

INTRODUCTION: The City of Ankeny Zoning Board of Adjustment is quasi-judicial board comprised of five members appointed by the Mayor. The Board is empowered through Chapter 414 of the Code of Iowa and Chapter 197 of the Ankeny Code to grant special exceptions as provided in the Zoning Chapter and to hear appeals to decisions made in the enforcement of the Zoning Chapter. The Board has the authority to allow variances to the Zoning Chapter for individual properties where provisions of the Chapter impose a unique and unnecessary hardship on the property owner and where the granting of a variance is not contrary to the intent of the Zoning Chapter or to the public interest. The Board has no authority to allow a variance whose effect is not in harmony with the intended spirit and purpose of the Zoning Ordinance. A variance is not a right, and it shall not be granted for hardships that are created by the property owner. The Board is also empowered through Chapter 196.02 to issue special use permits authorizing the location of buildings or uses in any district from which they are prohibited by the Zoning Code. The City of Ankeny Zoning Board of Adjustment functions as a safety valve through which landowners can seek relief from strict application of a zoning ordinance.

SUBMITTAL REQUIREMENTS:

A complete and notarized application

Filing fee (Checks payable to City of Ankeny)

A written statement addressed to the Board of Adjustment of the requested variance.

A written notice indicating the request and the hearing time and date will be mailed to all property owners within 250 feet of the property requesting the variance

- A letter of authorization from the owner or lessee, if applicable
- Two (2) copies of a drawing to scale illustrating the request and showing the following:
 - ✓ dimensions of all lot lines
 - ✓ dimensions of setbacks to lot lines
 - ✓ street & driveway locations
 - ✓ location and dimensions of all existing and proposed buildings and structures
 - ✓ fences
 - ✓ north arrow
 - ✓ easements
 - ✓ landscaping
 - ✓ all improvements that will be added, such as landscaping, fences, etc. that will be used to lessen the impact of the variance.

FEE SCHEDULE:

Variance Request: Residential \$130 / Commercial/Industrial/Other \$260

Conditional Use Permit: \$200

Zoning Line Adjustment: \$200

Special Use Permit: \$200

MEETINGS: Regular meetings of the Zoning Board of Adjustment are the first and third Tuesdays (following the Monday City Council meetings) unless no cases are pending, in which no meeting is held. Meetings are held at 5:00 pm in the City Council Chambers, 1250 SW District Drive. All Board of Adjustment meetings are open to the public. Agendas are available on the Friday prior to the Tuesday meeting and are posted at the Ankeny Kirkendall Public Library, Public Services Building and on the City website at www.ankenyiowa.gov. Agendas may also be obtained by contacting the Community Development Department at 963-3550. Exceptions to the meeting times may occur during a week in which a holiday occurs.

ORDER OF HEARINGS: 1). The applicant's or appellant's presents their request; 2). City staff provides a report on their investigation of the request and states their position on the matter; 3). Any interested parties may present their opinions; 4) Written correspondence regarding the case is received. 5) At the conclusion of all public testimony on a subject, the Board closes the public hearing. After the hearing, the Board will deliberate the case and render a decision. **The appellant or a representative is required to be at the hearing to present the request to the Board.**

DISPOSITION OF THE CASE: Within 15 days after the hearing the Board shall notify the applicant/appellant in writing of its decision. Should the request be approved by the Board, then a building permit may be applied for from the Community Development Department. You may call 963-3550 if you have any questions on obtaining a building permit. If the request is denied, the proposed project cannot be built.