

POLK COUNTY BOARD OF ADJUSTMENT

MEETING MINUTES

The Polk County Board of Adjustment held a meeting on Monday, December 18, 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, Bindy Brown and Kurt Bailey. Absent: None. Present from the Polk County Public Works Department: Brian McDonough, Land Use Planning Coordinator; Tommy Howard, Planner and Kendra Glider, Recording Secretary. Present from the County Attorney's office was Dominic Anania.

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

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

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

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

D) Unfinished Business: None

E) Consent Public Hearing Items – New Business:

**Item 1            23/13413 Variance Appeal Application**

Request by Raymond and Rebecca Coons (property owners) for a Variance to allow an existing accessory building to remain located in front of the principal residence with a separation distance from the principal residence of approximately 345 feet, in lieu of the maximum allowable separation of 150 feet. The subject property is located at 12705 NW 142<sup>nd</sup> Street, Madrid, Section 30 of Jefferson Township, and is zoned "ER" Estate Residential District.

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

A motion was made by McCoy and seconded by Kruse to approve Docket #23/13413 in accordance with the staff report and recommendation.

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

F) Action Public Hearing Items – New Business:

**Item 1            23/13456 Conditional Use Permit Application**

Request by Scot Henss of Best Portable Toilets (applicant), 3211 90<sup>th</sup> Street, Urbandale, IA 50322, represented by E.J. Giovannetti with Hopkins & Huebner, P.C., 2700 Grand Avenue, Suite 111, Des Moines, IA 50312, with consent from property owner Aurora Warehouse, L.C., Jeff Pettiecord, for a Conditional Use Permit to allow a Disposal Use of a septic holding tank for temporary storage of portable restroom waste. The subject property is located at 1962 NE Aurora Avenue, Des Moines, within Section 24 of Saylor Township, and is zoned "HI" Heavy Industrial District.

Brian McDonough gave the staff presentation and recommendation.

Let the record show that 11 notices were mailed, with one (1) response received in support, and zero (0) responses received in opposition, of the request.

Let the record show that Ron Pogge of Hopkins & Huebner, P.C., on behalf of Best Portable Toilets, 2700 Grand Avenue, Suite 111, Des Moines, IA 50312, was present to represent the request.

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

A motion was made by McCoy and seconded by Kruse to approve Docket #23/13456 in accordance with the staff report and recommendation, including staff's recommended conditions of approval.

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

G) Communications/Discussion Items: None.

H) Zoning Administrator Report:

Brian McDonough, Land Use Planning Coordinator, gave an update to the Board of Adjustment regarding recent staff changes. He informed the Board that Bret VandeLune had recently been appointed as the new Public Works Director. McDonough noted that the open Planner position left vacant by the recent departure of Chris Meeks would be filled by the end of January. A candidate has been offered and accepted that position. McDonough also noted that Bret's promotion to Public Works Director could lead to additional staff changes internally in the coming weeks.

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

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