POTTAWATTAMIE COUNTY
BOARD OF ADJUSTMENT MINUTES
WEDNESDAY, OCTOBER 28, 2026
SUPERVISORS' HEARING ROOM-COUNTY COURTHOUSE
227 SOUTH 6TH STREET, COUNCIL BLUFFS, IOWA

1. CALL TO ORDER

Chairman Vice Chairman Leaders called the meeting to order at 5:30 P.M.

2. ROLL CALL

Members Present:	Kay, Lippert, Leaders, Huerter
Members Absent:	Genereux
Staff Present:	Wyant, Kalstrup

3. MINUTES

Motion #1:	to approve the Minutes of August 26, 2026
Motion by:	Kay.
Second by:	Huerter.
Vote:	Unanimous. Motion carried.

The Chairman read a statement advising the audience that the public hearings would be conducted in accordance with the Board's Rules of Procedure.

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-2026-05

PROPERTY OWNER:	Jonathan – Veronica Kuebler
REQUEST:	A 20'5" front yard setback variance to allow the construction of a garage with a 54'7" front yard setback in lieu of a 75' front yard setback variance in a Class R-1 (Ag Urban Transitional)
TOWNSHIP:	Hardin
STREET:	25827 Mcpherson Avenue
ZONING:	R-1 (Ag Urban Transitional)
LEGAL DESCRIPTION:	20-75-42 PT E1/2 NE COMM NE COR 1013.74'SWLY 679.73'SWLY ALONG HWY 33'SE TO POB THSE395.9' NE440.45'NLY124.6' W134.64'WLY66.93'S56.15' SWLY151.21'SWLY324.5'TO POB

Motion #2:	to open the public hearing on Case #ZV-2026-05.
Motion by:	Kay.
Second by:	Huerter.
Vote:	Unanimous Vote. Motion Carried.

Motion #3:	to close the public hearing on Case #ZV-2026-05.
Motion by:	Huerter.
Second by:	Kay.
Vote:	Unanimous Vote. Motion Carried.

Motion #4: to approve a 12'6" front yard setback variance (the request was for 20' 5") for Jonathan and Veronica Kuebler to allow the construction of a detached garage with a 62'6" front yard setback (no closer than existing single family dwelling) in a Class R-1 (Ag Urban Transitional) District

Based on the following findings of fact:

1. Is necessary to alleviate a demonstrable hardship or practical difficulty so great as to warrant the variance .
2. Will not merely serve as a convenience to the applicant.
3. Will not impair the general purpose and intent of the regulations and provisions contained in this Ordinance.
4. Will not impair an adequate supply of light and air to adjacent properties.
5. Will not increase the hazard from fire and other damages to said property.
6. Will not diminish the value of land and buildings in the County.
7. Will not increase the congestion and traffic hazards on public roads.
8. Will not otherwise impair the public health, safety and general welfare of the inhabitants of the County.
9. Is not based on the nonconforming use of neighboring lands, structures or buildings in the same district, and the permitted or nonconforming use of lands, structures, or buildings in other districts is not grounds for the issuance of the variance.
10. Will not, under any circumstances, allow a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.
11. Pottawattamie Zoning Ordinance allows for: FRONT YARD: In any Class "R" District or platted residential subdivision there shall be a front yard setback as stated in the setback requirements for that particular district; provided however, where lots comprising thirty (30) percent or more the frontage within two hundred (200) feet of either side lot line, excluding frontage zoned other than residential, are developed with buildings at a greater or lesser setback, the front yard setback requirement shall be the average of these building setbacks and the minimum front yard setback required for undeveloped lots. In computing the average setback, buildings located on reverse frontage lots or entirely on the rear half of lots shall not be counted. In any case, the required yard setback as computed herein need not exceed twice the minimum front yard setback required for the particular district, but in no case shall the front yard setback be less than fifteen (15) feet. (Ordinance #2004-14/07-01-04)

Based on the following conditions:

1. The applicant shall secure a building permit for the building to ensure compliance with the Pottawattamie County, Iowa Building Code.
2. The building shall be constructed no closer than 62' 6" to the front yard property line.

Motion by: Huerter.
Second by: Lippert.
Vote: Aye - Huerter, Kay, Lippert, 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 5:46 P.M.

APPROVED: _____

Lynn Leaders, Vice Chairman Date

ATTEST:_____

Matt Wyant, Planning Director
Planning & Development