



Meeting Agenda

Zoning Board of Adjustment

Tuesday, November 8, 2022

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 September 7, 2022 regular meeting.

D. COMMUNICATIONS/CORRESPONDENCE

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.

#22-19

JNM Development Holdings, LLC

for property located at

3607 NE Otterview Circle

Lot 1, Otter Creek Commercial Plat 3

RE: Variance - Rear Yard Setback

F. OLD BUSINESS:

G. NEW BUSINESS

H. REPORTS

Renewed Special Use Permits

#16-13 Cabaret - 2785 N Ankeny Blvd.

#16-18 The Whiskey House - 2510 SW White Birch Drive, Ste. 8 & 9

#08-23 Buffalo Wild Wings Grill & Bar - 1690 SE Delaware Ave.

#15-14 Benchwarmers Ankeny Inc. - 705 S Ankeny Blvd.

#21-20 Vintage Brewhouse - 1300 NW 36th St., Ste. 101

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

I. ADJOURNMENT



ZONING BOARD OF ADJUSTMENT

November 8, 2022

5 : 00 PM



ORIGINATING DEPARTMENT:

Planning and Building

COUNCIL GOAL:

ACTION REQUESTED:

Motion

LEGAL:

SUBJECT:

Minutes of the September 7, 2022 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 2022-09-07](#)

Meeting Minutes

Zoning Board of Adjustment

Wednesday, September 7, 2022

Ankeny City Council Chambers

1250 SW District Drive, Second Floor, Ankeny, Iowa

CALL TO ORDER

Chair Matt Ott called the September 7, 2022 regular meeting of the Zoning Board of Adjustment to order at 5:00 p.m.

ROLL CALL

Members present: Jeff Baxter, Matt Ott, Kristi Tomlinson, Nichole Sungren, and Brett Walker.

Staff present: E.Jensen, E.Carstens, D.Silverthorn, B.Morrissey, R.Kirschman, B.Fuglsang.

AMENDMENTS TO THE AGENDA

There were no amendments to the agenda.

MINUTES OF THE AUGUST 16, 2022 REGULAR MEETING

Motion by J.Baxter to approve the August 16, 2022 meeting minutes as submitted. Second by N.Sungren.

Motion carried. 4 – 0 – 1 (Abstain: M.Ott).

COMMUNICATIONS / CORRESPONDENCE

Chair M.Ott shared that the Board received from Chuck Stewart, 1112 NE 31st Street, Ankeny a homeowner's petition in opposition to the variance, which will be received and filed during the public hearing for Appeal #22-14.

BUSINESS ITEMS

PUBLIC HEARINGS:

#22-14

Long Creek Design, LLC

for property located at

1107 NE Milan Avenue

Lots 45 & 46, Briar Creek Plat 1

RE: Variance – Accessory Building - Height

Chair M.Ott opened the public hearing.

Jason Flaherty, Long Creek Design, LLC, 212 Park Avenue, Des Moines said that his client would like to build an accessory building in the back of his property. He said the item in question is the building height and said in their opinion, it does meet the 12-foot requirement. He stated the concern is with the height of the wall on the second floor, where the proposed sundeck is located. Jason Flaherty said in the last year they removed the roof on the second floor to help reduce the height. He asked that the variance be approved so they can move forward with construction.

J.Baxter commented that under the Code, there has to be a reason for the variance and it has to be due to the exceptional narrowness, shallowness, or shape of the property and asked what is it about this property that leads the need for this variance. Jason Flaherty said, nothing. He stated that it sits far enough off of the property lines and commented that the structural roof itself, actually meets the guidelines of the 12-foot mean elevation.

There were no further questions from the Board.

D.Silverthorn reported that the appellant is requesting a 6-foot variance to the maximum allowable height of 12-feet for an accessory building other than a garage in an R-1, One-Family Residence Zoning District. He stated the proposed accessory building on the property at 1107 NE Milan Avenue, if approved, would be a maximum height of 18-feet. He said the property is located southeast of the intersection of NE Delaware

Avenue and NE Milan Avenue and is zoned R-1, One-Family Residence District. Properties to the east, south and west are zoned R-1 and the properties to the north are zoned R-3, Multiple-Family Residence district, with landscape restrictions.

D.Silverthorn stated the property is 0.67 acres, which is larger than most single-family residential lots in an R-1 zoning district and since the property has been built, the property contains or has been permitted a 640 square-foot shed, hot tub, trellises, and basketball/tennis court. D.Silverthorn said that the appellant is proposing to construct an 18-foot tall accessory building other than a garage located in the southeast corner of the property and it would be located approximately 8-feet from the shared property line to the east. The accessory building would contain a bar, office, bathroom, storage and a sundeck on the second level. He noted that a variance is required for the proposed structure since it does not conform to Ankeny Municipal Code Chapter 192.03.3.F stating that accessory buildings other than garages may be a maximum height of 12-feet. He said, to staff's knowledge, there has been one height variance granted for an accessory building other than a garage. Zoning Board of Adjustment Docket #12-03 was a variance request for the property located at 4780 SE Four Mile Drive. That area is very agricultural and industrial; and staff would not consider the characteristics of the property on SE Four Mile Drive to be similar to the appellant's property. D.Silverthorn explained that accessory structures that have been approved previously were garages and shared the details of those properties with the Commission. D.Silverthorn stated that based on the powers and duties of the Zoning Board of Adjustment within Chapter 197.01.4 of the Zoning Ordinance to grant variations in the regulations, staff finds there are no exceptional topographical conditions or other extraordinary or exceptional situations related to the property. He noted that the property is generally flat, with approximately two feet of elevation change across the entire property. Additionally, staff finds that the strict application of the terms of the Zoning Ordinance does not prohibit the use of this property in the district. Given the size of the property and its existing amenities, staff finds no unnecessary hardship resulting from the literal enforcement of the provisions of the Zoning Ordinance. He commented that there has been no correspondence received regarding this request except for the correspondence that was provided at the meeting by Chuck Stewart. Staff's position is that the Zoning Board of Adjustment deny a variance to Ankeny Municipal Code Chapter 192.03.3.F, allowing an 18-foot tall accessory building for the property located at 1107 NE Milan Avenue. This position is based on a determination that there is no exceptional narrowness, shallowness, or shape of the specific piece of property; no exceptional topographical conditions or other extraordinary or exceptional situation; no unnecessary hardship resulting from the literal enforcement of the provisions of the Zoning Ordinance; and that this request is not in harmony with the intended spirit and purpose of the Ankeny Municipal Code.

J.Baxter asked for clarification on the applicant's statement regarding the roof height being actually 12-feet. D.Silverthorn explained that the applicant is referring to the second level wall, which is 12-feet but a railing extends above the roofline. J.Baxter confirmed that the top of the railing is 18-feet. D.Silverthorn stated, yes. The upper most point of the structure is 18-feet and further commented that there is a little bit of disconnect between this building and other accessory buildings when related to "mean" elevation. D.Silverthorn explained to the Commission what the Code refers to as "mean" elevation.

M.Ott clarified what type of accessory building was previously approved by the Board. D.Silverthorn responded that it was an addition to an existing garage.

D.Silverthorn presented some examples of accessory buildings that were approved. He shared that if the accessory building is attached to the primary structure there would be no need for a height variance. He then provided an overview of what is considered attached by providing examples. He noted that the accessory building that is under consideration, if attached, would have to meet the setbacks for the primary structure.

Chuck Stuart, 1112 NE 31st Street, Ankeny presented a homeowner's petition in opposition to the variance. He said it is signed by seven neighbors. Chuck Stuart shared that he is concerned by the privacy aspect due to the height of the accessory building. He said if it is 18-feet high, they would basically be looking down onto his deck and be able to see into his dining room.

M.Ott asked Mr. Stuart to show the Board on the map where the seven properties are located that signed the petition in opposition to the variance request. Mr. Stuart noted them on the aerial map.

Kevin Kostelecky, 1105 NE 31st Street, Ankeny said he is representing the Homeowners Association for the property owners who live on NE 31st Street. He said his concern is with the height being 18-feet. The homeowner would be able to have umbrellas on the second level since it will be a sundeck. He also has concerns that no other variances have been approved, except for the one that is situated primarily in a rural location. He feels it would be setting a precedent that could possibly be used to allow others to build structures higher than 12-feet. He personally is not concerned about the privacy since his home is a little further away. J.Baxter asked if the applicant was part of the Homeowners Association. Mr. Kostelecky said he believes they are since they own interest in the property at 1106 NE 31st Street. M.Ott asked how far the Association extends. Mr. Kostelecky said he believes there are 37 or 38 properties associated with it. M.Ott clarified whether he was speaking on behalf of the Homeowners Association or himself. Mr. Kostelecky responded, the Homeowners Association. J.Baxter asked if the Association had any type of vote on the variance request. Mr. Kostelecky said no, since their meeting is not for a couple of weeks but if this is still unsettled, he would take it before the Association for a vote.

Brian Waddingham, 1118 NE 31st Street, Ankeny said he feels the accessory building, due to its size, would upset the aesthetics of the neighborhood. He also has concerns regarding parties that may be held in the accessory building causing noise issues in the neighborhood. He would like to see this request be denied.

Jason Flaherty, Long Creek Design, LLC, 212 Park Avenue, Des Moines presented some examples of accessory buildings on other properties comparing them to their request. He further stated that their plan is to add lattice and greenery on the backside for privacy and are trying to be mindful with the height and still have a sundeck on the second level.

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.

J.Baxter said he does not see how the Board can grant a variance since their ability is based on specific criteria in the Code. It is based on the exceptional narrowness, shallowness, or shape of this specific piece of property or by reason of topographical conditions. He said as the applicant stated, there is none with this property. M.Ott agreed. He also noted that the surrounding property owners have raised concerns. K.Tomlinson, N.Sungren and B.Walker agreed.

Board Action on Filing #22-13 property located at 1055 & 1075 SW Oralabor Road

Motion by J.Baxter that the Zoning Board of Adjustment deny a variance to Ankeny Municipal Code Chapter 192.03.3.F, allowing an 18-foot tall accessory building other than a garage for the property located at 1107 NE Milan Avenue. The Board's position is based on a determination that there is no exceptional narrowness, shallowness, or shape of the specific piece of property; no exceptional topographical conditions or other extraordinary or exceptional situation; no unnecessary hardship resulting from the literal enforcement of the provisions of the Zoning Ordinance; and that this request is not in harmony with the intended spirit and purpose of the Ankeny Municipal Code.

Second by N.Sungren. All voted aye to deny request. Motion carried. 5 – 0.

NEW BUSINESS

There was no new business.

REPORTS

There were no reports.

There being no further business, the meeting adjourned at 5:35 p.m.



Submitted by Brenda Fuglsang, Board Secretary
Zoning Board of Adjustment



ZONING BOARD OF ADJUSTMENT

November 8, 2022

5 : 00 PM



ORIGINATING DEPARTMENT:

Planning and Building

COUNCIL GOAL:

Ensure Economic Vitality

ACTION REQUESTED:

Public Hearing

LEGAL:

SUBJECT:

#22-19

JNM Development Holdings, LLC

for property located at

3607 NE Otterview Circle

Lot 1, Otter Creek Commercial Plat 3

RE: Variance - Rear Yard Setback

EXECUTIVE SUMMARY:

FISCAL IMPACT: **No**

STAFF RECOMMENDATIONS:

PREVIOUS COUNCIL/COMMISSION/BOARD ACTION(S):

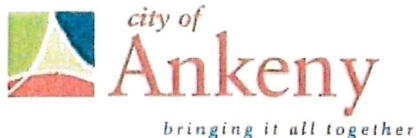
PUBLIC OUTREACH EFFORTS:

ACTION REQUESTED:

ADDITIONAL INFORMATION:

ATTACHMENTS:

Click to download
 Applicant Submittal Docket #22-19
 Staff Report



22-19

APPLICATION FOR APPEAL ZONING BOARD OF ADJUSTMENT

Applicant is: ☒ Property Owner ☐ Tenant ☐ Other _____

Applicant JNM Development Holdings, LLC - Nick Jensen

Address / Phone # 1450 SW Vintage Parkway, Suite 230, Ankeny, IA 50023 / 515-965-5309

E-mail Nick@CaliberIowa.com

Property Owner JNM Development Holdings, LLC - Nick Jensen

Address / Phone # 1450 SW Vintage Parkway, Suite 230, Ankeny, IA 50023 / 515-965-5309

E-mail Nick@CaliberIowa.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 _____ day of _____, 20____

Location (address) of the proposed variance 3607 NE Otterview Circle, Ankeny, IA 50021

Legal description (Plat & Lot #) Otter Creek Commercial Plat 3 - Lot 1

Zoning C-2 Principal Use of property Office's and a Restaurant

I request a variation from the current zoning requirement for:

☐ Front Yard ☐ Side Yard ☐ Rear Yard ☐ Fence ☐ Sign ☐ Parking ☐ Height
☒ Other Allowing patio/deck in rear yard setback.

Ankeny Zoning code Section # _____ which state(s) _____

I would propose the following in lieu of that required: We would like to install a deck style patio within the rear building setback.

The deck would span a swale leading to a storm sewer drain allowing water to flow underneath the patio.

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

- a) A statement indicating the reasons for my appeal.
- b) A drawing showing proposed variance requested.
- c) 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.

[Signature]
(Signature of Applicant)



Signed and sworn to before me, this
19 day of October, 2022

[Signature]
(Notary Public)

Date received 10-21-2022

Paid ☐ Cash ☒ Check # 7039 \$240.00

Office Use Only

Filing # 22-19

Scheduled Meeting Date 11-8-2022



CIVIL DESIGN ADVANTAGE L.L.C.

ENGINEERS, LANDSCAPE ARCHITECTS, PLANNERS & SURVEYORS

October 13, 2022

Zoning Board of Adjustment
c/o Eric Carstens
City of Ankeny
Community Development – Planning
1210 NW Prairie Ridge Drive
Ankeny, Iowa 50023

RE: OTTER CREEK OFFICE – BOARD OF ADJUSTMENT

Dear Zoning Board of Adjustment Members:

On behalf of The JNM Development Holdings, LLC, we are requesting a variation to current zoning requirements to allow a deck style patio within the rear building setback for use by a restaurant tenant.

Please accept this submittal for consideration at the regular Zoning Board of Adjustment meeting on November 8, 2022.

Sincerely,

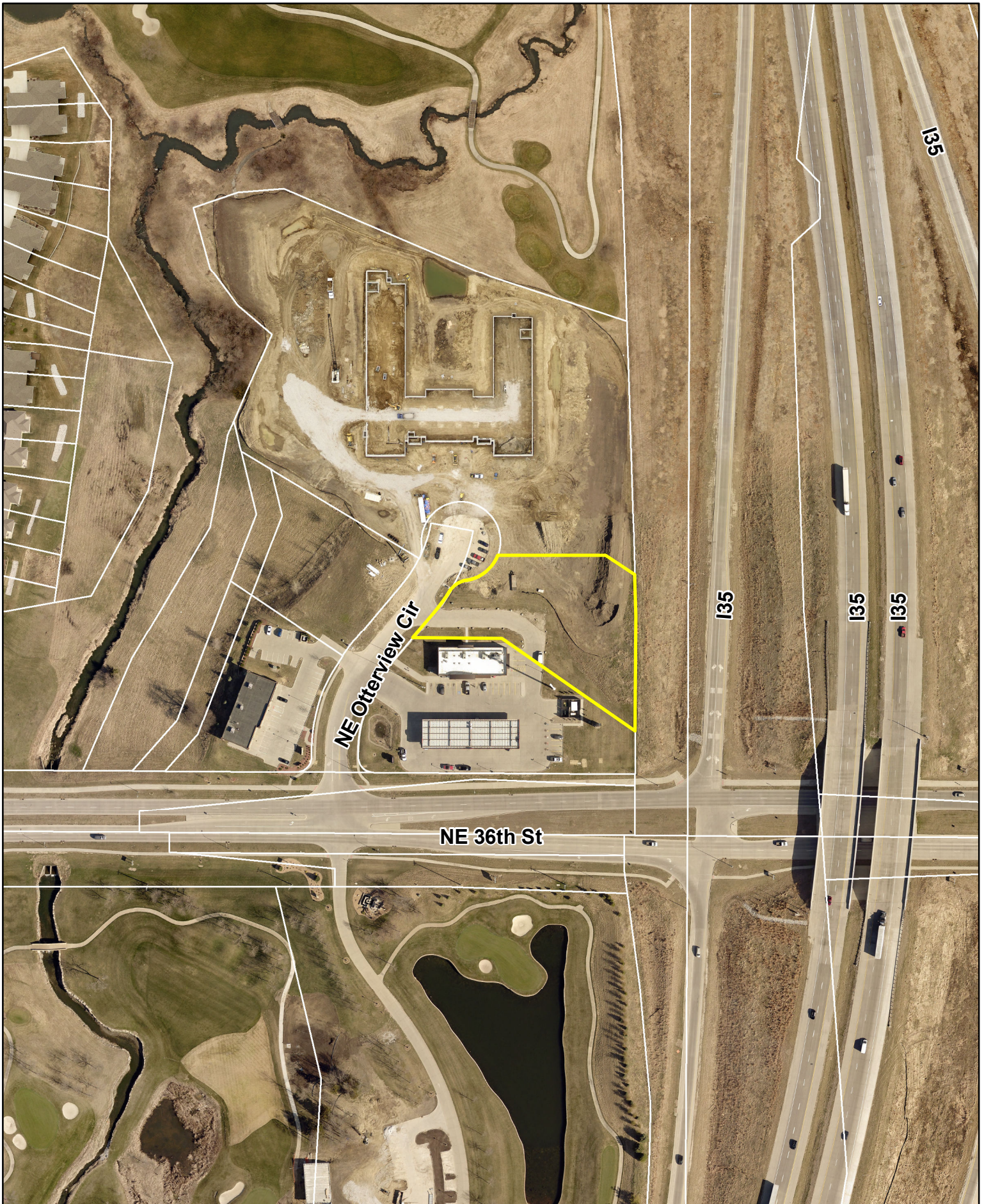
CIVIL DESIGN ADVANTAGE, LLC

Jared Murray, P.E.

cc: Nick Jensen



OCT 21 2022



N



1 inch = 200 feet

Date: 10/25/2022

3607 NE Otterview Circle

Ankeny
bringing it all together.

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

To: Members of the Zoning Board of Adjustment
From: Bryan Morrissey, Associate Planner *EJC*
Filing #: 22-19
Meeting Date: November 8, 2022
Address: 3607 NE Otterview Circle

APPELLANT REQUEST

A variance to Ankeny Municipal Code section 192.09(3)(F) that requires Rear Yard: 40 feet, allowing a 20-foot rear yard setback for a deck style patio at 3607 NE Otterview Circle.

STAFF POSITION

That the Zoning Board of Adjustment grant a variance to Ankeny Municipal Code Section 192.09(3)(F) to allow a 20-foot rear yard setback for the construction of a deck style patio at 3607 NE Otterview Circle, subject to the applicant acquiring a shared parking agreement.

Staff's position is based on a determination that the decreased rear yard setback from the resulting deck style patio 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 3607 NE Otterview Circle, north of NE 36th Street and west of Interstate-35. The property is zoned C-2, General Retail and Highway Oriented Commercial District w/restrictions and is situated on Lot 1 of Otter Creek Commercial Plat 3.

The applicant is requesting a variance to encroach approximately 20-feet into the required 40-foot rear yard setback for the construction of a deck style patio attached to the east side of the building on the property. A variance is needed in this case as the Ankeny Municipal Code does not allow decks or deck style patios to project into rear yard setbacks in commercially zoned areas. As noted on the exhibit provided by the applicant, the current structure on the site without a deck sits relatively close to the rear yard setback, meaning the addition of virtually any deck would encroach within said setback. The proposed deck is 20-feet wide (east to west) by 30-feet long (north to south) and will span over an existing drainage swale to allow stormwater to flow uninterrupted. Should the variance for the proposed deck be granted, a 20-foot rear yard setback will be the resulting setback on the east side of the subject property.

PROJECT REPORT

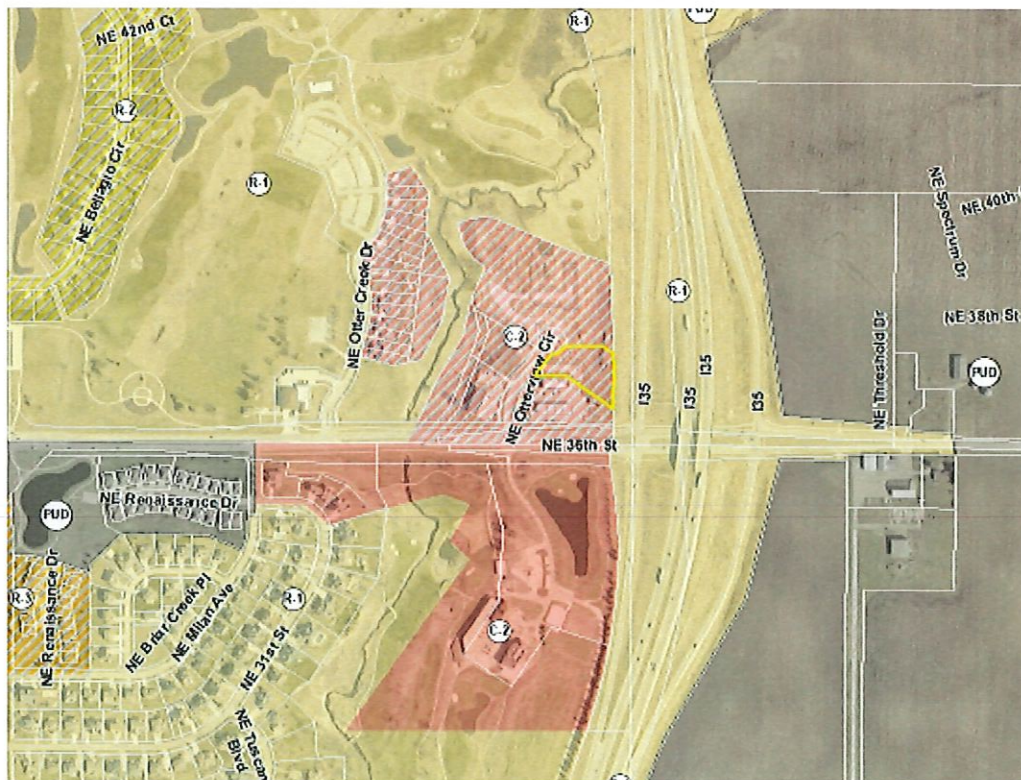
Criteria for Variance

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 at 3607 NE Otterview Circle is generally located north of NE 36th Street and west of Interstate-35, on Lot 1 of Otter Creek Commercial Plat 3. The property is zoned C-2, General Retail and Highway Oriented Commercial District w/restrictions and houses an approximate 10,000 square-foot, two-story building that contains office space and a restaurant. Most of the neighboring properties in the area are also zoned C-2, with the exception of the Otter Creek Golf Course to the north and west that's zoned R-1, One-Family Residence District. Permit records indicate that a temporary certificate of occupancy was issued for the structure in early November of 2022 with a full certificate of occupancy yet to be issued. Details for a patio on the site were not included with the original plans that were approved by the Plan & Zoning Commission in 2021.



Zoning districts surrounding the subject property

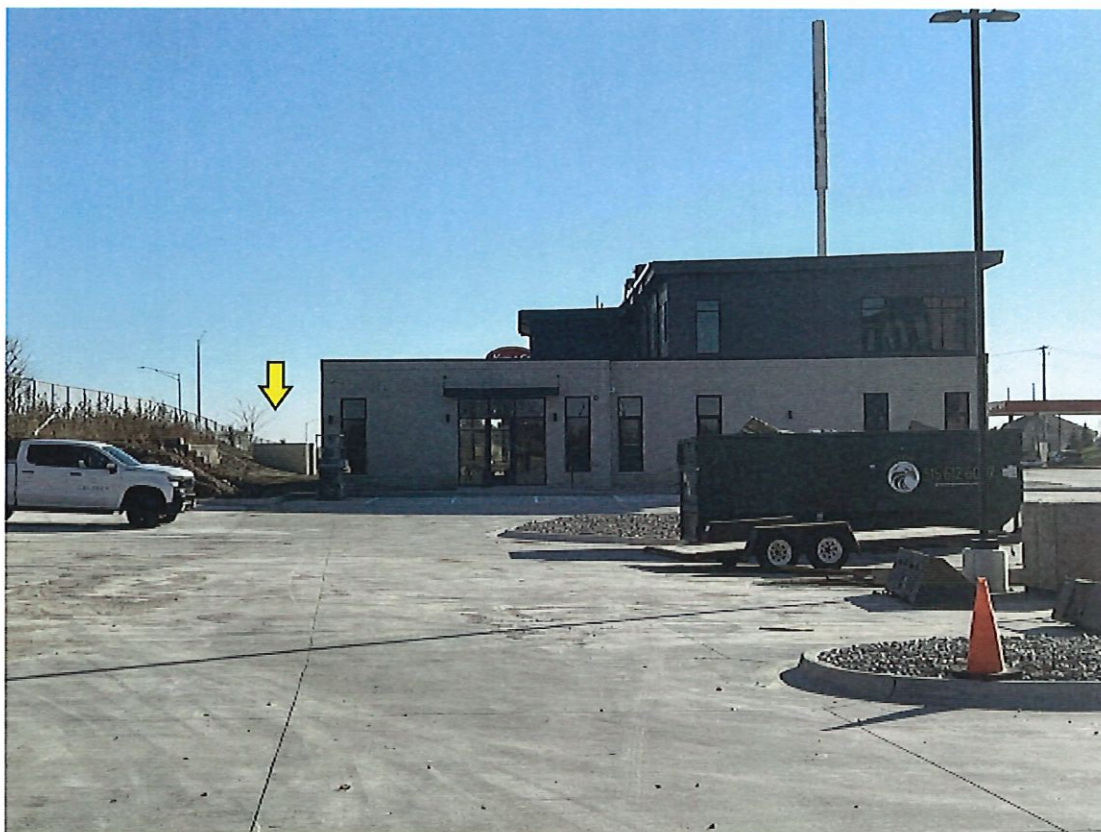
Recently, the subject property owners inquired about adding a deck style patio to the rear of the existing structure at 3607 NE Otterview Circle. Shortly after reviewing the proposed deck, staff informed the applicant that a variance would be needed as there is limited room between the existing structure and the 40-foot rear yard setback on the property. Virtually any deck, regardless of size, attached to the rear of the structure would require a variance due to the setback's proximity to the existing structure. Although unenclosed decks are allowed to extend into rear yard setbacks in residential districts, no such exception exists in the Ankeny Municipal Code for decks in commercial districts. Therefore, a variance is needed for the proposed deck at this property. Should the requested variance be granted, a 20-foot rear yard setback will be the resulting setback on the subject property.



View of 3607 NE Otterview Circle from the west

As indicated by the applicant on the submitted site plan, the proposed deck is approximately 600 square feet in size and extends east towards the rear property line. At its furthest point, the proposed deck will extend just under 20-feet into the 40-foot rear yard setback and will back up to an existing modular block retaining wall on the site. Additionally, the area behind the proposed deck gradually slopes upward towards an existing fence that separates the property from Interstate-35 to the east. The increase in grade combined with both the retaining wall and fence eases any concerns that staff may have had that the proposed deck would impact the area to the east of the subject property.

In addition to the variance that's required for the proposed deck, the Ankeny Municipal Code requires additional parking spaces for any establishment that has an outdoor dining area on-site. Currently, this property is at its limit for parking on the site based on the size and use of the building (54 stalls are required and 54 stalls exists currently). The potential addition of the deck would require approximately 10 additional parking stalls on the site. Therefore, staff is requesting that the applicant obtain a shared parking agreement with the property to the north, as there appears to be additional parking associated with the Standard @ 36th apartment complex. Lastly, staff is not requiring a special use permit for the proposed deck to operate, as the only residentially zoned properties within 500 feet of the subject property are associated with the Otter Creek Golf Course.



View of 3607 NE Otterview circle from the north. Arrow pointing to the proposed deck location.

Furthermore, similar variance requests allowing commercial properties to extend within setbacks have been approved by the Zoning Board of Adjustment in the past. The most recent being in 2021 when the Board allowed for a reduced front yard setback for a multi-tenant commercial property at 2575 SE Hulsizer Road. As is standard procedure for these requests, staff has notified all property owners within 250' of 3607 NE Otterview Circle by mail, and to date, staff has not received any correspondence either for or against the request.

The staff position is to grant a variance to Ankeny Municipal Code Section 192.09(3)(F) to allow a 20-foot rear yard setback for the construction of a deck style patio at 3607 NE Otterview Circle, subject to the applicant acquiring a shared parking agreement. Staff's position is based on a determination that the decreased rear yard setback from the resulting deck style patio 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

November 8, 2022

5 : 00 PM



ORIGINATING DEPARTMENT:

Planning and Building

COUNCIL GOAL:

ACTION REQUESTED:

LEGAL:

SUBJECT:

Renewed Special Use Permits

#16-13 Cabaret - 2785 N Ankeny Blvd.

#16-18 The Whiskey House - 2510 SW White Birch Drive, Ste. 8 & 9

#08-23 Buffalo Wild Wings Grill & Bar - 1690 SE Delaware Ave.

#15-14 Benchwarmers Ankeny Inc. - 705 S Ankeny Blvd.

#21-20 Vintage Brewhouse - 1300 NW 36th St., Ste. 101

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

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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 Special Use Permit Renewals



City of Ankeny
Outdoor Service Area Renewal Application

***Special Permit Resolution # 16-13,**

Issued: September 5, 2018

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: CABARET ANKENY, LLC
(Sole Proprietorship, Partnership, Corporation)

Name of Business (d/b/a): CABARET

Address of Premise: 2785 NORTH ANKENY BLVD., ANKENY, IOWA 50023

- 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

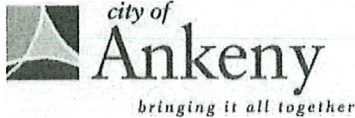
William C. Grimes, Jr.

Name of Applicant (printed)

08/23/2022

Date

ADMINISTRATIVELY
 **APPROVED**
9/7/22 EJC



City of Ankeny

Outdoor Service Area Renewal Application

***Special Permit Resolution # 16-18**

Approved August 16, 2016

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: **Whiskey House, LLC**

(Sole Proprietorship, Partnership, Corporation)

Name of Business (d/b/a): **The Whiskey House**

Address of Premise: **2510 SW White Birch Drive, Suite 8 and 9**

- 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

Date

Name of Applicant (printed)

ADMINISTRATIVELY
☒ **APPROVED**
9/8/22 ESL

RECEIVED
AUG 22 2022
CITY OF ANKENY



City of Ankeny

Outdoor Service Area Renewal Application

*Special Permit Resolution # 08-23

Originally issued October 7, 2008

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: Blazin Wings, Inc.
(Sole Proprietorship, Partnership, Corporation)

Name of Business (d/b/a): Buffalo Wild Wings Grill & Bar

Address of Premise: 1690 SE Delaware Avenue, Ankeny, Iowa 50021

- 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

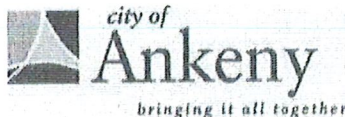
Robert Q Jones, Jr.

Name of Applicant (printed)

9.14.2022

Date

ADMINISTRATIVELY
 **APPROVED**
9/20/22 EJC



City of Ankeny
Outdoor Service Area Renewal Application

***Special Permit Resolution # 15-14**

Originally approved May 19, 2015

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: Benchwarmers Ankeny LLC
(Sole Proprietorship, Partnership, Corporation)

Name of Business (d/b/a): Benchwarmers Ankeny Inc.

Address of Premise: 705 S. 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

Name of Applicant (printed)

Thomas Campbell

Date

9/16/22



APPROVED

ADMINISTRATIVELY
9/30/22 EJC



City of Ankeny

Outdoor Service Area Renewal Application

***Special Permit Resolution # 21-20**

Originally approved September 8, 2021

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: Lunabeau LLC

(Sole Proprietorship, Partnership, Corporation)

Name of Business (d/b/a): Vintage Brewhouse

Address of Premise: 1300 NW 36th St., Suite 101

- 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

Bethany Olson

Name of Applicant (printed)

10/05/2022

Date

ADMINISTRATIVELY
 **APPROVED**
10/6/22 EJC



City of Ankeny

Outdoor Service Area Renewal Application

***Special Permit Resolution # 22-03**

Approved March 8, 2022

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: PO Inc.
(Sole Proprietorship, Partnership, Corporation)

Name of Business (d/b/a): Silk Elephant

Address of Premise: 2410 SW White Birch Dr., Suite 108

- 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.

Orathai Saelao
Signature

ORATHAI SAE LAO
Name of Applicant (printed)

10/09/22
Date

ADMINISTRATIVELY
 **APPROVED**
10/10/22 EJC