

POLK COUNTY BOARD OF ADJUSTMENT

MEETING MINUTES

The Polk County Board of Adjustment held a meeting on Monday, July 18, 2022, 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: Mike McCoy, Kay Frye, Paul Kruse, and Bindy Brown. Absent: None. Present from the Polk County Public Works Department: Bret Vandelune, Planning and Development Manager; Brian McDonough, Land Use Planning Coordinator; Chris Meeks, Planner; Tommy Howard, Planner; Andrea Duong, Intern; and Ashley Davidson, Recording Secretary. Present from the County Attorney's office was Dominic Anania.

B) Acceptance of the Minutes of the Monday June 20, 2022 Meeting.

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

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

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

D) Unfinished Business: None

E) Consent Public Hearing Items – New Business:

Item 1 22/11725 Variance Appeal Application

Request by Brenda McNamara (tenant/appellant), with consent from Monica Ospina on behalf of Country Living MHP, LLC (property owner), for two (2) Variances for a proposed accessory structure. The request includes a side yard setback Variance as well as a Variance to the required separation from the principal dwelling. The subject property is located within Country Living Mobile Home Park at 6930 NE 56th Street, Lot A26, Altoona, Section 3 of Delaware Township. The property is zoned "AG" Agricultural District.

It was moved by Frye and seconded by Kruse to APPROVE the Consent Agenda Public Hearing item in accordance with staff's recommendation.

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

F) Action Public Hearing Items – New Business:

Item 1 22/11635 Variance Appeal Application – Deferred from June 20, 2022 agenda

Request by Martin and Anjana Olson (property owners), represented by Ryan Ferris of Ferris Construction for a Variance to allow a principal structure to be located with a nine-foot six-inch (9'6") rear yard setback and a six-foot six-inch (6'6") side yard setback in lieu of the required fifty (50) foot rear yard setback and fifteen (15) foot side yard setbacks. The subject property is addressed as 3230 NW 84th Avenue, Ankeny, within Section 29 of Crocker Township. The property is zoned "RR" Rural Residential District.

Let the record show that Anjana Olson (property owner), 3230 NW 84th Ave, Ankeny, IA 50023, and Ryan Ferris, Ferris Construction (contractor), 7285 Geneva St, Indianola, IA 50125, were present to represent the application.

Chris Meeks gave the staff presentation and recommendation.

Let the record show that 12 notices were mailed, with one (1) responses received in support, and zero (0) in opposition, of the request.

Chairperson McCoy asked if anyone was present in opposition to the request. Hearing none, and confirming that the applicant was in agreement with the staff condition, a motion was made by McCoy and seconded by Kruse to APPROVE Docket #22/11635 as requested by the applicant, including the condition that the applicant comply with the County's Home Occupation requirements.

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

Item 2 22/11312 Variance Appeal Application

Request by Lisbet Paz de Gonzalez and Saul Gonzalez Rojas (property owners), being represented by Doug Saltsgaver with Engineering Resource Group, Inc., for a Variance to allow a proposed accessory building to be located in front of a new principal dwelling at a front yard setback of less than 100 feet. The subject property is located at 4825 NW Morningstar Drive, Des Moines, Section 16 of Saylor Township. The property is zoned "AG" Agricultural District.

Let the record show that Lisbet Paz de Gonzalez (property owner), 3120 3rd St, Des Moines, IA 50312, was present to represent the application.

Andrea Duong gave the staff presentation and recommendation.

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

Chairperson McCoy asked if anyone was present in opposition to the request. None.

A motion was made by Frye and seconded by Brown to Approve Docket #22/11312 as recommended by staff

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

Item 3 22/11657 Variance Appeal Application

Request by Bret Nehring (owner/appellant) for a Variance to allow an accessory building to be located in front of a principal dwelling with a separation distance of greater than 150-feet. The subject property is located at 8977 NE Hubbell Road, Bondurant, within Section 21 of Franklin Township. The property is zoned "ER" Estate Residential District.

Let the record show that Bret Nehring, 8977 NE Hubbell Rd, Bondurant, IA 50035, was present to represent the application.

Chris Meeks gave the staff presentation and recommendation.

Let the record show that 20 notices were mailed, with two (2) responses received in support, and zero (0) received in opposition, of the request.

Hearing no opposition a motion was made by McCoy and seconded by Kruse to APPROVE Docket #22/11657 as requested by applicant.

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

Item 4 22/11740 Variance Appeal Application

Request by Marc Swanson of the Community Church of Christ (property owners), being represented by Justin Strom with Snyder & Associates Inc., for two (2) front yard setback variances for the existing church and a proposed addition. The subject property is located at 4490 NE 40th Avenue, Des Moines, Section 21 of Delaware Township. The property is zoned "LDR" Low Density Residential District.

Let the record show that Marc Swanson (property owner), Community Church of Christ, 5007 Ash Dr, Pleasant Hill, IA 50327, and Justin Strom (Consultant), Snyder & Associates, 2727 SW Snyder Blvd, Ankeny, IA 50021, were present to represent the application.

Tommy Howard gave the staff presentation and recommendation.

Let the record show that 21 notices were mailed, with three (3) responses received in support, and zero (0) received in opposition, of the request.

Hearing no opposition a motion was made by Frye and seconded by Brown to APPROVE Docket #22/11740 as requested by applicant.

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

G) Communications/Discussion Items: None

H) Zoning Administrator Report: None

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

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