

POLK COUNTY BOARD OF ADJUSTMENT

MEETING MINUTES

The Polk County Board of Adjustment held a meeting on Monday, April 17, 2023, at 7:00 P.M. in Conference Room A of the Polk County Public Works Department, Planning & Development Division, 5885 NE 14<sup>th</sup> Street, Des Moines, Iowa. A virtual attendance option was also provided per the instructions contained on the final meeting agenda.

A) Roll Call - Members Present: Mike McCoy, Kay Frye, Paul Kruse, and Kurt Bailey. Absent: Bindy Brown. Present from the Polk County Public Works Department: Bret Vandelune, Planning and Development Manager; Chris Meeks, Planner; and Kendra Glider, Recording Secretary and Ashley Davidson, Recording Secretary. Present from the County Attorney's office was Dominic Anania. Dominic Anania.

B) Acceptance of the Minutes of the Monday, March 20, 2023 Meeting.

It was moved by Kruse and seconded by McCoy to **APPROVE** the minutes as presented.

Vote: Yea: McCoy, Frye, Kruse, and Bailey. Nay: None. Absent: Brown.

C) Opening Statement –Chairperson McCoy gave the opening statement.

D) Unfinished Business:

**Item 1            23/12518 Conditional Use Permit Application (continued from March 20, 2023 meeting)**

Request by GSS Midwest (Applicant), represented by Albert Aguirre, on behalf of the Bruce L. Johnson Revocable Trust, Jorjan Johnson Revocable Trust, and Terry Ray Johnson Revocable Trust (Property Owners) requesting a Conditional Use Permit for a new 194-foot monopole communication tower. The subject property is identified as GeoParcel #8024.32.476.003 and is located in the Southeast ¼ of Section 32, Crocker Township, and is zoned "AG" Agricultural District.

Chris Meeks introduced the case and provided updated information since the March meeting.

Let the record show that Albert Aguirre & Shaun Hemsted, GSS Midwest, Inc., 3311 109<sup>th</sup> St, Urbandale, IA, were present to represent the item.

Let the record show that George Bloodgood, 7085 NW Fisher Ln, Ankeny IA, was present to speak that his concerns regarding his water well and water lines are located on the subject property had been addressed.

A motion was made by Kruse and seconded by McCoy to approve Docket # 23/12518 in accordance with staff's report and recommendations and conditions.

Vote: Yea: McCoy, Frye, Kruse, and Bailey. Nay: None. Absent: Brown.

E) Consent Public Hearing Items: None

F) Action Public Hearing Items – New Business:

**Item 1 23/12601, 23/12602, and 23/12603 Variance Appeal Applications**

Request by MidAmerican Energy (Prospective Buyer) on behalf of Firestone Tire and Rubber Company (Property Owner) and represented by Marty Dostalík of Civil Engineering Consultants, requesting variances to increase the Floor Area Ratio (FAR) to 49% from the maximum 40% and to decrease the minimum Open Space Ratio (OSR) to 18% from the minimum 25% for the property containing the existing Bridgestone/Firestone Tire Plant, and a variance to increase the Floor Area Ratio (FAR) to 53% from the maximum 40% for the property that would contain a proposed MidAmerican Energy electrical substation. The subject property is addressed as 4600 NW 2<sup>nd</sup> Street, Des Moines and identified as GeoParcel #7924.22.226.003 within the Southeast Quarter of Section 23, and the Northeast Quarter of Section 22, all in Saylor Township. The property is zoned “HI” Heavy Industrial District.

Chris Meeks gave the staff presentation and recommendation.

Let the record show that 63 notices were mailed, with one (1) responses received in support, and zero (0) in opposition, of the request.

Let the record show that Chris Pose with Lillis O'Malley Olson Manning Pose Templeman LLP., 505 5th Ave #1005, Des Moines, IA 50309 was present to represent the item.

Let the record show that no was present in opposition to the item.

A motion was made by McCoy and seconded by Frye to approve Docket # 3/12601 according to the staff report, recommendation and conditions of approval.

Vote: Yea: McCoy, Frye, Kruse, and Bailey. Nay: None. Absent: Brown.

A motion was made by McCoy and seconded by Frye to approve Docket # 3/12602 according to the staff report, recommendation and conditions of approval.

Vote: Yea: McCoy, Frye, Kruse, and Bailey. Nay: None. Absent: Brown.

A motion was made by McCoy and seconded by Frye to approve Docket # 3/12603 according to the staff report, recommendation and conditions of approval.

Vote: Yea: McCoy, Frye, Kruse, and Bailey. Nay: None. Absent: Brown.

G) Communications/Discussion Items: None

H) Zoning Administrator Report: None

I) Adjournment – A motion was made by McCoy and seconded by Kruse to adjourn the meeting.

Vote: Yea: McCoy, Frye, Kruse, and Bailey. Nay: None. Absent: Brown.