

**Meeting Minutes**  
**Zoning Board of Adjustment**  
Tuesday, June 3, 2025  
Ankeny City Council Chambers  
1250 SW District Drive, Second Floor, Ankeny, Iowa

**CALL TO ORDER**

Chair Matt Ott called the June 3, 2025 regular meeting of the Zoning Board of Adjustment to order at 5:02 p.m.

Chair Matt Ott read the Zoning Board of Adjustment Opening Statement.

**ROLL CALL**

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

**AMENDMENTS TO THE AGENDA**

There were no amendments to the agenda.

**MINUTES OF THE MAY 20, 2025 REGULAR MEETING**

Motion by M.Ott to approve the meeting minutes as submitted. Second by J.Baxter. Motion carried 4 – 0 – 1 (Abstain: B.Walker).

**COMMUNICATIONS / CORRESPONDENCE**

Chair M.Ott said that correspondence was received regarding public hearing #25-02, which will be received and filed during the public hearing.

**BUSINESS ITEMS**

**PUBLIC HEARINGS:**

**#25-03**

**Robert Weir**

*for property located at*

**501 NW Westwood Street**

**Lot 59, Westwood-Ankeny Plat 1**

**RE: Variance - Front Yard Setback - Fence**

Chair M.Ott opened the public hearing.

Robert Weir, 501 NW Westwood Street, Ankeny stated that they are wanting to remove the 48" chain link fence that currently exists and install a 6-foot high wood fence that would connect to the neighbor's fence at 504 NW Applewood Street, which was installed in 2020. They would like to run the fence concurrent with the neighbor's fence and hook back to their house on the south side.

M.Ott confirmed that the new fence will be flush with their neighbor's fence, which will be setback 5-feet from where their current fence is located. Robert Weir responded, yes. M.Ott further asked Mr. Weir if he was aware of the city's position and recommendation for approval includes the condition of landscaping. Robert Weir responded that he is aware of the landscape condition and has no issues.

E.Strom asked why they are placing their new fence further west from where the existing fence is located. He said that they have a tree, which currently sits outside of the fence, to be within the new fence area.

L.Hutzell reported the applicant is requesting a variance to Ankeny Municipal Code Section 191.14(2), that limits the height of fences located within front yard setbacks on corner lots to 42 inches. The subject property is located at 501 NW Westwood Street, north of W 1st Street, south of NW 9th Street, east of NW Greenwood Street, and west of NW Linden Street. She noted that the site totals .274 acres and is a corner lot with two front yards facing to the west and the south, which both have a 30-foot front yard setback requirement. L.Hutzell stated that the subject property contains a single-family, detached home, built in 1978 that is setback approximately 34 feet off the property line. The property is zoned R-3A, Planned Multiple-Family Residence District and follows R-3 bulk regulations. She noted that the existing conditions of the lot were in place at the time the applicant acquired the property. L.Hutzell stated that the applicant would like to install a 6-foot tall, wood, privacy fence approximately 25 feet into the 30-foot front yard setback along NW 5th Street, in line with the neighboring fence to the east at 504 NW Applewood Street. The proposed fence would connect just west of the existing egress window on the south

side of the home. She noted that this new placement, would not obstruct the vision triangle at the corner of NW Westwood Street and NW 5th Street. L.Hutzell explained that the neighboring property was granted a variance in 2020 for their 6-foot tall privacy fence, subject to additional landscaping between the fence and the street. She said that if the request for 501 NW Westwood Street is denied, the owners would be required to set their fence back, near the corner of their home, resulting in less usage of their yard and creating a very irregular fence line along NW 5th Street. She noted that if approved, the homeowner has agreed to install landscaping similar to what was required of his neighbor. L.Hutzell said that legal notices were sent to surrounding properties owners within 250' of the subject property and staff received one piece of correspondence in support of the request in addition to the letter provided by the homeowner of 504 NW Applewood Street. Staff recommends the Zoning Board of Adjustment grant a variance to Ankeny Municipal Code Section 191.14(2), to allow a 6-foot tall wood privacy fence to encroach approximately 25 feet into the required 30-foot front yard setback along the south property line adjacent to NW 5th Street, subject to additional landscaping at a scale of three shrubs or one overstory tree every 20 lineal feet be installed between the fence and sidewalk at 501 NW Westwood Street. Staff's position is based on a determination that the decreased front yard setback from the resulting fence 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.

M.Ott confirmed that there is no issue with the visibility triangle. L.Hutzell responded, no. She provided a photo showing a vehicle's view while at the intersection.

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

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

J.Baxter commented that the points that staff made, make sense. The Board approved it for the property owner to the east and this fence will line up with the neighboring fence. He said given the weird shape of the lot, they would have a curve to their fence. He is fine with the request. He also likes the recommended landscaping requirement.

M.Ott commented that he would add one point, that the landscaping be maintained once installed.

**Board Action on Filing #25-03 for property located at 501 NW Westwood Street**

Motion by J.Baxter that a variance be granted to Ankeny Municipal Code Section 191.14(2), to allow a 6-foot tall wood privacy fence to encroach approximately 25 feet into the required 30-foot front yard setback along the south property line adjacent to NW 5th Street, subject to additional landscaping at a scale of three shrubs or one overstory tree every 20 lineal feet be installed and maintained between the fence and sidewalk at 501 NW Westwood Street. The Board's decision is based on a determination that the decreased front yard setback from the resulting fence 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 B.Walker. Motion carried 5 – 0.

**REPORTS**

Renewed Special Use Permits  
#21-06 El Molcajete, 301 E 1<sup>st</sup> Street

**ADJOURNMENT**

There being no further business, motion was made by M.Ott to adjourn the meeting. Second by J.Baxter. All voted aye. Motion carried 5 – 0. Meeting adjourned at 5:18 p.m.



Submitted by Brenda Fuglsang, Recording Secretary  
Zoning Board of Adjustment