

POLK COUNTY BOARD OF ADJUSTMENT

MEETING MINUTES

The Polk County Board of Adjustment held a meeting on Monday, May 16, 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, Paul Kruse, Kay Frye, and Bindy Brown. Absent: None. Present from the Polk County Public Works Department: Brian McDonough, Land Use Planning Coordinator; Chris Meeks, Planner; and Ashley Davidson, Recording Secretary. Present from the County Attorney's office was Dominic Anania.

B) Acceptance of the Minutes of the Monday April 18, 2022 Meeting.

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

Vote: Yea: McCoy, Kruse, Frye 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 22/11463 Variance Appeal Application

Request by Bob and Cynde Pool (property owners) for a Variance to allow an accessory structure to be located in front of the principal dwelling with a front yard setback of less than 100 feet. The subject property is located at 453 SE Garrett Drive, Runnells, within Section 5 of Camp Township, and is zoned "RR" Rural Residential District.

Item 2 22/11480 Variance Appeal Application

Request by Ryan and Shaylin Gladson (property owners) for a Variance to allow an increase from the allowed Floor Area Ratio (FAR) from 8% to approximately 8.2% to allow for the construction of a proposed free-standing solar array. The subject property is located at 12179 NW 89th Place, Grimes, Section 20 of Jefferson Township. The subject property is zoned "ER" Estate Residential District.

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

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

F) Action Public Hearing Items – New Business:

Item 1 22/11475 Variance Appeal Application

Request by Mary Allen (property owner), represented by Chuck Woodhall, for a Variance to allow an accessory structure to be constructed with a four (4) foot side yard setback and a six (6) foot rear yard setback in lieu of the required ten (10) foot side and rear yard setbacks. The subject property is located at 6815 NW 5th Court, Des Moines, within

Section 3 Township 79 North, Range 24 West of the 5th P.M. (Saylor Township), and is zoned “LDR” Low Density Residential District.

Chris Meeks gave the staff presentation and recommendation.

Let the record show that 31 notices were mailed, with four (4) responses received in support, and zero (0) in opposition, of the request.

Let the record show that Chuck Woodhall, 2325 E 40th Ct, Des Moines, IA 50317, was present to represent the application.

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 conditions, a motion was made by McCoy and seconded by Kruse to APPROVE Docket #22/11475 as recommended by staff, including the conditions of approval.

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

Item 2 22/11479 Variance Appeal Application

Request by Eric and Jenny Quiner (property owners) for a front yard setback variance and building separation variance for new commercial permanent greenhouse structures. The subject property is located at 4600 NW 51st Street, Des Moines, within Section 18 of Webster Township. The property is zoned “NB” Neighborhood Business District with conditions.

Brian McDonough gave the staff presentation and recommendation.

Let the record show that 107 notices were mailed, with one (1) response received in support, and zero (0) received in opposition, of the request.

Let the record show that Eric Quiner, 4840 NW Piekenbrock Dr, Des Moines, IA 50310, was present to represent the application.

Chairperson McCoy asked if anyone was present in opposition to the request.

Let the record show that three neighboring residents were present to express concerns, including continued expansion of the Dogpatch Urban Gardens business and parking, traffic and safety concerns related to recent events. Elma Berbo, 4635 NW 50th St, Des Moines, IA 50310; Kathy Alitz, 4680 NW 51st St, Des Moines, IA 50310; and Harisa Jusufovic, 4635 NW 51st St, Des Moines, IA 50310.

Following brief discussion, a motion was made by Frye and seconded by Kruse to APPROVE Docket #22/11479 as recommended by staff.

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

Item 3 22/11481 Conditional Use Permit Application

Request by 6450, LLC (Property Owner), represented by Blake Pagliai, being represented by Eric Cannon with Snyder & Associates, for an amended Conditional Use Permit to allow for continued redevelopment of the subject property with additional Light Industry uses. The subject property is located at 4475 NE 3rd Street, Des Moines, Section 23 of Saylor Township. The subject property is zoned “MU” Mixed Use District.

Brian McDonough introduced the item, property background and recommendation.

Let the record show that 80 notices were mailed, with zero (0) responses received in support, and one (1) received in opposition, of the request.

Hearing no opposition and confirming that the applicant was in agreement with the staff conditions, a motion was made by McCoy and seconded by Kruse to APPROVE Docket #22/11481 as recommended by staff, including the conditions of approval.

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

G) Communications/Discussion Items: None

H) Zoning Administrator Report: None

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

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