

**POTTAWATTAMIE COUNTY  
BOARD OF ADJUSTMENT MINUTES  
WEDNESDAY, FEBRUARY 28, 2024  
SUPERVISORS' HEARING ROOM-COUNTY COURTHOUSE  
227 SOUTH 6TH STREET, COUNCIL BLUFFS, IOWA**

**1. CALL TO ORDER**

Chairman Genereux called the meeting to order at 5:32 P.M.

**2. ROLL CALL**

Members Present: Genereux, Leaders, Anderson, Kay, Huerter  
Staff Present: Wyant, Kalstrup

**3. MINUTES**

Motion #1: to approve the Minutes of January 24, 2024.  
Motion by: Kay.  
Second by: Anderson.  
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-2024-02**

**APPLICANT:** John Butterbaugh  
**REQUEST:** A fourteen and a half (14 ½) foot front yard setback variance to allow the construction of a car port with a front yard setback of 60 ½' in lieu of 75' in a Class R-2 (Urban Transitional) District.  
**TOWNSHIP:** Garner  
**STREET:** 23303 Three Bridge Rd  
**ZONING:** R-2 (Urban Transitional)  
**LEGAL DESCRIPTION:** GARNER TWP 25-75-43 PT NW NW COMM NW COR TH E584.01' SW72.43' SW647.31' N395.97' TO POB (PARCEL C)and 4-75-43 PT SW SW COMM SW COR TH N115.69' SELY427.41' S33' W413.05' TO POB(PARCEL A)

Motion #2: to open the public hearing on Case #ZV-2024-02.  
Motion by: Leaders.  
Second by: Huerter.  
Vote: Unanimous Vote. Motion Carried.

Motion #3: to close the public hearing on Case #ZV-2024-02.  
Motion by: Kay.  
Second by: Anderson.  
Vote: Unanimous Vote. Motion Carried.

Motion #4: to approve the request of John Butterbaugh for a 14 ½' variance to allow the construction of a car port with a front yard setback of 60 ½' in lieu of 75' in a Class R-2 (Urban Transitional) District, as filed under Case #ZV-2024-02, with the stipulation that no modifications may be made to the structure and that in the event the structure is destroyed, it would have to be rebuilt at the required setback.

Motion by: Kay.  
Second by: Anderson.  
Vote: Ayes – Kay. Nays - Genereux, Anderson, Huerter, Leaders. Motion Failed.

Motion #5: to deny the request of John Butterbaugh for a 14 ½' variance to allow the construction of a car port with a front yard setback of 60 ½' in lieu of 75' in a Class R-2 (Urban Transitional) District, as filed under Case #ZV-2024-02.

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

**5. ADJOURNMENT**

Motion #6: to adjourn.  
Motion by: Leaders.  
Second by: Huerter.  
Vote: Unanimous. Motion carried.

The meeting was adjourned at approximately 5:58 P.M.

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

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