

**POTTAWATTAMIE COUNTY
BOARD OF ADJUSTMENT MINUTES
WEDNESDAY, SEPTEMBER 21, 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, Anderson
Members Absent: Huerter
Staff Present: Kalstrup, Wyant

3. MINUTES

Motion #1: to approve the Minutes of August 31, 2022.
Motion by: Kay.
Second by: Leaders.
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 #CU-2022-05

PROPERTY OWNER: Tyler P – Christy Graham
REQUEST: Conditional Use approval to permit a rural enterprise business (cabinet building) in an accessory structure.
TOWNSHIP: Washington
STREET: 33652 Hwy 6
ZONING: A-2 (Ag Production)
LEGAL DESCRIPTION: 15-75-41 PT S1/2 SE COMM SE COR SW SE TH W209.49' N538.49' E64.71' SELY564.79' S83' W172.78' TO POB (PARCEL A SW SE & PARCEL A SE SE)

Motion #2: to open the public hearing on Case #CU-2022-05
Motion by: Leaders.
Second by: Anderson.
Vote: Unanimous Vote. Motion Carried.

Motion #3: to close the public hearing on Case #CU-2022-05.
Motion by: Kay.
Second by: Anderson.
Vote: Unanimous Vote. Motion Carried.

Motion #4: to approve the request of Tyler P – Christy Graham for conditional use approval to permit a rural enterprise business (cabinet building) 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. Due to the numerous types and size of machinery, and also due to the type of raw materials and finished product associated with this rural enterprise business, outside storage is not an option. In lieu of utilizing the allowable acre of property for the rural enterprise business, all storage of machinery, raw materials and finished product will be in the accessory building.
3. 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.
4. The existing road system is adequate to accommodate the rural enterprise business.
5. The aforementioned conditions will minimize any potential adverse impact on adjoining properties by limiting the size of the rural enterprise business.
6. 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 building cabinets.
 - 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: Kay.
Second by: Anderson.
Vote: Ayes – Leaders, Anderson, Genereux, Kay. Motion Carried.

5. ADJOURNMENT

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

The meeting was adjourned at approximately 5:42 P.M.

APPROVED: _____
Mike Genereux, Chairman Date

ATTEST: _____
Matt Wyant, Planning Director
Planning & Development