

BOARD OF ADJUSTMENT MEETING MINUTES

BOA_AF_07-17-2024

Chairperson Cunningham called to order the July 17, 2024, 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, Davis, Pfannkuch, Stevens.....Present

Item 1 – Consent Agenda

Item 1a – Minutes of June 19, 2024

Chairperson Cunningham asked for any corrections to the meeting minutes of June 19, 2024. Hearing none, Chair Cunningham declared the minutes approved as presented.

Item 2 – Old Business

There were no Old Business items.

Item 3 – Public Hearings

Item 3a – 2159 SE Fox Valley Drive, Zoning Exception

Chairperson Cunningham noted that there was a memo on the dais requesting the withdrawal of Item 3a as it has been determined that an exception is no longer needed.

Moved by Board Member Davis, seconded by Board Member Pfannkuch, the Board of Adjustment accepted the withdrawal of item 3a.

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

Item 3b – McCoy Residence, 4326 Oakwood Lane – Zoning Exception to accommodate a building addition to the west side of the house – Rhonda & Mike McCoy – VAR-006477-2024

Chairperson Cunningham 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 July 5, 2024, in the Des Moines Register.

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

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

Mike McCoy, 4326 Oakwood Lane, presented their request on behalf of himself and his wife Rhonda. Mr. McCoy informed that they have lived in their home for over 25 years. He noted that health issues over the years and an intent to age in place led them to remodel the kitchen and laundry areas of their home, and they are now desiring to put on an addition with an accessible Master Bedroom and bathroom. They will need a bump out on the west side of their home and will ensure that it matches the

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rest of the home. This area is surrounded by trees. Mr. McCoy thanked Associate Planner Brinkman for her assistance with the project.

Chairperson Cunningham asked for any other questions or comments from the audience.

Sheila Waller, 2037 S 41st Court, introduced herself as the project designer and informed that they had examined many different design options before choosing this as the most affordable and workable option.

As there were no further comments from the audience, Chair Cunningham declared the public hearing item closed.

Emani Brinkman, Development Services Associate Planner, noted that the house faces both Oakwood Lane and S. 43rd Street. It is addressed to Oakwood Lane. The reduced setback will apply to the S. 43rd Street frontage. She concluded she had nothing further to add to the Staff Report.

Board Member Stevens clarified that the request qualifies for a Zoning Exception and does not need a Variance. Associate Planner Brinkman affirmed.

Chair Cunningham observed there is no home between this address and S. 43rd Street, just landscaping. Associate Planner Brinkman affirmed.

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

Chair Cunningham moved to approve the Zoning Exception, adopting Staff Findings, Amending Finding 2a to include the words "and Bathroom" following "Master Bedroom."

Board Member Pfannkuch seconding the motion, with an Amendment to include "and Bathroom" following "Master Bedroom" throughout all of Staff Findings.

The Board of Adjustment adopted a resolution to approve the zoning exception based on Staff Findings, amending All Findings to include the word "and Bathroom" following "Master Bedroom."

Vote: Blaser, Cunningham, Davis, Pfannkuch, StevensYes

Item 3c – 928 13th Street – Zoning Exception for a Reduction of Setback to accommodate an addition – Nathaniel Herron – VAR-006512-2024

Chairperson Cunningham 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 July 5, 2024, in the Des Moines Register.

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

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

Nathaniel Herron, 918 13th Street, that they would like to expand a bedroom and bath to accommodate their growing family with an addition to the back of the existing house. They are requesting an 8.75-foot exception to the 35' rear yard setback. The architect had recommended placing the addition in line with the garage, however Staff had informed that a 5' setback was required between the garage and the

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addition.

Chair Cunningham asked the location of the garage, which was pointed out on a drawing.

Board Member Stevens asked if the garage had required a variance for its location. Mr. Herron replied that it did not. The garage had been in place since the 70's and is allowed to be within 5' of the property line, therefore it meets Code.

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

Kara Tragesser, Development Services Planner, pointed out that the garage is a detached accessory structure and meets setback requirements.

Chair Cunningham commented that the house was built in 1953 before the lot was platted in 1956, as happens sometimes in Valley Junction.

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

Moved by Board Member Pfannkuch, seconded by Board Member Davis, the Board of Adjustment adopted a resolution to approve the Zoning Exception based on Staff Findings.

Vote: Blaser, Cunningham, Davis, Pfannkuch, StevensYes

Item 4 – New Business

There were no New Business items.

Item 5 – Staff Reports

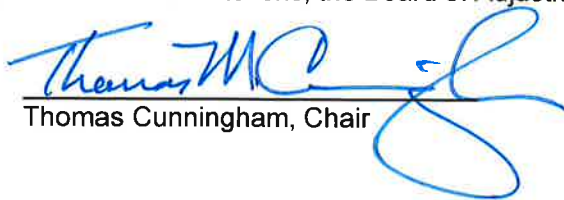
There were no staff reports.

Item 6 – Adjournment

Chairperson Cunningham asked for a motion to adjourn the meeting.

Moved by Board Member Pfannkuch, seconded by Board Member Stevens, the Board of Adjustment meeting adjourned at 5:50 PM.


Jennifer Canaday, Recording Secretary


Thomas Cunningham, Chair