

POLK COUNTY BOARD OF ADJUSTMENT
DES MOINES, IOWA

The Polk County Board of Adjustment held a meeting on Monday, November 18, 2019, at 7:00 P.M. in Conference Room A of the Polk County Public Works Department, Planning & Development Division, 5885 NE 14th Street, Des Moines, Iowa.

A) Roll Call - Members Present: Bonnie Thorn, David Kinsley, and Ron Fisher. Absent: Mike McCoy and Paul Kruse. Present from the Polk County Public Works Department: Bret VandeLune, Planning and Development Manager; Brian McDonough, Planner; and Ashley Davidson, Recording Secretary. Present from the Polk County Attorney's office, Dominic Anania.

B) Acceptance of the Minutes of the Monday, October 21, 2019 meeting.

It was moved by Thorn and seconded by Fisher, to **APPROVE** the minutes as presented.

Vote: Yea: Thorn, Fisher, and Kinsley. Nay: None. Absent: McCoy and Kruse

C) Opening Statement

D) Unfinished Business –

Item 1 19/8437 Variance Appeal Application

Request by Todd and Shelli Doran, President and Vice President of the Doran Investment Group, Inc. (Property Owners) for a Variance to allow the construction of an accessory structure that is 26 feet 3 inches in height, in lieu of the maximum height of 24 feet. The subject property is located at 3424 SE 104th Street, Section 21 of Camp Township.

Brian McDonough introduced the case.

Let the record show that Todd & Shelli Doran, Doran Investment Group, Inc., 3424 SE 104th St, Runnells, IA 50327, were present to represent the Variance Appeal application.

Let the record show that three (3) notices were mailed with zero (0) responses in opposition and zero (0) responses in support of the Variance Appeal application.

A motion was made by Thorn and seconded by Kinsley to **APPROVE** the Variance Appeal Application in accordance with staff's recommendation, and one (1) condition of approval.

Vote: Yea: Thorn, Fisher, and Kinsley. Nay: None. Absent: McCoy and Kruse.

E) Consent Public Hearing Item – New Business – None

F) Discussion Public Hearing Items – New Business

Item 1 19/8443 Variance Appeal Application

Request by Patrick O'Dell (Property Owner), represented by Rodney Knox with Contractors Group, Inc., 413 SW Cherry Street, Ankeny, IA 50023, for a variance to construct a residential privacy fence at eight (8) feet in height, in lieu of the maximum allowed height of six (6) feet. The subject property is located at 6803 NE Berwick Drive, Ankeny, Section 5 of Delaware Township.

Let the record show that Rodney Knox with Contractors Group Inc., 413 SW Cherry St, Ankeny, IA 50023, was present to represent the Variance Appeal application.

Let the record show that fifteen (15) notices were mailed, with (9) responses received in opposition and zero (0) responses received in support of the Variance Appeal application.

Brian McDonough gave the staff presentation and recommendation.

Let the record show that there were three (3) individuals present to speak in opposition of the Variance Appeal application; William Pearce of 6868 Berwick Dr, Ankeny, IA 50021, Dennis Nuzback of 6757 NE Berwick Dr, Ankeny, IA 50021, and Sue Davidson of 6785 NE Berwick Dr, Ankeny, IA 50021.

A motion was made by Thorn and seconded by Fisher to **APPROVE** the Variance Appeal application in accordance with staff's recommendation and conditions of approval.

Vote: Yea: Thorn, Fisher, and Kinsley. Nay: None. Absent: McCoy and Kruse.

Item 2 19/8506 Variance Appeal Application

Request by Imperial Properties, Inc. (Property Owner) and Crown Holdings, LLC represented by Earl Williams (Contract Buyer and Appellant), being represented by Vic Piagentini of Associated Engineering Company of Iowa, for a variance to the parking standards for an existing commercial use. The subject property is located at 1510 NE 46th Avenue, Des Moines, Section 13 of Saylor Township.

Let the record show that Vic Piagentini, Associated Engineering Company of Iowa, 1830 SE Princeton Dr Ste. M, Des Moines, IA, and Earl Williams, Crown Holdings LLC, were present to represent the Variance Appeal application.

Let the record show that ten (10) notices were mailed and one (1) response was received in opposition and one (1) response in support of the Variance Appeal application.

Brian McDonough gave the staff presentation and recommendation.

Let the record show that there was one (1) individual present in opposition of the Variance Appeal application; Deb Lawrence, DML Management, 3209 Ingersoll Ave, Des Moines, IA.

Let the record show that the appellant, Earl Williams of Crown Holdings, LLC, 1210 NE 45th Street, Ankeny, IA 50021, spoke in favor of the Variance Appeal Application.

A motion was made by Thorn and seconded by Kinsley to **APPROVE** the Variance Appeal application in accordance with staff's recommendation and conditions of approval.

Vote: Yea: Thorn, Fisher, and Kinsley. Nay: None. Absent: McCoy and Kruse.

G) Communications/Discussion Items – None

H) Adjournment

A motion was made by Thorn and seconded by Fisher to adjourn until the next regularly scheduled Board of Adjustment Meeting on Monday, December 16, 2019.

Vote: Yea: Thorn, Fisher, and Kinsley. Nay: None. Absent: McCoy and Kruse.