

Pottawattamie County, IA 2011-016541  
Recorder John Sciortino  
Book-Page: 2011-016541  
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Rec-\$0.00 Aud-\$0.00 RMA-\$0.00 ECM-\$0.00  
Current Transfer Tax Paid: \$0.00



**NO FEE**

**COMPARED**

**RECORDER'S COVER SHEET**

Prepared by:

Pottawattamie County Office of Planning and Development  
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Document Title:

Pottawattamie County  
Resolution #2011-04

**COMPARED**

**POTTAWATTAMIE COUNTY, IOWA  
BOARD OF ADJUSTMENT  
RESOLUTION #2011-04**

**WHEREAS**, the application of **David – Amanda Reynolds and Steve – Debra Ebke**, for a **lot size variance to allow a property line adjustment**, has been filed with the Development Director for submission to this Board under **Case #ZV-2011-02**; and

**WHEREAS**, said application requests that this Board grant , for a **lot size variance to allow a property line adjustment**, located in **Garner Township**, to-wit:

**Lot 8, Wildwood 2<sup>nd</sup> Addition and Lot 9, Wildwood 2<sup>nd</sup> Addition**

**WHEREAS**, this Board conducted a public hearing on **August 25, 2011** in accordance with the provisions of Chapter 8.096 of the Pottawattamie County, Iowa, Code, and has given all parties an opportunity to be heard; and

**WHEREAS**, being thoroughly familiar with the involved real estate and the surrounding area, after careful consideration of the evidence submitted and the testimony given at the public hearing, this Board has determined that owing to the special circumstances, a literal enforcement would in this case, result in unnecessary hardship; and

**WHEREAS**, a motion to grant a **lot size variance to allow a property line adjustment** was made by Genereux, seconded by Huerter, and carried by the following roll call

Genereux	Aye
Huerter	Aye
White	Aye
Pierce	Aye
Wichman	Aye

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Adjustment of Pottawattamie County, Iowa:

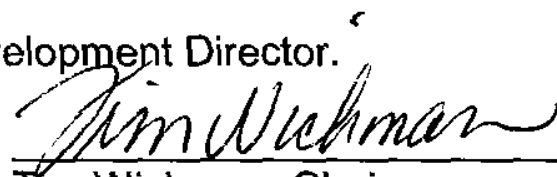
**SECTION 1 \* DECISION:** That the request for **lot size variance to allow a property line adjustment**, be, and the same is hereby approved.

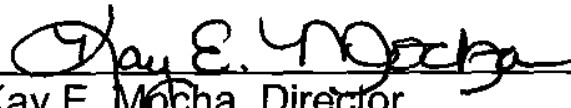
**SECTION 2 \* FINDINGS OF FACT:** That the above-described decision is based on the following findings of facts:

1. The subject lots are non-conforming lots of record created prior to the adoption of the current zoning standard establishing a minimum lot size of 1 acre.
2. Within the confines of the two properties there is no solution to make the lot sizes conforming.
3. The proposed property line adjustment is to convey a portion of one lot to the other lot which will further equalize the size of the lots.

4. The granting of this variance does not serve as a mere convenience to the property owners.
5. The granting of this variance will not impair the general purpose and intent of the Zoning Ordinance.
6. The granting of this variance will not impair adequate supply of light and air to adjacent properties; will not increase the hazard from fire and other damages to said property; will not diminish any property values; will not increase the congestion of traffic hazards on public roads; and will not impair the public health, safety and general welfare of the inhabitants of the County.
7. The granting of this variance is not based on nonconforming uses of land, nor will it allow a use that is not permitted by the Zoning Ordinance.

Filed this 25th day of August in the Office of the Development Director.

  
\_\_\_\_\_  
Tim Wichman, Chairman

Attest:   
\_\_\_\_\_  
Kay E. Mocha, Director  
Planning and Development

Record after signed