

**POTTAWATTAMIE COUNTY
BOARD OF ADJUSTMENT MINUTES
WEDNESDAY, DECEMBER 28, 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 November 16, 2022.
Motion by: Kay.
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-2022-02

PROPERTY OWNER:

Duane – Sherry Decker

REQUEST:

A 200 square foot size variance to allow the construction of an accessory dwelling unit with a size of 800 square feet in lieu of 600 square feet.

TOWNSHIP:

Lake

STREET:

18860 Honeysuckle Rd

ZONING:

A-4 (Loess Hills)

LEGAL DESCRIPTION:

6-75-43 PT SE1/4 COMM 1149.3'W & 238.77'S OF E1/4 COR TH SLY833.29 SE278.18' E45.22'SE853.23' W1441.12'S71.21' W208.71'N793.16' E821.2' N1075.77' TO POB

Motion #2:

to open the public hearing on Case #ZV-2022-02

Motion by:

Leaders.

Second by:

Kay.

Vote:

Unanimous Vote. Motion Carried.

Motion #3:

to close the public hearing on Case #ZV-2022-02.

Motion by:

Leaders.

Second by:

Huerter.

Vote:

Unanimous Vote. Motion Carried.

Motion #4:

to approve the request of Duane and Sherry Decker for 200 square foot size variance to allow the construction of an accessory dwelling unit with a size of 800 square feet in lieu of 600 square feet, subject to the following conditions:

1. Obtain the necessary building permits for the interior finishes of the structure.
2. Obtain a septic permit for the structure.
3. Area shown on the plans as storage shall be maintained as such.

Based on the following finding of facts:

1. The property on which the structure sits is 26.01 acres which allows the structure to sit well above established setbacks.
2. The main house on the property has a 2,556 sq ft footprint. At 800 sq ft the accessory dwelling unit size less than 50% of the primary dwelling.
3. The subject property is located in an area which consists primarily of timber and ag uses. The ADU is not foreseen to have any negative impact on area properties.
4. The existing road system is adequate to accommodate this structure.
5. The aforementioned conditions will minimize any potential adverse impact on adjoining properties.

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

5. ADJOURNMENT

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

The meeting was adjourned at approximately 5:55 P.M.

APPROVED: _____
Mike Genereux, Chairman Date

ATTEST: _____
Matt Wyant, Planning Director
Planning & Development