



ZONING BOARD OF ADJUSTMENT

**Meeting Agenda
Tuesday, May 5, 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 21, 2026, regular meeting

Consider MOTION to approve and accept the April 21, 2026 minutes with/without amendments.

D. COMMUNICATIONS:

E. PUBLIC HEARINGS:

2. #26-05

**Dawn Takekawa on behalf of Mike Volquardsen, 3302 C, LLC
for property located at
426 S Ankeny Blvd
RE: Amendment to Parking Setback Requirement**

F. ADJOURNMENT:

1. Request for Closed Session under Code Section 21.5.1 (c)

Consider motion to go into Closed Session, pursuant to the provisions of Iowa Code Section 21.5.1, subparagraph (c) "To discuss strategy with counsel in matters that are presently in

litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation."

2. Motion to adjourn



Zoning Board of Adjustment

May 5, 2026

5:00 PM

Matt Ott, Chair

Jeffrey Baxter, Vice Chair

Nichole Sungren

Eric Strom

Brett Walker

ITEM NAME

Minutes of the April 21, 2026, regular meeting

ORIGINATING DEPARTMENT

Community Development

Meeting Minutes
Zoning Board of Adjustment
Tuesday, April 21, 2026
Ankeny City Council Chambers
1250 SW District Drive, Second Floor, Ankeny, Iowa

CALL TO ORDER

Chair Matt Ott called the April 21, 2026 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, J. Heil, B. Morrissey, and A. Middleton.

AMENDMENTS TO THE AGENDA

There were no amendments to the agenda.

MINUTES OF THE April 7, 2026 REGULAR MEETING

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

COMMUNICATIONS / CORRESPONDENCE

BUSINESS ITEMS

PUBLIC HEARINGS:

#26-04

Amazed Construction Services, on behalf of Mike and Kari Higgins
for property located at
701 NE Cambridge Court
RE: Variance – Accessory Structure

Chair M.Ott opened the public hearing.

Chris Mortale of Amazed Construction Services, speaking on behalf of property owners Mike and Kari Higgins, explained that they are requesting a rear setback for a covered 3-season room. Waterflow creates unusable backyard, which makes the current patio unusable. The plan is to enlarge the deck and cover it. Chris is the contractor.

B. Morrissey presented the staff report, explaining the request for 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 located at 701 NE Cambridge Court. Property is in NE quadrant of Ankeny, zoned R-1. The home and existing deck were constructed in 2003. The deck extends into the rear yard setback, which is allowed because it is uncovered. Proposal is to rebuild deck and cover it. B. Morrissey showed the drawing of the project submitted with the project. Staff does not have concerns with this request. He continued to explain that proposed code changes would not require a variance for this

project in the future if amended as proposed. 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.

M. Ott asked for clarification of the drawing, which shows an unmarked corner which appears to be closer than the corner marked 30 feet. C. Mortale clarified that he has labeled the wrong corner in the drawing, and the closer corner is actually the one that is 30 feet from the property line.

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

Board Action on Filing #26-04 for property located at 701 NE Cambridge Court

Motion by J. Baxter that the Zoning Board of Adjustment approve 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. Second by M. Ott. Motion carried 5-0.

ADJOURNMENT

There being no further business, M. Ott adjourned the meeting at 5:11.

Submitted by Alexa Middleton, Recording Secretary
Zoning Board of Adjustment



Zoning Board of Adjustment

May 5, 2026

5:00 PM

Matt Ott, Chair

Jeffrey Baxter, Vice Chair

Nichole Sungren

Eric Strom

Brett Walker

ITEM NAME

#26-05

Dawn Takekawa on behalf of Mike Volquardsen, 3302 C, LLC

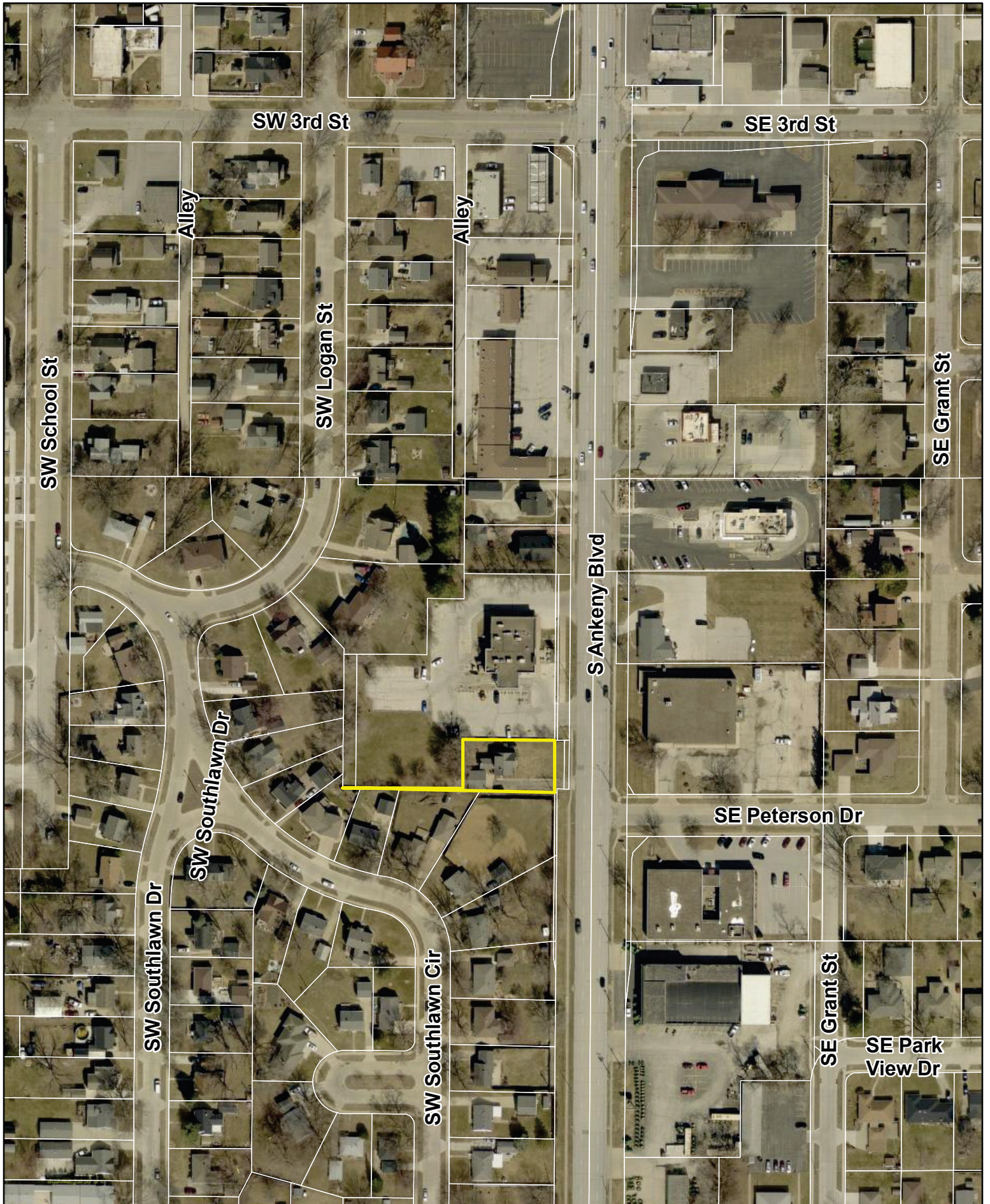
for property located at

426 S Ankeny Blvd

RE: Amendment to Parking Setback Requirement

ORIGINATING DEPARTMENT

Community Development



N



1 inch = 175 feet

Date: 4/23/2026

426 S. Ankeny Blvd Aerial Map



#26-05



APPLICATION FOR APPEAL
ZONING BOARD OF ADJUSTMENT

Applicant is: [] Property Owner [] Tenant [x] Other Property buyer

Applicant Dawn Takekawa

Address / Phone # 1610 SW Main St

E-mail dawn@ankenylawyer.com

Property Owner Mike Volquardsen - 3302 C, LLC

Address / Phone # 1360 SW Park Square Dr., Ste 106, Office #13; 515-494-5733

E-mail mike@localrealtycompany.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 426 S Ankeny Blvd

Legal description (Plat & Lot #) Part of the SE 1/4 of the NE 1/4 of Section 23-80-24

Zoning C-2 Principal Use of property Commercial office

I request a variation from the current zoning requirement for:

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

Ankeny Zoning Code Section # 194.01-6.A which state(s) No part of any parking area shall be closer than five feet to any established street right-of-way, alley, or property line.

I would propose the following in lieu of that required: No parking setback be required on the north or south property lines.

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

- a) A written statement addressed to the Board of Adjustment 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]
Notarized Signature of Applicant or Property Owner

Michael Volquardsen
Print Name (Applicant or Property Owner)

Signed and sworn to before me, this 10 day of APRIL, 20 24.
[Signature]
(Notary Public)



Office Use Only

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

INTRODUCTION: The City of Ankeny Zoning Board of Adjustment is quasi-judicial board comprised of five members appointed by the Mayor. The Board is empowered through Chapter 414 of the Code of Iowa and Chapter 197 of the Ankeny Code to grant special exceptions as provided in the Zoning Chapter and to hear appeals to decisions made in the enforcement of the Zoning Chapter. The Board has the authority to allow variances to the Zoning Chapter for individual properties where provisions of the Chapter impose a unique and unnecessary hardship on the property owner and where the granting of a variance is not contrary to the intent of the Zoning Chapter or to the public interest. The Board has no authority to allow a variance whose effect is not in harmony with the intended spirit and purpose of the Zoning Ordinance. A variance is not a right, and it shall not be granted for hardships that are created by the property owner. The Board is also empowered through Chapter 196.02 to issue special use permits authorizing the location of buildings or uses in any district from which they are prohibited by the Zoning Code. The City of Ankeny Zoning Board of Adjustment functions as a safety valve through which landowners can seek relief from strict application of a zoning ordinance.

SUBMITTAL REQUIREMENTS:

- A complete and notarized application
- Filing fee (Checks payable to City of Ankeny)
- A written description of the requested variance.

A written notice indicating the request and the hearing time and date will be mailed to all property owners within 250 feet of the property requesting the variance

A letter of authorization from the owner or lessee, if applicable

Two (2) copies of a drawing to scale illustrating the request and showing the following:

- ✓ dimensions of all lot lines
- ✓ dimensions of setbacks to lot lines
- ✓ street & driveway locations
- ✓ location and dimensions of all existing and proposed buildings and structures
- ✓ fences
- ✓ north arrow
- ✓ easements
- ✓ landscaping
- ✓ all improvements that will be added, such as landscaping, fences, etc. that will be used to lessen the impact of the variance.

FEE SCHEDULE:

Variance Request: Residential \$130 / Commercial/Industrial/Other \$260
Conditional Use Permit: \$200
Zoning Line Adjustment: \$200
Special Use Permit: \$200

MEETINGS: Regular meetings of the Zoning Board of Adjustment are the first and third Tuesdays (following the Monday City Council meetings) unless no cases are pending, in which no meeting is held. Meetings are held at 5:00 pm in the City Council Chambers, 1250 SW District Drive. All Board of Adjustment meetings are open to the public. Agendas are available on the Friday prior to the Tuesday meeting and are posted at the Ankeny Kirkendall Public Library, Public Services Building and on the City website at www.ankenyiowa.gov. Agendas may also be obtained by contacting the Community Development Department at 963-3550. Exceptions to the meeting times may occur during a week in which a holiday occurs.

ORDER OF HEARINGS: 1). The applicant's or appellant's presents their request; 2). City staff provides a report on their investigation of the request and states their position on the matter; 3). Any interested parties may present their opinions; 4) Written correspondence regarding the case is received. 5) At the conclusion of all public testimony on a subject, the Board closes the public hearing. After the hearing, the Board will deliberate the case and render a decision. **The appellant or a representative is required to be at the hearing to present the request to the Board.**

DISPOSITION OF THE CASE: Within 15 days after the hearing the Board shall notify the applicant/appellant in writing of its decision. Should the request be approved by the Board, then a building permit may be applied for from the Community Development Department. You may call 963-3550 if you have any questions on obtaining a building permit. If the request is denied, the proposed project cannot be built.

Updated: July, 2023

Laura Hutzell

From: Mike Volquardsen <mike@localrealtycompany.com>
Sent: Monday, April 20, 2026 3:07 PM
To: Jordan Olson
Cc: Dawn Takekawa; Amanda Green; Adam Schoeppner
Subject: Re: 426 S Ankeny Variance Request

[CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.]

Yes. I'm in support of the requests.

Mike Volquardsen
Broker / Owner
LOCAL Realty Company
1360 SW Park Square Dr.
Suite 106, Office #13
Ankeny, IA 50023
(515) 494-5733 (call/text)
mike@localrealtycompany.com
michael@sellingia.com
<http://localrealtycompany.com>

Licensed to SELL Real Estate in IA

Sent from [Outlook](#) for iOS

From: Jordan Olson <JOlson@nillesinc.com>
Sent: Monday, April 20, 2026 3:06:10 PM
To: Mike Volquardsen <mike@localrealtycompany.com>
Cc: Dawn Takekawa <dawn@ankenylawyer.com>; Amanda Green <amanda@ankenylawyer.com>; Adam Schoeppner <adams@nillesinc.com>
Subject: 426 S Ankeny Variance Request

Mike,
The City has indicated that they will need acknowledgment and support from you as the owner. They are OK with an email statement. Are you in support of this variance request as the owner of 426 S Ankeny Blvd?

Thank you,

JORDAN OLSON, PE
NILLES ASSOCIATES | SENIOR ENGINEER
M: (515) 975-1775



1933 SW Magazine Road
Ankeny, IA 50023
(515) 965-0123 office / (515) 965-3322 fax
nillesinc.com

April 13, 2026

City of Ankeny Board of Adjustment
1250 SW District Drive
Ankeny, IA 50023

**RE: Takekawa & Green, PLLC – 426 S Ankeny Blvd
Variance Request**

Members of the Board of Adjustment:

On behalf of Takekawa & Green, PLLC, we are requesting a parking setback variance for the proposed remodel of a residential building for use as a law office located at 426 S Ankeny Blvd in Ankeny.

The existing site is zoned C-2 and the City’s ordinance states that no parking is allowed within five feet of any property line. The owner respectfully requests to construct parking on the north and south sides of the site without a parking setback. The setback restricts the ability of the applicant to construct sufficient parking on site for the proposed use.

The property to the north is also zoned C-2 and has an existing parking lot on site. The proposed parking on this site would not create an overhang conflict between the two adjacent parking lots. The property to the south is zoned R-1. However, there is an overhead electric line running east-west along the south property line, limiting the utility of the northernmost portion of the property. The fence on the property to the south ends 10 feet south of the property line, with a row of plantings between the fence and property line.

We respectfully request the board’s review and approval of this request to allow the project to proceed. If you should have any questions or require any additional information, please feel free to contact me to discuss such items further.

Sincerely,

Jordan Olson, PE

NILLES ASSOCIATES, INC.

**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 #: 26-05
Meeting Date: May 5, 2026 *ESC*
Address: 426 S. Ankeny Boulevard

APPELLANT REQUEST

The applicant requests a variance from Ankeny Municipal Code Chapter 194.01(6)(A), which requires that parking areas be set back a minimum of five (5) feet from any established street right-of-way, alley, or property line. The applicant is requesting a variance to construct parking on the north and south sides of the site without a parking setback.

STAFF POSITION

Staff recommends the Zoning Board of Adjustment grant a Variance to allow parking without a setback along the north property line and deny the request to allow parking without a setback along the south property line at 426 S. Ankeny Boulevard.

Staff's position is based on a determination that allowing parking without a setback along the north property line would not negatively impact adjacent properties due to similar zoning and parking use. However, allowing parking without a setback along the south property line would diminish the intended buffer between commercial and residential uses. The request to eliminate the setback along the south property line is not considered to meet the criteria necessary for a variance.

PROJECT SUMMARY

The subject property is located at 426 S. Ankeny Blvd, south of SW 3rd Street and northwest of SE Peterson Drive on the west side of S. Ankeny Blvd, within a corridor that includes a mix of commercial and residential zoning. The property is zoned C-2, General Commercial District, and is approximately 9,891 square feet in size. The site is currently owned by Michael Volquardson (3302 C LLC) and contains an existing residential structure, garage, and driveway. The applicant, Dawn Takekawa, is proposing to purchase the property and, upon acquisition, utilize the existing residence as a law office. The request has been submitted with authorization from the property owner. The proposed site layout as shown in the exhibit provided, includes a total of ten (10) parking spaces, with five (5) spaces located along the east side of the building, two (2) spaces in front of the existing garage, one (1) space in the northeast corner of the site, and two (2) spaces along the south property line. Ultimately, a site plan will need to be reviewed by staff and approved by the Plan and Zoning Commission.

North of the subject property is a mix of C-2 zoned properties, including the existing Dairy Queen building. The subject property and the Dairy Queen are separated by an existing fence, which is owned by the Dairy Queen property.

South of the subject property is a residentially zoned property containing a single-family home, zoned R-1, One-Family Residence District. This property includes a fence located approximately 10 feet south of the shared property line, along with additional landscaping between the fence and the property line.

The applicant is requesting a Variance to allow parking on the north and south sides of the site without a parking setback to accommodate parking for the proposed use. If approved, parking could be located directly adjacent to the property lines, with limited separation at the southwest corner due to a utility pole. Again, a site plan will need to be approved by the Plan and Zoning Commission.

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 426 S Ankeny Blvd and is currently developed with a residential structure proposed to be converted into a law office. The property is zoned C-2, General Retail and Commercial District. The property to the north is also zoned C-2 and contains an existing parking lot and commercial building. Property to the south is zoned R-1, One-Family Residential District and contains a single-family home.

The applicant is requesting a Variance to allow parking on the north and south sides of the site without a parking setback. As shown on the submitted exhibit, the parking area is generally located directly adjacent to the property lines, with a small offset at the southwest corner due to the presence of an existing utility pole. The proposed site plan includes ten (10) parking spaces distributed throughout the site, including spaces along the east side of the building and along the south property line.

The applicant has identified site constraints including an overhead utility line along the south property line and limited ability to configure parking while maintaining all required setbacks.

It should also be noted that a fence exists on the residential property to the south, located approximately ten (10) feet from the shared property line, along with some existing plantings. However, these features are located on private property and are not under the control of the applicant. It is the responsibility of the commercial use to provide adequate screening and buffering from the residential property, and not the other way around. If a variance were approved along the south property line, this would be difficult or impossible to achieve.

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 property owner purchased the property in 2022, and the property is currently listed for sale. The applicant is proposing to purchase the property and utilize the existing structure for commercial use permitted within the C-2 zoning district.

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.

Staff recognizes that the subject property is smaller than other commercial parcels along the South Ankeny Boulevard corridor and includes overhead utility lines, which may influence site design; however, these factors do not prevent the property from being a commercial use or from meeting minimum zoning requirements. Alternative site design options may still be available, including reconfiguration of parking areas, removal of the existing garage to allow for additional on-site parking, or a shared parking arrangement with the adjacent property to the north.

While a fence and landscaping currently exist on the adjacent residential property to the south, these improvements are not located on the subject property, are not under the control of the applicant, and are not guaranteed to remain in place. It is the responsibility of the commercial use to provide adequate screening and buffering from the residential property, and not the other way around. If a variance were approved along the south property line, this would be difficult or impossible to achieve.

Allowing the requested variance along the north property line is agreeable, as the adjacent property is similarly zoned and developed for commercial use. In this scenario, elimination of the required setback would be consistent with the surrounding land use and is not expected to create negative impacts on neighboring properties.

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

Along the north property line, staff finds that allowing parking without a setback would not create additional hardship as the neighboring property is zoned C-2 and contains an existing parking lot. The proposed condition can be found in other commercial settings where parking lots are on separate but adjacent properties.

Along the south property line, granting the variance to allow parking without a setback would not be in harmony with the intent of the ordinance. As shown on the submitted

exhibit, the proposed parking area is located generally along the south property line, with only a minor offset at the southwest corner due to an existing utility pole, leaving little to no room on the subject property to accommodate the required buffering. Even though a fence and limited landscaping currently exist on the adjacent residential property, these improvements are not located on the subject property, are not under the control of the applicant, and are not the responsibility of the adjacent property owner to provide.

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

Along the **north property line**, granting the variance would be in harmony with the intent of the ordinance, as it would not introduce conditions that aren't already present in other commercial areas.

Along the **south property line**, granting the variance would not be in harmony with the intent of the ordinance. The required setback is intended to provide a transition between commercial and residential uses and to mitigate potential impacts such as noise, lighting, and vehicle activity. Allowing parking without a setback would diminish that buffer and may negatively impact the adjacent residential property.

SUMMARY AND STAFF POSITION

As is standard procedure for these kinds of requests, all property owners within 250 feet of the subject property were notified of the proposed variance by mail. To date, staff has not received correspondence regarding the request.

Staff recommends the Zoning Board of Adjustment grant a variance to allow parking without a setback along the north property line and deny the request to allow parking without a setback along the south property line at 426 S. Ankeny Blvd.

The staff position is based on a determination that the elimination of the required setback along the north property line is compatible with adjacent commercial development and 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.

Staff's position is also based on a determination that the elimination of the required setback along the south property line is not compatible with adjacent zoning and the need for an appropriate transition between commercial and residential uses and therefore is not in harmony with the intended spirit and purpose of the Ankeny Municipal Code.



Zoning Board of Adjustment

May 5, 2026

5:00 PM

Matt Ott, Chair

Jeffrey Baxter, Vice Chair

Nichole Sungren

Eric Strom

Brett Walker

ITEM NAME

1. Request for Closed Session under Code Section 21.5.1 (c)

ORIGINATING DEPARTMENT

Community Development



Zoning Board of Adjustment

May 5, 2026

5:00 PM

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ITEM NAME

2. Motion to adjourn

ORIGINATING DEPARTMENT

Community Development