

**Meeting Minutes**  
**Zoning Board of Adjustment**  
Tuesday, December 16, 2025  
Ankeny City Council Chambers  
1250 SW District Drive, Second Floor, Ankeny, Iowa

**CALL TO ORDER**

Chair Matt Ott called the December 16, 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, D. Gervais, J. Heil, 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 DECEMBER 2, 2025 REGULAR MEETING**

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

**COMMUNICATIONS / CORRESPONDENCE**

No correspondence were received.

**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**

Chair M. Ott opened the public hearing.

Terry Murphy, 2402 SW Westbrook Circle Ankeny, purchased his property in July 2021 and had a survey done in June 2025, by Snyder & Associates, which found the property line was not where they thought. The neighbor, Jeffrey Kallem, listed their property for sale and is currently sale pending. Murphy has submitted a request, on behalf of Jeffrey Kallem, for a variance to the 80-foot lot requirement and has offered to purchase the land in question, which is roughly 2,000 sq feet, from Mr. Kallem and has submitted missing permits for the structures in the disputed area.

M. Ott asked to view the survey from Snyder on the proposed plat and for confirmation that the neighbors are wanting to sell the land to T. Murphy. T. Murphy confirmed the area in question on the map and restated that the sale of the land in question is in best interest for both parties and both parties are in favor.

N. Sungren inquired if any current easements would be impacted by the sale. E. Carstens and T. Murphy both confirm that no current easements will be impacted by the sale.

Laura Hutzell, city staff, presented a request for a variance to Ordinance No. 1219, which requires a minimum lot width of 80 feet. The applicant, Mr. Murphy is requesting approval to allow a reduced lot width of 70 ft for Lot 4, Plat 2 on behalf of Jeffrey Kallum. This variance will allow Mr. Murphy to purchase a small strip of land to alleviate a long-standing property encroachment and realign the boundary to match existing landscaping conditions. The subject property is located in the SW quadrant of Ankeny; specifically at the bulb of the SW Westbrook cul-de-sac in the Westwinds development; located West of SW Irvinedale Drive and North of SW Oralabor Rd. The property was rezoned in 1995 to R2 with a condition that the minimum lot width is 80 ft. The surrounding properties are also zoned R2; except for to the West which are properties outside of city limits and considered Polk County.

L. Hutzell presented various maps showing aerial views of the properties in question. The first map is of J. Kallum's approximate 2 acre heavily wooded property. It is a ranch home constructed in 2003 and he has been the sole owner of the property. The property is under contract to sell next month. The second map is Lot 5, owned by T. Murphy, which is approximately .8 acres and heavily wooded, was purchased by Murphy in 2021 and contains a single story ranch home with a privacy screen, landscaping, and a deck on the side of the property. T. Murphy's home was built in 2005 and the deck and landscaping were added shortly after the building in 2005-2006. The current owners recently discovered the deck encroaches in the adjacent property and does not meet setback statements. Staff also found no record of a permit for deck or fence structure. T. Murphy is asking to purchase .05 acres from Mr. Kallum which would legalize the longstanding improvements and bring the deck into compliance. The purchase would reduce the land width from 80 feet to 70 feet, which is why the variance is requested. Mr. Kallam has provided a letter confirming he is the owner of Lot 4 and T. Murphy, owner of Lot 5, is able to act in his interest in this matter. Staff were also informed that the pending buyers are aware of the variance request.

The property was acquired in good faith and the need for the variance is not a result of recent action by the applicant. Exceptional conditions do exist as the property is a large parcel with topographical challenges. Strict enforcement would create unnecessary hardship. The change in lot width would still meet current Ankeny R2 standards for lot sizes and widths. Should the variance not be granted, it would create continued non-compliance and unnecessary hardship on both property owners. All residents within 250ft have been notified and no correspondence has been received.

Laura Hutzell with City Staff recommends approval of a variance to Ordinance No. 1219, which requires a minimum lot width of 80 feet in the R-2 District with single-family restrictions within the Westwinds Development. The applicant is requesting approval to allow a reduced lot width of 70 feet for Lot 4 of The Westwinds Plat 2, located at 2401 SW Westbrooke Circle.

This variance would allow the applicant, Mr. Murphy—who owns the adjacent Lot 5—to purchase a narrow strip of land from Lot 4 in order to resolve a long-standing property line encroachment and realign the boundary to match existing landscaping conditions.

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.

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

N. Sungren inquired if city staff foresee any issues with the awkward shape of the parcel after the purchase. E. Jensen confirmed it is not an issue. L. Hutzell stated a plat survey would be completed post purchase. T. Murphy confirmed there is a natural ravine along what would be the new property line.

T. Murphy stated permits were submitted on December 16<sup>th</sup> for both the deck and fence. M. Ott asked what prompted the initial inquiry by T. Murphy into where the property line fell. T. Murphy stated he was curious where the line fell.

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

#### BOARD DISCUSSION

No concerns from board members. J. Baxter stated not approving the variance would create unnecessary hardship for both parties. M. Ott acknowledged both parties are in favor of the variance.

Motion by J. Baxter that the Zoning Board of Adjustment grant a Variance to Ordinance 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 Board's position is based on a determination that:

1. The decreased minimum lot width would not impair adequate supply of air and light, would not increase public danger of fire, or diminish property values; and
2. 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

## **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.

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

## **ADJOURNMENT**

There being no further business motion made by M. Ott to adjourn the meeting. Meeting adjourned at 5:24 p.m.

Submitted by Megan Flynn, Recording Secretary  
Zoning Board of Adjustment