

Meeting Minutes
Zoning Board of Adjustment
Tuesday, June 4, 2024
Ankeny City Council Chambers
1250 SW District Drive, Second Floor, Ankeny, Iowa

CALL TO ORDER

Chair Matt Ott called the June 4, 2024 regular meeting of the Zoning Board of Adjustment to order at 5:00 p.m.

ROLL CALL

Members present: Matt Ott, Jeff Baxter, and Kristi Tomlinson. Absent: Brett Walker and Nichole Sungren.

Staff: E.Carstens, L.Hutzell, R.Kirschman, and B.Fuglsang.

AMENDMENTS TO THE AGENDA

There were no amendments to the agenda.

MINUTES OF THE APRIL 2, 2024 AND APRIL 16, 2024 REGULAR MEETING

Chair M.Ott motioned to table the minutes for April 2, 2024 and April 16, 2024 until the next Board of Adjustment meeting due to not having a full Board in attendance.

COMMUNICATIONS / CORRESPONDENCE

There were no communications.

BUSINESS ITEMS

PUBLIC HEARINGS:

#24-06

Tony Law

for property located at

103 SW Stonegate Drive

Lot 23, Camden Woods Plat 1

RE: Variance – Covered Deck

Chair M.Ott opened the public hearing.

Tony Law, 103 SW Stonegate Drive, Ankeny said he is requesting a variance as he would like to place a cover over his existing deck.

There were no questions from the Board.

L.Hutzell reported that the applicant is requesting a variance to encroach approximately 6-feet into the 35-foot rear yard setback to allow for a covered deck to the rear of the home. The property is located at 103 SW Stonegate Drive and is south of W. 1st Street and east of SW Weigel Drive. She stated the property is zoned R-1, One-Family Residence District. The neighboring properties to the north are zoned R-2, One and Two-Family Residence District, as are the neighboring properties to the west, south and east. L.Hutzell explained that records show that the house was constructed in 2006, which included the 15'x20' attached unenclosed deck to the rear of the property. Per Code, unenclosed decks are allowed to extend into rear yard setbacks, however, once a deck is covered, it must adhere to the setback regulations of the Code. She explained that at its furthest point on the northeast corner, the deck extends approximately 6-feet into the rear yard setback, leaving 29-feet between the existing deck and the shared property line to the east. Staff is not overly concerned with the applicant converting the unenclosed deck to a covered deck, primarily because the structure will be staying in its current location, it will not be expanded upon and that the rear of the property backs

up to a larger neighboring property. She noted that all legal notifications have been met, and to date, staff has not received any correspondence either for or against the request. Staff position is to grant a variance to Ankeny Municipal Code Section 192.03(3)(E) to allow a 29-foot rear yard setback for a covered deck at 103 SW Stonegate Drive. 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 correspondence. Second by J.Baxter. Motion carried 3 – 0.

The Board had no concerns with the request.

Board Action on Filing #24-06 for property located at 103 SW Stonegate Drive

Motion by M.Ott that the Zoning Board of Adjustment grant a variance to Ankeny Municipal Code Section 192.03(3)(E) to allow a 29-foot rear yard setback for a covered deck at 103 SW Stonegate Drive. The Board's decision 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. Motion carried 3 – 0.

REPORTS

Renewed Special Use Permits

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

There being no further business, meeting adjourned at 5:08 p.m.



Submitted by Brenda Fuglsang, Board Secretary
Zoning Board of Adjustment