

**POTTAWATTAMIE COUNTY  
BOARD OF ADJUSTMENT MINUTES  
WEDNESDAY, APRIL 26, 2023  
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: Wyant, Kalstrup

**3. MINUTES**

Motion #1: to approve the Minutes of February 22, 2023  
Motion by: Kay.  
Second by: Anderson.  
Vote: Unanimous. Motion carried.

**4. The following case was tabled:**

**CASE #CU-2023-02**

**APPLICANT:** US Cellular  
**REQUEST:** Conditional use approval to permit construction of a communication tower and equipment building in a Class R-1 (Ag-Urban Transitional) District.  
**TOWNSHIP:** Keg Creek  
**STREET:** 285<sup>th</sup> St  
**ZONING:** R-1 (Ag-Urban Transitional)  
**LEGAL DESCRIPTION:** 5-74-42 NW NE

**5. 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-2023-01**

**APPLICANT:** Adam Fenn  
**REQUEST:** Conditional Use approval to permit a rural enterprise business (woodworking) in an accessory structure.  
**TOWNSHIP:** Carson  
**STREET:** 38656 Cottonwood Rd  
**ZONING:** A-2 (Agricultural Production)  
**LEGAL DESCRIPTION:** 33-75-40 PT SW SE W268' S487.61' E466.61' (PARCEL A)

Motion #2: to open the public hearing on Case #CU-2023-02  
Motion by: Anderson.  
Second by: Leaders.  
Vote: Unanimous Vote. Motion Carried.

Motion #3: to close the public hearing on Case #CU-2023-01.  
Motion by: Leaders.  
Second by: Huerter.  
Vote: Unanimous Vote. Motion Carried.

Motion #4: to approve the request of Adam Fenn for a Conditional Use approval to permit a rural enterprise business (woodworking) in an accessory structure, subject to the following conditions:

1. The area in the subject accessory structure dedicated to the rural enterprise business shall be limited to what was shown on the floor plan submitted with the application.
2. All work shall be conducted indoors.
3. Any signage shall be limited to Section 8.090.030.06 of the Pottawattamie County, IA Code and installed after building permit is issued.

based on the following findings of fact:

1. The rural enterprise business is a listed permitted conditional use in the A-2 District, which conforms to the Land Use Policy Plan.
2. The subject property is located in an area primarily utilized for agricultural. This rural enterprise business is not foreseen to have any negative impact on area properties.
3. The existing road system is adequate to accommodate the rural enterprise business.
4. The aforementioned conditions will minimize any potential adverse impact on adjoining properties by limiting the size of the rural enterprise business.
5. The rural enterprise business complies with the conditions imposed for such a land use as follows:
  - A. The rural enterprise business is located on the same property where the business owner's residence is located.
  - B. The rural enterprise business is for woodworking.
  - C. There is no evidence that the rural enterprise business will create excessive noise, obnoxious odors, and electrical disturbances.
  - D. The total area devoted to the rural enterprise business is less than 1 acre.
  - E. No on-street parking will be permitted with this rural enterprise business.

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

**5. ADJOURNMENT**

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

The meeting was adjourned at approximately 5:41 P.M.

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

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