



Meeting Agenda

Zoning Board of Adjustment

Tuesday, September 19, 2023

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 6, 2023 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.

#23-16

Connor Milligan, Halcyon Fencing

for property located at

3902 NW 14th Court

Lot 8, Rock Creek Crossing Plat 6

RE: Variance - Front 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, Suite 8 & 9

I. ADJOURNMENT



ZONING BOARD OF ADJUSTMENT

September 19, 2023

5 : 00 PM



ORIGINATING DEPARTMENT:

Planning and Building

COUNCIL GOAL:

ACTION REQUESTED:

Motion

LEGAL:

SUBJECT:

Minutes of the September 6, 2023 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 2023-09-06](#)

Meeting Minutes
Zoning Board of Adjustment
Wednesday, September 6, 2023
Ankeny City Council Chambers
1250 SW District Drive, Second Floor, Ankeny, Iowa

CALL TO ORDER

Chair Matt Ott called the September 6, 2023 regular meeting of the Zoning Board of Adjustment to order at 5:00 p.m.

ROLL CALL

Members present: Jeff Baxter, Matt Ott, Nichole Sungren, and Kristi Tomlinson. Absent: Brett Walker. Staff: E.Jensen, E.Carstens, D.Silverthorn, J.Heil, B.Morrissey, L.Hutzell, R.Kirschman, B.Fuglsang.

AMENDMENTS TO THE AGENDA

There were no amendments to the agenda.

MINUTES OF THE AUGUST 22, 2023 REGULAR MEETING

Motion by K.Tomlinson to approve the August 22, 2023 meeting minutes as submitted. Second by N.Sungren. All voted aye. Motion carried 4 – 0.

COMMUNICATIONS / CORRESPONDENCE

There were no communications.

BUSINESS ITEMS

PUBLIC HEARINGS:

#23-14

Dilpreet and Puja Singh
for property located at
1701 NE Lowell Court
LOT 20, BARCLAY PLAT 8
RE: Variance – Rear Yard Setback

Chair M.Ott opened the public hearing.

Dilpreet Singh, 1701 NE Lowell Court, Ankeny said they are requesting a variance to build a cover over their deck in the rear yard. The cover would extend approximately one foot beyond their deck. He commented that they do have trees behind them so it should not cause any visibility issue.

R.Kirschman reported that the applicant is requesting a variance to allow a 22-foot rear yard setback for a covered deck. He said the property is located south of NE 18th Street and west of NE Delaware Avenue within the northeastern quadrant of Ankeny. He shared the property is zoned R-1, One Family Residence District. The properties to the east are zoned R-3A, properties to the north, south and west are zoned R-1, One-Family Residence District, containing single-family residences on similarly sized lots. R.Kirschman stated, per Ankeny Municipal Code Section 196.03(2)(B), unenclosed decks are allowed to extend up to twelve feet into the rear yard setback, while covered decks are not permitted in the rear yard setback. He said as indicated by the applicant, at its furthest point, the proposed covered deck extends approximately 13' into the rear yard setback, leaving approximately 22' between the deck and the rear property line. Staff is not concerned with the covered deck extending into the rear-yard setback, as the property backs to a tree line that screens the property from NE Delaware Avenue. The staff position is to grant a variance to Ankeny Municipal Code Section 192.03(3)(E) to allow a 22-foot rear yard setback for the construction of a covered deck at 1701 NE Lowell Court. Staff's 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.

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

Motion by M.Ott to close the public hearing, and receive and file documents. Second by J.Baxter. All voted aye. Motion carried 4 – 0.

Board Action on Filing #23-14 property located at 1701 NE Lowell Court

Motion by N.Sungren that the Zoning Board of Adjustment grant a variance to Ankeny Municipal Code Section 192.03(3)(E) to allow a 22-foot rear yard setback for the construction of a covered deck at 1701 NE Lowell Court. The Board's 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. Second by K.Tomlinson. All voted aye. Motion carried 4 – 0.

#23-15

Prestige Fencing, LLC
for property located at
841 SE Wanda Drive
LOT 10, RICHLAND ESTS PLAT NO 9
Variance – Front Yard Setback

Chair M.Ott opened the public hearing.

Ashley Swanson, Owner, 841 SE Wanda Drive, Ankeny said that Prestige Fence is the company that will be installing her fence if the variance request is approved. Her request is for a 6-foot privacy fence to be set back 15-feet from the sidewalk on the south side of her home. She believes that it will not impede anyone's view as they approach the two-way stop sign at the corner of their lot. Ashley Swanson shared that they have two small boys and SE 9th Street has a lot of traffic. There are many instances where people are speeding as they approach the stop sign or they go right through it. They would like to protect their young boys.

M.Ott confirmed that they are requesting a 6-foot privacy fence, not a 48-inch fence. Ashley Swanson confirmed that it is for a 6-foot fence.

M.Ott asked for clarification on the aerial photos that were submitted by the applicant. He wanted to know whether the trees depicted in the photos would be inside or outside the proposed fence. Ashley Swanson said the trees would be on the inside of the fence. J.Baxter asked if they have an existing fence. She stated, no.

B.Morrissey reported the subject property is located at 841 SE Wanda Drive, north of SE Magazine Road and west of SE Delaware Avenue. He stated it is a .298-acre lot and is zoned R-2, One-Family and Two-Family Residence District. He commented that the surrounding single-family homes are also zoned R-2. B.Morrissey said the property is a corner lot, which subjects it to two front yards. He stated that the fence permit for a 6-foot tall privacy fence that the contractor had requested, on behalf of the homeowner, could not be permitted along the south property line according to Code Section 191.14(2) of the Ankeny Municipal Code. The north and east sections of the fence do meet Code and have already been permitted by staff. B.Morrissey stated that front yard setbacks for R-2 property are 30 feet and the proposed fence along SE 9th Street extends 15-feet into the front yard setback. Staff does not have concerns with this request as the proposed fence will not inhibit visibility on SE 9th Street or SE Wanda Drive. He noted that it clears the required 30-foot vision clearance triangle at the intersection. He stated that in the past, as a condition of approval, the Board has typically required additional landscaping between the fence and the adjacent right-of-way. He noted that there are two mature trees that are near the proposed fence that will remain on the inside of the fenced in area, that the Board may want to take into consideration. The staff position is to grant a variance to Ankeny Municipal Code Section 191.14(2), to allow a 6-foot tall privacy fence to encroach approximately 15-feet into the 30-foot front yard setback along the south property line adjacent to SE 9th Street at 841 SE Wanda Drive, subject to additional landscaping between the fence and SE 9th Street. Staff's position is based on a determination that the decreased front yard setback from the resulting fence 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.

J.Baxter asked what the distance would be between the trees and the fence line. B.Morrissey responded, about one foot. J.Baxter asked if the basketball hoop would remain outside of the fence. B.Morrissey assumed that it would. K.Tomlinson understands that the reason for requiring landscaping is to provide elements to a plain wooden fence; and questioned whether the overhang of the existing trees could provide the elements needed if the fence is approved.

Harold Zarr, 834 SE Michael Drive, Ankeny said he does not have any problem with the requested fence. He said that Ashley has two very young children and understands why she would want a fence. He is in favor of the Board granting the request.

Motion by M.Ott to close the public hearing, and receive and file documents. Second by N.Sungren. All voted aye. Motion carried 4 – 0.

The Board discussed whether there should be a landscaping requirement or not, if approved. The Board unanimously agreed there was not a need to require landscaping outside of the fence.

Board Action on Filing #23-15 property located at 841 SE Wanda Drive

Motion by J.Baxter that the Zoning Board of Adjustment grant a variance to Ankeny Municipal Code Section 191.14(2) to allow a 6-foot tall privacy fence to encroach approximately 15 feet into the 30-foot front yard setback along the south property line adjacent to SE 9th Street at 841 SE Wanda Drive. The Board's decision is based on a determination that the decreased front yard setback from the resulting fence 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. Second by M.Ott. All voted aye. Motion carried 4 – 0.

NEW BUSINESS

There was no new business.

REPORTS

Renewed Special Use Permits

#16-02 Filet Steakhouse, LLC, 1802 N Ankeny Blvd., Suite 100

There being no further business, meeting adjourned at 5:23 p.m.



Submitted by Brenda Fuglsang, Board Secretary
Zoning Board of Adjustment



ZONING BOARD OF ADJUSTMENT

September 19, 2023

5 : 00 PM



ORIGINATING DEPARTMENT:

Planning and Building

COUNCIL GOAL:

Ensure Economic Vitality

ACTION REQUESTED:

Public Hearing

LEGAL:

SUBJECT:

#23-16

Connor Milligan, Halcyon Fencing

for property located at

3902 NW 14th Court

Lot 8, Rock Creek Crossing Plat 6

RE: Variance - Front Yard Setback

EXECUTIVE SUMMARY:

FISCAL IMPACT: **No**

STAFF RECOMMENDATIONS:

PREVIOUS COUNCIL/COMMISSION/BOARD ACTION(S):

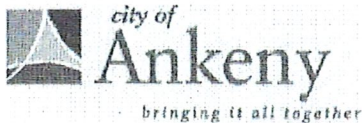
PUBLIC OUTREACH EFFORTS:

ACTION REQUESTED:

ADDITIONAL INFORMATION:

ATTACHMENTS:

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 23-16 Applicant Submittal
 23-16 Staff Report



23-16
APPLICATION FOR APPEAL
ZONING BOARD OF ADJUSTMENT

Applicant is: ☐ Property Owner ☐ Tenant ☒ Other Contractor

Applicant Connor Milligan

Address / Phone # 6413 Ne 9th Ct Des Moines IA 50313 / 641-840-2241

E-mail connor@halyconia.com

★ Property Owner Felix Oriainfo / Obeli Elikhamenor

Address / Phone # 3902 NW 14th Ct Ankeny IA 50023

E-mail felixidialu@yahoo.com / jamyge@yahoo.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 29th day of August, 2023

Location (address) of the proposed variance 3902 NW 14th Ct Ankeny IA 50023

Legal description (Plat & Lot #) Lot 8 Rock Creek Crossing Plat 6

Zoning R-2 Principal Use of property Residence

I request a variation from the current zoning requirement for:

☒ Front Yard ☐ Side Yard ☐ Rear Yard ☒ Fence ☐ Sign ☐ Parking ☐ Height
☐ Other

Ankeny Zoning Code Section # APC 192.02.10 which state(s) failure to comply with and maintain the approved site plan.

I would propose the following in lieu of that required: Due to the set back and visibility currently present for the corner of NW 14th Ct and NW Seasons drive. We would like to propose that the fence stays as is.

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.

Connor Milligan
Print Name (Signature of Applicant)

★ Felix Oriainfo
Print Name (Signature of Property Owner)

Signed and sworn to before me, this
29th day of August, 2023.
Sarah M. Wiemann
(Notary Public)

--Notary seal--

Office Use Only	
Paid ☒ CC ☐ Cash ☐ Check # <u>4730.00</u>	
Date received	Filing # <u>23-16</u>
Scheduled Meeting Date <u>9-19-23</u>	

RECEIVED

SEP 01 2023

CITY OF ANKENY



To whom it may concern,

I would like to propose a variation for 3902 Nw 14th Ct Ankeny IA. The fence was constructed outside of the approved site plan. It's on a corner lot and the fence line in questions is in the front yard setback on Nw Seasons Dr. When driving down Nw Seasons Dr you can easily see the corner of Nw Seasons Dr and Nw 14th Ct from the Ne corner of the lot. The Ne corner of the lot is approximately 175' away from the corner of Nw Seasons Dr and Nw 14th Ct. Due to the visibility to the corner of Nw Seasons Dr and Nw 14th Ct. We would like to propose that the fence be allowed to stay as is.

Thank You,

Connor Milligam



08/29/23

3902 NW 14TH CT.
Ankeny, IA, 50023
August 31st 2023

To whom it may concern,

I, Obehi Ehikhamenor, authorize Connor Milligan, to represent me for the application of the appeal for the fence.

The authorization is valid for three months from August 31st, to November 31st, 2023.

August 31ST, 2023

Signature

 . 8/31/23

Obehi Ehikhamenor

SETBACKS:

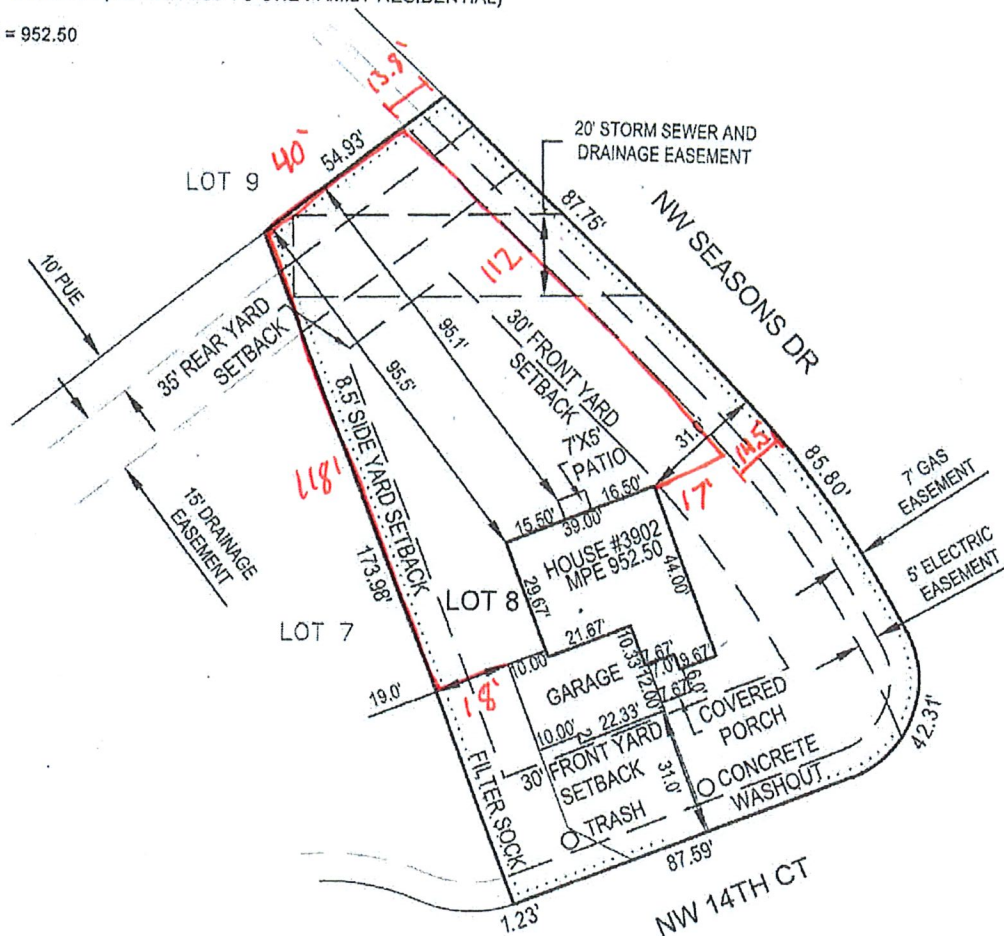
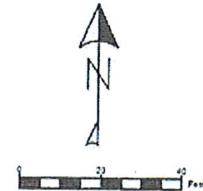
FRONT YARD: 30'
SIDE YARD: 17' (>1 - STORY - 8' MIN)
REAR YARD: 35'

ZONING:

R-2 ONE-FAMILY AND TWO-FAMILY RESIDENTIAL
DISTRICT (RESTRICTED TO ONE-FAMILY RESIDENTIAL)

MPE = 952.50

**DR HORTON
ROCK CREEK CROSSING PLAT 6, LOT 8
3902 NW 14TH CT, ANKENY**



1. THIS DRAWING WAS PREPARED FOR CITY APPROVAL ONLY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MEETING ALL REQUIREMENTS TO COMPLY WITH CODES AND COVENANTS
2. REFER TO THE FOUNDATION PLAN FOR DIMENSION DETAILS. IF DISCREPANCY IS FOUND, THE FOUNDATION PLAN SHALL GOVERN. CONTRACTOR SHALL VERIFY ALL FOUNDATION DIMENSIONS BEFORE CONSTRUCTION.
3. SHOWN DIMENSION ARE TO OUTSIDE OF FOUNDATION WALLS. CONTRACTOR SHALL VERIFY ANY TYPE OF OVERHANGS DO NOT ENCROACH ONTO REQUIRED SETBACKS.
4. THE CONTRACTOR SHALL OBTAIN A BUILDING PERMIT PRIOR TO CONSTRUCTION.
5. ANY UTILITIES SHOWN ARE FOR REFERENCE ONLY. CONTRACTOR IS RESPONSIBLE FOR ALL DAMAGES TO UTILITIES. THE CONTRACTOR SHALL NOTIFY ONE-CALL AT LEAST 48 HOURS PRIOR TO EXCAVATION.
6. CONTRACTOR SHALL DETERMINE BUILDING ELEVATION THAT MEET SANITARY SEWER SERVICE.
7. CONTRACTOR IS RESPONSIBLE FOR MEETING ANY MINIMUM OPENING ELEVATIONS, MINIMUM PROTECTION ELEVATIONS, OR FLOOD ELEVATIONS.
8. NO CHANGES CAN BE MADE UNLESS AUTHORIZED BY CITY.
9. THE CONTRACTOR SHALL ENSURE THE DRIVEWAY AND SIDEWALK IS BUILT TO CITY CODE.



STUBBS ENGINEERING

431 NE 72ND ST, PLEASANT HILL, IA 50327

E:\SyncedFolder\Stubbs-Engineering\2020 Projects\20-068

DATE: MARCH 19, 2020

SCALE: 1" = 40'

DRAWN BY: JA

PROJECT NUMBER: 20-068



1 inch = 234 feet

Date: 9/7/2023

3902 NW 14th Court
Front-Yard Setback Variance
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, Planner
Filing #: 23-16 *ESC*
Meeting Date: September 19, 2023
Address: 3902 NW 14th Court

APPELLANT REQUEST

A variance to Ankeny Municipal Code Section 191.14(2), that limits the height of fences located within front yard setbacks on corner lots to 42 inches, allowing a 6-foot tall privacy fence to be constructed within the required 30-foot front yard setback along the east property line at 3902 NW 14th Court.

STAFF POSITION

That the Zoning Board of Adjustment grant a variance to Ankeny Municipal Code Section 191.14(2), to allow a 6-foot tall privacy fence to encroach approximately 16.5 feet into the 30-foot front yard setback along the east property line adjacent to NW Seasons Drive at 3902 NW 14th Court, subject to additional landscaping between the fence and NW Seasons Drive.

The staff position is based on a determination that the decreased front yard setback from the resulting fence 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 3902 NW 14th Court, south of NW 18th Street, west of NW Irvinedale Drive, and east of NW Weigel Drive. The property is zoned R-2 with restrictions, One-Family and Two-Family Residence District restricted to single family homes and contains a single-family house on the lot. The property is approximately .387 acres (+/-) in size and is considered a corner lot with two front yards; one to the east adjacent to NW Seasons Drive and the other to the south adjacent to NW 14th Court. The applicant is requesting a variance to allow for a 6-foot tall privacy fence to remain approximately 16.5 feet into the 30-foot front yard setback adjacent to the southern property line. Per Code, privacy fences located within front yards on corner lots that exceed 42 inches in height must conform to the building setback requirements of the Code.

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 address of the subject property is 3902 NW 14th Court and is legally described as Lot 8 Rock Creek Crossing Plat 6. The property is situated on a corner lot, which subjects the site to two front yards; one along the east property line adjacent to NW Seasons Drive and the other along the south property line adjacent to NW 14th Court. The project site is approximately .387 acres (+/-) in size, is zoned R-2 with restrictions, One-Family and Two-Family Residence District restricted to single family homes, and is surrounded by properties in all directions that are zoned R-2 with restrictions as well. The fence was installed when the home was built which permit records indicate was finished in the fall of 2021, however, the fence was not installed as shown on the site plan submitted with the fence permit, which showed the fence at the appropriate setback. The homeowner has since been notified that the fence installed by their contractor is in violation.



View of the subject property from NW Seasons Drive

Ankeny Municipal Code Section 191.14(2) states, "Residential fences shall be permitted in any yard in residential zoning districts or residential use areas. Front and side yards adjacent to a street in residential zone districts shall be considered front yards and fences in front yards shall not exceed 48 inches in height if chain link and 42 inches in height for all other fence materials. On corner lots fences that exceed 48 inches in height if open chain link and 42 inches in height for all other fence materials shall conform to principal building setback requirements."

As mentioned previously, the required front yard setback for properties in the R-2, One-Family and Two-Family Residence District is 30 feet. Because the property is considered a corner lot, the front yard setback requirements apply to the frontages along NW Seasons Drive and NW 14th Court. The maximum height for installing a privacy fence along one of these frontages without conforming to the front yard setback requirements is 42 inches. Since the proposed privacy fence is six feet (72 inches) in height, it must either conform to the 30-foot setback requirement for the frontage along NW Seasons Drive or the applicant will need to obtain a variance.

Staff does not believe the existing fence poses any safety concerns to the public, as the fence is not inhibiting visibility at the intersection of NW Seasons Drive and NW 14th Court. More specifically, the fence would not obstruct the required 30-foot vision clearance triangle at that specific intersection. Typically, in the past, the Board has required additional landscaping between the fence and the right-of-way as a condition of approval.



View of the subject property from NW 14th Court

If the property owner to the north, at 1606 NW Seasons Drive, had issues with the fence, staff would recommend the northeast corner of the fence be adjusted to keep it away from the neighbor's front yard. At this time staff is not aware of any concerns from this home owner.

Therefore, staff recommends that the Zoning Board of Adjustment grant a variance to Ankeny Municipal Code Section 191.14(2), to allow a 6-foot tall privacy fence to encroach approximately 16.5 feet into the 30-foot front yard setback along the east property line adjacent to NW Seasons Drive at 3902 NW 14th Court, subject to additional landscaping between the fence and NW Seasons Drive. Staff's position is based on a determination that the decreased front yard setback from the resulting fence 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

September 19, 2023

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, Suite 8 & 9

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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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
Will Grimes

Name of Applicant (printed)

8.31.23

Date

ADMINISTRATIVELY
☒ **APPROVED**
9/1/23 ETC



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

Uriah Mixdorf

Name of Applicant (printed)

9-11-2023

Date

ADMINISTRATIVELY
☒ **APPROVED**
9/11/13 ETC