

POLK COUNTY BOARD OF ADJUSTMENT

MEETING MINUTES

The Polk County Board of Adjustment held a meeting on Monday, April 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, Paul Kruse, Kay Frye, and Bindy Brown. Absent: Ron Fisher. 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 and Ashley Davidson, Recording Secretary. Present from the County Attorney's office was Dominic Anania.

B) Acceptance of the Minutes of the Tuesday March 21, 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: Fisher

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

D) Unfinished Business: None

E) Consent Public Hearing Items – New Business:

Item 1 22/11364 Variance Appeal Application

Request by Mark and Donna Whitehead (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 720 SE 55th Street, Pleasant Hill, within Section 9 of Fourmile Township, and is zoned "LDR" Low Density Residential District.

Chairperson McCoy asked if anyone was present in opposition to the Consent item. Hearing none, a motion was made by McCoy and seconded by Kruse to APPROVE Docket #22/11364 as recommended by staff.

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

F) Action Public Hearing Items – New Business:

Item 1 22/11350 Variance Appeal Application

Request by Carl & Jenessa Amundson (property owners), represented by Abaci Consulting, Inc., for a rear yard setback variance for an existing single-family dwelling. The subject property is located at 7702 NW 37th Street, Ankeny, within Section 32 of Crocker Township, and is zoned "RR" Rural Residential District.

Brian McDonough gave the staff presentation and recommendation.

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

Let the record show that Hemant Bhanot with Abaci Consulting, Inc. 3000 SE Grimes Blvd Ste 800, Grimes, IA 50111, was present to represent the application.

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

Let the record show that Jim Johnson, 7781 NW 37th St, Ankeny, IA was present to speak in opposition of the proposed residential subdivision of the property.

A motion was made by McCoy and seconded by Kruse to APPROVE Docket #22/11350 as recommended by staff, including the condition of approval.

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

Item 2 22/11351 Conditional Use Permit Application

Request by Otto Farms, Inc. (contract buyer), represented by Norm Olson, with consent from BRE Investments, LLC (property owner), and being represented by Mark Dickinson with Nyemaster Law Firm, for a Conditional Use Permit to allow an Agri-tourism use of a lavender farm with related seasonal retail sales, tours and public use. The subject property is located at 1687 NE 56th Street, Pleasant Hill, within Section 35 of Clay Township, and is zoned "AG" Agricultural District.

Brian McDonough gave the staff presentation and recommendation.

Let the record show that 25 notices were mailed, with one (1) response received in support, and zero (0) received in opposition, of the request.

Let the record show that Norm Olson, Otto Farms, Inc. 1687 NE 56th St, Pleasant Hill, IA 50327, 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 #22/11351 as recommended by staff, including the conditions of approval.

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

Item 3 Prior Docket #309 Removal of Conditional Use Permit – Geisler Farms

Request by Darrell & Melinda Geisler (Property Owners), to remove existing Conditional Use Permit for Geisler Farms. The subject property is located at 5251 NE 94th Avenue, Bondurant, within Section 22 of Douglas Township.

Brian McDonough introduced the item, property background and recommendation.

A motion was made by Frye and seconded by Kruse to APPROVE Removal of Prior Docket #309 as recommended by staff.

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

G) Communications/Discussion Items: None

H) Zoning Administrator Report:

Bret Vandelune introduced Tommy Howard as the new Planner replacing Jennifer Ellison's previous position. He also informed the board that Ron Fisher is resigning as a Board of Adjustment member.

Bret Vandelune spoke in about the upcoming 2050 Comprehensive Plan Open House on May 17th 4:30-7:30 P.M. at the Public Works Department office. The final version of the 2050 Comprehensive Plan will be brought to the Zoning commission in June and to the Board of Supervisors in August.

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

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