



ZONING BOARD OF ADJUSTMENT

**Meeting Agenda
Tuesday, April 21, 2026
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:

1. Minutes of the April 7, 2026, regular meeting.

Consider MOTION to approve and accept the April 7th, 2026 minutes with/without amendments.

D. COMMUNICATIONS:

E. PUBLIC HEARINGS:

2. **#26-04**
Amazed Construction Services, on behalf of Mike and Kari Higgins
for the property located at
701 NE Cambridge Court
LT 19 Northbrook Plat 6
RE: Variance - Accessory Structure

F. ADJOURNMENT:

Motion to adjourn.



Zoning Board of Adjustment
April 21, 2026
5:00 PM

Matt Ott, Chair
Jeffrey Baxter, Vice Chair

Nichole Sungren

Eric Strom

Brett Walker

ITEM NAME
Minutes of the April 7, 2026, regular meeting.

ORIGINATING DEPARTMENT
Community Development

Meeting Minutes
Zoning Board of Adjustment
Tuesday, April 7, 2026
Ankeny City Council Chambers
1250 SW District Drive, Second Floor, Ankeny, Iowa

CALL TO ORDER

Chair Matt Ott called the April 7, 2026 regular meeting of the Zoning Board of Adjustment to order at 5:04 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 and R.Kirschman.

AMENDMENTS TO THE AGENDA

There were no amendments to the agenda.

MINUTES OF THE FEBRUARY 17, 2026 REGULAR MEETING

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

COMMUNICATIONS / CORRESPONDENCE

Chair M. Ott announced that the Board received three correspondence in favor of the request and one correspondence in opposition regarding Public Hearing #26-03. He said the Board will formally receive and file the correspondence during the public hearing.

BUSINESS ITEMS

PUBLIC HEARINGS:

#26-03

Reese Builders Inc., on behalf of Craig and Lisa Miller

for property located at

613 SE 2nd Street

RE: Variance – Accessory Structure

Chair M.Ott opened the public hearing.

The applicant, Luke Reese, explained that they are requesting a larger garage than what is allowed per the 10% lot area restriction. They are requesting a 24'x42' garage that would be 1,008 s.f. The maximum size for an accessory structure on this property would be 881 s.f., so a 127 s.f. variance is being requested. The additional square footage is being requested for personal property use by the owner and for additional storage.

M. Ott stated that the correspondence in opposition of the request indicated they were ok with the first stake, but not the second stake and asked the applicant to explain what the stakes were. Craig Miller, the property owner at 613 SE 2nd Street indicated that he placed two stakes in the yard to show the

approximate garage location if 24'x36' versus 24'x42'. M. Ott confirmed that the neighbor to the south was ok with the 24'x36' garage but was opposed to the 24'x42' garage.

J. Baxter explained to the applicant that the Board needed to consider if there was an extraordinary situation or condition regarding the property that would warrant granting the variance. He asked if there was such a condition. C. Miller responded that he wants a tandem garage and the depth of the lot makes that difficult. J. Baxter asked what unnecessary hardship would be created if the Board did not approve the request. C. Miller responded that he would not have as much space.

N. Sungren stated that the concern from the neighbor to the south was regarding stormwater drainage and asked if the proposed garage would be within an existing drainage easement. L. Reese responded there was a five-foot easement but the garage would not encroach into that easement.

B. Morrissey reported the property was zoned R-2 and was 8,881 s.f. in size. Neighboring properties are also zoned R-2 and have similar sized lots. The property currently has a single-family house and a detached garage constructed in 1970. The existing garage is 24'x24' and 576 s.f. The applicant was denied a permit request for a 24'x42' detached garage because the size of the garage exceeded 10% of the total lot area. He explained that code section 191.07(1) states that accessory structures on one and two-family residential lots shall not occupy more than 10% of the total area of the lot. The proposed garage would be 1,008 s.f. in size and would exceed the size limitation by 127 s.f. Staff's position is that there are no unique circumstances or extraordinary conditions that would warrant the variance request. Should the garage be allowed it would be nearly as large as the principal structure on the site. Staff's recommendation is that the Board deny the variance request.

M. Ott asked if they attached the garage to the house, would it be allowed by code as proposed. Staff responded that the garage would not meet required rear yard setbacks for a principal structure.

N. Sungren pointed out that there were a couple of garages shown on the aerial map that appeared to be large and asked if staff knew the sizes or situations of those garages. Staff responded that research was done to see if any variances had been approved in the neighborhood, which there were not, but did not have specific information on those garages.

Motion by M. Ott to close the public hearing, receive and file documents. Second by J. Baxter. All voted aye. Motion carried 5 - 0. M. Ott indicated that he would abstain from the vote as he is currently working with Reese Builders.

J. Baxter stated that he would be voting to deny the variance due to there not being any exceptional circumstances of the size or condition of the lot and that wanting extra space in the garage is not an unnecessary hardship.

N. Sungren stated that she agreed there was nothing unique about the property.

E. Strom pointed out the concern for storm water runoff from the neighbor to the south.

B. Walker agreed that the request did not meet the criteria for a variance.

Board Action on Filing #26-03 for property located at 613 SE 2nd Street

Motion by N. Sungren that the Zoning Board of Adjustment deny a Variance to Ankeny Municipal Code Section 191.07(1) to allow a 1,008 square foot detached garage on the property at 613 SE 2nd Street. This is based on the determination that there are no exceptional topographical conditions, extraordinary situations or circumstances, or unnecessary hardships accompanying the subject property; and that the request is not in harmony with the intended spirit and purpose of the Ankeny Municipal Code.

Second by B. Walker. Motion carried 4 - 0 - 1 (Abstain: M. Ott)

M. Ott stated that any person desiring to appeal this decision to a court of record may do so within 30 days after the filing of this decision.

M. Ott noted that there was a special use permit renewal.

ADJOURNMENT

There being no further business, M. Ott adjourned the meeting at 5:31.

Submitted by Eric Carstens, Planning Manager
Zoning Board of Adjustment



Zoning Board of Adjustment
April 21, 2026
5:00 PM

Matt Ott, Chair
Jeffrey Baxter, Vice Chair

Nichole Sungren

Eric Strom

Brett Walker

ITEM NAME

#26-04

Amazed Construction Services, on behalf of Mike and Kari Higgins

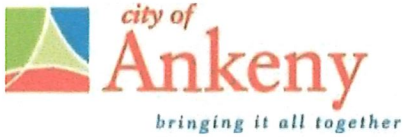
for the property located at

701 NE Cambridge Court

LT 19 Northbrook Plat 6

RE: Variance - Accessory Structure

ORIGINATING DEPARTMENT
Community Development



APPLICATION FOR APPEAL
ZONING BOARD OF ADJUSTMENT

Applicant is: [] Property Owner [] Tenant [X] Other Contractor

Applicant Amazed construction services - Chris Mortale

Address / Phone # PO Box 139, Elkhart, Iowa 50073 *515-480-2900

E-mail Chris @ amazed construction.com

Property Owner Kari Higgins

Address / Phone # 701 NE Cambridge Ct. Ankeny, IA 5001 515-977-0340

E-mail kari.higgins@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 ___ day of ___, 20__

Location (address) of the proposed variance 701 NE Cambridge Ct.

Legal description (Plat & Lot #)

Zoning ___ Principal Use of property ___

I request a variation from the current zoning requirement for:

- [] Front Yard [] Side Yard [X] Rear Yard [] Fence [] Sign [] Parking [] Height [] Other

Ankeny Zoning Code Section # ___ which state(s) ___

I would propose the following in lieu of that required: ___

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.

RECEIVED

APR 03 2026

CITY OF ANKENY

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.

Chris Mortale (Signature of Applicant)

Signed and sworn to before me, this 2nd day of April, 2026.

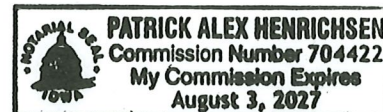
Mike Higgins (Signature of Property Owner)

(Notary Public)

Office Use Only

Form with fields: Paid [] CC [] Cash [] Check #, Date received, Filing #, Scheduled Meeting Date

--Notary seal--



AMAZED CONSTRUCTION

Services Inc.

City of Ankeny
Board of Zoning Adjustment
Re: Variance for setback adjustment 701 NE
Cambridge Ct.

1st April, 2026

Dear Members of the board of Adjustment,

I am requesting a variance to the setback requirements for a covered deck at 701 NE Cambridge Ct in Ankeny. The current Deck extends from the home 12' and we would like to extend a new deck to 16' and install a covered roof over the top to make this deck usable in 3 seasons. The current deck is not deep enough to allow enjoying being able to enjoy the outdoors. The homeowners have an interesting lot setup with a street on the west side and a curving cul du sac on the north side giving them very little space for privacy. The drainage design of the current plat does not allow them to use their patio in the rainy months. They are receiving water from adjacent neighbors and would like to increase their deck space to accommodate usage more reliably without having to worry about ground conditions, rain water etc. their plan is to remove this lower patio, install a larger elevated space which will allow ground water to drain instead of sitting on a patio. The setback proposed in my site plan would be 30' as opposed to the 35' requirement. Thank you for your consideration in this matter. If approved this will be a very nice extension to the home.

Sincerely,

Chris Mortale

515-480-2900

267 Garfield Ave
Elkhart, IA 50073

Chris@amazedconstruction.com

Mike and Kari Higgins
701 Ne Cambridge Ct.
Ankeny, IA

April 1st, 2026

To: Ankeny Zoning Board of Adjustment

Re: Variance for a covered Deck

I am sending this letter to acknowledge our acceptance to allow Amazed Construction Services Inc. and Chris Mortale (owner) to represent through the process of obtaining a Variance for a covered deck project we are wanting to complete.

Mike and Kari Higgins

A large, handwritten signature in blue ink that reads "Kari Higgins". The signature is written in a cursive style with a large, stylized "K" and "H".

Site Plan * Proposed * N ↑ ArcGIS Web Map 701 NE Cambridge Ct.



3/20/2026, 3:26:32 PM

Tax Parcels
 Subdivision

Survey Footprint
 Lot Cartography

Survey Lines
 Streets

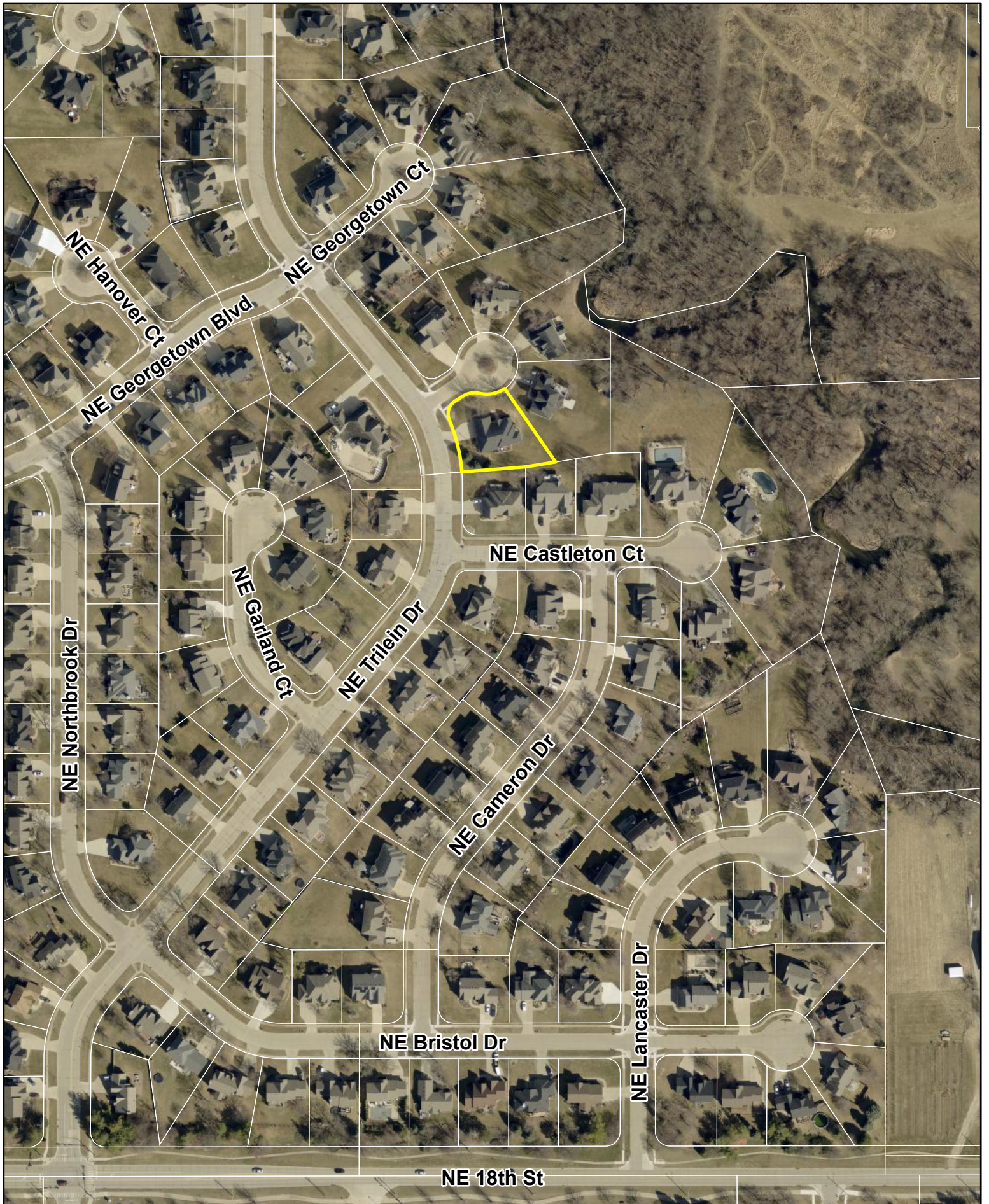
Auditor's Office, Polk County, Iowa

0 0.01 0.02 km
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Polk County, Iowa

Polk County has compiled this information for government purposes only. Polk County makes no warranties, either expressed or implied, concerning the accuracy, completeness, reliability, or suitability of this information for any particular use. Polk County is not



N



1 inch = 208 feet

Date: 4/8/2026

**701 NE Cambridge Court
Variance Request
Aerial Map**

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

To: Members of the Zoning Board of Adjustment
From: Ryan Kirschman, AICP, Planner I
Filing #: 26-04 EJC
Meeting Date: April 21, 2026
Address: 701 NE Cambridge Court

APPELLANT REQUEST

A Variance to Ankeny Municipal Code Section 192.03(3)(E) that requires Rear Yard: 35 Feet, allowing a 30-foot rear yard setback to build a covered deck to replace the existing deck on the property.

STAFF POSITION

Staff recommends the Zoning Board of Adjustment grant a Variance to Ankeny Municipal Code Section 192.03(3)(E) to allow a 30-foot rear yard setback for the construction of a covered deck to replace the existing deck.

The staff 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 701 NE Cambridge Court, east of N Ankeny Boulevard and north of NE 18th Street in the northeast quadrant of Ankeny. The property is zoned R-1, One-Family Residence District and is situated on LT 19 NORTHBROOK PLAT 6.

The applicant is requesting a Variance to encroach 5 feet into the rear yard setback to construct a covered deck in replacement of their current deck. If approved, the current deck on the property would be demolished.

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 701 NE Cambridge Court, currently there is a single-family home with an existing deck on the property. The site is located east of N Ankeny Boulevard and north of NE 18th Street in the northeast quadrant of Ankeny. The property is zoned R-1, One-Family Residence District and is situated on LT 19 NORTHBROOK PLAT 6. Surrounding properties are similarly zoned R-1, One-Family Residence District. The home on the subject property was constructed in 2003. The existing deck was constructed with the residence in 2003.

The applicant submitted a permit application for the covered deck on March 20, 2026, and staff denied the permit due to the proposed encroachment into the rear yard setback. On April 3, 2026 staff received a Variance request for a 30-foot rear yard setback to allow the applicant to construct a covered deck to replace the existing deck on the property.

Per Ankeny Municipal Code Section 192.03(3)(E) the property must have a 35-foot rear yard setback. Staff is currently working on a zoning code update that includes an update to the requirements, which would allow enclosed or covered decks, porches, sunrooms, and building additions, which project not more than 12 feet into the required rear yard and provided they are not more than 20 feet in width. If this code update is approved, this request would be allowed without a variance.

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 acquired the property.

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.

- The subject property is on a corner lot on the corner of NE Trilein Drive and NE Cambridge Court. This contributes to the shallowness of the lot.

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

- The curved right-of-way and corner setback made it necessary to site the house further south than it would have needed to be if it were an interior lot. It's also important to note, the proposed amendment to the zoning code, if approved, would allow this covered deck without the need of a variance.

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

- There are trees to the west of the proposed deck, minimizing the visible impact from the right-of-way. The properties to the south have their back yard along the shared property line, this will minimize the impact of the proposed deck on the adjacent properties.

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 Ankeny Municipal Code Section 192.03(3)(E) to allow a 30-foot rear yard setback for the construction of a covered deck to replace the existing deck. The staff 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

April 21, 2026

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