NOTICE OF APPROVAL
Case #CU-18-001
Council Bluffs Zoning Board of Adjustment
Date: July 17, 2018

Henry Clark
P.O. Box 485
Glenwood, IA 51534

To Whom It May Concern:

You are hereby officially notified that the Council Bluffs Zoning Board of Adjustment has **approved your request to allow a conditional use permit to allow 'commercial storage' in an R-4/High Density Multi-Family Residential District, on property legally described as being Part of Tract 4, Sherwood Subdivision, Phase 2 of the NE1/4 of Section 29-75-43 and the SE1/4 of Section 20-75-43, being more particularly described as: Commencing at the North One-Quarter Corner of said Section 29; thence South 00°28'46" West (assumed bearing) for 601.20 feet along the west line of Tract 1, Sherwood Subdivision; thence South 89°42'54" East for 734.06 feet along the south line of said Tract 1 to the Point of Beginning; thence North 01°55'34" East for 365.68 feet along the west line of said Tract 4 (Phase 2); thence the following six (6) courses along the northerly line of said Tract 4 (Phase 2): (1)South 88°07'43" East for 259.02 feet (2)North 62°19'42" East for 135.88 feet (3)North 03°22'57" East for 160.06 feet (4)South 86°34'35" East for 209.97 feet (5)North 03°23'25" East for 173.82 feet (6)South 86°37'58" East for 238.30 feet; thence South 15°58'43" West for 759.19 feet along the west line of Valley View Drive Right-of-Way as described in Book 2008, Page 8642 in the Pottawattamie Recorders Office; thence North 89°44'11" West for 649.73 feet along the south line of said Tract 4 (Phase 2) to the Point of Beginning, City of Council Bluffs, Pottawattamie County, Iowa, subject to the comments stated above and the following conditions:**

1. *The applicant shall secure all necessary permits and licenses for the operation of the conditional use and shall comply with all applicable Federal, State and local codes.*
2. *The applicant shall have an adopted planned residential development plan for the proposed 'commercial storage' use prior to commencing any construction activity on the subject property.*
3. *Fire hydrants shall be provided in accordance with Chapter 507.5.1 of the International Fire Code relative to hydrant spacing.*
4. *Potable water shall be extended to the subject property to service the proposed development. Any costs to construct, remove and/or relocate any utilities for the proposed development shall be the responsibility of the applicant and not the City.*
5. *The hours of operations shall be as presented in the application.*
6. *Outdoor storage shall be ancillary to the commercial storage use and shall be limited in size to 10% of total site acreage. Outdoor storage shall be completely screened from view from Railroad Highway and the Sherwood Apartments and shall be limited to cars, trucks, boats and recreational*

vehicles only. Exterior storage of junked, wrecked, inoperable and/or unregistered vehicles is prohibited.

7. *All outdoor storage areas, off-street parking, driveways and drive aisles shall be hard-surface paved with asphalt or concrete cement and shall be designed to comply with all standards stated in Chapter 15.23, Parking, Loading and Unloading of the Council Bluffs Zoning Ordinance.*
8. *The applicant shall comply with all applicable stormwater management standards for the proposed development, as determined by the Council Bluffs Public Works Department.*

You are hereby advised that any one who objects to the Board's decision (including the City's Community Development Department, if its representatives recommended against your request) may appeal such decision by filing with the District Court a Petition for Certiorari within 30 days after the filing of the Board's decision.

You are hereby advised that if such appeal is taken, you may intervene in the appeal to present your position. In the event of an appeal, you should consult an attorney for advice on your legal rights.

You are hereby advised that if you, in reliance upon the Board's approval of your request, proceed with any construction plans and/or expend any money within 30 days of the filing of the Board's decision, you will be doing so **at your own risk,** because if someone appeals the Board's decision in that time and is ultimately successful with the appeal, then it will be as if the Board had never approved your request; you should do nothing in reliance upon the Board's decision until the 30 days has expired.

There may be public or private easements, covenants and/or deed restrictions which may limit the use of this property.

Bobbette Behrens, Chair
Council Bluffs Zoning Board of Adjustment

cc: Building Division
Sherwood Forest View, LLC, 7455 France Avenue S #381, Edina, MN 55435
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