

BOARD OF ADJUSTMENT MEETING MINUTES

BOA_AF_05-03-2023

Chairperson Pfannkuch called to order the May 3, 2023, 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 April 19, 2023

Chairperson Pfannkuch asked for any corrections to the meeting minutes of April 19, 2023. Hearing none, Chair Pfannkuch declared the minutes approved as presented.

Item 2 – Old Business

There were no Old Business items.

Item 3 – Public Hearings

Item 3a – 1975 S 40th Court, Joseph Setback Exception – Zoning Exception for a Reduction of Setback to accommodate a second dwelling unit – Sable and Burton Joseph – VAR-005980-2023

Chairperson Pfannkuch 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 April 21, 2023, 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, StevensYes
Motion carried.

Sable Joseph, 1745 S 40th Court, summarized their petition to allow a reduced setback for the shed they are converting to a mother-in-law suite. Ms. Joseph informed that they had discussed this remodel with their neighbors who voiced support of the project.

Board Member Cunningham asked if the intent was to remove and build a new structure, or remodel. Ms. Joseph stated they would remodel the existing shed.

Board Member Cunningham asked why a setback variance was required for an existing structure. Ms. Joseph replied that she wasn't sure, other than it was over the property line by one foot. She added that there is no neighbor directly north or west of this location.

Board Member Blaser inserted a comment that he believed the Staff Findings should include the word "Beneficial" in finding exception #1, paragraph 1, between the words "Prevents" and "Improvement."

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

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Planner Tragesser clarified the location of the desired insertion of the word noted by Board Member Blaser. She then explained that the setback requirements change with the conversion of an accessory structure into a dwelling unit, making it a primary structure.

Board Member Cunningham asked if this would still be considered primary if there were two dwelling units on the lot. Planner Tragesser responded that they would both be classified as primary structures as they were residential dwellings.

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

Moved by Board Member Cunningham, seconded by Board Member Blaser, the Board of Adjustment adopted a resolution to approve the zoning exception based on Staff Findings with the insertion of the word "Beneficial" in the first paragraph between the words Prevents and Improvement.

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 date will be May 17, 2023.

Item 6 – Adjournment

Chairperson Pfannkuch asked for a motion to adjourn the meeting.

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

Angie Pfannkuch, Chair

Jennifer Canaday, Recording Secretary