

POLK COUNTY BOARD OF ADJUSTMENT
DES MOINES, IOWA

The Polk County Board of Adjustment held a meeting on Monday, March 16, 2020, 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: Mike McCoy, David Kinsley, Bonnie Thorn, and Paul Kruse. Absent: Ron Fisher. Present from the Polk County Public Works Department: Seana Field, Land Use Planning Coordinator; Brian McDonough, Planner; and Ashley Davidson, Recording Secretary.

B) Acceptance of the Minutes of the Tuesday, February 18, 2020, meeting.

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

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

C) Opening Statement

D) Unfinished Business – None

E) Consent Public Hearing Item – New Business:

Item 1 20/8770 Variance Appeal Application

Request by Lucas Howrey, Trustee of the LBH Trust (Property Owner) for an approximate 150-foot Variance (from 150-feet to 300-feet) to allow an accessory building to be constructed in front of the principal building with greater than 150-feet of separation on the subject property located at 4201 SE 98th Street, Section 21 of Camp Township.

It was moved by McCoy and seconded by Kinsley, to **APPROVE** the Consent Agenda item in accordance with staff's recommendations.

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

F) Discussion Public Hearing Items – New Business

Item 1 20/8782 Variance Appeal Application

Request by Anthony P. Schmalz, APS DM, LLC. (Property Owner), represented by Dustin Creech with Engineering Resource Group, Inc., for a building separation Variance to reduce the building separation of a new warehouse building to be constructed at a location that is less than 30-feet from existing accessory buildings on the subject property located at 4175 NE 43rd Court, Section 21 of Delaware Township.

Let the record show that Dustin Creech with Engineering Resource Group, Inc., 2413 Grand Avenue, Des Moines, Iowa 50312, was present to represent the Variance Appeal application.

Let the record show that nineteen (19) notices were mailed, with three (3) responses received in support and zero (0) responses received in opposition of the Variance Appeal application.

A motion was made by McCoy and seconded by Kruse to waive staff presentation and **APPROVE** the Variance Appeal application in accordance with staff's recommendation.

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

Item 2 20/8788 Variance Appeal Application

Request by Larry and Linda Killam (Property Owners) for a front yard setback Variance to allow a new residential accessory building to be located in front of the principal dwelling at a front yard setback of approximately two (2) feet. The subject property is located at 144 NW 72nd Place, Section 35 of Crocker Township.

Let the record show that twenty-four (24) notices were mailed and three (3) responses were received in support and zero (0) responses in opposition of the Variance Appeal application.

A motion was made by McCoy and seconded by Kinsley to waive staff presentation and **APPROVE** the Variance Appeal application in accordance with staff's recommendation and the conditions of approval as outlined in the staff report.

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

Item 3 20/8791 Variance Appeal Application

Request by Adam Olson, (Property Owner), represented by Ed Pelds with Pelds Design Services, for a Variance to construct a new commercial building at less than the required front setbacks from NW 48th Place and Interstate 35/80. The subject properties are located at 435 and 445 NW 48th Place, Section 15 of Saylor Township.

Let the record show that Ed Pelds with Pelds Design Services, 2323 Dixon Street, Des Moines, IA 50316, was present to represent the Variance Appeal application.

Let the record show that twenty-three (23) notices were mailed and one (1) response was received in support and zero (0) responses in opposition of the Variance Appeal application.

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

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

Item 4 20/8798 Conditional Use Permit Application

Request by Northwest Steel Erection, represented by Shaun O'Tool (Prospective Buyer) with permission from DRA Properties, LC (Property Owner) for a Conditional Use Permit to operate a Moderate Industry Use, General Building Contractors – Non-Residential Buildings, in a "LI" Light Industrial District zone on the subject property located at 6285 and 6335 NE Industry Drive, Section 1 of Saylor Township.

Let the record show that Brent Culp, Snyder & Associates, Inc., 2727 SW Snyder Boulevard, Ankeny, IA 50023, was present to represent the Conditional Use Permit application.

Let the record show that eight (8) notices were mailed and one (1) response was received in support and zero (0) responses in opposition of the Conditional Use Permit application.

A motion was made by McCoy and seconded by Kruse to waive staff presentation and **APPROVE** the Conditional Use Permit application in accordance with staff's recommendation and the conditions of approval as outlined in the staff report.

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

- G) Communications/Discussion Items - None
- H) Zoning Administrator Report - None
- I) Adjournment

A motion was made by McCoy and seconded by Kruse to adjourn until the next regularly scheduled Board of Adjustment Meeting on Monday, April 20, 2020.

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