

BOARD OF ADJUSTMENT MEETING MINUTES

BOA_AF_06-16-2021

Chairperson Stevens called to order the June 16, 2021, regularly scheduled meeting of the Board of Adjustment at 5:30 p.m. in Council Chambers, West Des Moines City Hall, located at 4200 Mills Civic Parkway, in West Des Moines, Iowa, and electronically through Zoom.

Roll Call: Blaser, Cunningham, Pfannkuch, Stevens..... Present
Christiansen..... Absent

Item 1 – Consent Agenda

Item 1a – Minutes of April 7, 2021

Chairperson Stevens asked for any corrections to the meeting minutes of April 7, 2021. Board Member Cunningham moved to approve the minutes as presented, Board Member Blaser seconded the motion.

Chair Stevens declared the minutes approved as presented.

Item 2 – Old Business

There were no Old Business items.

Item 3 – Public Hearings

Item 3a – Zoning Exception – 3501 Boulder Drive – Zoning exception from the front yard setback to accommodate a 3-stall attached garage – VAR-005148-2021

Chairperson Stevens opened the public hearing and asked the Recording Secretary to state when the public hearing notice was published. The Recording Secretary stated that the notice was published on June 5, 2021 in the Des Moines Register.

Moved by Board Member Blaser, seconded by Board Member Cunningham, the Board of Adjustment accepted and made a part of the record all testimony and documents received at this public hearing.

Vote: Blaser, Christiansen, Cunningham, Pfannkuch, Stevens Yes,
Motion carried.

Jason Clements, 3501 Boulder Drive, explained his request for a zoning exception. He noted the location, stating that he has been at this residence since 1995. Mr. Clements informed that he would like to build a larger garage, with a workshop above it. This project would involve removing the existing garage and regrading the drive and yard. He explained that there is a hazardous four-foot rise in grade over 30 feet for his existing driveway. Mr.

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Clements stated this has been very treacherous in the wintertime and both he and his wife have slipped on it in the last year. They would like to lower the grade of the garage to three inches higher than the sidewalk level. Mr. Clements has been working with an engineer on the plans and realized the setback would not allow him to park his vehicle in the garage without touching the wall or damaging the house. He is applying for an exception for two-foot from the current setback to allow parking in the garage. Mr. Clements provided sketches of the current and proposed garage, as well as engineering drawings. He noted that roofline and finish which will be consistent with the existing structure.

Board Member Blaser questioned the drawing showing the driveway, asking if there would be a four-foot wall at the sidewalk. Mr. Clements explained his intent to regrade his yard and clarified that the retaining of the embankment on either side of the drive would be graduated down to meet the sidewalk.

Board Member Blaser asked if fencing was drawn along the edges of the drive on the proposed garage sketch. Mr. Clements responded that it would be some kind of a wall because the drive would be four foot below the ground line.

Chair Stevens asked if it would be graded so that it met the drive or would be a four-foot wall at the sidewalk. Mr. Clements answered that he will be regrading the yard as well, and that the wall would taper down and there would be no retaining wall at the sidewalk.

Board Member Cunningham noted a statement in the Staff Report regarding similar alignment of nearby properties along Boulder Drive at the front yard line and asked if Mr. Clements was aware if other properties nearby had been granted this type of exception. Mr. Clements replied that one property was at the 30-foot setback. He pointed out that his house and one across the street have two front yard setbacks. He noted his garage sticks out further than the neighboring houses anyway, and this would not change with the reconstruction.

Chairperson Stevens asked for any other questions or comments from the audience and upon hearing none, declared the public hearing item closed.

Karen Marren, Development Services Planner, stated that the applicant had done a good job of explaining the proposal and added that the only public comment was from the neighbor immediately west, who wrote in support of the exception being granted.

Chairperson Stevens asked for continued discussion or a motion and a second for this item.

Moved by Board Member Cunningham to grant the exception based on Staff Findings, seconded by Board Member Pfannkuch. The Board of Adjustment adopted a resolution to approve the zoning exception.

Vote: Blaser, Cunningham, Pfannkuch, Stevens Yes
Christiansen.....Absent

Motion carried.

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Item 4 – New Business

There were no New Business items.

Item 5 – Staff Reports

5a – The next meeting will be July 7, 2021.

5b – Planner Marren led a brief discussion regarding returning to in-person meeting and social distancing. It was decided that the Board prefers to return to in person attendance without requiring social distancing, however they would like the flexibility of joining by remote when necessary to form a quorum.

Item 6 – Adjournment

Chairperson Stevens asked for a motion to adjourn the meeting.

Moved by Board Member Blaser, seconded by Board Member Cunningham, the Board of Adjustment meeting adjourned at 5:48 pm.

Michele Stevens, Chairperson

Jennifer Canaday, Recording Secretary