

POLK COUNTY BOARD OF ADJUSTMENT

MEETING MINUTES

The Polk County Board of Adjustment held a meeting on Monday, September 16, 2024, 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 virtual attendance option was also provided per the instructions contained on the final meeting agenda.

A) Roll Call - Members Present: Kay Frye, Kurt Bailey, and Mike McCoy. Absent: Bindy Brown and Paul Kruse. Present from the Polk County Public Works Department: Brian McDonough, Planning and Development Manager; Tommy Howard, Land Use Planning Coordinator; Johnathon Waskow, Planner; 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, August 19, 2024 Meeting.

It was moved by McCoy and seconded by Bailey to **APPROVE** the minutes as presented.

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

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

D) Unfinished Business: None.

E) Consent Public Hearing Items:

Item 1 24/14583 Variance Appeal Application

Request by Jarod and Amy Fleck (property owners) for a Variance to allow an existing accessory shed set in front of the house to be relocated 189.43 feet from the primary residence, 39.43 feet greater than the 150' normally allowed. The subject property is located at 3944 NE Casebeer Drive, Altoona, within Section 23 of Clay Township and is zoned "RR" Rural Residential District.

A motion was made by McCoy and seconded by Bailey to approve Docket #24/14583 in accordance with the staff report and recommendation.

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

F) Action Public Hearing Items – New Business:

Item 1 24/ 15439 Conditional Use Permit Application

Request by John Lawson of COPART (applicant), represented by Seth Sunderman with Bishop Engineering for a Conditional Use Permit to allow for a disposal (vehicle salvage) use on a property located in the "HI" Heavy Industrial District. The subject site consists of two properties addressed as 2688 NE Broadway Ave and 4610 NE 27th Ct, Des Moines, within Section 18 of Delaware Township.

Let the record show that John Lawson of COPART has requested a deferment on Docket #24/15439 until the next Board of Adjustment on October 21, 2024.

Let the record show that Brian McDonough, Planning and Development Manager, discussed the reasoning behind this deferment request with board members.

A motion was made by Frye to defer Docket #24/15439 until October 21, 2024 Board of Adjustment meeting. The motion was seconded by Bailey.

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

Item 2 24/ 15407 Variance Appeal Application

Request by Rick Thibert of Titan Machinery Inc. (property owner) being represented by Jeff Gaddis of Civil Engineering Consultants, Inc., for a variance to allow pavement and gravel additions on site, without the required curbing for access drives and paving for expanded display areas. The subject property is located at 2290 NE 54th Avenue, Des Moines, within Section 7 of Delaware Township and is zoned "HI" Heavy Industrial District.

Tommy Howard gave the staff presentation and recommendation.

Let the record show that seven (7) notices were mailed, with one (1) response received in support and zero (0) responses in opposition of the request.

Let the record show that Jeff Gaddis of Civil Engineering Consultants, Inc., 2400 86th Street, Unit 12, Urbandale, Iowa, 50322 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 no one was present in opposition of the item.

A motion was made by McCoy and seconded by Bailey to approve Docket #24/15407 in accordance with the staff report and recommendation.

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

Item 3 24/15422 Conditional Use Permit Application

Request by Animal Rescue League of Iowa, Inc. (property owner) represented by Keith Weggen for a Conditional Use Permit to allow for a animal services use on a property located in the "AT" Agriculture Transition District. The subject property is located at 3296 NE 54th Avenue, Des Moines, within Section 8 of Delaware Township.

John Waskow gave the staff presentation and recommendation.

Let the record show that nine (9) notices were mailed, with three (3) responses received in support and zero (0) responses in opposition of the request.

Let the record show that Keith Weggen of Civil Design Advantage, 4121 NW Urbandale Drive, Urbandale, Iowa, 50322 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 no one was present in opposition of the item.

A motion was made by Bailey and seconded by McCoy to approve Docket #24/15422 and Docket #24/15423 in accordance with the staff report and recommendation.

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

Item 4 24/ 15423 Conditional Use Permit Application

Request by Animal Rescue League of Iowa, Inc. (property owner) represented by Keith Weggen for a Conditional Use Permit to allow for a special events use on a property located in the "AT" Agriculture Transition District. The subject property is located at 3296 NE 54th Avenue, Des Moines, within Section 8 of Delaware Township.

John Waskow gave the staff presentation and recommendation.

Let the record show that nine (9) notices were mailed, with three (3) responses received in support and zero (0) responses in opposition of the request.

Let the record show that Keith Weggen of Civil Design Advantage, 4121 NW Urbandale Drive, Urbandale, Iowa, 50322 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 no one was present in opposition of the item.

A motion was made by Bailey and seconded by McCoy to approve Docket #24/15422 and Docket #24/15423 in accordance with the staff report and recommendation.

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

G) Communications/Discussion Items: None

H) Zoning Administrator Report: None.

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

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