

Meeting Minutes
Zoning Board of Adjustment
Tuesday, November 5, 2024
Ankeny City Council Chambers
1250 SW District Drive, Second Floor, Ankeny, Iowa

CALL TO ORDER

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

ROLL CALL

Members present: Matt Ott, Jeff Baxter, Kristi Tomlinson, Nichole Sungren and Brett Walker. Staff: E.Jensen, E.Carstens, Derek Silverthorn, J.Heil, L.Hutzell, R.Kirschman and B.Fuglsang.

AMENDMENTS TO THE AGENDA

There were no amendments to the agenda.

MINUTES OF THE OCTOBER 22, 2024 REGULAR MEETING

Motion by N.Sungren to approve the meeting minutes as submitted. Second by M.Ott. Motion carried 4 – 0 – 1 (Abstain: K.Tomlinson).

COMMUNICATIONS / CORRESPONDENCE

The Board received correspondence dated October 24, 2024 from Patricia Battani requesting to withdraw her application for Appeal #24-18, Accessory Building Variance, which the Board of Adjustment tabled on October 22, 2024.

BUSINESS ITEMS

PUBLIC HEARINGS:

#24-19

Patricia Battani

for property located at

306 SE Park View Drive

E 1/2 LT 16 & ALL LT 17 EAST LAWN PLACE

RE: Accessory Building – Side Yard Setback

Chair M.Ott opened the public hearing.

Dan Battani, 306 SE Park View Drive, Ankeny said their request is for a 2-foot side yard setback variance, which would allow them to attach their existing garage to the home.

M.Ott confirmed with Dan Battani that their neighbors who were in support of Appeal #24-18 continue to be in favor of this request. He responded, yes.

R.Kirschman reported that the applicant is requesting a variance to Ankeny Municipal Code Section 192.03(3)(D) that requires Side Yard: 8 Feet, allowing a 2-foot side yard setback to connect an existing detached garage to the existing single-family dwelling. He said that the subject property is located at 306 SE Park View Drive, east of S Ankeny Boulevard and south of E 1st Street in the southeast quadrant of Ankeny. The property is zoned R-1, One-Family Residence District and the surrounding properties are similarly zoned R-1. R.Kirschman stated that currently, the detached garage is two feet off of the west property line, where it was permitted and constructed in 1985. He explained that the applicant is requesting to maintain the current conditions in regard to the side yard setback with this proposal as there does not appear to be any new measurable impact on adjacent property owners. He noted that building and fire code requirements will need to be met in regards to proximity to the property line and the proposed connection of the garage to the house. Staff

recommends the Zoning Board of Adjustment grant a Variance to Ankeny Municipal Code Section 192.03(3)(D) to allow a 2-foot side yard setback for the connection of an existing detached garage to the existing single-family dwelling, as well as an addition to the garage which will not encroach any further into the current setback. The staff position is based on a determination that the decreased side yard setback from the resulting connection of the existing detached garage to the existing single-family dwelling would not impair adequate supply of air and light, would not increase public danger of fire, or diminish property values; and that this request is in harmony with the intended spirit and purpose of the Ankeny Municipal Code

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

Dan Battani thanked the Board for their time and said if this request is approved it will be a great improvement to their property.

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

The Board had no concerns with the request.

Board Action on Filing #24-19 for property located at 306 SE Park View Drive

Motion by J.Baxter that the Zoning Board of Adjustment grant a variance to Ankeny Municipal Code Section 192.03(3)(D) to allow a 2-foot side yard setback for the connection of an existing detached garage to the existing single-family dwelling, as well as an addition to the garage which will not encroach any further into the current setback. The Board's position is based on a determination that the decreased side yard setback from the resulting connection of the existing detached garage to the existing single-family dwelling would not impair adequate supply of air and light, would not increase public danger of fire, or diminish property values; and that this request is in harmony with the intended spirit and purpose of the Ankeny Municipal Code. Second by M.Ott. Motion carried 5 – 0.

REPORTS

Renewed Special Use Permits

#22-03 Silk Elephant, 2410 SW White Birch Dr., Suite 108

#21-20 36th Street Tavern, 1300 NW 36th St., Suite 101

There being no further business, meeting adjourned at 5:08 p.m.



Submitted by Brenda Fuglsang, Recording Secretary
Zoning Board of Adjustment