

**BOARD OF ADJUSTMENT MEETING MINUTES**

BOA\_AF\_02-05-2020

Chairperson Pfannkuch called to order the February 5th, 2020, 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, Cunningham, Pfannkuch, .....Present  
Stevens, Christiansen.....Absent

**Item 1 – Consent Agenda**

**Item 1a – Minutes of January 15, 2020**

Chairperson Pfannkuch was the only member present at the last meeting who was present this evening to vote, so the Board was unable to vote on the meeting minutes of January 15, 2020.

**Item 2 – Old Business**

There were no Old Business items.

**Item 3 – Public Hearings**

**Item 3a – Ashworth Road Animal Hospital. 5902 Ashworth Road – Land use review to allow Veterinary services for animal specialties. no outside runs (SIC: 0742)-Jessica Merk – PC-004599-2020**

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 January 25, 2020, in the Des Moines Register.

Moved by Board Member Cunningham, 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, Pfannkuch, ..... Yes  
Steven, Christiansen.....Absent

Motion carried.

Brad Voorhees, 3633 70<sup>th</sup> St. Urbandale. Mr. Voorhees is the general contractor for the project, an stated the plan is to build out the furthest east suite in the Ashworth complex. They will be installing sound mitigation on the west wall between the veterinary space and the space next door to maintain the STC (Sound Transmission Class) of a 50 rating that was required. That will do that by adding a second metal stud wall with double sheet rock

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and sound batt insulation. There is no outdoor runs as mentioned. Only night kenneling will happen when surgery has been done and they need to stay the night for observation.

Chairperson Pfannkuch asked if anyone from the audience would like to speak about this, if so please come forward.

Michael O'Malia, 5905 Brookview Dr. stated he would like to address a few of his concerns. He had talked to City Staff about what was allowed for zoning and the changes on the site plan. After that conversation with staff he felt that his issues would be addressed. He wanted to make sure the City Staff would ensure that the property be kept up and that garbage and animal waste be taken care of regularly. City Staff ensured him that they would enforce compliance of the zoning codes.

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

Brad Munford, Development Services Planner, wanted to address some zoning and site plan questions that were brought up by Mr. O'Malia, property owner in the neighborhood. The concerns were heard by staff about the trash on the south side of the property. The Community Compliance Department is the department that enforces the trash issues. He encouraged those in attendance to contact Community Compliance if trash become a problem.

Regarding the topic of the Animal Hospital this project is allowed as a Permitted Conditional Use. From a code standpoint, the sound mitigation and maintenance for animal waste removal schedules are items that will be listed to comply with code standards. The applicant has agreed to these conditions and staff has recommended approval.

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

Moved by Board Member Blaser, seconded by Board Member Cunningham, the Board of Adjustment adopted a resolution to approve the permitted conditional use, with the following conditions:

1. The applicant provide tenant improvement plans that will meet the sound and odor control requirements per Section 9-10-4 of City Code.
2. The applicant provide a maintenance schedule for cleaning and removal of animal waste prior to issuance of a building permit.

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

Motion carried.

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**Item 4 – New Business**

There were no New Business items.

**Item 5 – Staff Reports**

**Item 6 – Adjournment**

Chairperson Pfannkuch asked for a motion to adjourn the meeting.

Moved by Board Member Cunningham, seconded by Board Member Blaser, the Board of Adjustment meeting adjourned at 5:52 PM.

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Angie Pfannkuch, Chairperson

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Recording Secretary