

POLK COUNTY BOARD OF ADJUSTMENT

MEETING MINUTES

The Polk County Board of Adjustment held a meeting on Monday, December 20, 2021, 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: Paul Kruse, Mike McCoy, Kay Frye, and Bindy Brown. Absent: Ron Fisher. Present from the Polk County Public Works Department: Bret VandeLune, Planning and Development Manager; Jennifer Ellison, Planner; and Ashley Davidson, Recording Secretary. Present from the County Attorney's office was Dominic Anania. Mike McCoy was participating electronically via telephone. Dominic Anania asked Mike McCoy if there were circumstances making it impossible or impracticable for him to attend the meeting in person. McCoy answered yes.
- B) Acceptance of the Minutes of the Monday November 15, 2021 Meeting.
It was moved by Frye and seconded by Kruse, to **APPROVE** the minutes as presented.
Vote: Yea: Kruse, McCoy, Frye and Brown. Nay: None. Absent: Fisher
- C) Opening Statement – Chairperson Kruse gave the opening statement.
- D) Unfinished Business: None
- E) Consent Public Hearing Items – New Business: None
- F) Action Public Hearing Items – New Business:

Item 1 21/11082 Variance Appeal Application

Request by John Paul Muelhaupt with DM Cold Storage Company, Inc. (Appellant/Property Owner), represented by Jason Heinze, with Schemmer, requesting two (2) Variances to increase the allowable Floor Area Ratio (FAR) from 40% to 51.8% and to decrease the allowable Open Space Ratio (OSR) from 25% to 22.5% for a proposed 1,785 square foot building addition to the existing engine room along the south façade of the existing office and warehouse building. The subject property is addressed as 4770 NE 17th Court, Des Moines, in Section 13 of Saylor Township.

Jennifer Ellison gave the staff presentation and recommendation.

Let the record show that seven (7) notices were mailed, with zero (0) responses received in support, and zero (0) responses received in opposition, of the Variance Appeal Application.

Let the record show that Jason Heinze with Schemmer, 1044 N 115th Street Suite #300, Omaha, NE 68154 was present to represent the application.

Let the record show that CJ Morton with DM Cold Storage Company, Inc., 28 35th Street, Des Moines, IA 50312, was present to represent the application.

A motion was made by Frye and seconded by Kruse to APPROVE Docket #21/11082 with an amended request to the allowable Floor Area Ratio (FAR) from 40% to 50.7% as recommended by staff, including the following conditions:

- 1) This Variance is subject to the review and approval of a Minor Site Plan for this property.
- 2) The two (2) storage containers and miscellaneous construction materials shall be removed from the site prior to final inspection for the building addition.

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

A motion was made by Kruse and seconded by Frye to APPROVE Docket #21/11082 with an amended request to the allowable Open Space Ratio (OSR) from 25% to 24% as recommended by staff, including the following conditions:

- 1) This Variance is subject to the review and approval of a Minor Site Plan for this property.
- 2) The two (2) storage containers and miscellaneous construction materials shall be removed from the site prior to final inspection for the building addition.

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

- G) Communications/Discussion Items – None
- H) Zoning Administrator Report – Bret Vandelune reported that the 2050 Comprehensive Plan is moving along. There will be meetings with the consultants to generate the Draft Plan. After the Draft Plan is created, there will be more Public Meetings to review the plan. He also welcomed the fifth Board of Adjustment member, Bindy Brown.
- I) Adjournment – A motion was made by Frye and seconded by Kruse to adjourn the meeting.

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