

CITY .DSS

Chairperson Blaser called to order the June 14, 2017, regularly scheduled meeting of the Board of Adjustment at 5:30 p.m. in the City Council Chambers, West Des Moines City Hall, located at 4200 Mills Civic Parkway, in West Des Moines, Iowa.

Roll Call: Blaser, Celsi, Christiansen, Cunningham, Pfannkuch..... Present

Item 1 – Consent Agenda

Item 1a – Minutes of April 5, 2017

Moved by Board Member Christiansen seconded by Board Member Pfannkuch, to approve the April 5, 2017 meeting minutes.

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

Item 2 – Old Business

There were no Old Business items reported.

Item 3 – Public Hearings

Item 3a – Arnold Variance, 200 39th Street – Approval of a temporary Variance to Exceed Maximum Square Footage of Accessory Structures – Jon and Robin Arnold – VAR-003488-2017

Chairperson Blaser opened the public hearing and asked the Recording Secretary to state when the public hearing notice was published. The Recording Secretary indicated that the notice was published on June 9, 2017, in the Des Moines Register.

Chairperson Blaser then asked for a motion to accept and make a part of the record all testimony and all other documents received at this public hearing.

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

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

Jon and Robin Arnold, 200 39th Street, West Des Moines, presented their request to build a new garage on their property which currently exceeds maximum accessory building square footage for their lot. They referenced the information in the staff report provided to the Commission explaining that it was their intent to replace several small older outbuildings with a new garage. In order to move the contents of the smaller storage outbuildings into the new garage, they requested a temporary a variance to allow the new garage to be built, with the intent to remove other outbuildings over the next two years.

Board Member Cunningham requested clarification regarding the location of the property. Ms. Arnold noted their residence on the map. Ms. Arnold expressed concern that the project would not be able to begin until the end of July. She stated that she had previously hoped to have the garage built by Memorial Day, but once aware of the need for a variance, had adjusted the timeline to Labor Day. She stated that due to the need to line up a contractor

and with time elapsing before cold weather, they are requesting two years to finish the project.

Board Member Cunningham clarified that the Arnolds are requesting a temporary variance for two years existing until June 14, 2019. He asked if that was satisfactory. Ms. Arnold affirmed that it was but questioned whether an extension might be possible if they were close to finishing at deadline.

Board Member Cunningham responded that he couldn't speak for a future board but that he believed they could work with the Arnolds. Ms. Arnold said their intent is to be finished by that date.

Linda Schemmel, Development Coordinator responded to Board questions regarding City staff direction to the Arnolds.

Board Member Christianson asked the Arnolds how long they've lived at their current address. Mr. and Ms. Arnold replied they had lived there since 1995.

Board Member Cunningham noted that the outbuildings have been in existence for a long time. Mr. and Ms. Arnold stated that the previous owners requested that the buildings remain and they agreed to this condition at the time of purchase, now they are seeking to clean up the buildings and improve their lot. Board Member Cunningham asked if this would be accomplished by the time the snow flies. Ms. Arnold expressed her intent to have it done by Labor Day.

Board Member Cunningham then asked why the Arnolds were requesting a two year time frame. He questioned whether it would be better if the Board gave them 2 years and 6 months, or 3 years? Ms. Arnold said they plan an addition to the house, and need to remove the outbuildings to do that.

Board Member Cunningham questioned Coordinator Schemmel whether it would bother the City if the Board gave more than 2 years? Ms. Schemmel said the City would prefer to have a limit so the project would not extend indefinitely.

Board Member Cunningham proposed that he would be more comfortable with a two year temporary variance, and if in 20 months the Arnolds needed more time, they could review it. Ms. Schemmel noted that there is a process for extension, but if the project was close to deadline, staff would work with the applicant.

Board Member Pfannkuch asked who would be responsible to monitor the project, whether it would be zoning staff.

Ms. Schemmel responded that there would be a building permit, so Development Services would monitor that.

Board Member Cunningham asked what would happen if the property changed hands before the project was completed within the two year timeframe.

Ms. Schemmel responded that this would run with the land and be an obligation for the next owner.

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

Since there were no other questions or comments, Chair Blaser asked for a motion and a second for this item.

Moved by Board Member Christiansen, seconded by Board Member Celsi, the Board of Adjustment adopted a resolution to approve a temporary variance expiring June 14, 2019 to allow Jon and Robin Arnold to construct a garage exceeding maximum square footage of accessory structures, subject to meeting all City Code requirements and regulations.

There were no conditions of approval.

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

Item 4 – New Business

There were no New Business items presented.

Item 5 – Staff Reports

- a. Approval of Modification to 2017 Meeting Schedule

Coordinator Schemmel requested that Board Members consider suspending the Board meeting scheduled for December 27, 2017, with the option to convene if there is an agenda item and a quorum can be reached.

Board Members agreed by consensus to approve the amended meeting schedule.

Item 6 – Adjournment

Chairperson Blaser asked for a motion to adjourn the meeting.

Moved by Board Member Cunningham, seconded by Board Member Pfannkuch, the Board of Adjustment meeting was adjourned.

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

The meeting adjourned at 5:43 p.m.

Michael R. Blaser, Chairperson
Board of Adjustment

Jennifer Canaday, Recording Secretary