request of Bryan and Angela Yoder for an 8' height variance to allow the construction of a pole building with a height of 28' in lieu of 22', subject to the following conditions:

1. The proposed building shall be setback at a minimum of 25 (twenty five) feet from the side yard and 50 (fifty) feet from the rear yard.

**Based on the following finding of facts:**

1. The applicants' lot size is sufficient to support proposed structure.
2. The property is not in a platted subdivision.
3. The subject building is not going to be used for any commercial activities.
4. The aforementioned facts reduce the potential visual and aesthetic impacts on the line of sight for which the height restriction was adopted.

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

**5. ADJOURNMENT**

Motion #5: to adjourn.  
Motion by: Leaders.  
Second by: Huerter.  
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