

Polk County Public Works Department
Planning & Development Division
5885 NE 14th Street
Des Moines, IA 50313

NOTICE OF HEARING

DATE: May 3, 2024

TO THE OWNER OR OCCUPANT:

NOTICE IS HEREBY GIVEN that an Appeal has been filed before the Polk County Board of Adjustment by Darrell Beem (property owner), requesting a Conditional Use Permit for select Light Industry uses at the subject property of 4554 NE 3rd Street Des Moines, Iowa 50313. The property totals approximately 2.083 acres in size and is described as Part of the NW $\frac{1}{4}$, $\frac{1}{4}$ of Section 23, Township 79 North, Range 24 West of the 5th P.M. (Saylor Township). The applicant is also requesting a setback variance to allow a proposed building to be located 15 feet from the northern property line, in lieu of the required 30 foot setback. The subject property is zoned "MU" Mixed Use District.

The Polk County Zoning Ordinance, *Article 4: Use Regulations, Division 2 Table of Uses*, permits Light Industry uses within the "MU" Mixed Use District upon the granting of a Conditional Use Permit by Polk County Board of Adjustment. The applicant is requesting approval of the following Light Industry Use: Lawn and Garden Services and Ornamental Shrub and Tree Services. *Article 6: Bulk and Use Standards, Division 5, Non-Residential Bulk Standards, Table 6.9* requires a minimum side yard setback of 15 feet with an additional peripheral setback of 15 feet for properties adjacent to a different development option. The property adjacent to the north contains a single family dwelling. The applicants are proposing to construct a 10,000 square foot commercial building with a northern side yard setback of approximately 15 feet, in lieu of the required 30 foot setback.

A public hearing will be held before the Polk County Board of Adjustment on **Monday, May 20, 2024, at 7:00 P.M.** in the meeting room of the Polk County Public Works Building, Planning & Development Division, 5885 NE 14th Street, Des Moines, IA 50313. As an alternative to in-person attendance, participants may attend the meeting electronically via voice and video conference per the information below. ALL INTERESTED PROPERTY OWNERS WILL BE GIVEN AN OPPORTUNITY TO BE HEARD WITH REFERENCE TO THE MATTER SET OUT ABOVE. This notice is only being sent to property owners within the required 250-foot notification boundary of the subject property. The Conditional Use Permit and Variance Appeal information is available for review by contacting Justin Peterson at 515.286.3355 or by email at Justin.Peterson@polkcountyiowa.gov. The information identified on this notice may be obtained in accessible formats by qualified persons with a disability. To receive more information or to request an accommodation to participate in a meeting, hearing, service, program, or activity conducted by this department, please contact Polk County Public Works, Planning & Development Division, 5885 NE 14th Street, Des Moines, Iowa 50313, 515-286-3705.

The meeting will be held in-person, with a virtual attendance option also provided. Any participants wishing to join the meeting remotely may do so by using the link below or calling the number below and inputting the meeting ID.

Zoom Public Meeting Information:

Participate by phone by calling +1 312 626 6799

Participate by desktop/laptop/smartphone/tablet at:

<https://polkcountyiowa.gov.zoom.us/j/87017334919?pwd=dLE0i7yMs5E9qq6jhcYZiAwHc0ukU0.1>

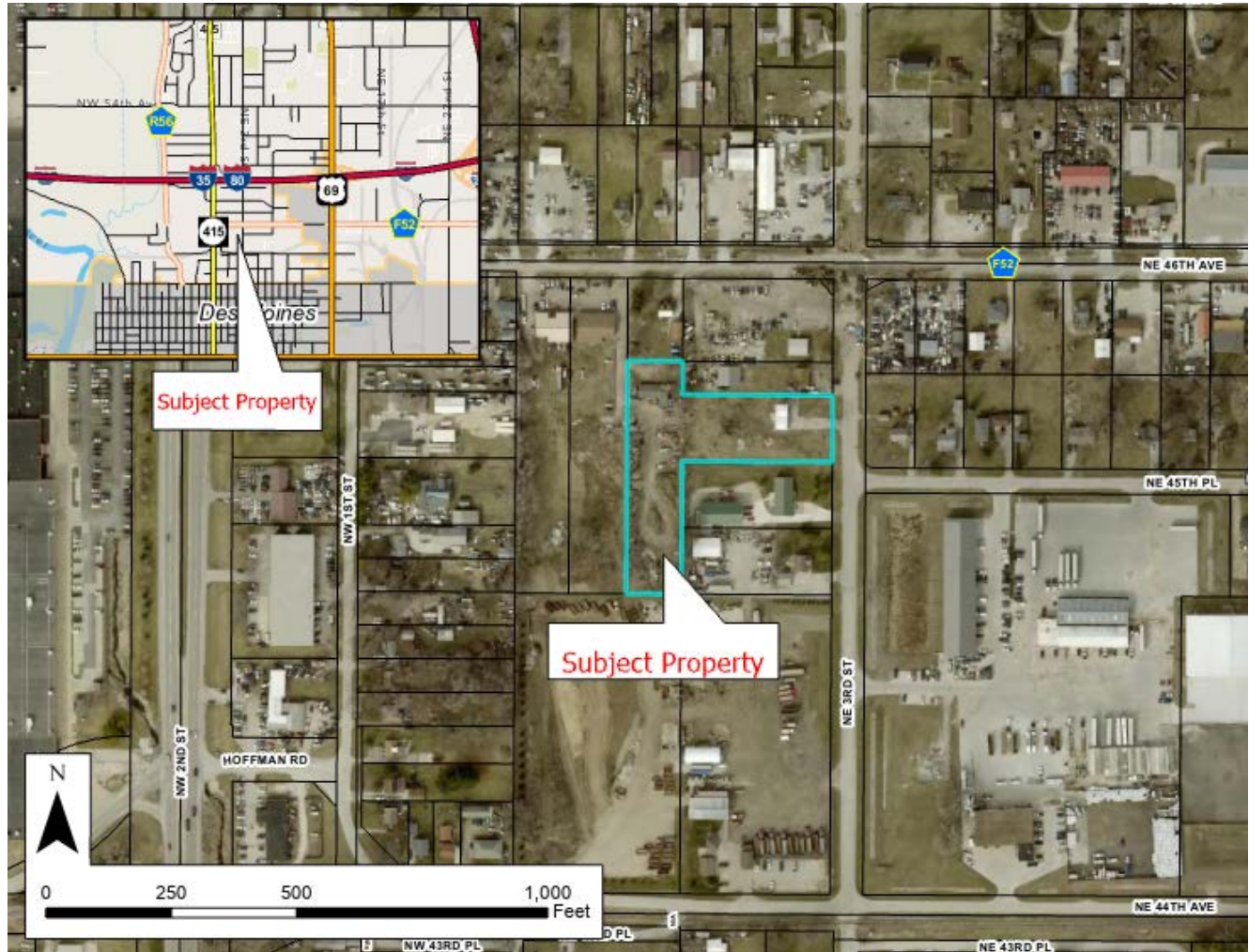
Meeting ID: 870 1733 4919 **Password:** 806912

Several public hearings will be on the Board of Adjustment agenda. Please plan to join the meeting at 7:00 P.M., but wait to speak until the Chairperson asks for testimony on this item. The Final Agenda will be uploaded to the following page of the Polk County website by 4:30 P.M. on Friday, May 17, 2024: <https://www.polkcountyiowa.gov/public-works/board-of-adjustment/>.

POLK COUNTY BOARD OF ADJUSTMENT
Kay Frye, Chairperson
Kendra Glider, Recording Secretary

Aerial / Vicinity Map

4554 NE 3rd Street, Des Moines; Geo Parcel: 7924-23-103-035



If you wish to be shown approving or disapproving of the Conditional Use Permit or Variance Appeal email Justin Peterson at Justin.Peterson@polkcountyiowa.gov or call him at (515) 286-3355 or complete the information below and mail to Polk County Public Works Department, Planning & Development Division, 5885 NE 14th Street, Des Moines, IA 50313 at least 4 days prior to the meeting date. All public testimony received will be made part of the official case record. However, only testimony received prior to Wednesday, May 15th will be included/referenced within the staff report provided to the Board of Adjustment members.

----- cut and return -----

Case #COND-2024-14629 and #VAR-2024-14628, 4554 NE 3rd St – Darrell Beem. Please provide your name and address. If the property does not have an address please provide a parcel # or identify your property by placing an "X" on the enclosed map and return the map along with this portion. As the owner of the property, I hereby state my

support for opposition to

Print Name: _____

Address: _____

Signature: _____