

POLK COUNTY BOARD OF ADJUSTMENT

MEETING MINUTES

The Polk County Board of Adjustment held a meeting on Tuesday, June 20, 2023, 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: Kay Frye, Paul Kruse, Bindy Brown and Kurt Bailey. Absent: Mike McCoy. Present from the Polk County Public Works Department: Bret Vandelune, Planning and Development Manager; Brian McDonough, Land Use Planning Coordinator; Tommy Howard, 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 15, 2023 Meeting.

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

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

C) Opening Statement – Vice-Chair Frye served as Chair in the absence of McCoy and gave the opening statement.

D) Unfinished Business: None

E) Consent Public Hearing Items:

**Item 1            23/12788 Variance Appeal Application**

Request by Mark and Debbie Platt (property owners) for a Variance of approximately 18 feet to allow an existing attached pergola to remain approximately 57 feet from the rear property line in lieu of the required 75-foot rear yard setback. The subject property is located at 8473 NW Chevalia Drive, Grimes, within Section 29 of Jefferson Township, and is zoned "ER" Estate Residential.

There was no one in the audience to speak in opposition of this item. It was moved by Kruse and seconded by Brown to approve Docket # 23/12788 according to the staff report and recommendation, including the recommended condition of approval.

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

F) Action Public Hearing Items – New Business:

**Item 1            23/12815 Variance Appeal Application**

Request by Darren and Melynda Rogers (property owners) for a Variance of approximately ten (10) feet to allow an existing attached garage addition to remain approximately 15 feet from the side property line, in lieu of the required 25 feet. The subject property is located at 8724 NE 27th Avenue, Altoona, IA 50009 within Section 29 of Clay Township, and is zoned "AT" Agricultural Transition 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) in opposition, of the request.

Let the record show that Darren Rogers, 8724 NE 27th Avenue, Altoona, IA 50009 was present to represent the item.

Let the record show that Joel Rogers, 8702 NE 27<sup>th</sup> Avenue, Altoona, IA 50009 was present in support of the item.

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

A motion was made by Kruse and seconded by Brown to approve Docket # 23/12815 according to the staff report and recommendation, including the recommended condition of approval.

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

**Item 2            23/12819 Variance Appeal Application**

Request by Timothy and Lynne Begg (property owners) for a Variance to allow a proposed accessory building to be located in front of the principal residence with a separation from the principal residence of greater than 150 feet. The subject property is located at 8097 NW 37th Street, Ankeny, IA 50023 Section 29 of Crocker Township, and is zoned "RR" Rural Residential District.

Brian McDonough gave the staff presentation and recommendation.

Let the record show that fourteen (14) notices were mailed, with two (2) responses received in support, and zero (0) in opposition, of the request.

Let the record show that Timothy and Lynne Begg, 8097 NW 37th Street, Ankeny, IA 50023 were present to represent the item.

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

A motion was made by Kruse and seconded by Brown to approve Docket # 23/12819 according to the staff report and recommendation, including the recommended condition of approval.

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

**Item 3            23/12835 Variance Appeal Application**

Request by Nicole Martin (appellant) with consent from Larry and Melinda Ginger (property owners) for a Variance to allow a proposed covered entryway addition to an existing commercial building with a setback of approximately 46 feet from the front property line, in lieu of the required 75 feet. The subject property is located at 5890 NW 2nd Street, Des Moines, IA 50313 within Section 10 of Saylor Township, and is zoned "GC" General Commercial District.

Tommy Howard gave the staff presentation and recommendation.

Let the record show that eleven (11) notices were mailed, with one (1) response received in support, and zero (0) in opposition, of the request.

Let the record show that Melinda Ginger (property owner), 260 NW 54<sup>th</sup> Avenue, Des Moines, IA 50313, and Nicole Martin (appellant), 5890 NW 2nd Street, Des Moines, IA 50313, were present to represent the item.

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

A motion was made by Kruse and seconded by Brown to approve Docket # 23/12835 according to the staff report and recommendation.

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

G) Communications/Discussion Items: None

H) Zoning Administrator Report: Bret VandeLune, Planning & Development Manager, gave an update to the Board of Adjustment including introduction of Kendra Glider, Board of Adjustment Recording Secretary; Debbie Wagner, Polk County Public Works Department Administrative Supervisor; and Ben Whisnant, Polk County Public Works Department Planning Intern.

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

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