The Zoning Board of Adjustment has the power under Iowa law and the Zoning Ordinance of the City of Des Moines (City Code Chapter 134) to hear requests and make decisions on matters such as Variances and Exceptions from the regulations in the Zoning Ordinance, Conditional Use Permits, Special Permits, and appeals of the decisions of City staff in the administration of the Zoning Ordinance.

MEETING PROCEDURE:

The meeting is an open and informal meeting that is recorded and broadcast on DMTV Mediacom Cable Channels 7.1 and 7.2. The Board members receive copies of the agenda and staff recommendations before the meeting. Copies of the agenda and staff recommendations are available to the general public.

The Board is required to base its decision on each case upon the criteria established by law for the type of relief sought by the applicant. The law applicable to each case is identified in the written staff report. If the facts, as determined by the Board, demonstrate that the criteria established by law for granting the request have been satisfied, then the Board must grant the request. Otherwise, the Board must deny the request. All speakers are requested to focus their comments upon those facts that demonstrate whether or not the criteria established by law have been satisfied. All material used as part of any presentation must be submitted as a part of the permanent record and will not be returned.

Items listed on the Consent Public Hearing Items portion of the agenda will not be individually discussed and will be considered for approval in accordance with the recommendation in the staff report unless an individual present or member of the Board requests that the Item be removed from the Consent Public Hearing Items portion agenda and separately considered under the Non-Consent Public Hearing Items portion of the agenda. Each appeal will be announced in the order it appears on the agenda and then City staff will present a brief explanation of the appeal. Any written comments received by staff prior to the hearing will be distributed to the Board for review.

All speakers are requested to speak from the podium and to start their presentation by giving their name and address. Staff introduces a request, the appellant or a representative of the appellant is allowed to speak first, and will be allowed ten minutes to present the appeal. Anyone else present in support of the appeal will then each be allowed five minutes to present their comments. Anyone present in opposition to the appeal will then be allowed five minutes each to present their comments. The appellant/representative will then be allowed three minutes for rebuttal or other closing comments. The hearing will then be closed to public comment and the Board will make a decision. The decision and the reason will be announced.

The Board has 7 members. It takes the affirmative vote of at least 4 members to grant any appeal or request, regardless of the number of members actually present at any meeting. If 5 or fewer members of the Board are present when the Chair calls an Item, the applicant may request that the Item be continued until the next monthly meeting to have the opportunity to present the matter to a full Board. The request should be made as soon as the Chair calls the Item and before the staff report is given. The Board has discretion to grant or deny any such request. If a continuance is granted, there is no guarantee that more members of the Board will be present at the next meeting.

Following the meeting, any person or persons, jointly or severally, aggrieved by any decision of the board of adjustment under the provisions of this chapter, or any taxpayer, or any officer, department, board, or bureau of the municipality, may present to a court of record a petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality. Such petition shall be presented to the court within thirty days after the filing of the decision in the office of the board.

The City of Des Moines is pleased to provide accommodations to disabled individuals or groups and encourages participation in City government. To better serve you, please contact City staff at least three business days in advance when possible at 515-283-4209, or visit the Zoning Board of Adjustment’s website at http://www.dmgov.org/government/boards/ZoningBoardofAdjustment.
Item 1 was continued from the August 28, 2019 Zoning Board of Adjustment meeting.

<table>
<thead>
<tr>
<th>Item 1</th>
<th>ZON 2019-00142</th>
<th>Schneider, 3121 Forest Avenue</th>
<th>Variances</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appellant:</td>
<td>Mark Schneider, 3121 Forest Avenue, Des Moines, IA 50311. The property would be redeveloped by Neighborhood Development Corp, represented by Abbey Gilroy, 3209 Ingersoll Avenue, Suite 205, Des Moines, IA 50312.</td>
<td></td>
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<tr>
<td>Premises Affected:</td>
<td>3121 Forest Avenue.</td>
<td></td>
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<tr>
<td>Legal Description:</td>
<td>On file with the Community Development Department.</td>
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<tr>
<td>Current Zoning:</td>
<td>&quot;C-1&quot; Neighborhood Retail Commercial District.</td>
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<tr>
<td>Applicable Neighborhood Association:</td>
<td>Drake Neighborhood Associations.</td>
<td></td>
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<tr>
<td>Proposal:</td>
<td>Redevelopment of the site with a commercial building generally measuring 42 feet by 100 feet, where the building would be within 9 feet of the south (front) property line along Forest Avenue and within 2 feet of the west (front) property line along 32nd Street. The proposed development would include an off-street parking lot containing approximately 22 parking stalls and a dumpster enclosure that would be within 4 feet of the north (rear) property line.</td>
<td></td>
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</tr>
<tr>
<td>Appeal(s):</td>
<td>Variance of 16 feet less than the minimum 25-foot setback required from the south (front) property line along Forest Avenue.</td>
<td></td>
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<tr>
<td></td>
<td>Variance of 23 feet less than the minimum 25-foot setback required from the west (front) property line along 32nd Street.</td>
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<tr>
<td></td>
<td>Variance of 6 feet less than the minimum 10-foot setback required from the north (rear) property line adjoining an &quot;R&quot; Residential District.</td>
<td></td>
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</tr>
</tbody>
</table>

_REQUIRED by City Code Sections 134-845(3) & 134-845(5)_
Item 2  ZON 2019-00035  Fortnite Holdings, LLC, 1107 18th Street  Exceptions

Appellant: Fortnite Holdings, LLC, represented by Shawn D. Wagner, 1159 Martin Luther King, Jr. Parkway, Des Moines, IA 50314. The property is un

Premises Affected: 1107 18th Street.

Legal Description: On file with the Community Development Department.

Current Zoning: “R-3” Multiple-Family Residential District.

Applicable Neighborhood Association: Good Park Neighborhood Association.

Proposal: Division of the existing 101-foot by 126.3-foot (12,756.3 square feet) parcel into four (4) lots and construction of a two-story rowhouse residential structure that would contain a dwelling unit on each of the four (4) proposed lots. The structure would be within 20 feet of the west (front) property line along 18th Street, within 6 feet of the north (side) property line, and within 15 feet of the south (front) property line along Atkins Street. The northernmost lot would measure 26 feet by 126.3 feet (3,283.8 square feet). The two (2) middle lots would each measure 20 feet by 126.3 feet (2,526 square feet). The southernmost lot would measure 35 feet by 126.3 feet (4,420.5 square feet). Each lot would contain a detached garage structure, and the garage on the southernmost lot would be within 15 feet of the south (front) property line along Atkins Street.

Appeal(s): Exception 5 feet less than the calculated minimum required 25-foot front yard setback from the property line along 18th Street.

Exception of 15 feet less than the minimum required 30-foot front yard setback from the property line along Atkins Street (southern lot only).

Exception of 2 feet less than the minimum 8-foot side yard setback required for a two-story structure (northern lot only).

Required by City Code Sections 134-1276(e), 134-554(1)(e), 134-544(4), & 134-554(5)(c)(2)

Item 3  ZON 2019-00161  Holy Trinity Church Des Moines Iowa, 2926 Beaver Avenue  Special Permit

Appellant: Holy Trinity Church Des Moines Iowa, represented by Andy Negrete, 2926 Beaver Avenue, Des Moines, IA 50310.

Premises Affected: 2926 Beaver Avenue.

Legal Description: On file with Community Development Department.

Current Zoning: “R1-60” One-Family Low-Density Residential District.


Proposal: Installation of a 16.33-foot by 0.67-foot (10.89 square feet) sign affixed to a stone bench.

Appeal(s): Special Permit for an institution of religious character.

Required by City Code Section 134-1326(4)
Item 4  ZON 2019-00163  City of Des Moines, Vicinity of 710 Corning Avenue  Special Permit

**Appellant:** City of Des Moines, represented Ben Page, Park & Recreation Department Director, 1551 East Martin Luther King, Jr. Parkway, Des Moines, IA 50317.

**Premises Affected:** Vicinity of 710 Corning Avenue.

**Legal Description:** On file with the Community Development Department.

**Current Zoning:** “M-1” Light Industrial District.

**Applicable Neighborhood Association:** Oak Park Neighborhood Association.

**Proposal:** Installation of a 4-foot by 25-foot (100 square feet) sign on a pedestrian entry arch structure, and installation of five (5) signs on an amphitheater stage structure, including a 45-foot by 3.5-foot (157.5 square feet) sign, two (2) 7-foot by 4-foot (28 square feet each) signs, and two (2) 4-foot by 4-foot (16 square feet each) signs.

**Appeal(s):** Special Permit for any use of a structure or land by any department of the City.

Required by City Code Section 134-1326(1)

Item 5  ZON 2019-00167  Okic, 1000 Euclid Avenue  Exception

**Appellant:** Omer Okic, 1001 Oak Park Avenue, Des Moines, IA 50313.

**Premises Affected:** 1000 Euclid Avenue.

**Legal Description:** On file with the Community Development Department.

**Current Zoning:** “R-2” One- and Two-Family Residential District.

**Applicable Neighborhood Association:** Oak Park Neighborhood Association.

**Proposal:** Construction of a 10-foot by 24-foot addition that would be within 47.3 feet of the north (front) property line along Euclid Avenue.

**Appeal(s):** Exception of 2.7 feet less than the calculated 50-foot minimum required front yard setback.

Required by City Code Section 134-1276(e)

Item 6  ZON 2019-00169  Mitchell, 3938 East 38th Street  Exceptions

**Appellant:** Paul & Dawn Mitchell, 3938 East 38th Street, Moines, IA 50317.

**Premises Affected:** 3938 East 38th Street.

**Legal Description:** On file with Community Development Department.

**Current Zoning:** “R-2” One- and Two-Family Residential District.

**Applicable Neighborhood Association:** None.

**Proposal:** Construction of a 50-foot by 30-foot (1,500 square feet) accessory structure. The structure would be 1-½ stories with a maximum height of 23 feet.

**Appeal(s):** Exception of 500 square feet over the maximum allowed 1,000 square feet of aggregate area for accessory structures.

Exception of 6 feet over the maximum 17 feet of height allowed for an accessory structure.

Exception of a ½ story over the maximum 1 story allowed for an accessory structure.

Required by City Code Sections 134-1276(c)(3), 134-484(6)(b), & 134-484(7)(b)
Item 7  ZON 2019-00172  Jarcor, LLC, 1723 Grand Avenue  Exception

**Appellant:** Jarcor, LLC, represented by Joe Cordaro, 317 6th Avenue, Suite 900, Des Moines, IA 50309. A portion of the proposed driveway is within an public access easement that is on property owned by Striggles Legacy, LLC.

**Premises Affected:** 1723 Grand Avenue.

**Legal Description:** On file with Community Development Department.

**Current Zoning:** “C-3A” Central Business District Support District.

**Applicable Neighborhood Association:** Downtown Des Moines Neighborhood Association.

**Proposal:** Use a driveway for two-way circulation that provides access to parking spaces within the existing building, where the driveway is as narrow as 10 feet wide when it passes through an overhead garage door.

**Appeal(s):** Exception of 10 feet less than the minimum 20 feet of width required for a driveway for two-way circulation.

*Required by City Code Sections 134-1377(l)(1)(b)*

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Item 8  ZON 2019-00173  Swacker, 2926 Walker Street  Exception

**Appellant:** James Swacker, 904 East 29th Street, Des Moines, IA 50317.

**Premises Affected:** 2926 Walker Street.

**Legal Description:** Lot 22 of Block 7 of Farwell Pace.

**Current Zoning:** “R1-60” One-Family Low-Density Residential District.

**Applicable Neighborhood Association:** Fairground Neighborhood Association.

**Proposal:** Retention of a roof on a recently constructed single-family dwelling, where the roof pitch is 2.3:12.

**Appeal(s):** Exception to the design guideline for single-family dwellings that requires the main part of any dwelling to have a minimum roof pitch of 3:12.

*Required by City Code Sections 134-64(4)(e) & 134-342(1)(b)(4)*
Item 9  ZON 2019-00174  City of Des Moines, Vicinity of 1030 Southeast 9th Street  
Special Permits & Conditional Use Permit

**Appellant:** City of Des Moines, represented by Steve Naber, Deputy City Engineer, 400 Robert D. Ray Drive, Des Moines, IA 50309.

**Premises Affected:** Vicinity of 1030 Southeast 9th Street.

**Legal Description:** On file with Community Development Department.

**Current Zoning:** “R1-60” One-Family Low-Density Residential District and “FW” Floodway District.

**Applicable Neighborhood Association:** Historic East Village Neighborhood Association.

**Proposal:** Construction of a stormwater pumping facility comprised of multiple structures and components, including but not limited to a control building, a generator enclosure, and a stormwater wet well, all within an area surrounded by an 8-foot tall chain link fence that would be topped with barbed wire. The appeals would also allow for grading to occur within the “FW” Floodway District along the Des Moines River. Similar appeals granted on January 25, 2017 (Docket ZON2016-00223) have since expired.

**Appeal(s):**
- Special Permit for any use of land by any department of the City.
- Special Permit to allow the use of barbed wire fence material.
- Conditional Use Permit for grading, shaping, and/or minor filling along with placement of storm sewer piping in conjunction with a pumping station within an “FW” Floodway District.

*Required by City Code Sections 134-1223(2, 3 & 6) & 134-1326(1 & 19)*

Item 10  ZON 2019-00176  Helena Industries, Vicinity of 3525 Vandalia Road  
Amend Conditional Use Permit & Exception

**Appellant:** Helena Industries, 3525 Vandalia Road, Des Moines, IA 50317.

**Premises Affected:** Vicinity of 3525 Vandalia Road.

**Legal Description:** On file in Community Development.

**Current Zoning:** “M-2” Heavy Industrial District.

**Applicable Neighborhood Association:** N/A.

**Proposal:** Construction of a new 35,000-square foot manufacturing facility on the existing Helena Industries campus with the intended use involving processing of hazardous material and expansion of an existing off-street parking lot that would include paving that is within zero (0) feet of the north (front) property line along Vandalia Road, which is no closer to the property line than the existing parking lot.

**Appeal(s):** Amendment to a Conditional Use Permit for a use not permitted in the “M-1” Light Industrial District.

Exception of 5 feet less than the minimum 5 feet of paving setback required from a front property line, where the proposed pavement would be no closer to the property line than the existing parking lot.

*Required by City Code Sections 134-1122(5) & 134-1377(f)(2)(b)(1)*
**Item 11**  
**ZON 2019-00179**  
**Argo, 1918 Leyner Street**  
**Variance & Exceptions**

**Appellant:** Brad Argo, 1918 Leyner Street, Des Moines, IA 50314.  
**Premises Affected:** 1918 Leyner Street.  
**Legal Description:** On file with Community Development Department.  
**Current Zoning:** “R-3” Multiple-Family Residential District.  
**Applicable Neighborhood Association:** Sherman Hill Neighborhood Association.

**Proposal:** Construction of a 24-foot by 30-foot (720 square feet) accessory structure. The structure would be 2 stories with a maximum height of 21 feet.

**Appeal(s):**  
Exception of 144 square feet over the maximum allowed 576 square feet of aggregate area for accessory structures calculated for a rear yard that measures 60 feet by 30 feet (1,800 square feet).

Exception of 4 feet over the maximum 17 feet of height allowed for an accessory structure.

Variance of 1 story over the maximum 1 story allowed for an accessory structure.

*Required by City Code Sections 134-1276(c)(3), 134-554(7)(b), & 134-554(8)(b)*

******** END CONSENT PUBLIC HEARING ITEMS ********

******** BEGIN DISCUSSION PUBLIC HEARING ITEMS ********

*Item 12 was continued from the August 28, 2019 Zoning Board of Adjustment meeting.*

**Item 12**  
**ZON 2019-00129**  
**Y & C Global, LLC, 2211 Grand Ave**  
**Variance & Exceptions**

**Appellant:** Y & C Global, LLC, represented by Jonathan Causey, 3500 Wolcott Avenue, Des Moines, IA 50321.  
**Premises Affected:** 2211 Grand Avenue.  
**Legal Description:** On file with the Community Development Department.  
**Current Zoning:** “C-2” General Retail and Highway-Oriented Commercial District.  
**Applicable Neighborhood Association:** None.

**Proposal:** Reconstruction of off-street parking that is within 0 feet of the south (front) property line along Grand Avenue and that would be accessed by a 15-foot driveway for two-way circulation, and retention of approximately 34 parking spaces to the rear of the building that are all at least 8 feet wide and at least 15 feet deep, and that have at least 12 feet of maneuvering space. This parking area to the rear of the building is accessed by two (2) driveways for two-way circulation that are at least 10 feet wide.

**Appeal(s):** Variance of 5 feet less than the minimum 5 feet of paving setback required from a front property line.

Exceptions of up to 10 feet less than the minimum 20 feet of width required for any driveway for two-way circulation.

Exceptions of up to 1 foot less than the minimum 9 feet of width required for any standard parking stall.

Exceptions of 2 feet less than the minimum 17 feet of depth required for any standard parking stall.

Exceptions of up to 12 feet less than the minimum 24 feet of maneuvering space required for any 90-degree angled parking stall.

*Required by City Code Sections 134-1377(f)(2)(b)(1), 134-1377(g)(1), & 134-1377(f)(1)(b)*
Item 13 was continued from the August 28, 2019 Zoning Board of Adjustment meeting.

<table>
<thead>
<tr>
<th>Item 13</th>
<th>ZON 2019-00141</th>
<th>Mac Corporation, LLC, 133 Hughes Avenue</th>
<th>Exceptions &amp; Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appellant:</td>
<td>Mac Corporation, LLC, represented by Lorene Cosimo, 1116 Colt Lane, Norwalk, IA 50211.</td>
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</tr>
<tr>
<td>Premises Affected:</td>
<td>133 Hughes Avenue.</td>
<td></td>
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<tr>
<td>Legal Description:</td>
<td>Lots 4, 5, 6, 7, 8, 9, &amp; 10 of Brookmont Circle Estates.</td>
<td></td>
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<tr>
<td>Current Zoning:</td>
<td>“R-3” Multiple-Family Low Residential District.</td>
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</tbody>
</table>

Proposal: Construction of an off-street parking lot containing at least nine (9) parking spaces, each measuring at least 8.0 feet by 15 feet. Portions of the parking lot would be within 0 feet of the south front property line along Hughes Avenue and the parking lot would not be screened on its north, south, or west sides. The property contains six (6) duplex structures containing a total of twelve (12) dwelling units.

Appeal(s): Exception of up to three (3) parking spaces less than the minimum 12 parking spaces required for six (6) duplex structures containing a total of twelve (12) dwelling units.

Exception of 1 foot less than the minimum 9 feet of width required for any standard parking stall.

Exception of 2 feet less than the minimum 17 feet of depth required for any standard parking stall.

Variance of 30 feet less than the minimum 30-foot front yard setback required for an off-street parking lot in an “R” District.

Exception of up to 1 foot less than the minimum 24 feet of maneuvering space required for any 90-degree angled parking stall.

Required by City Code Sections 134-1377(a)(8)(b), 134-1377(f)(2)(a)(4, 5, & 8), 134-1377(f)(4), 134-1377(g)(1), & 134-554(4)

Item 14 | ZON 2019-00111 | Family Video Movie Club, Inc., 2309 East 42nd Street | Conditional Use Permit |
<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>Appellant:</td>
<td>Family Video Movie Club, Inc., represented by Keith Hoogland, 2500 Lehigh Avenue, Glenview, IL 60026. The business is operated by Dollar General, represented by Jason Reiser, 100 Mission Ridge, Goodlettsville, TN 37072.</td>
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<tr>
<td>Premises Affected:</td>
<td>2309 East 42nd Street.</td>
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<tr>
<td>Legal Description:</td>
<td>On file with the Community Development Department.</td>
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<tr>
<td>Current Zoning:</td>
<td>“C-1” Neighborhood Retail Commercial District.</td>
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</table>

Proposal: Sale of wine and beer by a Limited Food and Retail Sales Establishment operating within an existing 6,391-square foot building. As a Limited Food and Retail Sales Establishment, no more than 40% of the gross receipts from sales could be derived from the sale of wine, beer, and tobacco products.

Appeal(s): Conditional Use Permit for a Limited Food and Retail Sales Establishment business selling wine and/or beer in a “C-1” Neighborhood Retail Commercial District.

Required by City Code Section 134-954
<table>
<thead>
<tr>
<th>Item 15</th>
<th>ZON 2019-00154 Timelis Restorations, LC, 1315, 1319, &amp; 1321 Laurel Street</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Exceptions</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Appellant:</strong> Timelis Restorations, LC, represented by Carl Wiederanders, 4312 Kingman Boulevard, Des Moines, IA 50311. The property would be developed by Joppa, LLC, represented by Curt Carlson, 118 Southeast 4th Street, Des Moines, IA 50309.</td>
<td></td>
</tr>
<tr>
<td><strong>Premises Affected:</strong> 1315, 1319, &amp; 1321 Laurel Street.</td>
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</tr>
<tr>
<td><strong>Legal Description:</strong> On file with the Community Development Department.</td>
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</tr>
<tr>
<td><strong>Current Zoning:</strong> “R-3” Multiple-Family District.</td>
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<tr>
<td><strong>Applicable Neighborhood Association:</strong> Cheatom Park Neighborhood Association.</td>
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</table>

**Proposal:** Reconconfiguration of three (3) existing parcels as two (2) irregularly-shaped parcels, with each to contain a two-family residential dwelling (duplex), as follows.

- **Parcel A)** A 66-foot wide, 5,590-square foot parcel, which would contain a structure that would be within 24 feet of the south (front) property line along Laurel Street, within 15 feet of the east (side) property line, and within 7 feet of the west (side) property line.
- **Parcel B)** A 44-foot wide, 5,085-square foot parcel, which would contain a structure that would be within 24 feet of the south (front) property line along Laurel Street, within 5 feet of the east (side) property line, within 9 feet of the west (front) property line along 14th Street, and within 19 feet of the north (rear) property line.

**Appeal(s):**

**Parcel A)**

Exception of 910 square feet of lot area less than the minimum 6,500 square feet of lot area required for a two-family residential use.

Exception of 6 feet less than the calculated minimum required 30-foot setback from the south (front) property line along Laurel Street.

**Parcel B)**

Exception of 21 feet less than the minimum 65 feet of lot width required for a two-family dwelling.

Exception of 1,415 square feet of lot area less than the minimum 6,500 square feet of lot area required for a two-family residential use.

Exception of 6 feet less than the calculated minimum required 30-foot setback from the south (front) property line along Laurel Street.

Exception of 16 feet less than the minimum required 35-foot rear yard setback.

*Required by City Code Sections 134-554(1)(c), 134-554(3)(c), & 134-554(6), & 134-1276(e)*
Item 16  ZON 2019-00155  New Midwest Iowa, LLC, 821 East Euclid Avenue  
Conditional Use Permit

Appellant: New Midwest Iowa, LLC., represented by Gerald Forsythe, 1111 Willis Avenue, Wheeling, IL 60090. The business would be operated by Inder Dhillon, 100 East Euclid Avenue, Suite 33, Des Moines, IA 50313.

Premises Affected: 821 East Euclid Avenue.

Legal Description: On file with the Community Development Department.

Current Zoning: “C-2” General Retail and Highway-Oriented Commercial District.


Proposal: Sale of alcoholic liquor, wine, and beer by a Liquor Store operating within an existing 1,537-square foot building. As a Liquor Store, up to 100% of the gross receipts from sales could be derived from the sale of alcoholic liquor, wine, beer, and/or tobacco products.

Appeal(s): Conditional Use Permit for a Liquor Store business selling alcoholic liquor, wine, and/or beer in a “C-2” General Retail and Highway-Oriented Commercial District.

Required by City Code Section 134-954

Item 17  ZON 2019-00158  Sakalinh, 2414 Saylor Road  
Variance

Appellant: Kevin Sakalinh, 2414 Saylor Road, Des Moines, IA 50313.

Premises Affected: 2414 Saylor Road.

Legal Description: On file with Community Development Department.

Current Zoning: “R1-60” One-Family Low-Density Residential District.


Proposal: Retention of up to 600 square feet of paved area within the front yard area.

Appeal(s): Variance of 415 square feet of paving over the maximum allowed 185.5 square feet of paving within the front yard area [25% of the 740-square foot front yard area].

Required by City Code Section 134-1377(m)(3)

Item 18  ZON 2019-00159  Southridge Apartments Partners, LP  
7001 Southeast 5th Street  
Special Permit & Variance

Appellant: Southridge Apartments Partners, LP, represented by Derek Hoover, 333 North Pennsylvania Street, Suite 100, Indianapolis, IN 46204.

Premises Affected: 7001 Southeast 5th Street.

Legal Description: On file with the Community Development Department.

Current Zoning: “C-4” Shopping Center Commercial District.

Applicable Neighborhood Association: None.

Proposal: Installation of four (4) grand opening banner signs for a 12-month period, including a 4-foot by 12-foot (48 square feet) banner sign affixed to the north-facing façade of “building 7105”, a 4-foot by 12-foot (48 square feet) banner sign affixed to the east-facing façade of “building 7145”, and two (2) 15-foot by 4-foot (60 square feet) freestanding “feather signs’ near the entrance driveway along Southeast 5th Street.

Appeal(s): Special Permit for grand opening signage.

Variance of provision that limits a Special Permit for grand opening signage to no more than two (2) 30 consecutive day periods in any one-year period.

Required by City Code Section 134-1326(13)
### Item 19  ZON 2019-00160  EYM Realty of Iowa, LLC, 4600 Fleur Drive  Variance

<table>
<thead>
<tr>
<th>Appellant:</th>
<th>EYM Realty of Iowa, LLC, LLC, represented by Julie Carrillo, 450 East John Carpenter Parkway, Suite 100, Irving, TX 75062.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Premises Affected:</td>
<td>4600 Fleur Drive.</td>
</tr>
<tr>
<td>Legal Description:</td>
<td>On file with Community Development Department.</td>
</tr>
<tr>
<td>Current Zoning:</td>
<td>“C-2” General Retail and Highway-Oriented Commercial District.</td>
</tr>
</tbody>
</table>

**Proposal:** Conversion of the existing building (generally measuring 29 feet by 93 feet) that is on the rear portion of the property, from a car wash use to a miniwarehouse use. The proposed miniwarehouse use would not have a controlled access or be within fenced compound.

**Appeal(s):** Variance of the provision that requires any miniwarehouse use within the “C-2” District to provide a controlled access and fenced compound.

*Required by City Code Sections 134-3(definition of miniwarehouse) & 134-947(c)(20)*

### Item 20  ZON 2019-00162  Walton, 1808 Leland Avenue  Variance & Exception

<table>
<thead>
<tr>
<th>Appellant:</th>
<th>Robert &amp; Leann Walton, 1808 Leland Avenue, Des Moines, IA 50315.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Premises Affected:</td>
<td>1808 Leland Avenue.</td>
</tr>
<tr>
<td>Legal Description:</td>
<td>On file with the Community Development Department.</td>
</tr>
<tr>
<td>Current Zoning:</td>
<td>“R1-70” One-Family Low-Density Residential District &amp; “C-2” General Retail and Highway-Oriented Commercial District.</td>
</tr>
</tbody>
</table>

**Proposal:** Construction of a 30-foot by 64-foot (1,920 square feet) accessory structure, with a maximum height of 24 feet, for personal use accessory to the single-family residential use on the property. The proposed structure would be in addition to two (2) existing accessory structures, with a combined 5,062 square feet of area, resulting in 6,982 square feet of aggregate area for accessory structures.

**Appeal(s):** Variance of 5,982 square feet over the maximum allowed 1,000 square feet of aggregate area for accessory structures.

Exception of 7 feet over the maximum 17 feet of height allowed for an accessory structure.

*Required by City Code Sections 134-1276(c)(3), 134-1276(h), and 134-484(6)(b)*
Item 21  ZON2019-00164  Alpha Delta Pi International Housing, Inc.  
3330 University Avenue  
Variance

Appellant: Alpha Delta Pi International Housing, Inc., represented by Cassandra Gibson Sherry, 1386 Ponce de Leon Avenue NE, Atlanta, GA 30306.

Premises Affected: 3330 University Avenue.

Legal Description: On file with the Community Development Department.

Current Zoning: “R-3” Multiple-Family Residential District.


Proposal: Installation of a sign measuring up to 2 feet by 6.13 feet (12.25 square feet of signage area).

Appeal(s): Variance of up to 8.25 square feet over the maximum 4 square feet of signage area allowed for a college fraternity or sorority if recognized by the local college or university.

Required by City Code Sections 134-556(4) & 134-552(7)

Item 22  ZON2019-00171  Savannah Homes, Inc., Vicinity of 4320 East 46th Street  
Amend Variances

Appellant: Savannah Homes, Inc., represented by Ted Grob, 800 South 50th Street, Suite 101, West Des Moines, IA 50266.

Premises Affected: Vicinity of 4320 East 46th Street.

Legal Description: On file with Community Development Department.


Applicable Neighborhood Association: N/A.

Proposal: The applicant is proposing to construct one (1) single-family dwelling on a parcel that measures 4.20 acres in area and has 190 feet of frontage along East 46th Street. This parcel was allowed in accordance with Variances granted on June 26, 2019, by Docket ZON2019-00060. In order to construct this single-family dwelling, applicant is requesting that the following condition of approval contained in that docket be eliminated:

The 4.20-acre parcel identified as Parcel B for the purposes of this zoning appeal shall only be used for agricultural purposes until such time that it is rezoned to a zoning district that allows for single-family residential development, and that Parcel B is subdivided to include installation of a public street and public utilities serving Parcel B, and that extension of the public street and public utilities to the north lot line of an adjoining 2.8-acre parcel identified by the Polk County Assessor at parcel 060/03748-511-000 has been completed.

Appeal(s): Amend Variance of 5.80 acres less than the minimum 10 acres of area required for a single-family residential use in an “A-1” District.

Amend Variance of 410 feet less than the minimum 600 feet of lot width required for a single-family residential use in an “A-1” District.

Required by City Code Sections 134-310(1)(a), 134-310(2)(a), & Docket ZON2019-00060
Item 23  ZON 2019-00177  Clayton Enterprises, 1726 Oakland Avenue  

Variance & Exceptions 

**Appellant:** Clayton Enterprises, represented by George Michael Clayton, 14455 University Avenue, Waukee, IA 50263.  
**Premises Affected:** 1726 Oakland Avenue.  
**Legal Description:** South 60 feet of Lot 41 of Oakland.  
**Current Zoning:** “R-3” Multiple-Family Low Residential District.  
**Applicable Neighborhood Association:** River Bend Neighborhood Association.  

**Proposal:** Retention of an off-street parking lot containing nine (9) parking spaces, each measuring at least 8.0 feet by 15 feet deep, and each having at least 23 feet of maneuvering space. The parking lot is within 0 feet of the south (side) property line and is accessed by a driveway for two-way circulation that is 10 feet wide. The property contains a multiple-family residential structure containing six (6) dwelling units.  

**Appeal(s):** Variance of 10 feet less than the minimum 10-foot paving setback required from a property line adjoining an “R” Residential District.  

Exception of 10 feet less than the minimum 20 feet of width required for a driveway for two-way circulation.  

Exception of up to 1 foot less than the minimum 9 feet of width required for any standard parking stall.  

Exception of up to 2 feet less than the minimum 17 feet of depth required for any standard parking stall.  

Exception of up to 1 foot less than the minimum 24 feet of maneuvering space required for any 90-degree angled parking stall.  


**Item 24  ZON 2019-00178  Drake University, Vicinity of 2719 Forest Avenue  

Special Permit**

**Appellant:** Drake University, represented by Kevin Moran, 2507 University Avenue, Des Moines, IA 50311.  
**Premises Affected:** Vicinity of 2719 Forest Avenue.  
**Legal Description:** On file with the Community Development Department.  
**Current Zoning:** “R-3” Multiple-Family Residential District.  
**Applicable Neighborhood Association:** Drake Neighborhood Association.  

**Proposal:** Use of the stadium and surrounding parking lots and plaza areas for seasonal and special events held throughout the year, where multiple vendors and mobile vendors could be present at any given time, including vendors selling and serving wine and beer. The Special Permit would be valid for a 5-year period to end September 25, 2024.  

**Appeal(s):** Special Permit for sales activities in conjunction with seasonal and special events.  

*Required by City Code Section 134-1326(18)*

**Approval of Minutes for the August 28, 2019 Zoning Board of Adjustment meeting.**