

POLK COUNTY BOARD OF ADJUSTMENT

MEETING MINUTES

The Polk County Board of Adjustment held a meeting on Monday, June 17, 2024, 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: Bindy Brown, Paul Kruse, Kurt Bailey, and Kay Frye. Absent: Mike McCoy. Present from the Polk County Public Works Department: Brian McDonough, Planning and Development Manager; Tommy Howard, Land Use Planning Coordinator; Justin Peterson, Planner; and Kendra Glider, Recording Secretary. Present from the County Attorney's Office was Dominic Anania.

B) Acceptance of the Minutes of the Monday, May 20, 2024 Meeting.

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

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

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

D) Unfinished Business: None.

E) Consent Public Hearing Items – None.

F) Action Public Hearing Items – New Business:

**Item 1            24/ 14747 Variance Appeal Application**

Request by Grandview Christian School Association Inc. (property owner), represented by Branden Stubbs with Stubbs Engineering, 1609 N Ankeny Boulevard, Ankeny, IA 50023, for a Variance to decrease the allowable Open Space Ratio (OSR) from 50% to 42.5% for a proposed 41,364 square foot classroom addition. The subject property is located at 2905 NE 46<sup>th</sup> (Broadway) Avenue, Des Moines, within Section 20 of Delaware Township and is zoned "MDR" Medium Density Residential District.

Tommy Howard gave the staff presentation and recommendation.

Let the record show that forty-three (43) notices were mailed, with one (1) response received in support and twelve (12) responses in opposition of the request.

Let the record show that Branden Stubbs of Stubbs Engineering, 1609 N Ankeny Boulevard, Ankeny, Iowa, 50023 was present to represent the request.

Let the record show that no one was present in support of the item.

Let the record show that Sidney Smith, 4495 NE 29<sup>th</sup> Street, Des Moines, Iowa, 50317 was present in opposition to the item.

Let the record show that Leon Litance, 2976 NE 44<sup>th</sup> Avenue, Des Moines, Iowa, 50317 was present in opposition to the item.

Let the record show that Maiyang Lee, 3038 NE 44<sup>th</sup> Place, Des Moines, Iowa, 50317 was present in opposition to the item.

Let the record show that Branden Stubbs of Stubbs Engineering, 1609 N Ankeny Boulevard, Ankeny, Iowa, 50023 was allowed rebuttal time and answered questions.

Let the record show that Theresa Smith, 4495 NE 29<sup>th</sup> Street, Des Moines, Iowa, 50317 was present in opposition to the item.

A motion was made by Brown and seconded by Bailey to approve Docket #24/14747 in accordance with the staff report and recommendation.

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

**Item 2            24/ 14845 Variance Appeal Application**

Request by Wyatt Hanus (property owner), for a Variance to allow a proposed accessory building to be constructed 23 feet closer the street than the principal structure providing a setback of approximately 50 feet from the northern front property line, where the existing residence is currently set back 73 feet. The subject property is located at 7533 NE 102nd Street, Bondurant, within Section 18 of Franklin Township and zoned "AG" Agricultural District.

Justin Peterson gave the staff presentation and recommendation.

Let the record show that five (5) notices were mailed, with one (1) response received in support and four (4) responses in opposition of the request from a single jointly owned property. One additional response in opposition was received from someone outside the notification boundary.

Let the record show that Wyatt Hanus, 7533 NE 102nd Street, Bondurant, Iowa, 50035 was present to represent the request.

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

Let the record show that Mike Maloney, 4471 Amber Court, Bettendorf, Iowa, 52772 was present virtually in opposition to the item. Owner of district parcel number 230/00252-001-000 west of 7533 NE 102nd Street, Bondurant, Iowa, 50035.

Let the record show that Wyatt Hanus, 7533 NE 102nd Street, Bondurant, Iowa, 50035 was allowed rebuttal time and answered questions

Let the record show that Molly Maloney, PO Box 358, Bondurant, Wyoming, was present virtually in opposition to the item. Owner of district parcel number 230/00252-001-000 west of 7533 NE 102nd Street, Bondurant, Iowa, 50035.

A motion was made by Brown and seconded by Baily to approve Docket #24/14845 in accordance with the staff report and recommendation.

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

G) Communications/Discussion Items: None.

H) Zoning Administrator Report:

Brian McDonough, Planning and Development Manager, introduced to the Board of Adjustment the Planning and Development summer intern, Jaiden Caswell. Board of Adjustment Members were reminded about the workshop Dominic Anania from the County Attorney's Office will be providing prior to the July 15<sup>th</sup> meeting.

Board of Adjustment Members and Brian McDonough discussed the time and day of the week for meetings.

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

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