

Polk County Public Works Department  
Planning & Development Division  
5885 NE 14th Street  
Des Moines, IA 50313

**AMENDED NOTICE OF HEARING**

DATE: April 6, 2021

TO THE OWNER OR OCCUPANT:

NOTICE IS HEREBY GIVEN that an Appeal has been filed before the Polk County Board of Adjustment by James W. Murphy (appellant) owner of the property located at 1871 NW 70<sup>th</sup> Place, and represented by Travis Smith of Handyman Home Projects, LLC (4109 Northwest Drive, Des Moines, IA 50310) requesting a Variance to reduce the rear yard setback for a principal residence to 16.5 feet, in lieu of the required thirty-five (35) feet. The subject property is addressed as 1871 NW 70<sup>th</sup> Place, Ankeny, IA 50023, and is legally described as Lot 8, Albirtie Manor Plat 4 (Section 33, Crocker Township). The subject property is approximately 24,090 square feet in size, and is zoned "LDR" Low Density Residential District.

The Polk County Zoning Ordinance, *Article 6: Bulk and Use Standards, Division 2: Single-Family Residential Bulk Standards, Table 6.1: Table of Single-Family Bulk Standards*, establishes a minimum rear yard setback of thirty-five (35) feet for single-family dwellings located in the "LDR" Low Density Residential District. In this case, the rear of the property is defined as the northern property line, as it is opposite of the lot line along which the lot takes access to a street. The existing principal dwelling observes a nonconforming rear yard setback of approximately 18 feet from the rear lot line, and the appellants are requesting a rear yard setback Variance in order to construct an 11.5-foot by 10-foot room addition. The proposed room addition would encroach an additional one and one-half (1 ½) feet into the existing nonconforming setback, thereby establishing new rear yard setback of approximately 16 ½ feet from the rear property line.

A public hearing will be held before the Polk County Board of Adjustment on **Monday, April 19, 2021, at 7:00 P.M.** by voice and video conference only. ALL INTERESTED PROPERTY OWNERS WILL BE GIVEN AN OPPORTUNITY TO BE HEARD WITH REFERENCE TO THE MATTER SET OUT ABOVE. This notice is only being sent to property owners within the required 250-foot notification boundary of the subject property. The Variance Appeal information is available for review, contact Chris Meeks at 515.286.3355 or by email [Christopher.Meeks@polkcountyiowa.gov](mailto:Christopher.Meeks@polkcountyiowa.gov). The information identified on this notice may be obtained in accessible formats by qualified persons with a disability. To receive more information or to request an accommodation to participate in a meeting, hearing, service, program, or activity conducted by this department, please contact Polk County Public Works, Planning & Development Division, 5885 NE 14th Street, Des Moines, Iowa 50313, 515-286-3705.

*Note: This Notice of Hearing is being redistributed due to an incorrect meeting date on the April 2, 2021 Notice.*

**Due to the COVID-19 public health emergency, the meeting will be held by voice and video conference only. The Public Works building is currently closed to the public. All Board of Adjustment members, staff, applicants and public are invited to join the meeting by using the link below or calling the number below and inputting the meeting ID.**

**Zoom Public Meeting Information:**

**Participate by phone by calling +1 312 626 6799**

**Participate by desktop/laptop/smartphone/tablet at:**

<https://polkcountyiowa.gov.zoom.us/j/95057999659?pwd=T1hBTUFDdklIQhuSEdBbWZhRnAxZz09>

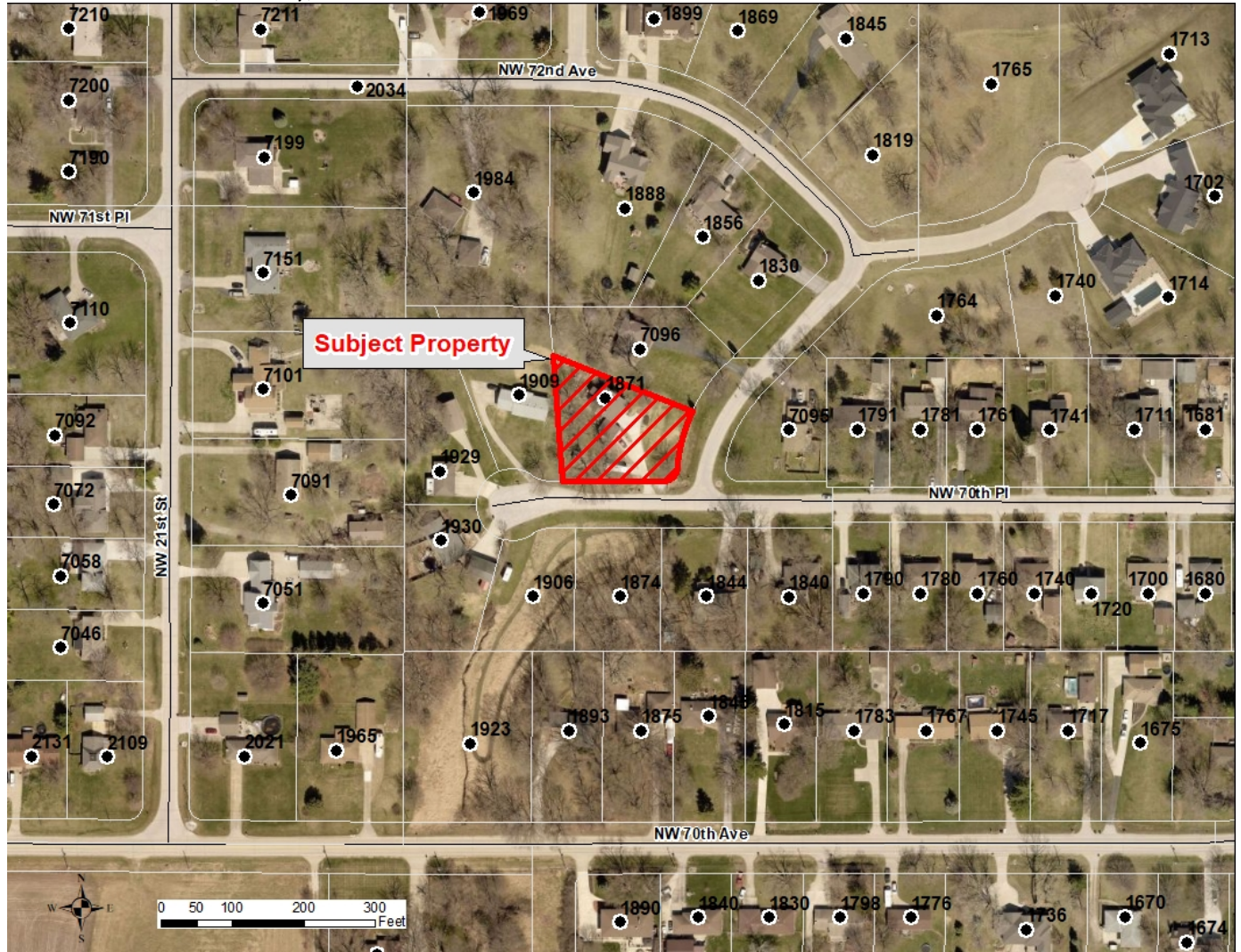
**Meeting ID: 950 5799 9659      Password: 888141**

*Several public hearings will be on the Board of Adjustment agenda. Please plan to join the meeting at 7:00 P.M., but wait to speak until the Chairperson asks for testimony on this item. The Final Agenda will be uploaded to the following page of the Polk County website by 4:30 P.M. on Friday, April 16, 2021: <https://www.polkcountyiowa.gov/public-works/board-of-adjustment/>.*

POLK COUNTY BOARD OF ADJUSTMENT  
Paul Kruse, \_\_\_\_\_ Chairperson  
Ashley Davidson, \_\_\_\_\_ Secretary

**Aerial / Vicinity Map**

1871 NW 70<sup>th</sup> Place, Ankeny; Geo Parcel: 8024.33.477.009



If you wish to be shown approving or disapproving of the Variance Appeal you can contact Chris Meeks by email at [Christopher.Meeks@polkcountyiowa.gov](mailto:Christopher.Meeks@polkcountyiowa.gov) or by phone at (515) 286-3355, or complete the information below and mail to Polk County Public Works Department, Planning & Development Division, 5885 NE 14th Street, Des Moines, IA 50313. All public testimony received will be made a part of the official case record. However, only testimony received prior to Wednesday, **April** 14th will be included/referenced within the staff report provided to the Board of Adjustment members.

----- cut and return -----

Case #2021-10137, Murphy. Please provide your name and address. If the property does not have an address please provide a parcel # or identify your property by placing an "X" on the enclosed map and return the map along with this portion. As the owner of the property, I hereby state my

support for                       opposition to

Print Name: \_\_\_\_\_

Address: \_\_\_\_\_

Signature: \_\_\_\_\_