

Polk County Zoning Commission

Monday, August 28, 2023

Staff Report



**Dylan Estates Plat 1 – Major Preliminary Plat**

**Applicants:** Lawrence Tetmeyer (Property Owner)  
Vic Piagentini, Associated Engineering Company of Iowa (Surveyor)

**Request:** Preliminary Plat Approval of a Major Subdivision Plat

**Legal Description:** Lot 1 Tetmeyer Subdivision, Section 3, Township 79 North, Range 24 West of the 5<sup>th</sup> P.M. (Saylor Township).

**General Location:** The subject property is located at 6450 NW 6<sup>th</sup> Drive, adjacent to the west of the intersection of NW 6<sup>th</sup> Drive and NW 64<sup>th</sup> Place, within the NE ¼ of the SW ¼ of Section 3, Saylor Township. (*Attachment 'A'*)

**Existing Zoning:** “LDR” Low Density Residential District

**Surrounding Zoning:**

**North:** “LDR” Low Density Residential District  
**South:** “AG” Agricultural District  
**East:** “MU” Mixed Use District  
**West:** “LDR” Low Density Residential District

**Waiver Request 1:** No residential block shall be longer than one thousand three hundred and twenty (1320) feet or twelve (12) times the minimum lot width for the district, whichever is less, unless the Zoning Commission approves a longer distance in a Neighborhood Access Plan. (*Attachment 'C'*)

**GENERAL COMMENTS:**

This preliminary plat (*Attachment 'B'*) proposes two (2) single family residential on approximately 2.98 acres zoned “LDR” Low Density Residential. Lot 1 is proposed to be 0.54 acres and with Lot 2 being the remaining 2.44 acres. Lot 2 contains an existing single-family dwelling, a pool, and three (3) accessory buildings. Lot 1 is proposed to be developed to contain a single-family residential dwelling. Lot 1 exceeds the 75-foot minimum lot width and the 12,000 square-foot minimum lot size for properties within the “LDR” Low Density Residential district. The Polk County Zoning Ordinance requires a slightly larger minimum lot size of 15,000 SF for any residential lot served by a private wastewater treatment system, regardless of the zoning district minimum lot size. Lots 1 and 2 meet exceed 15,000 square feet as well. Minimum setbacks for Lot 1 will be 35-foot front and rear yard setbacks, and ten (10) foot side yard setbacks.

The subject property features steady slopes throughout, with 50 feet of elevation change from the high point in the northeast corner of the property to the low point near the southwest corner of the property. The proposed Lot 1 features a steady slope from the high point of 886-feet above sea level near NW 6<sup>th</sup> Drive, to the low point of approximately 862-feet near the rear property line. The grade does not appear to be a significant hindrance of the property. Lot 1 features a grove of mature woodlands on the east side of the lot near NW 6<sup>th</sup> Drive. Preservation of the grove of trees is required per Polk County's Woodland Preservation Standards set forth by Article 7, Section 4 of the Polk County Zoning Ordinance. Lot 2 also contains mature woodlands covered by Article 7, Section 4 in the southwest corner of the lot. The existing single-family dwelling meets the 35-foot front and rear setbacks and the ten (10) foot side yard setbacks. All accessory structures on Lot 2 adhere to accessory regulation setbacks. Lot 2 meets the Single-Family Bulk Standards for lot size, lot width maximum building height, and maximum building coverage within the "LDR" Low Density Residential District. The two lots on this subdivision will be required to utilize the same existing entrance off NW 6<sup>th</sup> Drive with a recorded ingress/egress easement.

**Utilities:**

Water service is provided to each lot by a 12 inch Des Moines Water Works water main along the west side of NW 6<sup>th</sup> Drive. Des Moines Water Works will require the existing service to Lot 2 to be entirely located within the lot boundary. Lot 1 and Lot 2 will be served by on site wastewater treatment systems. No new roadway improvements are proposed with the current configuration of this subdivision, as both lots will utilize the existing access onto NW 6<sup>th</sup> Drive.

**STAFF REVIEW:**

Staff has reviewed this plat for compliance with the Polk County Zoning and Subdivision Ordinances as a major subdivision plat submittal. The plat is considered a major subdivision because the proposed lots represent another lot created after there has already been 5 lots created in the larger aliquot part (the Northeast ¼ of the Southwest ¼ of Section 23, Saylor Township). Lot density, dimensions, frontage, and access have been reviewed, and meet all Polk County Zoning and Subdivision Requirements. Following the Zoning Commission's recommendation, and addressing remaining staff comments, the applicants may forward the preliminary plat and recommendation to the Board of Supervisors for their consideration and approval. If approved by the Board of Supervisors a final plat and required legal documents may be prepared and submitted for the County's review, final approval and recording. At this stage, the Commission's recommendation would affirm, deny, or amend the overall plat layout.

The Polk County Subdivision Ordinance stipulates that no residential block shall be longer than 1,320 feet or twelve (12) times the minimum lot width, whichever is less, unless the Zoning Commission approves a longer distance in a Neighborhood Access Plan. A maximum block length of 900 feet would apply in this case as the minimum lot width for the "LDR" Low Density Residential District is 75 feet. Proposed major subdivisions (creating the 5<sup>th</sup> or greater lot within the aliquot part) in areas exceeding the required block length are required to provide a public street extension(s) to serve the new lots and future development. Both the subject property and adjacent properties are evaluated when determining the block length, which is measured along the existing public street frontage between the nearest perpendicular public streets providing access to adjacent properties on the same frontage.

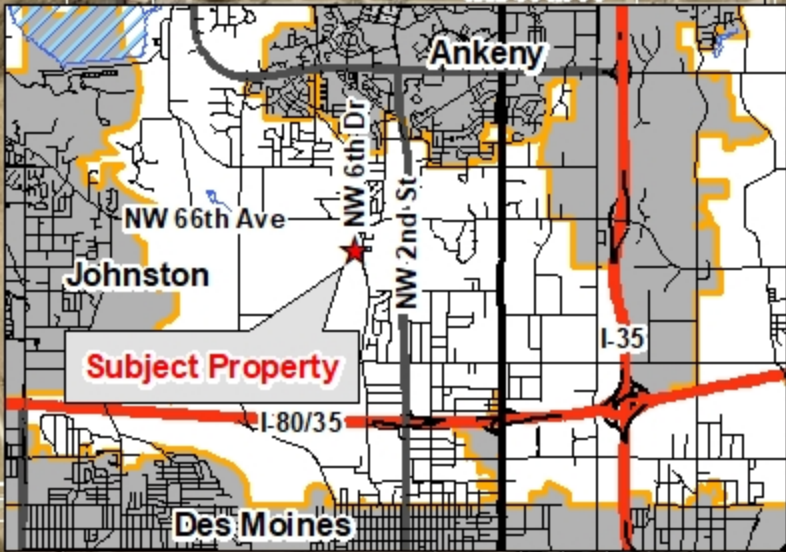
While the block length standard and requirement to extend a public street is triggered by this subdivision, staff is supportive of the waiver in this instance. The topography and existing developed nature of the subject property and adjacent parcels is not conducive to accommodating a public

street extension. Furthermore, only one (1) additional lot is being proposed and adjacent properties to the west and south have limited development potential due to their Ag zoning and presence of floodplain. A public street extension would provide little to no benefit in this instance.

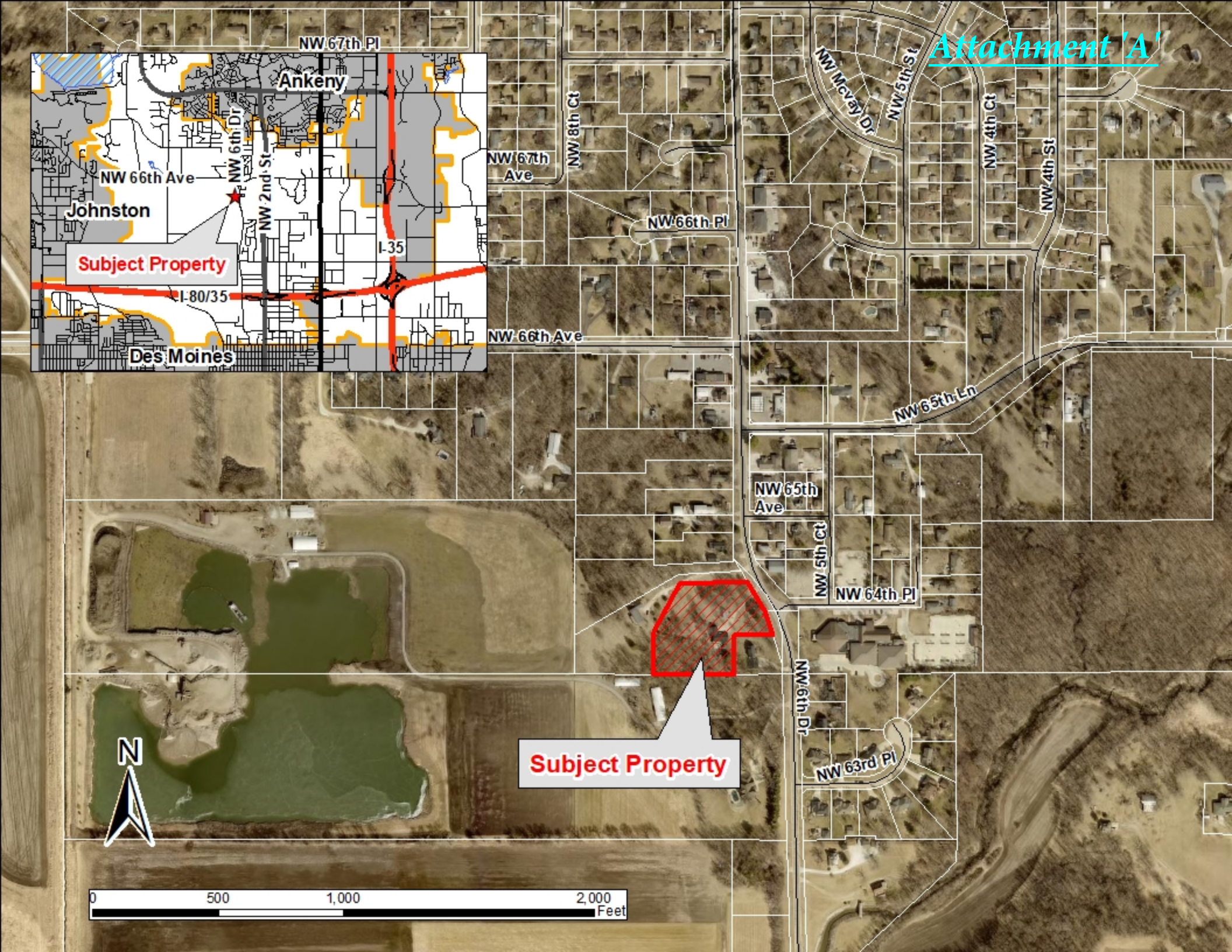
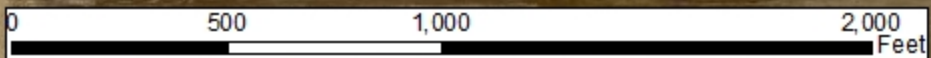
The property lies within the two-mile review jurisdiction of the City of Ankeny and the City of Johnston. Both the City of Ankeny and the City of Johnston have determined the subject property to be outside their planning boundary and will not be completing a review of the subdivision.

**RECOMMENDATION:**

Staff recommends approval of the Preliminary Plat of Dylan Estates Plat 1, including the requested block length waiver.



**Subject Property**



MAJOR PRELIMINARY PLAT  
**DYLAN ESTATES**  
**PLAT I**  
 SHEET 1 OF 1

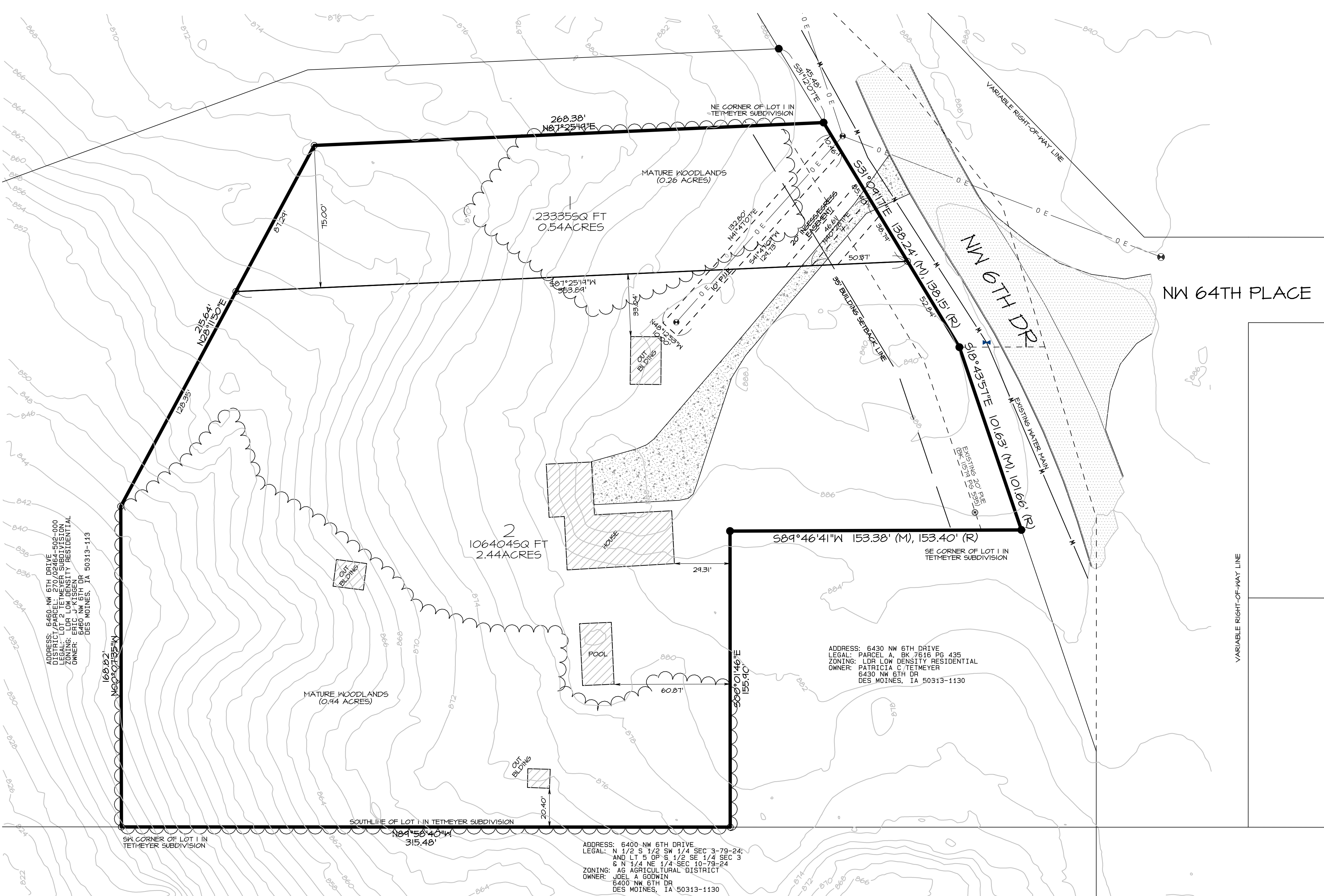
**OWNER/DEVELOPER**  
 Lawrence Tetmeyer  
 6450 NW 6th Drive  
 Des Moines, IA 50313  
 Phone #: (515) 289-2298

**ENGINEER/SURVEYING COMPANY**  
 ASSOCIATED ENGINEERING COMPANY OF IOWA  
 1830 S.E. PRINCETON DRIVE, SUITE M  
 GRIMES, IOWA 50111  
 PHONE: 515-255-3156  
 CONTACT: VIC GIAGENTINI  
 EMAIL: VICP@AECOFIOWA.COM

**ZONING**  
 LDR - LOW DENSITY RESIDENTIAL

**BULK REGULATIONS**  
 DEVELOPMENT OPTION: SINGLE FAMILY  
 FRONT YARD SETBACK - 35'  
 REAR YARD SETBACK - 35'  
 SIDE YARD SETBACK - 10'

**LEGAL DESCRIPTION**  
 LOT 1 TETMEYER SUBDIVISION



- Mediacom  
Mr. Chad Ernst  
2205 Ingersoll Avenue  
Des Moines, Iowa 50312  
(515) 244-2351 (Mobile)  
(515) 246-2219 (office)  
(515) 246-2294 (fax)
- Midamericon Energy  
Electric Transmission  
Mr. Steve Harrison, P.E.  
3500 104th Street  
Urbandale, IA 50322  
(515) 252-6560 (office)  
(515) 252-6560 (fax)  
sharrison@midamericon.com
- Des Moines Water Works  
Taylor Andrew  
2201 George Flogg Parkway  
Des Moines, Iowa 50321  
(515) 323-6204 (office)  
andrew@dmww.com
- Midamericon Energy  
Mr. Chuck Wellman  
200 SE 3rd Street  
Des Moines, Iowa 50304  
(515) 242-3474 (office)  
cwellman@midamericon.com
- Qwest Communications  
Mr. Brent Carlson  
2103 E. University  
Des Moines, Iowa 50317  
(515) 263-1904 (office)  
(515) 252-6463 (fax)  
jdsheper@midamericon.com

**GENERAL NOTES**

- IT SHALL BE THE DEVELOPER'S RESPONSIBILITY TO APPLY FOR AND OBTAIN ANY STORM WATER DISCHARGE PERMITS FROM THE IOWA DEPARTMENT OF NATURAL RESOURCES IF SAID PERMITS ARE REQUIRED OF THIS PROJECT.
- STORM RUNOFF: DURING CONSTRUCTION & GRADING INDIVIDUAL LOT OWNERS WILL ALTER EXISTING TOPOGRAPHY AND SHALL BECOME RESPONSIBLE, THE LOT OWNER THEMSELVES ARE RESPONSIBLE NOT THE DEVELOPER OF THE PLAT OR THE ENGINEER OF THE PLAT FOR THE FOLLOWING:
  - (A) INDIVIDUAL LOT OWNERS ARE RESPONSIBLE FOR ENSURING POST DEVELOPMENT RUNOFF FROM THEIR SITE DOES NOT ADVERSELY AFFECT DOWNSTREAM DRAINAGE FACILITIES OR PROPERTY OWNERS.
  - (B) INDIVIDUAL LOT OWNERS ARE RESPONSIBLE FOR GRADING THEIR LOT TO CONVEY RUNOFF GENERATED FROM THEIR LOT AND RUNOFF GENERATED FROM ADJACENT LOTS IN SUCH A MANNER AS TO "NOT":
    - (a) DAMAGE DOWN STREAM PROPERTY.
    - (b) RESTRICT OFF SITE FLOW FROM BEING CONVEYED ACROSS THEIR LOT.
    - (c) CHANGE THE GENERAL DIRECTION OF FLOW OF RUNOFF.
  - (C) INDIVIDUAL LOT OWNERS ARE RESPONSIBLE FOR ENSURING THEIR SITE IS GRADED TO PROTECT THEIR PRIVATE PROPERTY FROM ANY AND ALL DAMAGE FROM STORM RUNOFF GENERATED ONSITE OR OFF SITE.
  - (D) INDIVIDUAL LOT OWNERS SHALL NOT GRADE ANY PORTION OF THEIR LOT TO CAUSE RUNOFF TO BECOME CONCENTRATED FLOW WITHOUT PROVIDING PROTECTION FOR DOWNSTREAM PROPERTY.
- RELOCATION OF ANY ENTRANCE OR UTILITY TO CONFORM TO THE REQUIREMENTS OF THIS PLAT WILL BE AT THE DEVELOPER'S EXPENSE.
- ALL MAILBOXES LOCATED IN POLK COUNTY RIGHT-OF-WAY MUST BE OF BREAKAWAY DESIGN.
- UTILITY EASEMENTS ARE DEDICATED FOR THE USE OF ANY PUBLIC UTILITY.
- SEWER SYSTEM, LATERAL FIELD AND SEPTIC TANK, ALTERNATE WASTE WATER SYSTEMS MAY BE REQUIRED.
- DUE TO SOIL TYPES, LIMITATIONS, AND DISTURBANCE, ALTERNATIVE SEPTIC SYSTEMS MAY BE REQUIRED. INDIVIDUAL WASTEWATER TREATMENT SYSTEMS SHALL BE DESIGNED BY AN ENGINEER.
- SUBSURFACE DRAINAGE FACILITIES: ANY SUBSURFACE DRAINAGE FACILITIES THAT ARE DISTURBED, MUST BE RESTORED OR REROUTED BY THE PROPERTY OWNER.
- ALL SERVICES TO UTILITIES LOCATED ON THE OPPOSITE SIDE OF THE ROADWAY MUST BE BORED UNDER THE ROADWAY AT THE LOT OWNERS EXPENSE.
- FUTURE DEVELOPMENT OF THE PROPERTY IS SUBJECT TO ARTICLE 7, SECTION 4, "NATURAL RESOURCE PROTECTION, WOODLANDS" OF THE POLK COUNTY ZONING ORDINANCE, WHICH PRESERVES WOODED AREAS OF THE PROPERTY. YOUNG WOODLANDS SHALL BE PROTECTED OR MITIGATED AT A MINIMUM OF 50% AND MATURE WOODLANDS AT A MINIMUM OF 75%.
- ANY NEW ENTRANCE WILL REQUIRE A POLK COUNTY ENTRANCE PERMIT.
- ANY WORK IN THE ROW OTHER THAN FOR AN ENTRANCE WILL REQUIRE A POLK COUNTY ROW GRANT PERMIT.
- LOT 1 AND LOT 2 WILL BE REQUIRED TO UTILIZE AND SHARE THE EXISTING DRIVENWAY ACCESS TO NW 6TH DRIVE.

**SUBMITAL & REVISION INFORMATION**  
 07-21-23 1ST SUBMITAL TO POLK COUNTY

**CERTIFICATION**

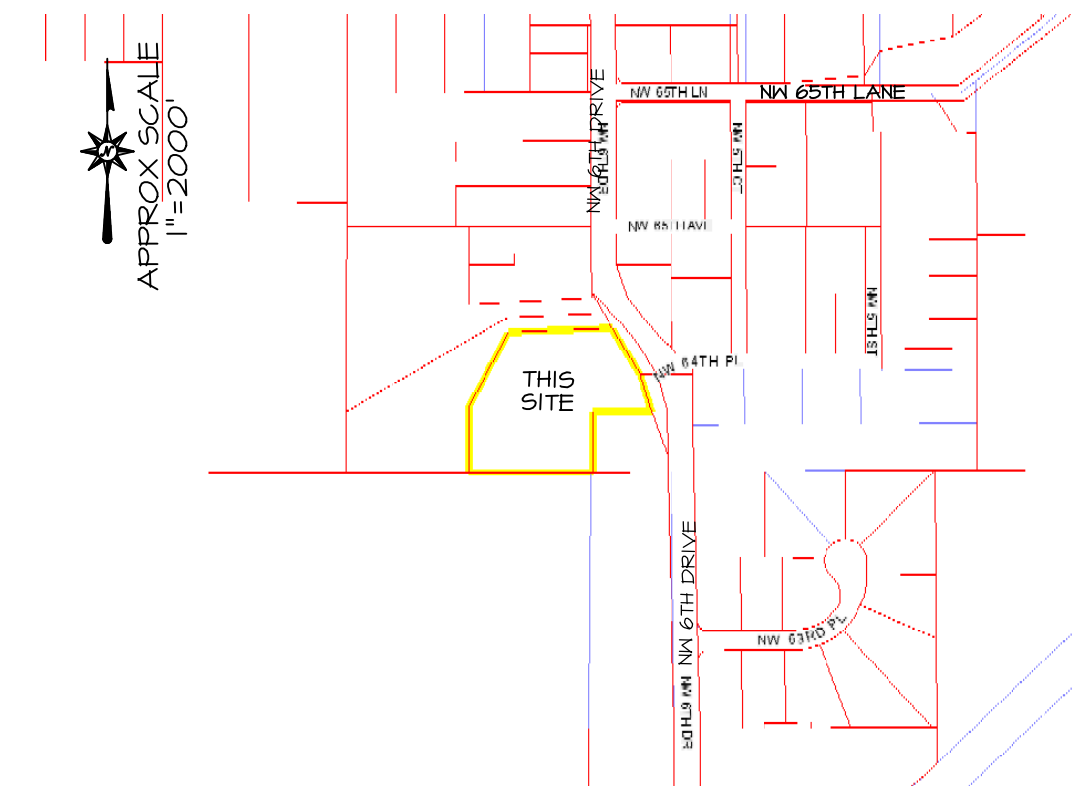
I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED BY ME AND I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.  
 LICENSE NUMBER: DATE: PAGES COVERED BY THIS SEAL: THIS PAGE ONLY

SIGNED: GREGORY L. ROSS P.L.S. 13286 DATE: \_\_\_\_\_

**LEGEND**

- MONUMENT FOUND AS NOTED
- SET 1/2" IR W/ ORANGE CAP #13286
- ▲ SECTION CORNER SET AS NOTED
- CURB INTAKE AS NOTED
- SANITARY MANHOLE AS NOTED
- STORM MANHOLE AS NOTED
- UTILITY MANHOLE AS NOTED
- TRAFFIC MANHOLE AS NOTED
- PHONE MANHOLE AS NOTED
- ELECTRIC MANHOLE AS NOTED
- GAS METER AS NOTED
- GAS VALVE AS NOTED
- UTILITY POLE AS NOTED
- WELL AS NOTED
- FIREHYDRANT AS NOTED
- EXISTING WATER VALVE
- PROPOSED WATER VALVE
- TYPED TELEVISION AS NOTED
- BURIED TELEVISION AS NOTED
- BURIED ELECTRIC AS NOTED
- OVER-HEAD UTILITIES
- WATER MAIN AS NOTED
- GAS MAIN AS NOTED
- SANITARY SEWER AS NOTED
- BURIED TELEPHONE
- BURIED CABLE/UTILITIES
- EXISTING CONTOUR
- PROPOSED CONTOUR
- HANDICAPPED PARKING AS NOTED
- UTILITY BOX AS NOTED
- AREA INTAKE AS NOTED
- ELECTRIC TRANSFORMER BOX
- PERK TEST SITE AS NOTED
- EXISTING SPOT ELEVATION
- PROPOSED SPOT ELEVATION
- MEASURED DISTANCE OR BEARING
- RECORDED DISTANCE OF BEARING

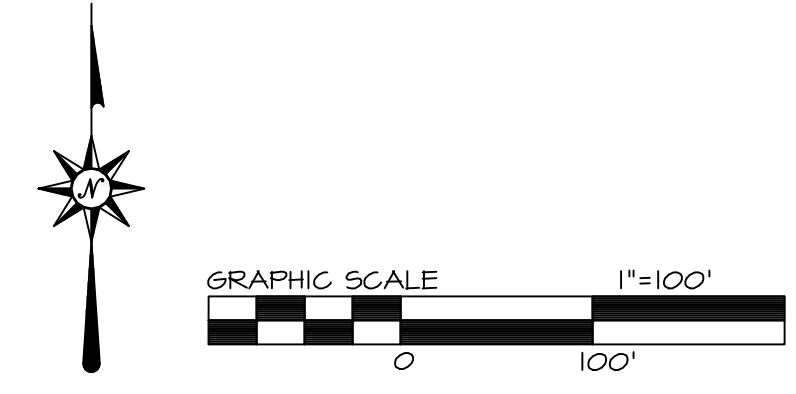
**VICINITY SKETCH**



**National Flood Hazard Layer FIRMette**

**Legend**

- Special Flood Hazard Areas:
  - 1% Annual Chance Flood Hazard (AE)
  - 1% Annual Chance Flood Hazard (AH)
  - 1% Annual Chance Flood Hazard (AR)
  - 1% Annual Chance Flood Hazard (AO)
  - 1% Annual Chance Flood Hazard (A1)
  - 1% Annual Chance Flood Hazard (A2)
  - 1% Annual Chance Flood Hazard (A3)
  - 1% Annual Chance Flood Hazard (A4)
  - 1% Annual Chance Flood Hazard (A5)
  - 1% Annual Chance Flood Hazard (A6)
  - 1% Annual Chance Flood Hazard (A7)
  - 1% Annual Chance Flood Hazard (A8)
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  - 1% Annual Chance Flood Hazard (A15)
  - 1% Annual Chance Flood Hazard (A16)
  - 1% Annual Chance Flood Hazard (A17)
  - 1% Annual Chance Flood Hazard (A18)
  - 1% Annual Chance Flood Hazard (A19)
  - 1% Annual Chance Flood Hazard (A20)
- Other Areas:
  - Area of Minimal Flood Hazard (X)
  - Area of Moderate Flood Hazard (M)
  - Area of Substantial Flood Hazard (S)
  - Area of High Flood Hazard (H)
  - Area of Very High Flood Hazard (V)
  - Area of Extreme Flood Hazard (E)
  - Area of Intense Flood Hazard (I)
  - Area of Exceptional Flood Hazard (X)
- Other:
  - Water Service Extension
  - Sanitary Sewer
  - Storm Sewer
  - Water Main
  - Gas Main
  - Electric
  - Telephone
  - Other



PLOTTED: Tue Aug 22, 2023 0:31:52PM

**ASSOCIATED ENGINEERING**  
**AEC COMPANY OF IOWA**  
 1830 SE Princeton Dr. Ste M Grimes, IA 50111  
 Phone: (515) 255-3156 Fax: (515) 255-3157

PROJECT #: 211874  
 FIRST SUBMITAL DATE: 07-21-23

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Engineering, Planning, Land Surveying and more

Friday, August 25, 2023  
Project #: 212259

Polk County Public Works Department  
5885 NE 14<sup>th</sup> Street  
Des Moines, Iowa 503131

Re: Waiver Request  
1320' Residential Block Requirement  
Dylan Estates Plat 1

Lawrence Tetmeyer, the owner and resident of a 2.98-acre property situated at 6450 NW 6th Dr, is requesting a waiver of the 1320-foot Block Requirement. This is so he can subdivide his parcel into two parts, to make it possible for a family member to build a single-family residence.

The Tetmeyer parcel is a piece of land that has a single-family residence situated on a lot that is across the entire west side of the property. On the southeast corner of the parcel, there is another single-family residence. To the south, there is a 43-acre plot of land belonging to the Godwin Family Trust that has an existing business Saylorcreek Sand Company. A significant portion of this parcel falls within a floodplain. The land to be divided has two groups of mature woodlands, with one measuring 0.26 acres, predominantly situated in Lot 1 of the proposed subdivision. In Lot 2, there is 0.94 acres of mature woodlands located across the southern part of the plot. The current residence is at an elevation of 888 feet, and the lowest point on the site is located 253 feet southwest of the existing house. The elevation at this point is 842 feet, resulting in a slope of 18% across the site.



A waiver request is being submitted because of the location of NW 64th Place. Constructing a road to this site would necessitate the demolition of Mr. Tetmeyer's current residence and other structures. Additionally, the road would need to cut through a significant portion of the mature woodlands due to the steepness of the terrain, requiring extra grading. The road would only provide access to this parcel and the adjacent southern parcel, which is mostly floodplain and contains a business and a single-family home.