

POLK COUNTY BOARD OF ADJUSTMENT
MEETING MINUTES

The Polk County Board of Adjustment held a meeting on Monday, November 16, 2020, at 7:00 P.M. **Due to the COVID-19 public health emergency, the meeting was held by voice and video conference. The Public Works building is currently closed to the public. All Commissioners, staff, applicants and the public were invited to join the meeting by using the meeting link or phone number that was provided on the agenda.**

House File 2512 was signed into law by Governor Reynolds dated Monday, June 1, 2020. This law no longer allows Board of Adjustment members to reside inside city limits. All Board of Adjustment members must now live in the unincorporated area of the County. House File 2512 became effective on June 1, 2020. This removed two (2) of our Board of Adjustment members, Bonnie Thorn and David Kinsley, leaving the three (3) members needed for a quorum.

Each item on the Board of Adjustment agenda requires three (3) affirmative votes by the Board to approve an applicant's appeal. Due to the approval of the recent House File, Polk County only has three (3) members that are available to vote.

- A) Roll Call - Members Present: Mike McCoy, Ron Fisher and Paul Kruse. Absent: None. Present from the Polk County Public Works Department: Bret VandeLune, Planning and Development Manager; Brian McDonough, Land Use Planning Coordinator; Jennifer Ellison, Planner; Chris Meeks, Planner; and Ashley Davidson, Recording Secretary. Present from the County Attorney's office was Dominic Anania.
- B) Acceptance of the Minutes of the Monday, October 19, 2020 Meeting.
It was moved by Kruse and seconded by Fisher, to **APPROVE** the minutes as presented.
Vote: Yea: Kruse, Fisher, 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 20/9600 Variance Appeal Application

Request by Thomas J. Cory (Property Owner) for a Variance to the separation requirement between a principal dwelling and residential accessory building, to allow an addition onto the principal dwelling to be located five (5) feet from an existing accessory building, in lieu of the required ten (10) feet of separation. The subject property is located at 1750 NE 134th Avenue, Alleman, Section 24 of Lincoln Township.

Let the record show that Thomas J. Cory (Property Owner), 1750 NE 134th Avenue, Alleman, IA, 50007, was present to represent the Variance Appeal Application.

Let the record show that five (5) notices were mailed, with one (1) response received in support and zero (0) responses received in opposition of the Variance Appeal Application.

Item 2 20/9620 Variance Appeal Application

Request by Chris Dawson (Applicant), represented by Jared Murray with Civil Design Advantage, for a Variance to allow a new residential accessory building to be located in front of the principal dwelling at a front yard setback of less than 100 feet. The subject property is located at 10700 NW Woods Lane, Polk City, Section 28 of Madison Township.

Let the record show that Jared Murray with Civil Design Advantage (Applicant's Representative), 3405 SE Crossroads Dr., Suite G, Grimes, IA, 50111, was present to represent the Variance Appeal Application.

Let the record show that eight (8) notices were mailed, with one (1) response received in support and zero (0) responses received in opposition of the Variance Appeal Application.

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

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

F) Discussion Public Hearing Items – New Business:

Item 1 20/9632 Conditional Use Permit Application

Request by Polk County (Property Owner), represented by Steve Holmes with RACOM Corporation, for approval of a Conditional Use Permit to allow for the construction of a new 199-foot tall communication tower. The subject property is located at 12668 NE 29th Street, Elkhart, Section 30 of Elkhart Township.

Let the record show that Curtis Pion, Polk County Sheriff's Department, 6023 NE 14th St, Des Moines, IA 50313, and Steve Holmes with RACOM Corporation, 201 W. State St, Marshalltown, IA 50158, were present to represent the Conditional Use Permit Application.

Let the record show that five (5) notices were mailed, with zero (0) responses received in support, and zero (0) responses received in opposition, of the Conditional Use Permit Application.

Let the record show that no one was in attendance to speak in opposition of the Conditional Use Permit Application.

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

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

G) Communications/Discussion Items – None.

H) Zoning Administrator Report – Bret Vandelune provided an update on the search for additional Board of Adjustment members. An additional member is in the process of being approved by the Supervisors, potentially as soon as December.

I) Adjournment

A motion was made by McCoy and seconded by Fisher to adjourn until the next regularly scheduled Board of Adjustment Meeting on December 21, 2020.

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