



## **Meeting Agenda**

### **Zoning Board of Adjustment**

**Tuesday, December 5, 2023**

**5:00 PM**

**Ankeny City Council Chambers**

**1250 SW District Drive, Second Floor, Ankeny, Iowa**

Matt Ott, Chair

Jeffrey Baxter, Vice Chair

Nichole Sungren

Kristi Tomlinson

Brett Walker

Zoning Board of Adjustment regular meetings are the first and third Tuesday of each month at 5:00 p.m. All Board of Adjustment meetings are open to the public. Assistive Listening Devices (ALD) are available for persons with impaired hearing.

#### **CALL TO ORDER**

##### **A. ROLL CALL**

##### **B. AMENDMENTS TO AGENDA**

##### **C. MINUTES**

**Minutes of the November 7, 2023 regular meeting.**

##### **D. COMMUNICATIONS/CORRESPONDENCE**

**Correspondence received:**

**Appeal No. 23-20 from Erik & Mary Gjullin, 4510 SW Sawgrass Parkway**

##### **E. BUSINESS ITEMS**

**PUBLIC HEARINGS** Public Hearings are held during the Zoning Board of Adjustment's regular meetings. Those who wish to speak will be requested to provide their name and address for the record when called upon. The order of proceedings for each application will be as follows: 1). The applicant will present testimony and evidence regarding their request; 2). City staff will summarize the project and present their findings; 3). Testimony may be heard from any members of the audience who wish to speak in support of or in opposition to the appeal; 4). The Board will give the applicant and the city staff an opportunity to present concluding summaries and arguments. At the conclusion of all public testimony, the Board will close the public hearing. The Board will discuss the issues and evidence and

come to a decision. The applicant or appellant may withdraw their application or appeal at any time prior to the decision by the Zoning Board of Adjustment.

**#23-20**

**Randy & Denise Shoeman**

***for property located at***

**4533 SW Sawgrass Parkway**

**Lot 25, Sawgrass Park Plat 4**

**RE: Variance - Rear Yard Setback**

**F. OLD BUSINESS:**

**G. NEW BUSINESS**

**H. REPORTS**

**Renewed Special Use Permits**

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

**#10-06 Lindo Jalisco Mexican, 1810 SW White Birch Cir., Ste. 118**

**I. ADJOURNMENT**



ZONING BOARD OF ADJUSTMENT

December 5, 2023

5 : 00 PM



ORIGINATING DEPARTMENT:

Planning and Building

COUNCIL GOAL:

ACTION REQUESTED:

Motion

LEGAL:

SUBJECT:

Minutes of the November 7, 2023 regular meeting.

EXECUTIVE SUMMARY:

FISCAL IMPACT: **No**

STAFF RECOMMENDATIONS:

PREVIOUS COUNCIL/COMMISSION/BOARD ACTION(S):

PUBLIC OUTREACH EFFORTS:

ACTION REQUESTED:

ADDITIONAL INFORMATION:

ATTACHMENTS:

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 [ZBOA Minutes 2023-11-07](#)

**Meeting Minutes**  
**Zoning Board of Adjustment**  
Tuesday, November 7, 2023  
Ankeny City Council Chambers  
1250 SW District Drive, Second Floor, Ankeny, Iowa

**CALL TO ORDER**

Chair Matt Ott called the November 7, 2023 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, J.Heil, B.Morrissey, R.Kirschman and B.Fuglsang.

**AMENDMENTS TO THE AGENDA**

There were no amendments to the agenda.

**MINUTES OF THE OCTOBER 3, 2023 REGULAR MEETING**

Motion by J.Baxter to approve the October 3, 2023 meeting minutes as submitted. Second by N.Sungren.  
Motion carried 3 – 0 – 2 (Abstain: K.Tomlinson and B.Walker).

**COMMUNICATIONS / CORRESPONDENCE**

Correspondence received for Appeal #23-18:

Tom Hay, 2014 SW Sage Circle, Ankeny

Gregory Brumm, 4401 SW Sawgrass Parkway, Ankeny

**BUSINESS ITEMS**

**PUBLIC HEARINGS:**

**#23-18**

**Chris Mortale, Amazed Construction Services**

on behalf of Kristine and Brock Ford

**for property located at**

**4402 SW Sawgrass Parkway**

**Lot 30, Sawgrass Park Plat 4**

**RE: Variance - Rear Yard Setback**

Chair M.Ott opened the public hearing.

Brock Ford, 4402 SW Sawgrass Parkway, Ankeny said they would like to put a roof over their deck, which will be the same dimensions as the deck. He shared that it would sit 10 feet into the rear yard setback. He explained that the roof would provide shelter for them so they could enjoy their west-facing deck and the Sawgrass Parkway. Brock Ford said they do have a unique backyard and would prefer not to put up temporary canopies and/or umbrellas to shield the sun. He commented that he did visit with his neighbors about the plans for the covered deck. He respectfully asked the Board for approval of the request.

M.Ott asked if any of the neighbors had issues or concerns. Brock Ford responded, no. An aerial map was presented and Chair Matt Ott asked Brock Ford to point out which neighbors he spoke to regarding the plans for the covered deck.

There were no further questions from the Board.

R.Kirschman reported that the request before the Board is for a variance to Ankeny Municipal Code Section 192.05(3)(E) that requires Rear Yard: 35-feet, allowing a 25-foot rear yard setback for a covered deck at 4402 SW Sawgrass Parkway. He said the property contains a single-family home with an attached deck on the west side of a .204-acre lot. It is located south of SW Oralabor Road and west of SW State Street within the southwestern quadrant of Ankeny. The subject property is zoned R-3 with restrictions, Multiple Family Residence District restricted to single family homes and neighboring properties to the north, south and east are similarly zoned R-3 with restrictions; and Sawgrass Park is located west of the subject property. The subject parcel is unique due to Sawgrass Park being located directly behind the home. He said that similar variance

requests have been approved by the Zoning Board of Adjustment in the past, with the most recent being in September of 2023, which allowed a covered deck to extend 13-feet into the rear yard setback. He commented that the staff's opinion is that the covered deck will have minimal impact on the neighboring properties. R.Kirschman stated that all property owners within 250' of the subject property were notified of the proposed variance by mail, and to date, staff have only received correspondence from two property owners, one in favor and one in opposition. The staff position is to grant a variance to Ankeny Municipal Code Section 192.05(3)(E) to allow a 25-foot rear yard setback for the construction of a covered deck at 4402 SW Sawgrass Parkway. Staff's position is based on a determination that the decreased rear yard setback from the resulting covered deck 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 asked if the individual who contested the request provided any reasons, as there is nothing provided in the correspondence presented to the Board. R.Kirschman responded, no.

James Crabb, 4302 SW Sawgrass Parkway, Ankeny said that he is the only neighbor where the cover over the deck could impede the line-of-sight, which it will not if built as shown. He commented that the only thing it blocks is the view of the neighbor's yard. He said that he will still have a full view of the greenspace, if the request is granted. He is in favor of the request.

Chair Matt Ott informed the audience that two pieces of correspondence were received, one in favor and one against. The one who contested did not provide their concerns.

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

The Board had no concerns.

**Board Action on Filing #23-18 for property located at 4402 SW Sawgrass Parkway**

Motion by N.Sungren that the Zoning Board of Adjustment grant a variance to Ankeny Municipal Code Section 192.05(3)(E) to allow a 25-foot rear yard setback for the construction of a covered deck at 4402 SW Sawgrass Parkway. The Board's decision is based on a determination that the decreased rear yard setback from the resulting covered deck 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 K.Tomlinson. All voted aye. Motion carried 5 – 0.

**#23-19**

**Andrea Dose**

for property located at

**2202 NE Trilein Drive**

**Lots 1 & 2, Northbrook Plat 6**

**RE: Variance - Rear Yard Setback**

Chair M.Ott opened the public hearing.

Andrea Dose, 2202 NE Trilein Drive, Ankeny said they have lived at this address for more than seven years and have been a part of the Ankeny Community for 12 years. She thanked the Board for their leadership. Andrea Dose stated that she is requesting a variance for a pergola to be placed in their back yard, which will be attached to their home. She said that they have taken good care of their home and are adding a pool on the west side. She explained that the patio faces the west and is extremely hot in the summer, and by adding the pergola, it would provide a more comfortable experience to their patio. The pergola is a quality product and an investment. Andrea Dose stated the pergola would have zero impact on their neighbors as they have trees that line the back-property line and by having the double lot it would not impede on anyone else. She also commented that they have visited with some of their neighbors and they are in support of this request. She respectively asked the Board for approval of the request for a 3-foot variance.

D.Silverthorn reported that the request is for a variance to Ankeny Municipal Code Chapter 192.03.3.E allowing a 32-foot rear yard setback for the property located at 2202 NE Trilein Drive. He stated that the appellant is requesting a variance to the minimum required rear yard setback of 35 feet within the R-1, One-

Family Residence Zoning District, in order to construct a pergola over the existing patio. The proposed pergola will be attached to the house, and is therefore considered a part of the principal building and subject to the required setbacks. D.Silverthorn said that the proposed pergola would encroach approximately three feet into the required minimum 35-foot rear yard setback, resulting in a 32-foot rear yard setback. The home is situated on Lots 1 & 2, Northbrook Plat 6, which is generally located near the intersection of NE Trilein Drive and NE Georgetown Boulevard. The subject property is zoned R-1, One-Family Residence District, and the surrounding properties to the north, east, south, and west of the subject property are also zoned R-1, One-Family Residence District. D.Silverthorn presented an aerial map showing the current distance between the rear property line and the home. D.Silverthorn explained that the appellant is currently constructing an in-ground swimming pool and related patio improvements, which include the required fence for the swimming pool as well as additional landscaping surrounding the pool and along the rear property line. He commented that the existing mature landscaping will also provide additional screening for the house that would be most impacted by the variance request, if approved. The Board has granted five such variances requests this year, resulting in setbacks of 33, 32, 29, 22 and 10 feet. The staff position for this request is that the Zoning Board of Adjustment grant a variance to Ankeny Municipal Code Chapter 192.03.3.E, allowing a 32-foot rear yard setback for the property located at 2202 NE Trilein 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.

J.Baxter confirmed with staff the location and size of the pergola as shown on the drawing, as it looks rectangular versus square (16'x16'). D.Silverthorn provided the location and shared that the drawing is not to scale. J.Baxter then confirmed that had the pergola not been attached to the home, it could have been placed in the rear yard without a variance. D.Silverthorn responded yes, but further clarified that if detached, it would need to be located at least six (6) feet from the principal structure and may be allowed anywhere in the rear yard, as long as it is located outside of any existing easements and at least three (3) feet from a property line.

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 documents. Second by K.Tomlinson. All voted aye. Motion carried 5 – 0.

#### **Board Action on Filing #23-19 for property located at 2202 NE Trilein Drive**

Motion by B.Walker that the Zoning Board of Adjustment grant a variance to Ankeny Municipal Code Chapter 192.03.3.E, allowing a 32-foot rear yard setback for the property located at 2202 NE Trilein 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 M.Ott. All voted aye. Motion carried 5 – 0.

#### **NEW BUSINESS**

There was no new business.

#### **REPORTS**

##### **Renewed Special Use Permits**

#21-20 Vintage Brewhouse - 1300 NW 36th Street, Suite 101

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

There being no further business, meeting adjourned at 5:27 p.m.



Submitted by Brenda Fuglsang, Board Secretary  
Zoning Board of Adjustment



ZONING BOARD OF ADJUSTMENT

December 5, 2023

5 : 00 PM



ORIGINATING DEPARTMENT:

Zoning Board of Adjustment Department

COUNCIL GOAL:

Ensure Economic Vitality

ACTION REQUESTED:

Motion

LEGAL:

SUBJECT:

Correspondence received:

Appeal No. 23-20 from Erik & Mary Gjullin, 4510 SW Sawgrass Parkway

EXECUTIVE SUMMARY:

FISCAL IMPACT: **No**

STAFF RECOMMENDATIONS:

PREVIOUS COUNCIL/COMMISSION/BOARD ACTION(S):

PUBLIC OUTREACH EFFORTS:

ACTION REQUESTED:

ADDITIONAL INFORMATION:

ATTACHMENTS:

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 [Erik & Mary Gjullin](#)



To the City of Ankeny:

November 19, 2023

We are the owners and residents of 4510 SW Sawgrass Parkway, Ankeny, IA 50023 since 2004.

Randy and Denise Shoeman have resided in their home at 4533 SW Sawgrass Parkway immediately to the south of us for the last three years.

The pergola they have added to the deck at the back of their home is tasteful and beautifully designed. It in no way obstructs our view or enjoyment of Sawgrass Park that both our properties abut to the West.

Randy and Denise maintain the exterior of their home and grounds in pristine condition. This enhances the value of their property as well as ours. Ankeny should be proud to have such fastidious residents.

We wholeheartedly support Randy and Denise in their appeal to the City to allow them to keep their lovely pergola as is.

Erik & Mary Gjullin  
Residents of 4510 SW Sawgrass Parkway  
Ankeny, IA 50023

RECEIVED  
11-19-23



ZONING BOARD OF ADJUSTMENT

December 5, 2023

5 : 00 PM

 [Print](#)

ORIGINATING DEPARTMENT:

Planning and Building

COUNCIL GOAL:

Ensure Economic Vitality

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ACTION REQUESTED:

Public Hearing

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LEGAL:

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SUBJECT:

**#23-20**

**Randy & Denise Shoeman**

*for property located at*

**4533 SW Sawgrass Parkway**

**Lot 25, Sawgrass Park Plat 4**

RE: Variance - Rear Yard Setback

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EXECUTIVE SUMMARY:

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FISCAL IMPACT: **No**

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STAFF RECOMMENDATIONS:

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PREVIOUS COUNCIL/COMMISSION/BOARD ACTION(S):

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PUBLIC OUTREACH EFFORTS:

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ACTION REQUESTED:

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ADDITIONAL INFORMATION:

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ATTACHMENTS:

|                                                                                                                             |
|-----------------------------------------------------------------------------------------------------------------------------|
| Click to download                                                                                                           |
|  <a href="#">23-20 Applicant Submittal</a> |
|  <a href="#">23-20 Staff Report</a>        |



APPLICATION FOR APPEAL  
ZONING BOARD OF ADJUSTMENT

#23-20

Applicant is: ☒ Property Owner ☐ Tenant ☐ Other \_\_\_\_\_

Applicant Randy and Denise Shoeman

Address / Phone # 4533 SW Sawgrass Pkwy

E-mail randyshoeman1@gmail.com or denise.shoeman@gmail.com

Property Owner Randy and Denise Shoeman

Address / Phone # 4533 SW Sawgrass Pkwy, Ankeny 50023

E-mail randyshoeman1@gmail.com or denise.shoeman@gmail.com

(Owner must sign the application or submit a letter of authorization)

**To the Members of the Board of Adjustment:**

I hereby appeal from the decision of the Zoning Administrator rendered on 17 day of November, 2023

Location (address) of the proposed variance 4533 SW Sawgrass Pkwy, Ankeny 50023

Legal description (Plat & Lot #) Lot 25 Sawgrass Park Plat 4

Zoning R3 Principal Use of property residential dwelling

**I request a variation from the current zoning requirement for:**

☐ Front Yard ☐ Side Yard ☒ Rear Yard ☐ Fence ☐ Sign ☐ Parking ☐ Height

☐ Other \_\_\_\_\_

Ankeny Zoning Code Section # 192.05(3)(E) which state(s) rear yard 35 feet

I would propose the following in lieu of that required: 25 Ft rear yard setback

Attached hereto and made a part of this appeal, I submit the following:

- A written statement addressed to the Board of Adjustment indicating the reasons for my appeal.
- A drawing showing proposed variance requested.
- A letter of authorization from the owner or lessee, if applicable.

Complete submittals are required for review.

**AFFIDAVIT**

State of Iowa )ss

County of Polk )

I hereby deposit and say that all of the above statements and the statements contained in the papers submitted herewith are true.

Denise Shoeman Denise Shoeman

Print Name (Signature of Applicant)

RECEIVED

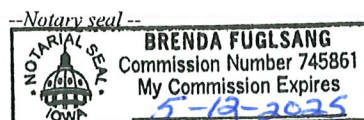
Print Name NOV 17 2023 (Signature of Property Owner)

Office Use Only

|                                                                                                                           |
|---------------------------------------------------------------------------------------------------------------------------|
| Paid <input checked="" type="checkbox"/> CC <input type="checkbox"/> Cash <input type="checkbox"/> Check # <u>4130.00</u> |
| Date received <u>11-17-23</u>                                                                                             |
| Filing # <u>23-20</u>                                                                                                     |
| Scheduled Meeting Date <u>Dec. 5, 2023</u>                                                                                |

Signed and sworn to before me, this 17th day of November, 2023.

Brenda Fuglsang  
(Notary Public)



Friday November 17, 2023

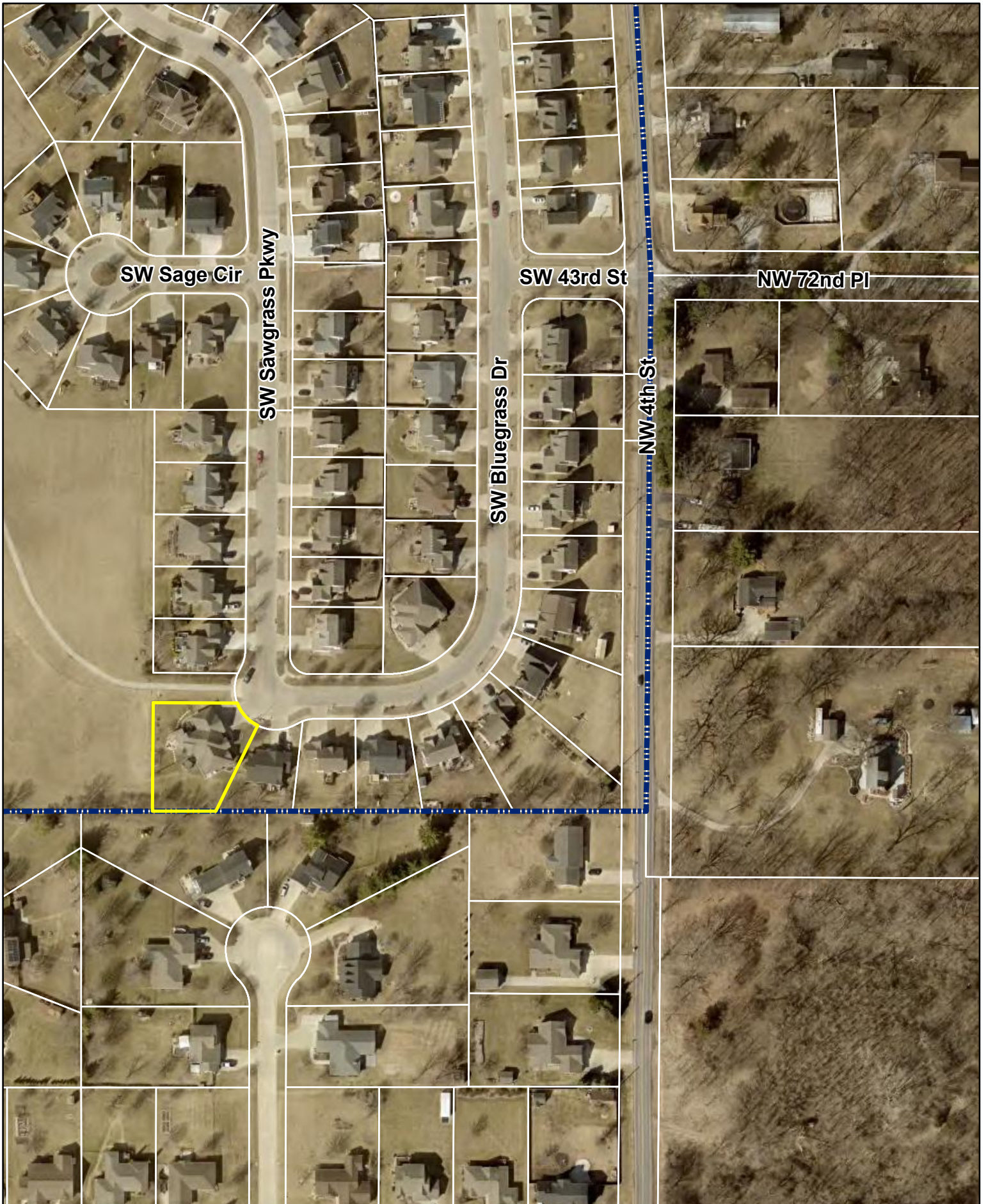
To: The Zoning Board of Adjustment

We (Randy and Denise Shoeman) propose leaving the pergola as is, with your permission. The square foot of the pergola is 304 ft. and the variance from the pergola to the end of the property is 25 ft. There are no obstructions to neighbors at all as it is on the backside of the property. We wish to leave it as it stands if possible. Our home has added value and beauty to the neighborhood and we keep the property very well maintained. We get many compliments on how beautiful the yard and everything we have done to improve the property and it is appreciated by our neighbors. We also mowed the city at times when there was a change over of services and grasses were getting long and unkept. We provide snow blowing to the adjoining walk path so all the people around can walk their dogs during winter months with clear walk paths. We love the neighborhood and the people in it.

Sincerely,

The Shoemans (Randy and Denise)





N



1 inch = 165 feet

Date: 11/21/2023

**#23-20**  
**4533 SW Sawgrass Parkway**

**CITY OF ANKENY  
ZONING BOARD OF ADJUSTMENT  
COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT**

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**To:** Members of the Zoning Board of Adjustment  
**From:** Laura Hutzell, Associate Planner  
**Filing #:** 23-20  
**Meeting Date:** December 5, 2023  
**Address:** 4533 SW Sawgrass Parkway

*EJC*

**APPELLANT REQUEST**

A variance to Ankeny Municipal Code Section 192.05(3)(E) that requires Rear Yard: 35-feet, allowing a 25-foot rear yard setback for a pergola over an existing deck at 4533 SW Sawgrass Parkway.

**STAFF POSITION**

Staff recommends the Zoning Board of Adjustment grant a variance to Ankeny Municipal Code Section 192.05(3)(E) to allow a 25-foot rear yard setback for a pergola over an existing deck at 4533 SW Sawgrass Parkway, subject to the applicant acquiring all necessary building permits.

Staff's position is based on a determination that the decreased rear yard setback from the resulting covered deck 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.

**PROJECT SUMMARY**

The subject property is located at 4533 SW Sawgrass Parkway, south of SW Oralabor Road and west of SW State Street within the southwestern quadrant of Ankeny. The subject property is zoned R-3 with restrictions, Multiple Family Residence District restricted to single family homes and is situated on Lot 30 Sawgrass Park Plat 4.

The applicant is requesting a variance to encroach approximately 10-feet into the 35-foot rear yard setback to allow an unpermitted pergola to remain over an existing (permitted) deck. Per code, a pergola is considered a roof structure and covered structures when attached to the house are not allowed to encroach into the required rear yard setback. Should the variance for the pergola be approved, a 25-foot rear yard setback would result on the west side of the property.

**PROJECT REPORT**

**Criteria for Variance**

*197.01(4) Powers and Duties.*

*B. To grant a variation in the regulations when a property owner can show ...that by reason of exceptional narrowness, shallowness, or shape of a specific piece of property or by reason of exceptional topographical conditions or other extraordinary or exceptional situation, the strict application of the terms of this title actually prohibits the use of this property in the district; and that the board is satisfied under the evidence before it that a literal enforcement of the provisions*

*of this title would result in unnecessary hardship; provided, however, that all variations granted under this clause shall be in harmony with the intended spirit and purpose of this title.*

## **FINDINGS OF FACT**

The subject property is located at 4533 SW Sawgrass Parkway, south of SW Oralabor Road and west of SW State Street within the southwestern quadrant of Ankeny. The subject property is zoned R-3 with restrictions, Multiple Family Residence District restricted to single family homes and contains a single-family home with an existing, attached deck on the west side of the .387-acre lot. Neighboring properties to the north and east are similarly zoned R-3 with restrictions, Multiple Family Residence District restricted to single family homes. Neighboring properties to the south are located in the County and zoned Low Density Residential, and Sawgrass Park is immediately west of the subject property. Permit records show the house was constructed in 2003. Per Ankeny Municipal Code Section 196.03(2)(B) unenclosed decks are allowed to extend up to twelve feet into the rear yard setbacks, while covered structures are not permitted in rear yard setbacks.

In May of 2021, City staff received a permit application to allow a deck with pergola to be built at the subject property. City staff informed the contractor applying for the permit that the proposed pergola could not be issued because a pergola is considered a covering, and per code, covered decks are not allowed to encroach into the rear yard setback. The contractor decided to proceed with just a permit for the deck, which was approved on May 20, 2021. The pergola was noticed by City Staff in November of 2023 while out inspecting a neighboring property. Staff then sent a letter to the homeowner on November 7, 2023, informing them that they were in violation of Ankeny Municipal Code because the structure was unpermitted. The homeowner is now seeking a variance to correct the situation.



*Subject property with existing pergola.*

As indicated on the site plan, at its furthest point the pergola extends approximately 10' into the rear yard setback leaving approximately 25' between the structure and the rear property line. Staff is not concerned with the pergola extending into the rear-yard setback as the property backs to Sawgrass Park and does not have any measurable impact on surrounding residences.



*Picture of Sawgrass park behind subject property.*

Furthermore, similar variance requests have been approved by the Zoning Board of Adjustment in the past. The most recent being in November of 2023, which allowed a covered deck to extend 10-feet into the rear yard setback at 4402 SW Sawgrass Parkway. As is standard procedure for these kinds of requests, all property owners within 250' of the subject property were notified of the proposed variance by mail, and to date, staff has received one letter in support of the variance request, which has been provided to the board in their packet.

Given the lot shape coupled with the position of the home at the bulb of the cul-de-sac and the fact that this property backs to Sawgrass Park, staff's position is to grant a variance to Ankeny Municipal Code Section 192.05(3)(E) to allow a 25-foot rear yard setback for a pergola over an existing deck at 4533 SW Sawgrass Parkway, subject to the applicant acquiring all necessary building permits. Staff's position is based on a determination that the decreased rear yard setback from the resulting covered deck 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.



ZONING BOARD OF ADJUSTMENT

December 5, 2023

5 : 00 PM

 [Print](#)

ORIGINATING DEPARTMENT:

Planning and Building

COUNCIL GOAL:

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ACTION REQUESTED:

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LEGAL:

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SUBJECT:

**Renewed Special Use Permits**

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

#10-06 Lindo Jalisco Mexican, 1810 SW White Birch Cir., Ste. 118

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EXECUTIVE SUMMARY:

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FISCAL IMPACT: **No**

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STAFF RECOMMENDATIONS:

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PREVIOUS COUNCIL/COMMISSION/BOARD ACTION(S):

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PUBLIC OUTREACH EFFORTS:

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ACTION REQUESTED:

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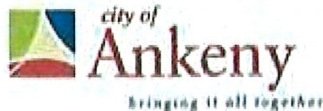
ADDITIONAL INFORMATION:

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ATTACHMENTS:

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 [Special Use Permit Renewal](#)



City of Ankeny

## Outdoor Service Area Renewal Application

\*Special Permit Resolution # 12-02

If the conditions of your approved Special Use Permit do not allow for administrative approval of the Outdoor Service Area, or if you plan to make any changes or would like to alter the conditions of your Outdoor Service Area, please contact the Planning & Building Department (963-3550) regarding the required Board of Adjustment approval.

Name of Applicant: The SP Grill, Inc.  
(Sole Proprietorship, Partnership, Corporation)

Name of Business (d/b/a): Sports Page Grill

Address of Premise: 1701 North Ankeny Blvd.

- Have there been any changes made to the Outdoor Service Area since last year in location, size, or type of fencing?

☐ Yes ☒ No

If yes, what changes have been made. (Please include a sketch)

- Has any use of sound been added since last year or changed from what was approved by the Zoning Board of Adjustment?

☐ Yes ☒ No

*Examples of sound uses requiring a special use permit shall include but not be limited to use of speakers to page patrons, use of a sound system to play music and the playing of live music. (Ord. 1426 Sec 1 Sub-section 5.08.100 G paragraph 5)*

I hereby swear and affirm that I have complied and will continue to comply with all the requirements and attached conditions issued for the above identified property and with any subsequent modifications required by the Board of Adjustment.

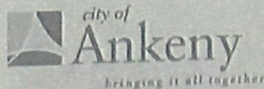
The applicant hereby swears or affirms that all statements set forth herein are true and correct.

  
Signature

Joseph R. Ryan  
Name of Applicant (printed)

11/17/2023  
Date

ADMINISTRATIVELY  
☒ **APPROVED**  
11/20/23 EJC



City of Ankeny

**Outdoor Service Area Renewal Application**

**\*Original Special Permit Resolution # 10-06**

If the conditions of your approved Special Use Permit do not allow for administrative approval of the Outdoor Service Area, or if you plan to make any changes or would like to alter the conditions of your Outdoor Service Area, please contact the Planning & Building Department (963-3550) regarding the required Board of Adjustment approval.

Name of Applicant: Primos Iowa, LLC  
(Sole Proprietorship, Partnership, Corporation)

Name of Business (d/b/a): Lindo Jalisco Mexican

Address of Premise: 1810 SW White Birch Cir., Ste. 118

- Have there been any changes made to the Outdoor Service Area since last year in location, size, or type of fencing?

☐ Yes ☒ No

If yes, what changes have been made. (Please include a sketch)

- Has any use of sound been added since last year or changed from what was approved by the Zoning Board of Adjustment?

☐ Yes ☒ No

*Examples of sound uses requiring a special use permit shall include but not be limited to use of speakers to page patrons, use of a sound system to play music and the playing of live music. (Ord. 1426 Sec 1 Sub-section 5.08.100 G paragraph 5)*

I hereby swear and affirm that I have complied and will continue to comply with all the requirements and attached conditions issued for the above identified property and with any subsequent modifications required by the Board of Adjustment.

The applicant hereby swears or affirms that all statements set forth herein are true and correct.

Signature

Abraham Murguia F

Name of Applicant (printed)

11/20/23  
Date

ADMINISTRATIVELY



**APPROVED**

11/27/23 ESC