

BOARD OF ADJUSTMENT MEETING MINUTES

BOA_AF_07-07-2021

Chairperson Stevens called to order the July 7, 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, Christiansen, Cunningham, Pfannkuch, Stevens.....Present

Item 1 – Consent Agenda

Item 1a – Minutes of June 16, 2021

Chairperson Stevens asked for any corrections to the meeting minutes of June 16, 2021. Hearing none, Chair Stevens declared the minutes approved as presented.

Item 2 – Old Business

There were no Old Business items.

Item 3 – Public Hearings

Item 3a – Lisa Irey – 917 17th Street – Zoning exception from the rear yard setbacks to accommodate a solar energy system mounted onto the roof of a legal nonconforming home – VAR-005186-2021

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 18, 2021, in the Des Moines Register.

Moved by Board Member Pfannkuch, 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, StevensYes Motion carried.

Amberly Woods, Pure Light Power, 541 Parsons Drive, Medford, OR, on behalf of applicant Lisa Irey, presented their request for a zoning exception to allow a roof mounted solar system. She stated that by installing this system, the owner would offset her power bill and contribute to a greener environment.

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

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Bryce Johnson, Development Services Planner, provided a summary of the staff report. He noted that the house was constructed in 1932, prior to zoning regulations. He stated this exception would not make the house conforming, this was specifically to approve the setback needed for the solar system. Planner Johnson concluded by noting that this approval was not for the solar system itself, but that a permit would be required for approval of the solar system installation.

Board Member Cunningham questioned the impact on the neighbors, particularly the neighbor to the rear property. Planner Johnson responded that it will not impact the neighbors and there were no comments received from the rear property neighbor following the public noticing.

Development Coordinator Schemmel inserted that the setback approval is for the roof array alone and does not affect the setback requirement for the structure. She elaborated that an addition to a non-conforming structure must meet setback requirements. Normally, the array would be allowed to the edge of the roof. With the flush roof mounting, the visual impact would not increase whether the array extends to the roof edge or not.

Board Member Pfannkuch observed that the majority of the array is within the setback, the request pertains only to the portion of the array outside the setback. Ms. Schemmel affirmed that comment.

Chair Stevens asked whether a condition of approval should be the requirement of a building permit. Development Coordinator Schemmel responded that Staff did not feel that would necessary as the permit application was already submitted and is in process.

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

Moved by Board Member Blaser, seconded by Board Member Pfannkuch, the Board of Adjustment adopted a resolution to approve the zoning exception.

Vote: Blaser, Christiansen, Cunningham, Pfannkuch, StevensYes
Motion carried.

Item 4 – New Business

There were no New Business items.

Item 5 – Staff Reports

The next meeting with agenda items will be held on July 21, 2021.

Item 6 – Adjournment

Chairperson Stevens asked for a motion to adjourn the meeting.

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Moved by Board Member Pfannkuch, seconded by Board Member Cunningham, the Board of Adjustment meeting adjourned at 5:40 PM.

Michele Stevens, Chairperson

Jennifer Canaday, Recording Secretary