

Meeting Minutes
Zoning Board of Adjustment
Tuesday, May 5, 2026
Ankeny City Council Chambers
1250 SW District Drive, Second Floor, Ankeny, Iowa

CALL TO ORDER

Chair Matt Ott called the May 5, 2026 regular meeting of the Zoning Board of Adjustment to order at 5:01 p.m.

Chair Matt Ott read the Zoning Board of Adjustment Opening Statement.

ROLL CALL

Members present: Matt Ott, Jeff Baxter, Nichole Sungren, and Eric Strom. Absent: Brett Walker.
Staff: E. Jensen, E. Carstens, L. Hutzell, R. Kirschman, B. Morrissey, and A. Middleton.

AMENDMENTS TO THE AGENDA

There were no amendments to the agenda.

MINUTES OF THE April 21, 2026 REGULAR MEETING

Motion by J. Baxter to approve the meeting minutes as submitted. Second by N. Sungren. Motion carried 4-0.

COMMUNICATIONS / CORRESPONDENCE

Staff received two similar letters from Kimberly J. Spitzig of 609 SW Southlawn Circle, concerning the #26-05 request.

BUSINESS ITEMS:

There were no business items.

PUBLIC HEARINGS:

#26-05

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

Chair M.Ott opened the public hearing.

Adam Schoepner, 1933 SW Magazine Rd., of Nilles Associates spoke on behalf of Dawn Takekawa and her business partner, Amanda Green. He explained that they are looking to move their law firm into the current residential home at 426 S Ankeny Blvd. They are looking to upgrade the property by making it ADA accessible and adding parking. Shoepner explained that code requires them to add 6 parking spots, but to accommodate staff and clients, they feel they will require 10 spots. They are requesting the elimination of the 5-foot parking setback requirement to both the north and south ends of the 426 S Ankeny Blvd property. The elimination of the setback requirements would allow them to add 10 parking spots, which they need for their six employees, with additional spots for clients. He explained that to the north, Dairy Queen has a fence that would abut the proposed parking stalls. To the south, a

residential property with a fence and some landscaping in poor condition would be directly next to the proposed parking. Schoeppner explained that Dawn and Amanda are determined to be good neighbors, and as such have reached out to neighboring property owners to discuss the area between the fence and the property at 426 S Ankeny Blvd. They were unsuccessful in their attempts to contact the neighbor to the south, but the City received correspondence from that neighbor.

M. Ott asked if they had discussed the south variance with the property owner at 609 SW Southlawn.

A. Schoeppner reiterates that Dawn Takekawa had reached out to the property owner via phone and email, but was unsuccessful in making contact.

M. Ott asked about the current fence, which is part of the 609 SW Southlawn Cir property.

Schoeppner explained that part of the fence has fallen down along S Ankeny Blvd.

M. Ott asked about existing plantings and plantings proposed in the submittal drawing.

A. Schoeppner confirmed that the circles in the drawing represent plantings, and explained that there are existing plantings in the area.

M. Ott asked for clarification about the agreement Takekawa is attempting to propose to the 609 SW Southlawn property owner.

D. Takekawa responded by explaining she attempted to get in touch with the property owner at 609 SW Southlawn Circle via email and phone. She explained that, regardless of whether the variance is approved, she and her business partner would like to invest in improving the area north of the fence, which is viewable from the 426 S Ankeny Blvd property. She illustrated the area in question, mentioning that the fence sits 5 feet south of the property line, and there is also gravel between the fence and property line. Extending the pavement would cover an area that currently has a gravel covering. She was seeking to enter into a maintenance agreement for the strip of land north of the south property owner's fence, allowing her to add the parking stalls and improve what she described as the poor condition of the fence and landscaping immediately behind it, but was not able to get in contact with the property owner.

L. Hutzell presented the staff report, explaining the request for a variance to Ankeny Municipal Code Chapter 194.01(6)(A) to allow the construction of parking on both the north and south sides of the property at 426 S. Ankeny Blvd without the required 5-foot parking setback. Hutzell explained the location of the property, located on the west side of South Ankeny Boulevard, just south of Southwest 3rd Street and northwest of Southeast Peterson Drive. She noted that City of Ankeny staff received two correspondences from Kimberly J. Spitzig, of 609 SW Southlawn Circle, in opposition to the variance request for the southern end of the property.

Hutzell stated that staff recommends approval of a variance to Ankeny Municipal Code Section 194.01(6)(A) to allow parking without a setback along the north property line at 426 S. Ankeny Blvd.

She explained that this recommendation is based on a determination 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.

Furthermore, Hutzell explained that staff also recommends denial of the variance request to Ankeny Municipal Code Section 194.01(6)(A) to allow parking without a setback along the south property line at 426 S. Ankeny Blvd.

This is based on a determination that 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.

M. Ott asked for clarification that the code does not require 10 parking spots, rather, that it is the applicant's desire to have 10 spots.

L. Hutzell replied that it is her understanding that the requirement would be for 6 spots, but the applicant is proposing 10.

M. Ott asked if the City of Ankeny staff position would change if Takekawa was able to sign an agreement with the property owner at 609 SW Southlawn Circle to effectively screen the parking from the south property line.

E. Jensen responded that if there were a legal agreement in place, staff's recommendation may be different.

E. Carstens further clarified that the applicant's submittal is not a full site plan, and it has not been reviewed to the standards of a full site plan. Some of the spots depicted in the applicant's submittal drawing may not work.

J. Baxter asked if the proposed concrete is aligned with the utility pole depicted in one of the exhibits. He asked how far the proposed concrete would extend from the current driveway.

E. Jensen replied that it likely would be in a similar position to where the pole is in the exhibit.

J. Baxter asked if the utility pole in the exhibit is on the 426 S Ankeny Blvd property.

A. Schoeppner responded that the wooden lath in the exhibit depicts the corner of the 426 S Ankeny Blvd. property.

M. Ott asked if the applicant has considered reaching out to adjacent property owners to agree on a parking easement.

D. Takekawa responded that she did reach out to neighboring property owners to work towards securing this approval, but also because she wants to be a good neighbor regardless of the outcome tonight. She asked City of Ankeny staff if an agreement would change their position on the south variance, and was told it would not impact their position, so she did not attempt in-person contact with the adjacent property owners ahead of the meeting. She did reach out via email and phone.

E. Jensen responded that City of Ankeny staff may reconsider their position in the event there was a legal written agreement between the property owners and the applicant.

D. Takekawa explained that a written legal agreement is what she hopes to achieve with the property owner.

Adam Clark, property owner at 607 SW Southlawn Cir., spoke on behalf of himself and Kimberly J. Spitzig, the property owner of 609 SW Southlawn Circle, both properties being directly to the south of the requested southern parking setback variance. He said that the current fence and landscaping in question, part of the 609 SW Southlawn Circle property, were both in good condition but had been damaged as part of the recent road construction on S Ankeny Blvd. He explained that he and K. Spitzig are both in opposition to the requested southern variance. He further explained that his concern regarding the variance is that another business may take over the property and cause greater difficulties than they might have with the proposed law office.

M. Ott asked what A. Clark's concern is with the proximity of parking immediately adjacent, since his property is next to the proposed variance.

A. Clark replied that he is concerned about the noise factor.

M. Ott asked for a response to the 609 SW Southlawn Circle property owner's written assertion that she did not receive timely notice of the hearing.

L. Hutzell confirmed that the property owners were contacted in advance of the meeting in line with City of Ankeny rules for public notices, which require notification at least 7 days prior to the meeting. This expectation was met.

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

Board Action on Filing #26-05 for property located at 426 S Ankeny Blvd

Motion by J. Baxter that the Zoning Board of Adjustment approve a Variance to Ankeny Municipal Code Section 194.01(6)(A) to allow parking without a setback along the north property line at 426 S. Ankeny Blvd. and denying a variance to Ankeny Municipal Code Section 194.01(6)(A) to allow parking without a setback along the south property line at 426 S. Ankeny Blvd. Second by M. Ott. Motion carried 4-0.

ADJOURNMENT

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

Motion by M. Ott 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." Second by J. Baxter. All voted aye. Motion carried 4 – 0.

Chair Matt Ott, Vice Chair Jeff Baxter, Board Members Nichole Sungren and Eric Strom went into closed session with Attorney Tom Henderson at 5:41 p.m. and returned to the Council Chambers at 5:46 p.m. Chair Matt Ott reopened the public meeting. Baxter seconded. Motion carried 4-0.

M. Ott motioned to direct Attorney Tom Henderson to go forth in the manner as discussed in the closed session. J. Baxter seconded. Motion carried 4-0.

2. Motion to Adjourn

There being no further business, a motion was made by J. Baxter to adjourn the meeting. Second by M. Ott. Meeting adjourned at 5:47p.m.

Submitted by Alexa Middleton, Recording Secretary
Zoning Board of Adjustment