

POLK COUNTY BOARD OF ADJUSTMENT

MEETING MINUTES

The Polk County Board of Adjustment held a meeting on Monday, March 15, 2021, at 7:00 P.M. **Due to the COVID-19 public health emergency, the meeting was held by voice and video conference. The Public Works building is currently closed to the public. All Commissioners, staff, applicants and the public were invited to join the meeting by using the meeting link or phone number that was provided on the agenda.**

- A) Roll Call - Members Present: Paul Kruse, Mike McCoy, Ron Fisher and Kay Frye. Absent: None. Present from the Polk County Public Works Department: Bret VandeLune, Planning and Development Manager; Brian McDonough, Land Use Planning Coordinator; Jennifer Ellison, Planner; Chris Meeks, Planner; and Ashley Davidson, Recording Secretary.
- B) Acceptance of the Minutes of the Tuesday, February 16, 2021 Meeting.
It was moved by McCoy and seconded by Frye, to **APPROVE** the minutes as presented.
Vote: Yea: Kruse, McCoy, Fisher and Frye. Nay: None. Absent: None
- 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:

Items 1 - 5 21/10018, 21/10020 - 21/10023 Conditional Use Permit & Variance Appeal Applications

Request by Martin Marietta Materials, Inc. (Property Owner) for the following:

21/10018 – An amendment to an existing Conditional Use Permit for sand and gravel extraction to permit an additional approximately 55.23 acres of land for future extraction.

21/10020 – A Variance of 150 feet to reduce the extraction setback adjacent to certain open space properties from 200 feet to 50 feet, and waiving backfill requirements.

21/10021 – A Variance of 150 feet to reduce the extraction setback adjacent to certain residential properties from 200 feet to 50 feet, and waiving backfill requirements.

21/10022 – A Variance to eliminate the landscape bufferyard requirements adjacent to certain residential properties.

21/10023 – A Variance of 75 feet to reduce the extraction setback from public street right-of-way in certain locations from 125 feet to 50 feet, and waiving backfill requirements.

The subject property is located at 11045 NE 56th Street, Elkhart, Section 2 of Douglas Township.

Chris Meeks gave the staff presentation and recommendation.

Let the record show that Neil Grant, with Martin Marietta Materials Inc, of 11252 NW Aurora Ave, Urbandale, IA 50322, was present to represent the Conditional Use Permit Application and Variance Appeal Applications.

Let the record show that sixty-three (63) notices were mailed, with nine (9) responses received in opposition, and two (2) response received in support, of the Conditional Use Permit Application and Variance Appeal Applications.

Let the record show that Jason Wilson of 4123 E 7th St, Des Moines, IA 50313 and Jan Klinginsmith of 818 SE Innsbruck Dr, Ankeny, IA 50021, were present in opposition of the Conditional Use Permit Application and Variance Appeal Applications.

Let the record show that Miles Derrick of 1075 NW 54th Ave, Des Moines, IA 50313 was present in support of the Conditional Use Permit Application and Variance Appeal Applications.

A motion was made by Kruse and seconded by McCoy to **APPROVE** the Conditional Use Permit Application #21/10018 in accordance with staff's recommendation and condition of approval.

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

A motion was made by McCoy and seconded by Kruse to **APPROVE** the Variance Appeal Application #21/10020 in accordance with staff's recommendation and condition of approval.

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

A motion was made by McCoy and seconded by Kruse to **APPROVE** the Variance Appeal Application #21/10021 in accordance with staff's recommendation and condition of approval.

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

A motion was made by Frye and seconded by McCoy to **APPROVE** the Variance Appeal Application #21/10022 in accordance with staff's recommendation and condition of approval.

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

A motion was made by McCoy and seconded by Fisher to **APPROVE** the Variance Appeal Application #21/10023 in accordance with staff's recommendation and condition of approval.

Vote: Yea: Kruse, McCoy, Fisher and Frye. 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 until the next regularly scheduled Board of Adjustment Meeting on April 19, 2021.

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