

POLK COUNTY BOARD OF ADJUSTMENT
DES MOINES, IOWA

The Polk County Board of Adjustment held a meeting on Monday, April 20, 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 public were invited to join the meeting by using the meeting link or phone number that was provided on the agenda.**

A) Roll Call - Members Present: Mike McCoy, David Kinsley, Ron Fisher and Paul Kruse. Absent: Bonnie Thorn. 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 County Attorney's office is Dominic Anania.

B) Acceptance of the Minutes of the Monday, March 16, 2020, meeting.

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

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

C) Opening Statement

D) Unfinished Business –

Item 1 19/8673 Variance Appeal Application

Request to Defer to the May 18, 2020 Meeting

Request by McKee Auto Center, Inc., represented by Theodore W. Craig, with Dickinson Law Firm, requesting a Variance to allow a reduction to the Open Space Ratio (OSR) decreasing the required open space from 35 percent to approximately 10 percent. The subject property is located at 5095 NE 14th Street, Des Moines, Section 13 of Saylor Township.

A motion was made by McCoy and seconded by Kruse to **APPROVE** the Variance Appeal application deferral request, deferring the item to the May 18, 2020 Board of Adjustment Agenda.

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

E) Consent Public Hearing Item – New Business:

Item 1 20/8856 Variance Appeal Application

Request by Russell Harrison (Property Owner) 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 6171 NW 78th Avenue, Johnston, Section 25 of Jefferson Township.

Item 2 20/8864 Variance Appeal Application

Request by Joseph Tollari (Property Owner) for a Variance to the side yard setback requirement for an existing residential accessory building. The subject property is located at 10564 NE 46th Avenue, Mitchellville, Section 14 of Beaver Township.

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

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

F) Discussion Public Hearing Items – New Business

Item 1 20/8858 Variance Appeal Application

Request to Withdraw Variance Appeal Application

Request by Carney Land Properties, LLC (Property Owner / Appellant), represented by Matthew Gardner with Gardner Law Firm, P.C., 2900 100th Street, Ste. 207, Urbandale, IA 50322, with consent from property owner Mary L. Davis, for a Variance to the rear yard setback requirements for an existing single-family dwelling and accessory structure. The subject property is located at 13755 NE 96th Street, Maxwell, Section 22 of Washington Township.

It was moved by Kruse and seconded by Kinsley, to **APPROVE** the withdrawal request for this item.

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

G) Communications/Discussion Items - None

H) Zoning Administrator Report - None

I) Adjournment

A motion was made by McCoy and seconded by Kinsley to adjourn until the next regularly scheduled Board of Adjustment Meeting on May, 18, 2020.

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