



**ZONING BOARD OF ADJUSTMENTS  
AGENDA**

**Tuesday, November 19, 2024 - 4:00 PM  
Council Chambers, 2nd Floor, City Hall  
209 Pearl Street**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. ADOPTION OF AGENDA**
- 5. APPROVAL OF MINUTES**
- 6. PROOF OF PUBLICATION/POSTING**
- 7. REVIEW OF MEETING PROCEDURES**
- 8. PUBLIC HEARINGS**

**A. CASE #CU-24-007**

Public hearing on the request of Dave P. Ayala for a conditional use permit to allow 'storage yard' in an I-2/General Industrial District on property legally described as Lots 13-14, Block 6, Fleming and Davis Addition and the south half of the vacated east/west alley adjacent, City of Council Bluffs, Pottawattamie County, Iowa. Location: Undeveloped land located immediately east of 1610 10th Avenue.

- 9. OTHER BUSINESS**
- 10. ADJOURNMENT**

Any questions or concerns regarding this agenda and/or requests for special accommodations at this meeting should be directed to the Community Development Department at (712) 890-5350 or email at [cgibbons@councilbluffs-ia.gov](mailto:cgibbons@councilbluffs-ia.gov).

## Zoning Board of Adjustment Communication

Department: Community  
Development

Case/Project No.: CU-24-007  
Submitted by: Christopher N.  
Gibbons, Planning Manager

CASE #CU-24-007

Council Action: 11/19/2024

### **Description**

Public hearing on the request of Dave P. Ayala for a conditional use permit to allow ‘storage yard’ in an I-2/General Industrial District on property legally described as Lots 13-14, Block 6, Fleming and Davis Addition and the south half of the vacated east/west alley adjacent, City of Council Bluffs, Pottawattamie County, Iowa. Location: Undeveloped land located immediately east of 1610 10th Avenue.

### **Background/Discussion**

See attached staff report.

### **Recommendation**

### **ATTACHMENTS:**

Description	Type	Upload Date
Staff Report and Attachments A - D	Staff Report	11/14/2024

**TO:** Zoning Board of Adjustment  
**FROM:** Community Development Department  
**DATE:** November 18, 2024  
**RE:** CASE #CU-24-007  
**REQUEST:** A conditional use permit to allow a 'storage yard' in an I-2/General Industrial District.

**APPLICABLE**

**CODE SECTIONS:** §15.02.020 – Zoning Board of Adjustment  
The Zoning Board of shall have the following powers:  
B. To make final decisions on applications for conditional uses.  
§15.21.030 – Conditional Uses in a I-2/General Industrial District  
H. Storage yard

**LEGAL**

**DESCRIPTION:** Lots 13 and 14, Block 6, Fleming and Davis Addition and the south ½ of the vacated east/west alley adjacent, City of Council Bluffs, Pottawattamie County, Iowa

**LOCATION:** Undeveloped property located immediately east of 1610 10<sup>th</sup> Avenue

**APPLICANT/  
OWNER:** Dave P. Ayala, 923 Avenue L, Council Bluffs, IA 51501

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**BACKGROUND INFORMATION** – The Community Development Department has received an application from Dave P. Ayala for a conditional use permit to allow a 'storage yard' in an I-2/General Industrial District on property described above. The applicant acquired the subject property on March 6, 2023 and was issued a zoning enforcement letter on October 7, 2024 for operating a towing business with exterior storage of equipment/vehicles (i.e. storage yard) on the subject property without a conditional use permit (see Attachments A & B). The purpose of this conditional use permit is to bring the applicant's towing business into conformance with the City's Zoning Ordinance and to establish site development standards that are applicable to their use of the property as a 'storage yard'.

The subject property contains 8,160 square feet of land (0.19 acres) and is located at the northwest corner of the intersection of S. 16<sup>th</sup> Street and 10<sup>th</sup> Avenue. The applicant's site plan shows a 40' x 40' shop building at the north end of the site and a parking lot between the shop building and the front property line, abutting 10<sup>th</sup> Avenue (see Attachment C). The submittal conditional use permit application states the business will have a total of four employees (including the owner) and will operate Monday – Friday from 7:00A.M. to 7:00P.M. and Saturday – Sunday from 9:00A.M. to 2:00P.M. The site is currently secured by a six foot-tall chain link fence and is proposed to be accessed from S. 16<sup>th</sup> Street and 10<sup>th</sup> Avenue.

**CURRENT ZONING AND LAND USE** – The subject property is zoned I-2/General Industrial District and is surrounded by the same zoning to the north, south, east, and west (see Attachment 'D').

Land uses in the surrounding vicinity include: a contractor shop (Sandau Bros. Sign Company) and undeveloped land to the north; single-family residential dwellings (nonconforming) to the west; single-family residential dwellings (nonconforming), an adult daycare (Trivium), and storage yards to the east; and single-family residential dwellings (nonconforming), a contractor shop (Perfect Diamond Lawn), and storage yards to the south.

The future land use map of the Bluffs Tomorrow: 2030 Comprehensive Plan designates the subject property and surrounding area as 'Light Industrial'.

The following attachments are included with the case staff report:

- Attachment A: Zoning enforcement letter - Fencing
- Attachment B: Zoning enforcement letter – Illegal use
- Attachment C: Site Plan
- Attachment D: Location/Zoning Map

The following photographs show the existing condition of the subject property and surrounding area:

**Exhibit A: Aerial view of the subject property**



**Exhibit B: View of property from 10<sup>th</sup> Avenue**



**Exhibit C: View of property from S. 16<sup>th</sup> Street**



**CITY DEPARTMENTS AND UTILITIES** – All City Departments and local utility providers were notified of the proposed conditional use permit request. The following comments were received:

The Community Development Department provided the following comments:

1. The subject property is zoned I-2/General Industrial District and contains 8,160 square feet of land (0.19 acres), which complies with minimum I-2 District lot size, width, and depth requirements.
2. A 'storage yard' is defined in Section 15.03.609, Definitions, 'Storage Yard,' of the Council Bluffs Zoning Ordinance as *"A facility engaged in the surface storage of operating or non-operating vehicles, other large items and containers for storing or collecting goods or material while*

*awaiting sale, resale, transfer, redemption or use, excluding dismantling or salvage. The yard shall have a defined boundary and be hard-surfaced throughout. Licensing by the health department may be required. Typical uses include sales lots, automobile auctions, transfer facilities, container storage and impound lots.”* The applicant’s proposal to store towed vehicles is consistent with this definition. No salvaging or storage of junk, wrecked vehicles, scrap metal(s), or other similar materials shall be stored on-site. Additionally, no stacking of materials, equipment, or vehicles above the height of the privacy fence around the property shall be allowed.

3. A ‘storage yard’, as defined in Section 15.03.609 of the Council Bluffs Zoning Ordinance, is allowed to operate in an I-2 District with issuance of a conditional use permit from Council Bluffs Zoning Board of Adjustment.
4. On November 13, 2023, the Council Bluffs City Council adopted Ordinance No. 6581, which established regulations for ‘storage yards’ and ‘salvage yards’ in Section 15.24.110, *Salvage and Storage Yard Regulations*, as follows:

A. Required Approvals: Any new and expanding salvage and/or storage yards shall obtain a conditional use permit in accordance with Section 15.02.090, Conditional Uses, of the CBMC. Any salvage and/or storage yards established prior to the adoption of this ordinance which do not have a conditional use permit shall be considered nonconforming and shall comply with Section 15.26.030, Nonconforming Uses, of the CBMC. Additionally, an intensification of an existing nonconforming salvage and/or storage operation may result in bringing the operation into compliance with all standards of this Section.

*The applicant’s request is to establish a new ‘storage yard’ for vehicles and equipment on the subject property. The applicant is required to obtain a conditional use permit, as per the regulations stated above.*

B. New and Expanding Salvage and/or Storage Yard Regulations: New and expanding salvage and storage yards are required to obtain a conditional use permit in accordance with Section 15.02.090, Conditional Uses, of the CBMC. In addition to the requirements of an approved conditional use permit, storage and salvage yards shall be subject to the following regulations:

1. Pavement. All driveways, parking lots and outdoor areas used for the storage of vehicles, materials, or equipment must be hard-surface paved in accordance with CBMC Section 15.23, Off-Street Parking, Loading and Unloading.

*The applicant’s submitted site plan shows a parking lot area where all equipment and vehicles will stored on-site. The site plan does not state the pavement material or thickness of such material. The minimum pavement type and thickness requirements for a ‘storage use’ is five inches of Portland cement concrete or six inches of rock base with four inches of asphalt cement concrete, as per Section 15.23.030, Design Standards, of the Council Bluffs Zoning Ordinance. The applicant’s final parking lot plan shall be designed to adhere to the pavement requirements stated above.*

2. Internal Site Circulation. All storage and salvage yards shall have paved access aisles to allow for safe and efficient internal site circulation. Access aisles shall remain free and clear of any obstructions.

*The subject property measures 60’ x 128’. The submitted site plan shows two rows of perpendicular parking with a center drive aisle. No dimensions for the parking spaces or drive aisles were provided on the plan. Based on the layout of the site and the width*

*of the lot, the applicant has the ability to provide one row of perpendicular (9'x18') parking spaces along with a 24 foot-wide two-way drive aisle and the required five foot-wide green space on either side of the parking area on-site. The applicant shall provide the City an updated parking lot plan and parking lot permit that complies with all applicable off-street parking standards. All off-street parking areas, drive aisles, and entrances shall be paved in accordance with Chapter 15.23, Off-Street Parking, Loading, and Unloading of the Council Bluffs Zoning Ordinance, prior to the business operating.*

3. Screening. All outdoor storage areas shall be adequately screened by fencing, walls, landscaping, or a combination thereof in a manner that is compatible with the size, intensity, and type of materials being stored and surrounding properties. Specific screening requirements shall be established on a case-by-case basis through a conditional use permit.

*The applicant has partially installed a six foot-tall chain link fence around the perimeter the property, without a permit, to help secure the site. City staff informed the applicant they must obtain a fence permit to legally construct a fence on the property. Furthermore, City staff advised the applicant that a storage yard must be screened from public view.*

*As per Section 15.24.040(E)(1), Required Fences, of the Council Bluffs Zoning Ordinance, "A fence shall also be required for any open storage area in an industrial district which blocks all view of the storage area at or beyond the property line. The fence shall be provided by one of the following methods:*

- a. *A wood and/or masonry fence, at least fifty (50) percent opaque, six feet in height;*
- b. *A vegetation fence capable of providing a substantially opaque barrier and attaining a height of six feet within three years of planting;*
- c. *A landscaped earth berm with a maximum slope of three to one vertical/horizontal, no more than six feet above the existing grade of the property line separating the zoning districts; or*
- d. *Any combination of the described methods that achieves a cumulative height of six feet."*

*The applicant shall obtain a fence permit and said fence shall be designed to conform the screening requirements stated above.*

4. Separation Distance. Any new salvage yard shall be a minimum of 600 feet away from any of the following uses, as measured from the property line: any residential use or district, daycare center, school, public park, master planned development, historic district, or historic landmark property. No minimum separation distance is required for new storage yards.

*The applicant has proposed to operate a 'storage yard' on the subject property. There will be no salvaging of vehicles and/or equipment on-site; therefore a minimum 600 foot separation distance from the abutting residential dwellings to the immediate east, south, and west is not required.*

5. Stacking. Any unstructured stacking of items stored outdoors, including, but not limited to, raw materials, junk, vehicles, and containers shall be limited to a maximum height as established on a case-by-case basis through a conditional use permit. Stacking within 75 feet of all required fencing shall be limited to the height of the fence.

*Not applicable, as the applicant has not proposed to stack any items on-site.*

6. Environmental Health. Storage and salvage yards shall be conducted in compliance with all City, County and State requirements.

*The applicant shall comply with all applicable Federal, State, and local environmental health regulations while operating a 'storage yard' on the subject property.*

5. The submitted site plan shows a new 40' x 40' storage building at the north-end of the property. Based on the dimensions of the property (60'x128'), the proposed building will be able to comply with all applicable I-2 District site development standards (i.e. building setbacks and lot coverage). The proposed setback stated on the site plan must be revised to show a minimum rear yard setback of 10 feet; an interior side yard setback of 10 feet; and a street side yard setback (abutting S. 16<sup>th</sup> Street) of 10 feet, in order to comply with I-2 District standards. All building construction shall comply with the Chapter 15.21.050, I-2 District, *Site Development Regulations*, of the Council Bluffs Zoning Ordinance.
6. The total number of required off-street parking spaces shall be based on the use of the building and will determined prior to issuance of any building or parking lot permits at this site. The number of parking stalls and their design shall comply with all applicable standards stated in Chapter 15.23.060, *Off-Street Parking, Loading, and Unloading*, of the Council Bluffs Zoning Ordinance.
7. All off-street parking, driveways, loading/unloading areas and storage areas shall be hard-surfaced and designed to comply with the requirements stated in Chapter 15.23 *Parking, Loading and Unloading* of the Council Bluffs Zoning Ordinance.
8. All outdoor lighting shall comply with the standards stated in Section 15.24.050, *Lighting Controls*, of the Council Bluffs Zoning Ordinance.
9. The applicant is not proposing any signage at this time. All signage installed at a future date shall be permitted separately prior to installation and shall comply with the standards in Chapter 15.33, *Signs*, of the Council Bluffs Zoning Ordinance.
10. The applicant's hours of operation shall be as stated in their submitted letter of intent.

Council Bluffs Public Works Department stated the following:

1. 10<sup>th</sup> Avenue must be improved to the current City street standard(s) for the frontage of property owned by the applicant;
2. The submitted site plan does not fit the lot dimensionally (i.e. parking lot dimensions) and must be revised to comply with City requirements; and
3. The site does not meet the criteria for full storm water management, per City code, but minimum storm water controls should be put in place due to proximity to Indian Creek.

Council Bluffs Permits and Inspections Division stated the applicant must submit a full set of construction documents detailing structural, electrical, mechanical, and plumbing for the proposed shop building.

Council Bluffs Police Department stated they have no comments/objections to the request.

Council Bluffs Water Works stated they have no comment for the request.

Council Bluffs Parks Department stated they have no comment for the request.

MidAmerican Energy stated that they have no issues with the conditional use request.

**NEIGHBORHOOD RESPONSE** – All property owners within 200 feet were notified of the conditional use permit request. No comments have been received by the City as of the date of this report.

**COMMENTS**

§15.02.090 Conditional Uses: The development and execution of the Ordinance (Title 15) is based upon the division of the City into districts. Within each district the use of land and buildings, and the bulk and location of buildings and structures in relation to the land, are substantially uniform. It is recognized, however, that there are specific uses which, because of their unique characteristics, cannot be properly classified in any particular district or districts without consideration, in each case, of the impact of those uses upon neighboring land and of the public need for the particular use at the particular location. Such uses may be either public or private, and are of such an unusual nature that their operation may give rise to unique problems with respect to their impact upon neighboring property or public facilities.

The Zoning Board of Adjustment shall make findings of fact, based upon the evidence presented at the public hearing, with respect to each of the applicable standards in Section 15.02.090(E), Findings of Fact.

The Zoning Board of Adjustment may impose such conditions and restrictions upon the location, construction, design and use of the property benefitted by a conditional use as may be necessary or appropriate to protect the public interest, adjacent property and property values. Failure to maintain such conditions or restrictions as may be imposed shall constitute grounds for revocation of the conditional use. The terms of relief granted, including any conditions or restrictions, shall be specifically set forth in the concluding statement separate from the findings of fact. No conditional use shall be approved unless the Zoning Board of Adjustment makes findings of fact based directly on the standards and conditions imposed by this section. The findings of fact are presented below in *italics*:

1. *The proposed conditional use will comply with all applicable regulations of this Ordinance, including lot requirements, bulk regulations, use limitations, and all other standards or conditions contained in the provisions authorizing such use.* The subject property contains 8,160 square feet of land (0.19 acres), which exceeds the minimum lot size, width, and depth requirements for property zoned I-2/General Industrial District. The applicant shall comply with all regulations stated in Section 15.24.110, Salvage and Storage Yard Regulations, of the Council Bluffs Zoning Ordinance, as stated above.
2. *Adequate utility, drainage, and other necessary facilities or improvements have been or will be provided.* The subject property has access to existing public and private utilities within S. 16<sup>th</sup> Street and 10<sup>th</sup> Avenue. No utility service extensions and/or infrastructure improvements are necessary for the proposed ‘storage yard’ use.
3. *Adequate access roads or entrance and exit drives will be designed and built to prevent traffic hazards and to minimize traffic conflicts and congestion in public streets and alleys.* The subject property is located at the northwest corner of the intersection S. 16<sup>th</sup> Street and 10<sup>th</sup> Avenue. The submitted site plan shows the proposed ‘storage yard’ will be accessed by a driveway from each abutting roadway. All areas of the property used for vehicle access, parking, drive aisles, circulation, etc. shall be constructed and designed to comply with Council Bluffs Public Works Department standards and all applicable standards stated in Chapter 15.23, Off-Street Parking, Loading, and Unloading, of the Council Bluffs Zoning Ordinance. Furthermore, the Public Works

Department stated the applicant must improve the section of 10<sup>th</sup> Avenue abutting their property to current City standards. All parking areas, drive aisles, driveway, circulation routes on the subject property and improvements to said section of 10<sup>th</sup> Avenue shall be constructed, prior to the applicant operating a 'storage yard' on the subject property.

4. *All necessary permits and licenses required for the operation of the conditional use have been obtained, or it clearly states that such permits are obtainable for the proposed conditional use on the subject property.* The applicant shall obtain all necessary Federal, State, and local permits for the 'storage yard', prior to operating. The parking lot permit and fence permit shall be obtain prior to the business operating.
5. *All exterior lighting shall be shaded as necessary to direct the light away from neighboring residential properties.* The applicant is not proposing any additional exterior lighting at this time. Any future outdoor lighting shall comply with Section 15.24.050, *Lighting Controls*, of the Council Bluffs Zoning Ordinance.
6. *The location and size of the conditional use, the nature and intensity of the activities, to be conducted in connection with it, the size of the site, and the relationship of the site to adjacent roadways shall be considered to assure the use is in harmony with the appropriate and orderly development of the district and the neighborhood in which it is located.* The subject property is zoned I-2/General Industrial District and is surrounded by the same zoning on all sides. The property contains 8,160 square feet of land (0.19 acres), which exceeds the minimum lot size requirements for property zoned I-2 District, and is suitable for operating a 'storage yard'. Existing development in the areas surrounding the subject property includes a mixture of contractor shops, storage yards, nonconforming residential dwellings, and undeveloped land. The future land use plan of the Bluffs Tomorrow: 2030 Comprehensive Plan designates the subject property as 'Light Industrial'. A 'storage yard' is generally consistent with the 'Light Industrial' designation. The subject property has access to S. 16<sup>th</sup> Street and 10<sup>th</sup> Avenue, which are public rights-of-way.
7. *The location, nature and height of buildings, structures, walls, and fences on the site, and the nature and extent of landscaping and screening on the site shall be designed so that the use will not reasonably hinder or discourage the appropriate development, use, and enjoyment of the adjacent land, buildings and structures.* The applicant's submitted site plan shows a 40' x 40' building at the north-end of the subject property and a six foot-tall chain link fence around the perimeter of the site. The subject property contains sufficient dimensions (60' x 128') for the proposed building to be designed and constructed to comply with all site development standards stated in Chapter 15.21, I-2/General Industrial District of the Council Bluffs Zoning Ordinance. The proposed six foot-tall fence shall be designed to provide a 100% opaque screen of the property and shall be permitted prior to construction. All fencing shall comply with the standards stated in Section 15.24.040(E)(1), *Required Fences*, of the Council Bluffs Zoning Ordinance. Vinyl inserts that provide a 100% opaque screen shall be installed as part of any chain-link fence that is used to screen the property from view.
8. *The proposed conditional use will not cause substantial injury to the value of other property in the neighborhood in which it is located and will contribute to and promote the convenience and welfare of the public.* Based on the existing development pattern and surrounding land uses, the proposed 'storage yard' is not anticipated to have a negative impact on property values for existing or future land uses in the surrounding area.

**RECOMMENDATION** – The Community Development Department recommends approval of the request for a conditional use permit to allow a ‘storage yard’ in an I-2/General Industrial District on property legally described above, 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 storage yard use shall be limited to towed vehicles and shall be contained to the subject property only. No salvaging or storage of junk, wrecked vehicles, scrap metal(s), or other similar equipment/materials shall be stored on-site. Additionally, no stacking of materials, equipment, or vehicles above the height of the privacy fence around the property shall be allowed.
3. All building construction shall comply with the standards stated in Chapter 15.21.050, I-2 District, *Site Development Regulations*, of the Council Bluffs Zoning Ordinance.
4. All off-street parking areas, driveways, circulations paths, access aisles, etc. shall be hard-surface paved and designed to comply with all applicable standards stated in Chapter 15.23, *Off-Street Parking, Loading and Unloading*, of the Council Bluffs Zoning Ordinance. The applicant shall obtain a parking lot permit and all areas used for vehicle parking, access, storage, etc. shall be hard-surfaced paved, prior to the business operating.
5. The applicant shall work with the Council Bluffs Public Works Department on all required improvements to 10<sup>th</sup> Avenue.
6. The hours of operation shall be as presented in the application.
7. A minimum six foot-tall privacy fence shall be installed around the perimeter of the subject property to screen the ‘storage yard’ from public view. All fencing shall comply with the standards stated in Section 15.24.040(E)(1), *Required Fences*, of the Council Bluffs Zoning Ordinance. Vinyl inserts that provide a 100% opaque screen shall be installed as part of any chain-link fence that is used to screen the property from public view.
8. All exterior lighting shall comply with the standards stated in Section 15.24.050, *Lighting Controls*, of the Council Bluffs Zoning Ordinance.
9. Any signage installed at a future date shall be permitted separately prior to installation and shall comply with the standards in Chapter 15.33, *Signs*, of the Council Bluffs Zoning Ordinance.
10. Any future cost to extend, modify or otherwise relocate any public utilities/facilities to service the subject property shall be at the cost of the owner/applicant and not the financial responsibility of the City of Council Bluffs.



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Christopher N. Gibbons, AICP  
Planning Manager  
Community Development Department



October 7, 2024

Ayala, Dave P.  
923 Avenue L  
Council Bluffs, IA 51501

RE: Fence Installed Without Permit

Parcel: 754435406008

## Courtesy Letter – Zoning Violation

Dear Property Owner:

The City of Council Bluffs is committed to maintaining quality neighborhoods and an excellent community environment. We know that this can only be achieved through the cooperation of everyone involved. In this regard, it has come to the attention of our office that a fence has been installed at the vacant lot located east of 1610 10<sup>th</sup> Avenue (legally described as Lots 13 and 14, Block 6, Fleming and Davis Addition and the south one-half of the vacated east/west alley adjacent) without a permit. Installing a fence without a permit is in violation of the City's Municipal Code Section 15.24.040 entitled *Fence Regulations*, which states:

- 1. No person or entity shall be allowed to erect or otherwise install any fencing (other than vegetation) under the requirements of this section unless they first have applied for and received a permit from the City of Council Bluffs Building Division.*

Corner lots require specific areas in which a fence can be located so that it does not obstruct the clear view of pedestrians or motorists. Please contact a member of our Planning team to find out what area it can be located on and what height your fence can be. A photograph(s) (see reverse side) taken at the time of the initial inspection has been included with this letter for your convenience.

The City of Council Bluffs through its Community Development Department is requesting that the above mentioned violation at the vacant lot located east of 1610 10<sup>th</sup> Avenue be resolved by obtaining a fence permit from the Council Bluffs Permits and Inspections Division no later than **October 21, 2024**. A copy of the fence permit application is enclosed with this letter for your convenience.

We encourage voluntary compliance and hope that you will work with us to maintain a positive community environment. Your cooperation is greatly appreciated. If you have any questions or need further information, please feel free to contact me.

Sincerely,

Chris Kates  
Code Compliance Officer, Community Development Department  
City of Council Bluffs | Phone: (712)-890-5285 | Email: [crkates@councilbluffs-ia.gov](mailto:crkates@councilbluffs-ia.gov)

### City of Council Bluffs – Community Development Department

209 Pearl Street | Council Bluffs, IA 51503 | (712) 890-5350 | [councilbluffs-ia.gov](http://councilbluffs-ia.gov)  
Equal Opportunity Employer



**Photograph(s) of violation**



**City of Council Bluffs – Community Development Department**

209 Pearl Street | Council Bluffs, IA 51503 | (712) 890-5350 | councilbluffs-ia.gov  
Equal Opportunity Employer



October 7, 2024

Ayala, Dave P.  
923 Avenue L  
Council Bluffs, IA 51501

RE: Storage Yard

Parcel Number: 754435406008

### **Courtesy Letter – Zoning Violation**

Dear Property Owner:

The City of Council Bluffs is committed to maintaining quality neighborhoods and an excellent community environment. We know that this can only be achieved through the cooperation of everyone involved. In this regard, it has come to the attention of our office that the vacant lot east of 1610 10<sup>th</sup> Avenue, legally described as Lots 13 and 14, Block 6, Fleming and Davis Addition and the south one-half of the vacated east/west alley adjacent, is being used as a storage yard.

The subject property is zoned I-2/General Industrial District. Within all areas zoned I-2 District, a conditional use permit must be obtained from the City's Zoning Board of Adjustment prior to operating a storage yard. Please contact a member of the Council Bluffs Planning team to discuss the process and timeline for obtaining a conditional use permit no later than **October 21, 2024**.

We encourage voluntary compliance and hope that you will work with us to maintain a positive community environment. Your cooperation is greatly appreciated. If you have any questions or need further information, please feel free to contact me.

Sincerely,

Chris Kates  
Code Compliance Officer, Community Development Department  
City of Council Bluffs | Phone: (712) 890-5285 | Email: [crkates@councilbluffs-ia.gov](mailto:crkates@councilbluffs-ia.gov)

**City of Council Bluffs – Community Development Department**

209 Pearl Street | Council Bluffs, IA 51503 | (712) 890-5350 | [councilbluffs-ia.gov](http://councilbluffs-ia.gov)  
Equal Opportunity Employer

Attachment C

DAVE ANALA

1201

60'

5'

40' X 40'

BUILDING

O

50' X 40'

PARKING AREA

PARKING AREA

5'

5'

16<sup>th</sup> ST

10<sup>th</sup> AVE

# CITY OF COUNCIL BLUFFS - ZONING BOARD OF ADJUSTMENT CASE #CU-24-007 LOCATION/ZONING MAP

## Attachment D

### Legend

 Subject Property

0 15 30



1 inch = 25 feet



Last Amended: 10/28/24



Council Bluffs Community  
Development Department  
209 Pearl Street  
Council Bluffs, IA 51503  
Telephone: (712) 890-5350

**DISCLAIMER**  
This map is prepared and compiled from City documents, plans and other public records data. Users of this map are hereby notified that the City expressly denies any and all responsibility for errors, if any, in the information contained on this map of the nature of the same by the user or anyone else. The user should verify the accuracy of information/data contained on this map before using it. The City assumes no legal responsibility for the information contained on this map.

