

Meeting Minutes
Zoning Board of Adjustment
Tuesday, February 20, 2024
Ankeny City Council Chambers
1250 SW District Drive, Second Floor, Ankeny, Iowa

CALL TO ORDER

Chair Matt Ott called the February 20, 2024 regular meeting of the Zoning Board of Adjustment to order at 5:00 p.m.

ROLL CALL

Members present: Jeff Baxter, Matt Ott, Nichole Sungren, Kristi Tomlinson and Brett Walker. Staff: E.Jensen, E.Carstens, D.Silverthorn, B.Morrissey, R.Kirschman and B.Fuglsang.

AMENDMENTS TO THE AGENDA

There were no amendments to the agenda.

MINUTES OF THE DECEMBER 5, 2023 REGULAR MEETING

Motion by J.Baxter to approve the December 5, 2023 meeting minutes as submitted. Second by K.Tomlinson.
Motion carried 4 – 0 – 1 (Abstain: B.Walker).

COMMUNICATIONS / CORRESPONDENCE

There were no communications/correspondence.

BUSINESS ITEMS

PUBLIC HEARINGS:

#24-01

Justin Campbell

for property located at

206 NE Oak Drive

Lot 16, Henderson Park Plat 3

RE: Variance – Accessory Building

Chair M.Ott opened the public hearing.

Justin Campbell, 206 NE Oak Drive said he is requesting a variance in order to place a storage shed on the rear portion of his lot. He stated that it would be 28 square-feet over what is permitted by Ankeny Municipal Code. He feels it is justified because his garage is detached and the garage takes up the vast majority of the accessory storage space that is allowed per code.

There were no questions from the Board.

D.Silverthorn reported that the request is for a variance to Ankeny Municipal Code Chapter 191.07.1, allowing the construction of an additional 160 square-foot shed, resulting in 880 square feet of accessory structures for the property located at 206 NE Oak Drive. He stated that the total accessory structure square footage would exceed the maximum allowable 10% of the total lot area for the subject property. He noted that the property is zoned R-2, One-Family and Two-Family Residence District, and the surrounding properties to the north, east, south, and west are also zoned R-2. D.Silverthorn noted that the Henderson Park Plat 3 was platted in 1967 and the existing detached garage was constructed in 1992. He further commented that the 8,520 square-foot lot allows for 852 square feet to be occupied by accessory structures. He stated that the appellant is proposing to construct a 160 square-foot shed in addition to the existing 720 square-foot garage, which would result in 880 square feet of the total lot area. He said the variance is required due to the total square footage of accessory structures on the subject property, including the proposed shed, would exceed the maximum allowable 852 square feet by 28 square feet. D.Silverthorn stated that the primary constraint of this property is that the 720 square-foot garage consumes nearly 85% of the maximum allowable square-footage for accessory structures on this property because it is detached. If the garage was attached like most single-family residential development today, the property owner would still have all 852 square feet of allowable area for

accessory structures. The staff position for this request is that the Zoning Board of Adjustment grant a variance to Ankeny Municipal Code Chapter 191.07.1, allowing the construction of an additional 160 square-foot shed, resulting in 880 square feet of accessory structures for the property located at 206 NE Oak Drive. This position is based on a determination that the variance would adequately safeguard the health, safety and welfare of the occupants of adjoining and surrounding property, would not impair an adequate supply of light and air to adjacent property, would not increase public danger of fire or endanger the public safety, and would not diminish or impair established property values in the surrounding area; and that this request is in harmony with the intended spirit and purpose of the Ankeny Municipal Code.

There were no questions from the Board.

There was no one in the audience to speak for or against the request.

Motion by M.Ott to close the public hearing, and receive and file correspondence. Second by B.Walker. All voted aye. Motion carried 5 – 0.

Board Action on Filing #24-01 for property located at 206 NE Oak Drive

Motion by J.Baxter that the Zoning Board of Adjustment grant a variance to Ankeny Municipal Code Chapter 191.07.1, allowing the construction of an additional 160 square-foot shed, resulting in 880 square feet of accessory structures for the property located at 206 NE Oak Drive. The Board's position is based on a determination that the variance would adequately safeguard the health, safety and welfare of the occupants of adjoining and surrounding property, would not impair an adequate supply of light and air to adjacent property, would not increase public danger of fire or endanger the public safety, and would not diminish or impair established property values in the surrounding area; and that this request is in harmony with the intended spirit and purpose of the Ankeny Municipal Code. Second by N.Sungren. All voted aye. Motion carried 5 – 0.

NEW BUSINESS

The Zoning Board of Adjustment 2023 Annual Report was provided to the Board.

J.Baxter placed into nomination Matt Ott to serve as Chair. Second by M.Ott. All voted aye.

M.Ott placed into nomination Jeff Baxter to serve as Vice Chair. Second by K.Tomlinson. All voted aye.

REPORTS

Renewed Special Use Permits

#12-02 The Sports Page, 1701 N Ankeny Blvd.

#15-01 Main Street Cafe & Bakery, 2510 SW White Birch Dr., Suites 1 & 2

#23-01 Dough Co. Pizza, 2405 SW White Birch Dr., Suite 100

#15-19 Hy-Vee Market Cafe, 410 N Ankeny Blvd.

There being no further business, meeting adjourned at 5:11 p.m.



Submitted by Brenda Fuglsang, Board Secretary
Zoning Board of Adjustment