



ZONING BOARD OF ADJUSTMENT

**Meeting Agenda
Tuesday, December 16, 2025
5:00 PM**

**City Council Chambers
1250 SW District Drive, Second Floor, Ankeny, Iowa**

Matt Ott, Chair
Jeffrey Baxter, Vice Chair

Nichole Sungren

Eric Strom

Brett Walker

Zoning Board of Adjustment regular meetings are held at 5:00 p.m. on the first and third Tuesday of each month, following the Monday City Council meetings. 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 December 2, 2025, regular meetings.

D. COMMUNICATIONS:

E. PUBLIC HEARINGS:

#25-15
Terry Murphy
on behalf of Jeffrey Kallem
for the property located at
2401 SW Westbrooke Circle
LOT 4 THE WESTWINDS PLAT 2
RE: Variance - Minimum Lot Width

F. REPORTS:

Renewed Special Use Permits
#10-06 Lindo Jalisco Mexican, 1810 SW White Birch Cir., Ste. 118
#12-02 The Sports Page, 1701 N Ankeny Blvd.

G. ADJOURNMENT:

Motion to adjourn



Zoning Board of Adjustment
December 16, 2025
5:00 PM

Matt Ott, Chair
Jeffrey Baxter, Vice Chair

Nichole Sungren

Eric Strom

Brett Walker

ITEM NAME

Minutes of the December 2, 2025, regular meetings.

ORIGINATING DEPARTMENT

Community Development

Meeting Minutes
Zoning Board of Adjustment
Tuesday, December 2, 2025
Ankeny City Council Chambers
1250 SW District Drive, Second Floor, Ankeny, Iowa

CALL TO ORDER

Chair Matt Ott called the December 2, 2025 regular meeting of the Zoning Board of Adjustment to order at 5:00 p.m.

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

ROLL CALL

Members present: Matt Ott, Jeff Baxter, Nichole Sungren, Brett Walker, and Eric Strom.

Staff: E. Jensen, E. Carstens, B. Morrissey, L. Hutzell, R. Kirschman, M. Flynn, and B. Fuglsang.

AMENDMENTS TO THE AGENDA

There were no amendments to the agenda.

MINUTES OF THE OCTOBER 21, 2025 REGULAR MEETING

Motion by N. Sungren to approve the meeting minutes as submitted. Second by J. Baxter. Motion carried 5 – 0.

COMMUNICATIONS / CORRESPONDENCE

Chair Matt Ott noted that correspondence was received for appeal #25-13 from Marilyn Shay, 11700 NE 6th Street, Ankeny in opposition of the request and for appeal #25-14 from Josey and Stephany Hanes, 1602 NW Northcreek Drive, Ankeny in opposition of the request. He stated that all correspondence will be received and filed during each public hearing.

PUBLIC HEARINGS:

#25-13 MidAmerican Energy Company

for property located at

Parcel 2021-249, Parcel 2023-135, and Parcel 2025-11

RE: Special Use Permit

Chair M. Ott opened the public hearing.

Marty Dostalík, Civil Engineering Consultants, Inc. 2400 86th Street #12, Urbandale and Hunter Gravel, MidAmerican Energy Company, 106 East 2nd Street, Davenport. Marty Dostalík reported MidAmerican Energy proposes to build a substation on a 9-acre piece of land, to include Parcel 2021-249, Parcel 2023-135, and Parcel 2025-11. The site is set 35 feet from the setback line and 200 feet from the existing road. These parcels were recently annexed into Ankeny to help support the city's growth. The site plan review has been completed and met all staff requirements; however, the plan requires a Special Use Permit which they are seeking approval. The site will contain a two-toned 10 ft security wall surrounding the substation, 18-20ft high bus bars, a retention pond, some taller structures for lightning suppression, and extensive landscaping to help hide the site.

M. Ott stated for the record that he did work on this project for MidAmerican several years ago; however, does not have financial ties to the company or project and is no longer with the company.

M. Ott asked for clarification and photos of the two-toned color palate for the security wall; which were not available. Marty offered that any Sherwin Williams colors could be used.

E. Strom asked why MidAmerican chose this location. M. Dostalík explained MidAmerican has owned the land for approximately 10 years with plans to use for this purpose. The company cites the need to be close to a transmission point and have easy access to where growth for the city is expected.

B. Morrissey reported MidAmerican Energy Company is requesting a Special Use Permit to allow for an electrical utility substation to be located on Parcels 2021-249, 2023-135, and 2025-11, located off NW Ash Drive, just south of NW 54th Street. Chapter 196.02 of Municipal Code requires the Zoning Board Adjustments to authorize a Special Use Permit prior to any developments of any electrical or telephone utility service in any district which is what they are requesting at this hearing. B. Morrissey noted the location of the access drive, detention basin planned to help mitigate any storm water run-off, and extensive landscaping. The Future Land Use Map was presented by B. Morrissey which showed the projected use of the land in the adjacent and surrounding areas for housing. Staff recognizes the need for the substation to substantiate growth over time and finds the location to be appropriate as the area develops as opposed to placing it within an already established neighborhood.

Staff recommends that the Zoning Board of Adjustment grant a Special Use Permit in accordance with Section 196.02 to MidAmerican Energy Company on Parcels 2021-249, 2023-135, and 2025-11 for an electrical utility substation with associated equipment provided that the following conditions are met:

1. That the associated Site Plan be approved by the Plan and Zoning Commission.
2. That the security wall surrounding the substation be comprised of at least two earth-toned colors.
3. That the final site and landscaping design as approved by the Plan and Zoning Commission is installed and maintained throughout the use of such facility.

This is based on the determination that the requested Special Use Permit for the electrical utility substation preserves the intent and purpose of the Zoning Ordinance to promote public health, safety, morals, and general welfare.

M. Ott asked for clarification on landscaping plans and asked that a statement requiring continued maintenance of the landscaping be added to the request.

M. Ott noted one piece of correspondence received from Marilyn Shay in opposition. He asked B. Morrissey to note the location of the neighbor's property on the aerial map for the Board. The home is located approximately .25 miles North of the site. The areas surrounding the site were zoned R-1 when annexed by the City of Ankeny; there is a nearby plot still unincorporated.

LaVon Griffieon, 11655 NE 6th Street Ankeny, thanked the council for inviting the public to this hearing. LaVon stated that this is the first public hearing they had been made aware. She states they are not MidAmerican customers and receive services from Consumer Energy in Marshalltown. L. Griffieon noted concerns regarding the voltage output of the substation and allotted proximity for an electrical substation to a home citing concerns over how this may impact their property value. L. Griffieon also noted a concern for the transformer decibel levels, the noise produced from the station, and the potential for an explosion which could result in debris damaging their property and livestock. She listed concerns

that the substation will attract lightning resulting in potential for property damage and fire. The Griffieon family requested MidAmerican provide verification that stray voltage will not impact their farm or livestock. According to the Griffieons, MidAmerican has stated they would not be responsible for damage to the Griffieon's buildings. Additionally, she notes concerns over the EMF, Electromagnetic field and the wide array of adverse health effects resulting from both short- and long-term exposure to an Electromagnetic Field. She asks the council to consider these concerns before approving.

Craig Griffieon, 11655 NE 6th Street Ankeny, corrected the city staff about the acreages stating that it is a Century Farm designation and a working farm. He stated concerns over the detention pond and the existing ponds upstream from his homestead. He would like to know what happens when the retention pond fills and runs over citing specific concerns with the potential for flooding in his basement. C. Griffieon stated that he is a new member of the Consumer Energy Board out of Marshalltown and during their last meeting the board indicated they were not made aware of the substation being placed in the current location. He asked what sort of variances would be offered to them.

M. Ott asked MidAmerican to clarify the pond design and what type of rain it can handle. M. Dostalík states the detention ponds are capable of handling a 100-year storm.

E. Strom asks if the other utility companies were contacted. H. Grabeel stated they were not contacted. M. Dostalík confirms they were not contacted because MidAmerican owns the property and they do not intend to serve any of the Consumer Energy customers. M. Dostalík addressed the property value concerns, stating that typically the housing development is built right up to the substation and those homes sell.

C. Griffieon wished to restate his concern that the line intake will cause the water to back up into his basement.

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

BOARD DISCUSSION

M. Ott recognized the challenge of these types of infrastructure as an unfortunate necessity and recognized the effort to coordinate with city staff to provide adequate screening. M. Ott requested a condition of approval that the applicant maintain the landscaping they've indicated in their landscaping plan when finalized by Plan and Zoning Commission. There were no further concerns by the Board.

Board Action on Filing #25-13 for property located at Parcel 2021-249, Parcel 2023-135, and Parcel 2025-11

Motion by M. Ott that the Zoning Board of Adjustment grant a Special Use Permit in accordance with Section 196.02 to MidAmerican Energy Company on Parcels 2021-249, 2023-135, and 2025-11 for an electrical utility substation with associated equipment provided that the following conditions are met:

1. That the associated Site Plan be approved by the Plan and Zoning Commission.
2. That the security wall surrounding the substation be comprised of at least two earth-toned colors.

3. That the final site and landscaping design as approved by the Plan and Zoning Commission is installed and maintained throughout the use of such facility.

The Board's decision is based on the determination that the requested Special Use Permit for the electrical utility substation preserves the intent and purpose of the Zoning Ordinance to promote public health, safety, morals, and general welfare. Second by J. Baxter. All voted aye. Motion carried 5 – 0.

#25-14

**Harold Fitzgerald LLC – Dogtopia Ankeny
on behalf of Dayton Park, LLC**

for property located at

1606 NW Irvinedale Drive

RE: Variance – Permitted Uses

Chair M. Ott opened the public hearing.

Jordan and Carson Adams, Dogtopia Owners, 1606 NW Irvinedale Drive Ankeny. Carson Adams stated they request a variance for the property located at 1606 NW Irvinedale Dr. Ankeny to allow an outdoor dog run that is located 160 feet to the nearest residential block; as opposed to 200 feet from the nearest residential block. The area will have an 8 ft noise reducing fence to allow dogs to come out intermittently for periods of 20 to 30 minutes at a time between the hours of 8:00 am and 6:00 p.m. Landscaping is planned to provide aesthetic value and they are hoping to be a positive addition to the neighborhood. They noted the space was previously used as a childcare facility.

M. Ott requested clarification for use of the outdoor space clarifying if it is strictly for animal relief or if it would be used for play as well. C. Adams indicated the intent is for fully supervised play time that will occur at several 20–30-minute time blocks with 10-15 dogs participating during each period of play. There are typically 30 dogs in attendance at the facility; thus, there are anticipated to be roughly 3 cycles of play during the morning hours and 3 cycles of play periods during the afternoon. C. Adams also stated the outdoor turf will be regularly cleaned and sanitized and animal waste will be sealed and disposed of properly. It is noted that the play area will face NW Irvinedale Drive.

R. Kirschman reported applicant Harold Fitzgerald is here on behalf of the Park LLC, requesting a variance on Municipal Code 192.91 B which requires animal hospitals, veterinary clinics, or kennels provided exercise runway is at least 200 feet from our district boundary. The property is located on the corner of NW 18th Street and NW Irvinedale Drive. It is currently a multi-tenant building which includes Ziggy's coffee. The building immediately to the South has a veterinary hospital and apartments. The zoning surrounding the property to the North is mixed with residential and some commercial properties; to the East and West is single-family housing. Staff understand the noise from the animals using the outdoor exercise area is the reason for the 200-foot required separation from residential buildings and noted that animal boarding is permitted in C2 district as a principle permitted use and therefore only the enclosure necessitates the need for this variance. He also notes a similar variance was approved by the board in April 2024 for a dog run along South Ankeny Blvd. All property owners within 250 feet of the subject property were notified by mail and there is one letter of correspondence against the proposed variance.

Staff recommends approval for a variance to Ankeny Municipal Code Section 192.09(1)8(1) to allow the proposed use of an outdoor animal exercise area on the east side of the building at 1606 NW Irvinedale Drive as shown on the attached site plan with four conditions:

1. That any animal in the outdoor exercise enclosure have constant staff attendance;
2. That a sight/sound barrier must be present and maintained for the exercise enclosure as approved by city staff; and
3. That the variance shall be reviewed in response to a complaint related to the outdoor animal exercise area.
4. That the use is limited to the proposed hours of operation which are 7:00 am to 7:00 pm.

The Board's position is based on a determination that an animal grooming and animal boarding business would utilize an outdoor animal exercise area and that the approval is conditioned partially upon constant staff attendance while animals are outside. Constant attendance when animals are outside addresses the noise concerns that the 200-foot separation required by the Code is intended to satisfy and, therefore, 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.

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

BOARD DISCUSSION

N. Sugren asked if notices went out to all business owners or only property owners noting potential complaints from other business included in that commercial property; specifically Ziggy's Coffee. J. Adams stated that the company Herald Fitzgerald purchased the full property and has a vested interest in the success of all surrounding businesses.

Strom asked what the investment into the expansion would be and M. Ott confirmed that the owners would be willing to accept the potential to lose use of the space should there be complaints, as noted in the variance. J. Adams stated the addition would cost around \$10,000 - \$15, 000; however, they are confident there will not be complaints and are willing to accept the risk.

J. Baxter asked to see where the property in opposition to the variance was located, in relation to the business. It was determined the property was well over 200 ft from the addition. Strom inquired if the facility was only for dogs, no cats. J. Adams confirmed, only dogs. There were no further concerns by the Board.

M. Ott requested a condition of use be added that states use is only permitted during operational hours of 7:00 am until 7:00 p.m. J. Baxter noted the business will still need to comply with all sound ordinances. There were no further concerns by the Board.

Motion by M. Ott that the Zoning Board of Adjustment grant a variance to Ankeny Municipal Code Section 192.09(1)B(1) to allow the proposed use of an outdoor animal exercise area on the east side of the building at 1606 NW Irvinedale Drive as shown on the attached site plan with four conditions:

1. That any animal in the outdoor exercise enclosure have constant staff attendance;
2. That a sight/sound barrier must be present and maintained for the exercise enclosure as approved by city staff; and
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REPORTS

There were no reports.

ADJOURNMENT

There being no further business motion made by M. Ott to adjourn the meeting. Meeting adjourned at 5:59 p.m.

Submitted by Brenda Fuglsang, Recording Secretary
Zoning Board of Adjustment



Zoning Board of Adjustment
December 16, 2025
5:00 PM

Matt Ott, Chair
Jeffrey Baxter, Vice Chair

Nichole Sungren

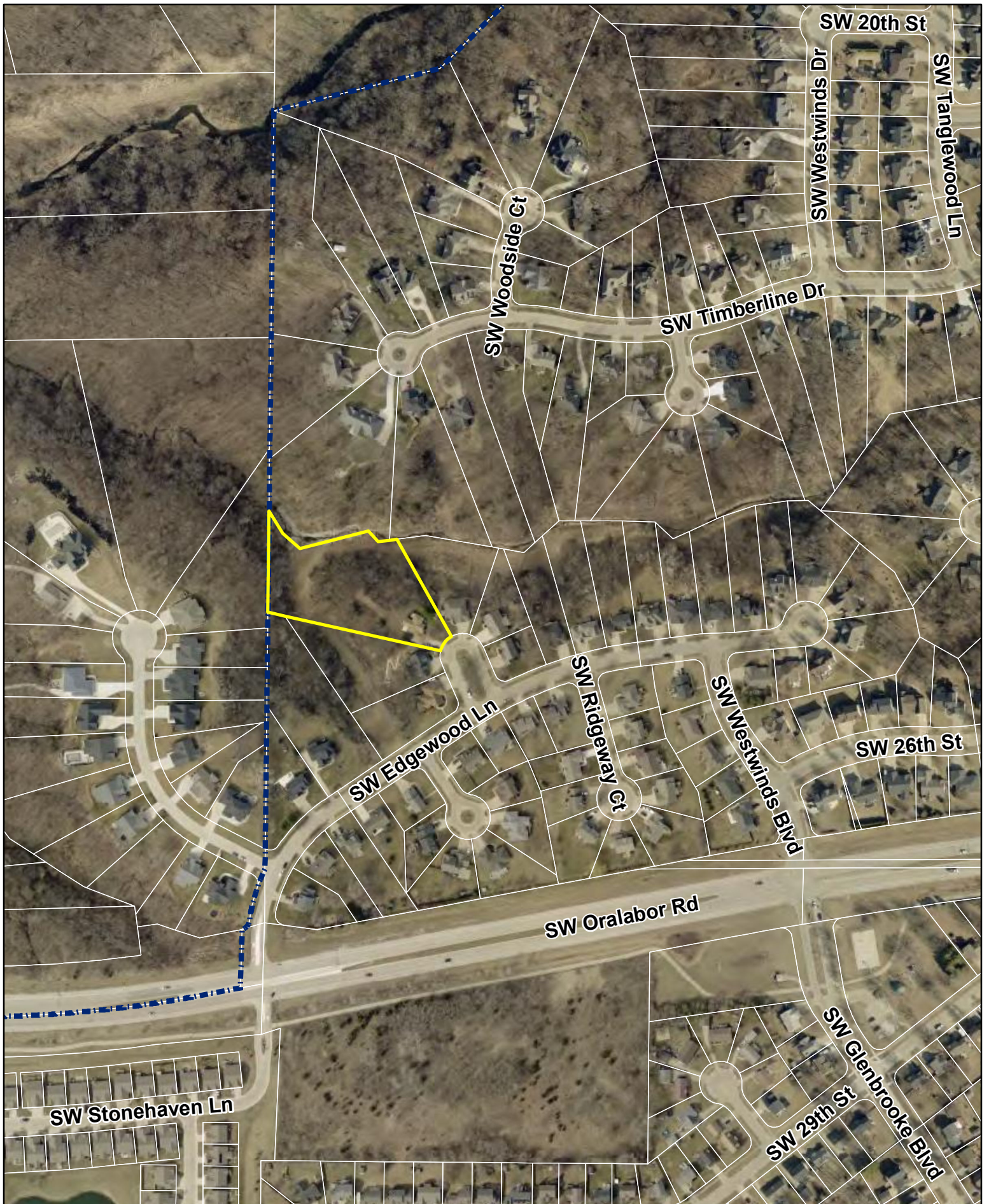
Eric Strom

Brett Walker

ITEM NAME

#25-15
Terry Murphy
on behalf of Jeffrey Kallem
for the property located at
2401 SW Westbrooke Circle
LOT 4 THE WESTWINDS PLAT 2
RE: Variance - Minimum Lot Width

ORIGINATING DEPARTMENT
Community Development



N



1 inch = 300 feet

Date: 12/3/2025

#25-15
2401 SW Westbrooke Circle
Aerial Map



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

To: Members of the Zoning Board of Adjustment
From: Laura Hutzell, Associate Planner
Filing #: 25-15
Meeting Date: December 16, 2025 *EJC*
Address: 2401 SW Westbrooke Circle

APPELLANT REQUEST

A variance to Ordinance No. 1219—which requires a minimum lot width of 80 feet—is being requested to allow a reduced minimum lot width of 70 feet for Lot 4 of The Westwinds Plat 2. Approval of this variance would permit the applicant, Terry Murphy (owner of adjacent Lot 5), to acquire a narrow strip of land from Lot 4. The requested adjustment would realign the shared property boundary so that it corresponds with the long-established landscaping that has existed between the two properties for many years.

STAFF POSITION

Staff recommends the Zoning Board of Adjustment grant a Variance to Ordinance No. 1219 to allow a 70-foot minimum lot width on Lot 4 The Westwinds Plat 2 located at 2401 SW Westbrooke Circle, subject to the applicant obtaining a permit for the existing fence screen and deck on the west side of the home on Lot 5.

The staff position is based on a determination that the decreased minimum lot width from the resulting boundary adjustment 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

An encroachment has been identified between two properties located on SW Westbrook Circle: Lot 4 (owned by Mr. Kallem) and Lot 5 (owned by Mr. Murphy). The improvements on Lot 5, which include a six-foot fence for screening purposes and substantial landscaping, encroach onto Lot 4. There is also a deck on the property of Lot 5 that does not meet setback requirements. Aerial imagery indicates these improvements were all installed/built shortly after the home on Lot 5 was constructed in 2003.

Mr. Kallem, owner of lot 4, is under contract to sell his home in the month of January. To resolve the encroachment prior to the sale, Mr. Murphy is proposing to purchase a narrow strip of land from Mr. Kallem. However, doing so would reduce the lot width of Lot 4 from the required 80

feet to approximately 70 feet, resulting in noncompliance with Ordinance 1219 that requires R-2, One-Family and Two-Family residence district restricted to single family with lots of a minimum of 80'. The adjustment would also allow the existing deck on Lot 5 to meet setback requirements.

A letter included with the variance application from Mr. Kallem authorizes Mr. Murphy to act on his behalf regarding the variance request and acknowledges the need for the variance to resolve the encroachment in a mutually agreeable manner. The prospective buyer of Lot 4 is aware of the situation.

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

SW Westbrook Circle is a cul-de-sac located within the Westwinds Development, situated just north of SW Oralabor Road and west of SW Irvinedale Drive. Specifically, there are two properties located at the bulb of this cul-de-sac: Lot 4, at 2401 SW Westbrook Circle and owned by Mr. Kallem, and Lot 5, at 2402 SW Westbrook Circle and owned by Mr. Murphy.

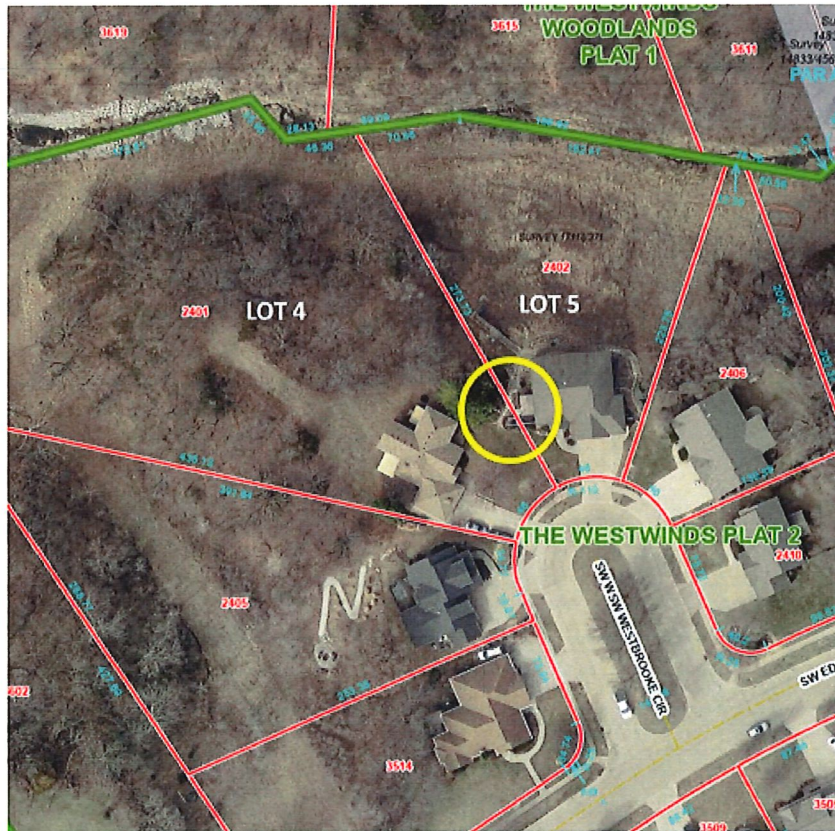
In 1995, via Ordinance 1219, land in this area was rezoned from R-1, Single-Family Residence District, to R-2, One-Family and Two-Family Residence District, with restrictions limiting development to single-family homes on lots with a minimum width of 80 feet.

Lot 4—the subject of this variance request—is owned by Mr. Kallem and encompasses approximately two acres. It's important to note, the residence on Lot 4 is currently under a pending sale. The property includes a single-story ranch home constructed in 2003 and purchased by Mr. Kallem around the same time. The lot is heavily wooded and situated along Ankeny's western boundary, boarding land outside of Ankeny City limits.

The home sits at an elevation of roughly 950 feet, but the terrain slopes sharply downward toward the north rear side of the property, reaching a low point of about 880 feet.

Lot 5, the adjacent property to the east and owned by Mr. Murphy, is approximately 0.80 acres and contains a single-story ranch home built in 2005 and purchased by Mr. Murphy in 2021. The rear portion of the lot is also wooded with a similar steep slope at the north end of the property. The west side includes extensive landscaping.

Historical aerial imagery indicates that the landscaping on Lot 5 was installed shortly after the home was constructed in 2003. The landscaping includes an unpermitted six-foot privacy fence for screening purposes, along with substantial additional landscaping along the west side of the lot—both of which encroach onto Lot 4. In addition, an existing deck on the west side of the home on Lot 5 does not currently meet setback requirements.





Area to be remedied – view from above.

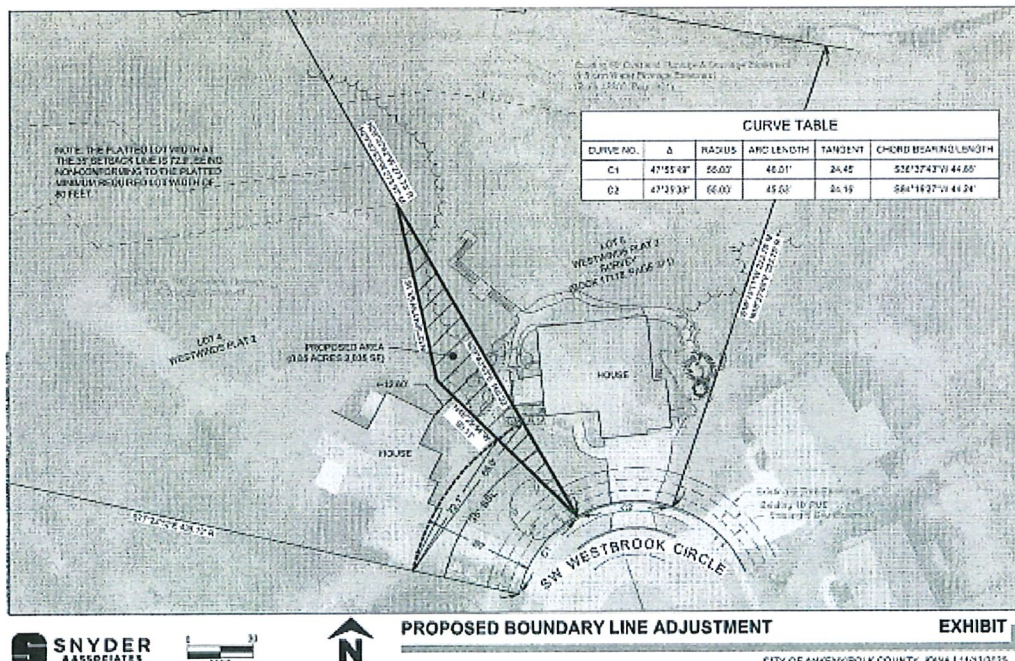


Area to be remedied – view from rear looking south.



Fence and Deck on Lot 5.

To resolve the encroachment of landscape improvements from Mr. Murphy's lot onto Lot 4, owned by Mr. Kallem, Mr. Murphy has hired a licensed engineer to survey the property and has offered to purchase a narrow strip of land approximately .05 acres in size from Mr. Kallem prior to the sale of his home. The adjustment would also bring the existing deck on Lot 5 into compliance with setback requirements. However, conveying this portion of land would reduce the lot width of Lot 4 from the required 80 feet to approximately 70 feet, causing it to no longer meet the minimum lot width requirement.



On December 5, 2025, staff received a variance request from the owner of Lot 5, Mr. Murphy, seeking to reduce the minimum required lot width of Lot 4 from 80 feet to 70 feet.

Included with the variance application is a letter from Mr. Kallem confirming that he is the current owner of Lot 4 and authorizes Mr. Murphy, the owner of Lot 5, to act on his behalf in all matters related to this variance request. He further acknowledges that the variance is necessary to address the property line encroachment in a mutually agreeable manner. It is also important to note that the pending buyer of Lot 4 has been made aware of the situation.

It should also be noted that Current Ankeny Code states that the minimum lot width for a one-story detached dwelling in the R-2 District is 70 feet.

STAFF ANALYSIS

The following is City staff's analysis of the proposed Variances with the adopted criteria necessary for approving any Variance request.

197.01.4.B. To grant a variation in the regulations the Zoning Board of Adjustment shall find that:

1. This property was acquired in good faith.

- The applicant owns the subject property. The existing conditions of the lot were in place at the time that the applicant purchased the property. The situation requiring the variance request comes from a pre-existing condition, which occurred shortly after construction of the home on Lot 5, and well before Mr. Murphy purchased the property and therefore is not a recent circumstance created by the applicant.

2. 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 Zoning Ordinance actually prohibits the use of this property in the district.

- Lot 4 is an unusually large and heavily wooded two-acre parcel located along Ankeny's western boundary with many topographic challenges, including a steep slope from approximately 950 feet to 880 feet toward the rear of the property. This topography limits development areas and contributes to the unusual layout of existing improvements in relation to Lot 5.

3. A literal enforcement of the provisions of this Zoning Ordinance would result in unnecessary hardship.

- To resolve the encroachment issue, a narrow strip of land must be conveyed from Lot 4 to Lot 5, which would reduce Lot 4's width to roughly 70-feet. Without a variance, this correction cannot occur, despite being necessary to remedy the situation and bring Lot 5's deck into compliance.

4. Such Variance shall be in harmony with the intended spirit and purpose of this Zoning Ordinance.

- Granting this variance is consistent with the spirit and purpose of the Zoning Ordinance because it supports orderly land use and corrects the issue at hand in a professional manner where both parties agree. The purpose of minimum lot width is to ensure adequate spacing between homes, and in this case, a 70-foot lot width in the R-2 District is allowable under current Ankeny City code standards.

SUMMARY AND STAFF POSITION

As is standard procedure for these kinds of requests, all property owners within 250' of the subject property were notified of the proposed Variances by mail, and to date, staff has not received any correspondence in support or against the proposed Variance.

Staff recommends the Zoning Board of Adjustment grant a Variance to Ordinance No. 1219 to allow a 70-foot minimum lot width on Lot 4 The Westwinds Plat 2 located at 2401 SW Westbrooke Circle, subject to the applicant obtaining a permit for the existing fence screen and deck on the west side of the home on Lot 5.

The staff position is based on a determination that the decreased minimum lot width from the resulting boundary adjustment 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.

Ord file
3A

ORDINANCE NO. 1219

AN ORDINANCE AMENDING THE ZONING REGULATIONS, CHAPTER 17, OF THE MUNICIPAL CODE OF THE CITY OF ANKENY, IOWA, BY REZONING CERTAIN PROPERTY

WHEREAS, on the 16th day of May, 1995, the Plan and Zoning Commission recommended to the Council that the below described property be accepted for rezoning from R-1 to C-1 and R-2 (restricted to single family dwellings) classification with the stipulation that the lots be at least 80' wide and provide a 35' front setback.

WHEREAS, on the 5th day of June, 1995, after due notice, the Council held a public hearing regarding the rezoning of the below described property to C-1 and R-2 classification, at which time all parties in interest and citizens had opportunity to be heard, and;

WHEREAS, the Council now deems it appropriate to rezone said property as set out below;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANKENY, IOWA:

1. That Chapter 17 of the Municipal Code of the City of Ankeny, Iowa, the Zoning regulations be and it is here by amended by rezoning the following described property:

LEGAL DESCRIPTION
see attachment A

LAYMAN'S DESCRIPTION:
North of S.W. Oralabor Road and west of N.W. 16th Street

FROM: R-1 - One family Residential
TO: R-2 - Restricted to Single Family dwellings with the lots of a minimum 80' width and providing a 35' front setback.
C-1 - Neighborhood Commerical

2. Repeal. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

3. Effective date. This ordinance shall be in effect upon its final passage and publication as required by law.

PASSED AND APPROVED this 3rd day of July, 1995.

ATTEST:
Jo Ann Goins
Jo Ann Goins, City Clerk

John Voigt
John Voigt, Mayor

PUBLISHED IN THE
ANKENY TODAY

6/5/95
6/19/95
7/3/95

12th day of June, 19 95

8A

E-2945

ATTACHMENT 'A'

LEGAL DESCRIPTION

THAT PART OF THE SW 1/4 OF SECTION 27 LYING WEST OF THE HIGHWAY RUNNING THROUGH SAID SW 1/4; AND THE NE 1/4 OF THE SE 1/4 OF SECTION 28; AND ALL OF THE OFFICIAL PLAT OF THE S 1/2 OF THE SE 1/4 OF SAID SECTION 28 LYING NORTH OF THE HIGHWAY RUNNING THROUGH SAID S 1/2; AND ALL OF THE NW 1/4 OF THE NE 1/4 OF SECTION 33 LYING NORTH OF THE HIGHWAY RUNNING THROUGH SAID NE 1/4; ALL IN TOWNSHIP 80 NORTH, RANGE 24 WEST OF THE 5TH P.M., POLK COUNTY, IOWA AND CONTAINING APPROXIMATELY 120 ACRES MORE OR LESS.

EXCEPT FOR APPROXIMATELY 4.6 ACRES IN THE SOUTHEAST CORNER OF SAID PROPERTY.

APPROXIMATELY 4.6 ACRES IN THE SOUTHEAST CORNER OF THE FOLLOWING DESCRIBED PROPERTY:

THAT PART OF THE SW 1/4 OF SECTION 27 LYING WEST OF THE HIGHWAY RUNNING THROUGH SAID SW 1/4; AND THE NE 1/4 OF THE SE 1/4 OF SECTION 28; AND ALL OF THE OFFICIAL PLAT OF THE S 1/2 OF THE SE 1/4 OF SAID SECTION 28 LYING NORTH OF THE HIGHWAY RUNNING THROUGH SAID S 1/2; AND ALL OF THE NW 1/4 OF THE NE 1/4 OF SECTION 33 LYING NORTH OF THE HIGHWAY RUNNING THROUGH SAID NE 1/4; ALL IN TOWNSHIP 80 NORTH, RANGE 24 WEST OF THE 5TH P.M., POLK COUNTY, IOWA AND CONTAINING APPROXIMATELY 120 ACRES MORE OR LESS.



Zoning Board of Adjustment

December 16, 2025

5:00 PM

Matt Ott, Chair

Jeffrey Baxter, Vice Chair

Nichole Sungren

Eric Strom

Brett Walker

ITEM NAME

Renewed Special Use Permits

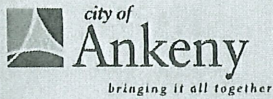
#10-06 Lindo Jalisco Mexican, 1810 SW White Birch Cir., Ste. 118

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

#15-01 Main Street Café and Bakery, 2510 SW White Birch Dr., Ste. 1 & 2

ORIGINATING DEPARTMENT

Community Development



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
Primos Iowa LLC Abraham Murguía
Name of Applicant (printed)

11/23/25
Date

ADMINISTRATIVELY
 APPROVED
12/2/25 EJC



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: SPG-Ankeny, Inc
(Sole Proprietorship, Partnership, Corporation)

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

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.

Jake Hudson
Signature

12/6/25
Date

JAKE HUDSON
Name of Applicant (printed)

ADMINISTRATIVELY
 APPROVED
12/9/25 EJC



City of Ankeny

Outdoor Service Area Renewal Application

*Special Permit Resolution # 15-01

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: Main Street Café & Bakery, Inc.
(Sole Proprietorship, Partnership, Corporation)

Name of Business (d/b/a): Main Street Café & Bakery

Address of Premise: 2510 SW White Birch Dr., Suite 1 & 2

➤ 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 [Handwritten Signature]
Name of Applicant (printed) Ryan McCauley

Date 12/7/25

ADMINISTRATIVELY
 APPROVED
12/9/25 EJC



Zoning Board of Adjustment
December 16, 2025
5:00 PM

Matt Ott, Chair
Jeffrey Baxter, Vice Chair

Nichole Sungren

Eric Strom

Brett Walker

ITEM NAME

Motion to adjourn

ORIGINATING DEPARTMENT
Community Development