

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

CALL TO ORDER

Chair Matt Ott called the July 7, 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, Nichole Sungren, Eric Strom, Brett Walker. Absent: Jeff Baxter
Staff: E. Jensen, D. Gervais, J. Heil, R. Kirschman, B. Morrissey, and A. Middleton, B. Hinson, D. Lord.

AMENDMENTS TO THE AGENDA

There were no amendments to the agenda.

MINUTES OF THE MAY 19, 2026 REGULAR MEETING

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

COMMUNICATIONS / CORRESPONDENCE

Staff received no communications

BUSINESS ITEMS:

There were no business items.

PUBLIC HEARINGS:

#26-07

Greg Manatt

for property located at

5825 N Ankeny Blvd

RE: Variance – Pool Fence

Chair M.Ott opened the public hearing.

Greg Manatt, 5825 N Ankeny Blvd, requested a variance on the requirement for a fence around his pool, as he has an electric cover on it, and the property is unique in the fact that it's surrounded by Four Mile Creek, it's got trees on three sides, and that it sits on 20 acres. Manatt explained that, therefore, it is difficult for the public to access the pool's location and a fence is not needed.

B.Morrissey presented the staff report, and began by detailing the location of the parcel, which is surrounded by the Four Mile Creek floodplain, making it unlikely there will be further development in that area. He continued by summarizing the history of the project, explaining the applicant's request for a Variance to Ankeny Municipal Code Section 191.09(3), that requires all outdoor swimming pools to be

enclosed by a barrier (fence) to prevent unauthorized access and to provide a degree of security. He explained that the appellant is requesting that their pool be constructed without the required barrier.

B.Morrissey gave a complete description of the location of the property, pointing out where the pool was and demonstrating the distance between the pool and the closest access points. He provided a description of the unique characteristics of the property, including the uniquely shaped lot that has access to N Ankeny Boulevard via a private drive to the north, which is the only way to access the property, and the fact that the property is surrounded by a creek and a heavily wooded area to the south, east, and west. These are characteristics that are uncommon for standard residential parcels. The enforcement of the fencing requirement for the pool would inherently restrict movement on the property for the owner, and a fence is unlikely to prevent any unauthorized access that the creek and wooded area don't already prevent.

Morrissey described the process by which City of Ankeny Staff notified surrounding property owners within 250 feet of the property in question of the public hearing for this proposed variance. He told the Board that no communications, either for or against the variance, were received.

Therefore, Morrissey explained that City of Ankeny Staff recommends the Zoning Board of Adjustment grant a variance to Ankeny Municipal Code Section 191.09(3), to allow for the construction of an outdoor swimming pool without a barrier to enclose said pool. The staff position is based on a determination that the unique topographical conditions, layout, and size of the property already significantly limit unauthorized access and provide security to the pool. Staff believes the lack of a barrier would not increase public danger 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 from City of Ankeny staff concerning the notices sent out to adjacent property owners. Were the recipients based on proximity to the parcel at 3825 N Ankeny Blvd, or was that calculated based on proximity to the outermost parcels owned by the property owner, Greg Manatt?

E.Jensen clarified that notices were sent based on the 3825 N Ankeny Blvd property, not any surrounding parcels that might be owned by the same property owner.

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

Board Action on Filing #26-07 for property located at 5825 N Ankeny Blvd

Motion by B.Walker that the Zoning Board of Adjustment grant a variance to Ankeny Municipal Code Section 191.09(3), to allow for the construction of an outdoor swimming pool without a barrier to enclose said pool, due to the unique conditions of the creek and natural barriers. Based on the determination that the unique topographical conditions, layout, and size of the property already significantly limit unauthorized access and provide security to the pool, and based on the belief that the lack of a barrier would not increase public danger or diminish property values; and that this request is in harmony with the intended spirit and purpose of the Ankeny Municipal Code. Second by N.Sungren. Motion carried 4-0.

REPORTS

Renewed Special Use Permits

#16-16 Guadalajara Mexican Restaurant, 202 SE Delaware Ave.

#21-06 El Molcajete, 301 E 1st Street

#21-13 Fiesta Jalapeno Mexican Restaurant, 1975 N Ankeny Blvd, Unit 113

E. Jensen introduced the new City of Ankeny Assistant City Manager, Brent Hinson, to the Board.

B. Hinson explained his recent history working with City governments and thanked the Board for their volunteer service.

E. Jensen explained a recent change to state law affecting the Board, informing them that variances granted by the Board can be appealed to City Council within 60 days of the decision.

E. Jensen introduced D.Lord, City of Ankeny Community and Economic Development Director, who gave a presentation about an upcoming vote on a new Local Option Sales Tax.

D.Lord gave background information about the Local Option Sales Tax item coming up for a vote in September.

ADJOURNMENT

There being no further business, M.Ott adjourned the meeting at 5:35pm.

Submitted by Alexa Middleton, Recording Secretary
Zoning Board of Adjustment