

Meeting Minutes

Zoning Board of Adjustment

Tuesday, February 8, 2022
Ankeny City Council Chambers
1250 SW District Drive, Second Floor, Ankeny, Iowa

CALL TO ORDER

Chair Matt Ott called the February 8, 2022 regular meeting of the Zoning Board of Adjustment to order at 5:00 p.m.

ROLL CALL

Members present: Matt Ott, Kristi Tomlinson and Brett Walker. Absent: Jeff Baxter and Nichole Sungren. Staff present: E.Jensen, E.Carstens, R.Hulstrom, B.Fuglsang.

AMENDMENTS TO THE AGENDA

There were no amendments to the agenda.

MINUTES OF THE JANUARY 4, 2022 REGULAR MEETINGS

Motion by K.Tomlinson to approve the January 4, 2022 meeting minutes as submitted. Second by B.Walker.
Motion carried 3 – 0.

COMMUNICATIONS / CORRESPONDENCE

There were no communications.

BUSINESS ITEMS

PUBLIC HEARINGS:

#22-02 **Elizabeth and James Chrisinger**
4611 NE Wanda Drive
Lot 30, Avondale Trace Plat 2
RE: Variance – Rear Yard Setback

Chair M.Ott opened the public hearing.

James Chrisinger, 4611 NE Wanda Drive said they are asking for a variance to build a sunroom on their existing deck. He shared that they moved to Ankeny approximately four years ago and said part of the decision to purchase their current home was the fact that it backs up to greenspace, Four Mile Creek and the deck. He said their enjoyment on the deck has been inhibited by wind and bugs. James Chrisinger said if they would be allowed to enclose the deck, they would be able to get more enjoyment out of it. He stated that they hired a contractor to build a sunroom on the existing deck and became aware that they would need a 7.5-foot variance before the City could issue a building permit to build the sunroom on the existing deck. He said they would appreciate the Board's consideration to allow the requested variance.

The Board had no questions or comments.

R.Hulstrom reported that the property is located at 4611 NE Wanda Drive, in the northeast quadrant of Ankeny and is zoned PUD. It is identified as Area "D" in the Avondale Trace PUD and the rear yard setback for residences in Area "D" is 35 feet. R.Hulstrom stated the appellant is requesting a 7.5-foot variance to the Avondale Trace Planned Unit Development (PUD) bulk regulations, to allow a 27.5-foot rear yard setback in order to construct a sunroom on top of their current deck. She stated the 16' wide and 14' deep deck was built with the existing home and is located on the east side of the home. There is a considerable amount of open space located east of the subject property, which is owned by the City of Ankeny. The closest residence to the east is approximately 675 feet from the proposed sunroom location. City staff does not anticipate any negative consequences to public safety or access to air and light should the 7.5-foot variance be granted and the sunroom built. She provided details of how the proposed sunroom would be erected on the existing deck.

Notifications were mailed to property owners within 250-feet of the subject address and to date, City staff has not received any communication for or against the request. The staff position is to recommend that the Zoning Board of Adjustment grant a variance to the Avondale Trace PUD bulk regulations, to allow a 27.5-foot rear yard setback for the construction of a sunroom, which would encroach 7.5 feet into the 35-foot rear yard setback at 4611 NE Wanda Drive. The staff position is based on a determination that the location of the proposed structure does not impair adequate supply of air and light, does 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 K.Tomlinson. All voted aye. Motion carried 3 – 0.

M.Ott had no concerns with the request since the footprint would not be changing. K.Tomlinson also had no concerns due to the amount of greenspace behind their property. B.Walker agreed.

Board Action on Filing #22-02 property located at 4611 NE Wand Drive

Motion by M.Ott that the Zoning Board of Adjustment grant a variance to the Avondale Trace PUD bulk regulations, to allow a 27.5-foot rear yard setback for the construction of a sunroom, which would encroach 7.5 feet into the 35-foot rear yard setback at 4611 NE Wanda Drive. The Board's position is based on a determination that the location of the proposed structure does not impair adequate supply of air and light, does 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 B.Walker. All voted aye. 3 – 0.

NEW BUSINESS

The Zoning Board of Adjustment 2021 Annual Report was provided to the Board.

K.Tomlinson placed into nomination M.Ott to serve as Chair. Second by B.Walker. The nomination was accepted by M.Ott. All voted aye.

B.Walker placed into nomination J.Baxter to serve as Vice Chair. Second by M.Ott. All voted aye.

REPORTS

Renewed Special Use Permits

#15-19 Hy-Vee Market Café, 410 N Ankeny Blvd.

#18-04 Grumpy Goat Tavern, 810 E 1st Street

There being no further business, the meeting adjourned at 5:19 p.m.



Submitted by Brenda Fuglsang, Board Secretary
Zoning Board of Adjustment