



## **CITY OF INDIANOLA BOARD OF ADJUSTMENT MEETING**

September 3, 2025

6:00 PM

City Council Chambers

Agenda

- 1. Call to Order**
- 2. Roll Call**
- 3. Agenda Approval**
  - A. Approval of the September 3, 2025 agenda.
- 4. Minutes Approval**
  - A. Approval of the July 2, 2025 meeting minutes.
- 5. New Business**
  - A. Consider Variance Request from Randy and Sue Edwards at 800 and 802 East Trail Ridge Place to permit an accessory structure on a lot with no principal structure.
  - B. Consider Variance Request from IVC Properties, LLC at 2201 North Jefferson Way to permit placement of a shipping container in the C-2 district that doesn't adhere to building design standards.
  - C. Consider Variance Request from 1306 North 9<sup>th</sup> Street to permit an accessory structure that would not meet required setbacks.
  - D. Consider Variance Request from Gary and Lynn Ripperger at 1208 South H Street to permit construction of a secondary gravel driveway.
  - E. Consider Request from Spirit Holdings Company at 112 East Detroit Avenue that the Board of Adjustment make a rule or make findings that changing from one nonconforming use of a structure to another is equally appropriate.
- 6. Comments**
- 7. Adjourn**



## CITY OF INDIANOLA BOARD OF ADJUSTMENT MEETING

July 2, 2025

6:00 PM

City Council Chambers

Minutes

### 1. Call to Order

The meeting was called to order at 6:00 pm.

### 2. Roll Call

Members present: Jane Whalen, Rene Soldwisch, Lee Bash, Deidre Hoover.

All members present.

Staff members present: Tim Little, Tara Bosteder.

### 3. Agenda Approval

A. Approval of the July 2, 2025 agenda.

Soldwisch made a motion to approve the agenda.

Hoover seconded the motion.

Motion was passed with a unanimous vote.

### 4. Minutes Approval

A. Approval of the June 4, 2025 meeting minutes.

Hoover made a motion to approve the meeting minutes.

Soldwisch seconded the motion.

Motion was passed with a unanimous vote.

### 5. New Business

A. Consider variance request from Wendy and Jeffrey Wohlwend at 1012 East Salem Avenue from Section 165.05 to permit a front deck that would not meet the required front yard setback requirements.

Little presented the variance request and related staff report.

Several other properties in the neighborhood have front decks, so this front deck would fit in with the neighborhood.

The deck will be built as displayed in the photos provided in the staff report.

Soldwisch made a motion to approve the request as submitted.

Whalen seconded the motion.

Motion was passed with a unanimous vote.

**6. Comments**

There were no comments.

**7. Adjourn**

Whalen made a motion to adjourn the meeting.

Soldwisch seconded the motion.

The meeting was adjourned at 6:03 pm.



**STAFF REPORT**

<b>TO:</b> Board of Adjustment	<b>PREPARED BY:</b> Bill Mettee, Senior Planner
<b>RE:</b> 800-802 East Trail Ridge Place	<b>DATE:</b> August 29, 2025

**GENERAL INFORMATION:**

**Applicant / Owner:** Randy and Sue Edwards

**Requested Action(s)** Variance from §165.04(2)(B) of the Indianola Municipal Code which states that “No accessory structure shall be constructed upon a lot until the construction of the main or principal building has been commenced...” The applicant is requesting the variance to permit an accessory structure on a lot with no principal structure.

**Location and Size:** Addressed as 800 and 802 East Trail Ridge Place, property legally described as Lots 15 and 16 of Quail Meadows Plat 2, which is located north of Hillcrest Avenue and east of North 6<sup>th</sup> Street, containing 0.59-acres.

**Land Uses and Zoning:**

Location	Existing Land Use	Comprehensive Plan	Current Zoning
Property in Question	Vacant / Undeveloped	Low-Density Residential	R-2
North	Single Family Residential	Low-Density Residential	R-2
South	Single-Family Residential	Low-Density Residential	R-2
East	Single-Family Residential	Low-Density Residential	R-2
West	Single Family Residential	Low-Density Residential	R-2

**BACKGROUND:**

The subject property is located near the intersection of North 8<sup>th</sup> Street and East Trail Ridge Place. The property is approximately 80’ x 140’ and 0.26-acres in area. The owners of the 800 East Trail Ridge Avenue purchased the parcel next door, addressed as 802 East Trail Ridge Avenue. The properties remain separate parcels. Randy and Sue Edwards own both parcels and wish to keep them separate. The developed property has an existing single-family home built on it, as well as an attached garage. The undeveloped lot is landscaped with no buildings. At street view, it appears as if it were one lot, as the landscaping ties into 800 East Trail Ridge Avenue. The applicant is requesting a variance to allow the construction of a 10’ x 14’ shed on 802 East Trail Ridge Avenue with no primary structure on site.

**CODE SECTIONS RELATED TO THE REQUESTED VARIANCE:**

**§165.04(2)(B) Accessory Buildings and Structures. “No accessory structure shall be constructed upon a lot until the construction of the main or principal building has been commenced....”**



**ABOVE:** Site plan of the property showing the requested accessory structure variance. The **RED** square shows the location of the proposed shed.

**ANALYSIS:**

Variations are designed to grant relief from the Ordinance, which if strictly imposed would deny a property owner reasonable use of the land and would therefore create undo hardship. An applicant is required to prove that a hardship exists by demonstrating that the overall integrity of the area will not be diminished, a reasonable use cannot be made, the situation is unique, and the hardship is not self-imposed. Randy and Sue Edwards, the property owners, have submitted the attached Board of Adjustment application form dated August 14, 2025, stating arguments in favor of the requested variance. Notice of the proposed variance request was mailed to surrounding property owners within a 200-foot radius on Friday August 22, 2025. At the time this report was written, staff has not received any correspondence for or against the request.

**Hardship**

In order to prove that a hardship exists and is not self-imposed, the applicants must prove that a literal interpretation of the provisions of the Ordinance deprive the applicants’ rights commonly enjoyed by other properties in the same district. The applicant has noted the desire to create additional living space to enjoy as a place to read, craft and relax.

**Uniqueness**

In order to prove that the requested variance is unique to the property, the applicants must indicate proof of special conditions and circumstances that exist which are peculiar to the land, structure, or building involved and which are

August 27, 2025

not applicable to other lands, structures or buildings. The applicants purchased their parcel in 2007 and by 2011 when the adjacent parcel hadn't sold or was constructed, they purchased the lot for extra space. The desire is to keep the parcels separate but integrate the uses together for one cohesive use and "lot." The owners have landscaped the adjacent parcel with trees and re-seeding and has the appearance of one lot.

### **Public Interest and Integrity**

The applicant has noted that the granting of the variance will not be contrary to the public interest or overall neighborhood integrity. The shed will be located 130' from the front property line and will meet all setback requirements for accessory structures.

### **Staff Recommendation**

Staff recommends **approval** of the variance request as presented.

General findings of fact:

- The applicant wishes to construct a 10' x 14' shed on the adjacent parcel (802 E Trail Ridge Ave)
- Accessory structures are not permitted on lots without primary structures. The owners will not be developing the parcel.
- The owners purchased the lot in 2011 to use as an extension of their lot. Their desire is to keep the lots separate but cohesive
- 

If there is information related to the application that has not been included with the packet that you feel would be beneficial to have available to you at the meeting, please contact me with those items and I will attempt to arrange for their availability.

### **CITY OF INDIANOLA**

Bill Mettee  
Senior Planner

### **Attachments**

- I. Completed Board of Adjustment Application – Dated 08/14/2025
- II. Public Notice sent by City – 08/22/2025

# BOARD OF ADJUSTMENT APPLICATION

## Community Development

110 North 1<sup>st</sup> Street, Indianola, Iowa 50125-0299  
 (515) 961-9430 • [comdev@indianolaiowa.gov](mailto:comdev@indianolaiowa.gov)



### PROPERTY OWNER

(Last Name) Edwards  
 (First Name) Randy & Sue Ellen  
 (Address) 800/802 E Trail Ridge Place  
 (City) Indianola (State) IA (Zip) 50125  
 (Phone) 515-669-8190 (Email) sedwards800@gmail.com

### APPLICANT (if not Property Owner)

(Last Name) \_\_\_\_\_  
 (First Name) \_\_\_\_\_  
 (Address) \_\_\_\_\_  
 (City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip) \_\_\_\_\_  
 (Phone) \_\_\_\_\_ (Email) \_\_\_\_\_

**APPEAL**

**Submittal Requirements:**  
*All submittal requirements must be completed. Incomplete applications will not be considered*

- Completed Application
- Filing Fee: \$300 per request
- Written narrative indicating where it is alleged there is error in any order, requirement, decision, or determination made by the Administrative Officer in the enforcement of this Code of Ordinances of Indianola, Iowa .
- Other Information as required by Director

**SPECIAL USE PERMIT**

**Submittal Requirements:**  
*All submittal requirements must be completed. Incomplete applications will not be considered*

Property Address: \_\_\_\_\_

- Completed Application
- Filing Fee: \$300 per request
- Site Plan and Elevations as outlined in 165.06
- Written narrative indicating the special use permit sought and response to the criteria outlined in Section 165.02(3)(B)(3)(c)(v) of the Code of Ordinances of Indianola, Iowa
- Other Information as required by Director

**VARIANCE**

**Submittal Requirements:**  
*All submittal requirements must be completed. Incomplete applications will not be considered*

Property Address: 802 E Trail Ridge Place

- Completed Application
- Filing Fee: \$300 per request
- Site Plan and Elevations
- Written narrative indicating justification for proposed variance and response to the criteria outlined in Section 165.02(3)(B)(3)(b) of the Code of Ordinances of Indianola, Iowa
- Other Information as required by Director

I certify that the information and exhibits submitted are true and correct to the best of my knowledge and that in filing this application I am acting with the knowledge, consent and authority of the owner(s) of the property. Pursuant to said authority, I hereby permit City officials to enter upon the property for the purpose of inspection related to this application.

Signature Sue E Edwards  
 Name (printed) Sue E. Edwards

Date 8/14/25

**FOR OFFICE USE ONLY:**

Code to 45180

Date Received: 8/14/25  
 Receipt No: \_\_\_\_\_  
 Receipt Amount: \$300  
 BOA Agenda Date: 9/13/25

August 15, 2025

City of Indianola - Board of Adjustment

RE: Request for waiver

I am requesting permission to have a new 10' x 14' shed placed on my property. This shed will be built elsewhere and will be delivered to this site.

This property is located at 802 Trail Ridge Place. My wife (Sue) and I own this lot and it is immediately adjacent to the lot where our home is located (800 East Trail Ridge Place).

We purchased this empty lot some years ago and have reseeded it, planted numerous trees and shrubs and created several small flower gardens. We presently have a small arbor that I constructed quite a few years ago on this property. This will be replaced with the proposed shed we are proposing.

This shed will be 10' x 14' in size. It will be brand new and will have numerous windows, a single walk-in door and a small covered front porch. It will have asphalt shingles on the roof and will have horizontal siding to match our house. It will be placed on a concrete slab.

It will be used as a place to read, work on crafts and relax.

It will not be used to store chemicals, vehicles or equipment.

We thank you for your consideration.

Respectfully,

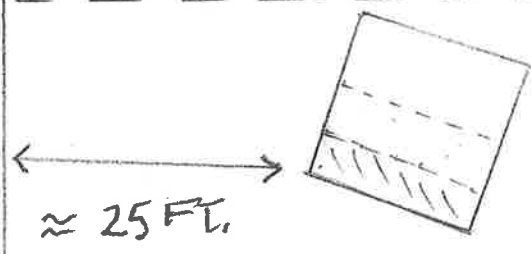
*Randy R. Edwards*  
*Sue Edwards*

Randy & Sue Edwards

← 80 FT. →  
NORTH LOT LINE

N ↑  
W + E  
S

↑ 10' ↓



≈ 25 FT.

140 FT.

OUR HOUSE



SHEP = 10' x 14'  
4' porch/overhang

802 E. TRAIL RIDGE PLACE

PUBLIC SIDEWALK

← EAST TRAIL RIDGE PLACE →

RANDY + SUE EDWARDS



## NOTICE OF PUBLIC HEARING

August 21, 2025

Re: Proposed Variance – 800 & 802 East Trail Ridge Place

Dear Property Owner:

The City of Indianola has received a variance application from Randy and Sue Edwards, property owners of 800 & 802 East Trail Ridge Place, which is located north of Hillcrest Avenue and east of North 6<sup>th</sup> Street. The owner has filed for a variance from §165.04(2)(B) of the Indianola Municipal Code which states that “No accessory structure shall be constructed upon a lot until the construction of the main or principal building has been commenced...” The applicant is requesting the variance to permit an accessory structure on a lot with no principal structure.

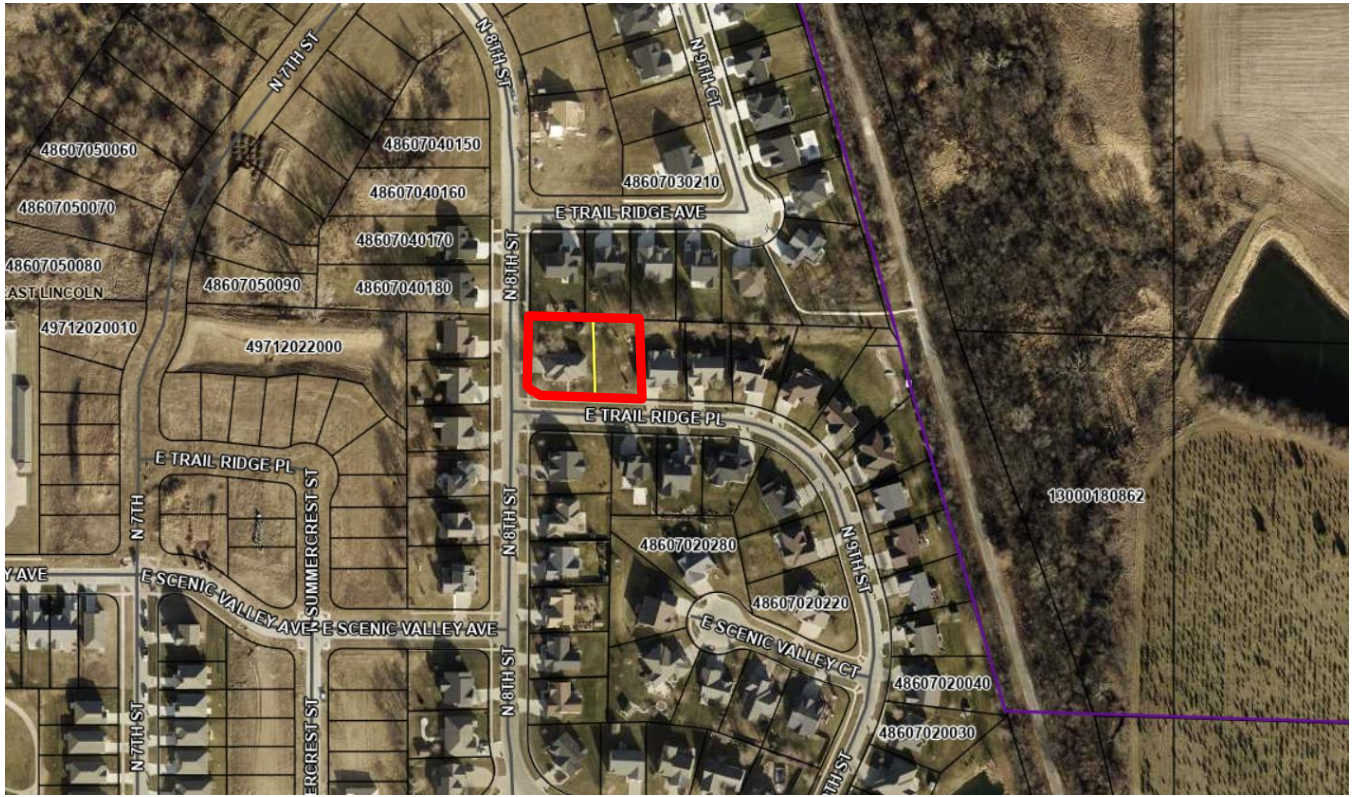
The Indianola Board of Adjustment will hold a public hearing at **6:00 p.m., Wednesday, September 3, 2025, at Indianola City Hall, City Council Chambers, 110 North 1<sup>st</sup> Street, Indianola, IA.**

§165.02 of the Indianola Municipal Code states that the Board of Adjustment has the power to “To grant a variance from the terms of the Zoning Ordinance when a property owner can show that the owner’s property was acquired in good faith and where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property, or where by reason of exceptional topographical conditions or other extraordinary or exceptional situation, the strict application of the terms of the Zoning Ordinance actually prohibits the use of such property in a manner reasonably similar to that of other property in the same district, and where the Board is satisfied under the evidence before it that a literal enforcement of the provisions of the Zoning Ordinance would result in unnecessary hardship; provided, however, all variations granted under this clause shall be in harmony with the general purpose and intent of the Zoning Ordinance..” Such a variance cannot be granted unless it meets certain criteria.

All interested parties are invited to attend the public hearing and express their opinions pro or con. Any written comments received on or before this date by the City Zoning Administrator will be considered to be part of the hearing as well. If you have any questions concerning the application or if you would like additional information, please call the Community Development Department at 515-961-9430.

Sincerely,

Bill Mettee  
Senior Planner



**ABOVE:** Subject property (outlined in **RED**).



**STAFF REPORT**

<b>TO:</b> Board of Adjustment	<b>PREPARED BY:</b> Bill Mettee, Senior Planner
<b>RE:</b> 2201 North Jefferson Way	<b>DATE:</b> August 29, 2025

**GENERAL INFORMATION:**

**Applicant / Owner:** IVC Properties, LLC

**Requested Action(s)** Variance from §165.04(2)(F) and §165.05(5)(F) of the Indianola Municipal Code which states that “The outdoor storage of any materials, goods, shipping containers, construction equipment.....is prohibited in all zoning districts except where expressly permitted by the zoning regulations” and “Accessory buildings shall match the architectural style and design of the principal structure. The exterior building materials shall also be similar and of identical quality as that found on the principal structure.” The applicant is proposing to place a shipping container on the property that does not meeting the building design guidelines.

**Location and Size:** Addressed as 2201 North Jefferson Way, legally described as Part of Blocks B, C, D, E of Fairacres, which is located north of north of East Trail Ridge Avenue and west of North Jefferson Way, containing 4.51 acres.

**Land Uses and Zoning:**

Location	Existing Land Use	Comprehensive Plan	Current Zoning
Property in Question	Veterinary Clinic	Regional Mixed-Use	C-2
North	Vacant / Undeveloped	Low-Density Residential	C-2 / A-1
South	Emerald Bay	Planned Unit Development	PUD
East	General Commercial	Regional Mixed-Use	C-2
West	Vacant / Undeveloped	Low-Density Residential	A-1

**BACKGROUND:**

The subject property is located at the northwest corner of the intersection of East Trail Ridge Avenue and North Jefferson Way. The property is zoned C-2 Highway Commercial and is approximately 4.51-acres in area. The owner is adding a pet cremation service to the business with the incinerator located within a prefabricated metal shipping container. These types of containers are only permitted in the M-2 zoning district and are therefore prohibited in the C-2 zoning district. The owner applied for a building permit for an accessory structure that was originally proposed to be stick-built. The project was unfeasible due to fire and life-safety concerns and fire protection requirements, so the next and safest option is a metal container. The container vastly improves the fire and life-safety components, however, it’s just not permitted in this zoning district. City staff has worked with the owner to ensure the container will be screened from public view by way of landscaping and/or fencing. The

owner has also indicated that they might wrap the container in brick to match the façade of the principal structure. As it stands, the variance request is two-fold: To permit a shipping container in the C-2 district and to permit the structure to remain as is architecturally and not match the façade of the primary structure.

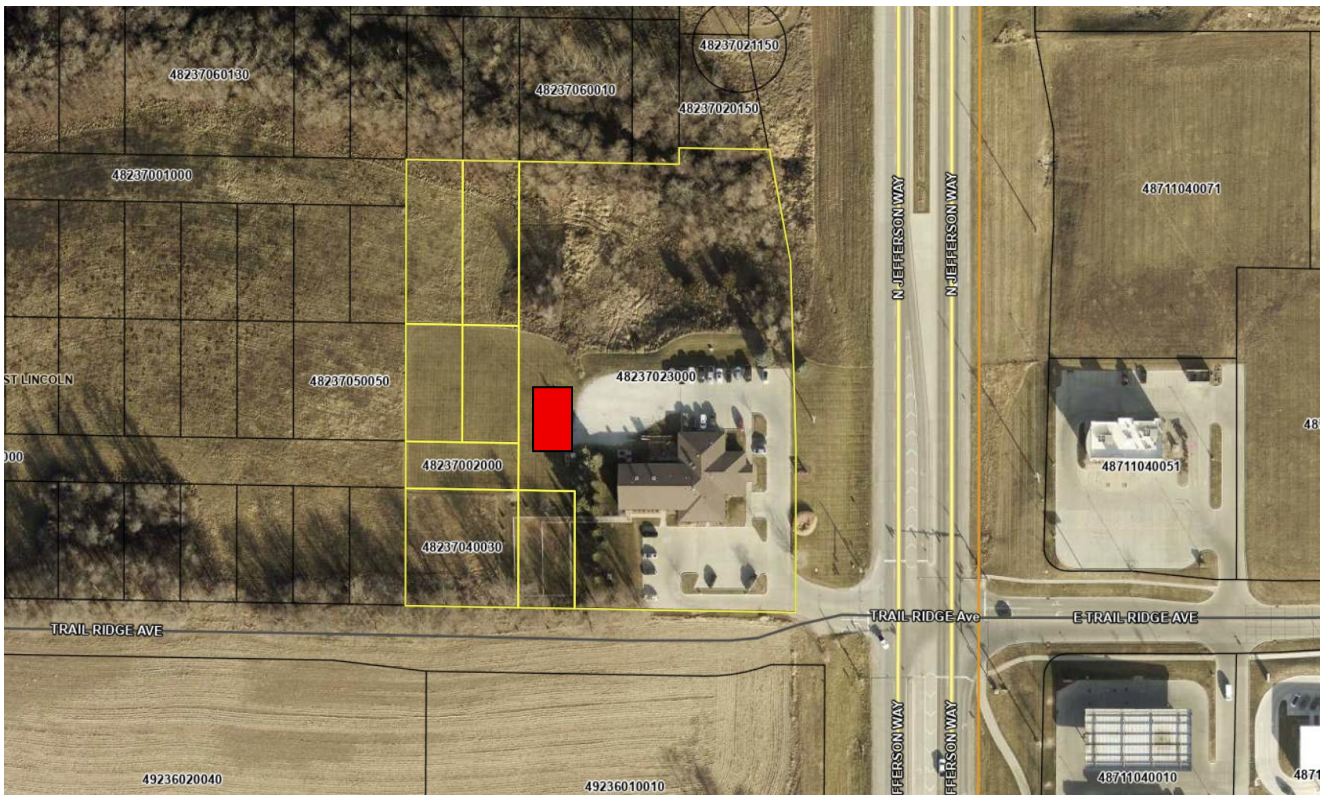
Furthermore, the owner has submitted and received permission from the Iowa Department of Natural Resources (IDNR) for their Air Quality Construction Permit, demonstrating compliance with the residual effects of the cremation process, including emissions, odors, smoke and the like as well as maintaining records showing continued compliance. The permit is included in the packet.

An external review of the situation recommended adding Animal Cremation Services as a Special Use in the C-2 district to add additional review and possible conditions to any future animal cremation proposals within the City. Additionally, should the owner of this property modify the cremation services in any way, they would then be required to apply for a Special Use Permit from the Board of Adjustment, after the code amendment takes effect.

**CODE SECTIONS RELATED TO THE REQUESTED VARIANCE:**

**§165.04(2)(F)** “The outdoor storage of any materials, goods, shipping containers, construction equipment.....is prohibited in all zoning districts except where expressly permitted by the zoning regulations.”

**§165.04(2)(F)** “Accessory buildings shall match the architectural style and design of the principal structure. The exterior building materials shall also be similar and of identical quality as that found on the principal structure.”



**ABOVE:** Site plan of the property showing the requested variance. The **RED** squares shows the location of the proposed shipping container.

## **ANALYSIS:**

Variances are designed to grant relief from the Ordinance, which if strictly imposed would deny a property owner reasonable use of the land and would therefore create undo hardship. An applicant is required to prove that a hardship exists by demonstrating that the overall integrity of the area will not be diminished, a reasonable use cannot be made, the situation is unique, and the hardship is not self-imposed. IVC Properties, LLC, the property owners, have submitted the attached Board of Adjustment application form dated August 18, 2025, stating arguments in favor of the requested variance. Notice of the proposed variance request was mailed to surrounding property owners within a 200-foot radius on Wednesday August 22, 2025. At the time this report was written, staff has not received any correspondence for or against the request.

### **Hardship**

In order to prove that a hardship exists and is not self-imposed, the applicants must prove that a literal interpretation of the provisions of the Ordinance deprive the applicants' rights commonly enjoyed by other properties in the same district. The Zoning Ordinance permits Veterinary Services (without overnight kenneling) in the C-2 district but doesn't expressly call out animal cremation services as permitted under this use. The hardship was attempting to construct the incinerator facility in a stick-built building and coming to realize just how large the facility would then be and how much fire protection would be needed to safely house the incinerator. The project became unfeasible unless allowed in a metal container.

### **Uniqueness**

In order to prove that the requested variance is unique to the property, the applicants must indicate proof of special conditions and circumstances that exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings. Indianola Veterinary Clinic is one of the few clinics in town and the only one proposing to provide animal cremation services. The clinic is undergoing some other improvements as part of the Emerald Bay development and looking to expand their services. The lot is 4.51-acres in area, located on the north edge of town. The containers are not visible from East Trail Ridge Avenue, but they are visible from Highway 65/69. As part of the project, staff has asked the owner to implement some type of screening to prevent its visibility from the public way.

### **Public Interest and Integrity**

One of City staff's initial concerns was smoke and odors created from the cremation process. The approved IDNR permits show the owner will demonstrate compliance with all required regulations and stay within the allotted thresholds to provide this service. Generally speaking, it's the mental component of the process that is eerie for the public but the owner is following all IDNR requirements to ensure compliance and as little effect as possible outside the property.

### **Staff Recommendation**

Staff recommends **approval** of the variance request as presented.

General findings of fact:

- The applicant is proposing to add animal cremation services as a service to the veterinary clinic.
- The owner worked with City staff to try constructing a stick-built building to house the incinerator but was unrealistic and financially unfeasible.
- Due to fire and life safety concerns, the owner proposed a pre-fabricated metal shipping container to house the facility. The shipping container is on the property and has been approved for use.

August 29, 2025

- Shipping containers are not permitted within the C-2 zoning district – only in M-2 zoned parcels.
- Additionally, the container does not meet the building design standards for accessory structures, as it is only metal and not similar material to the principal structure.

If there is information related to the application that has not been included with the packet that you feel would be beneficial to have available to you at the meeting, please contact me with those items and I will attempt to arrange for their availability.

**CITY OF INDIANOLA**

Bill Mettee

Senior Planner

**Attachments**

- I. Completed Board of Adjustment Application – Dated 08/18/2025
- II. Public Notice sent by City – 08/22/2025

**MEMORANDUM**

To: City of Indianola – Board of Adjustments

From: Kate Simon and Scott Brennan – attorneys for Drs. Tanner Sandy and Jennifer Stumpf

Date: August 19, 2025

Subject: Indianola Veterinary Clinic Zoning Variance Request

**BACKGROUND:**

IVC Properties, LLC is the deed holder for Indianola Veterinary Clinic located at 2201 N Jefferson Way, Indianola, Iowa 50125 (“Clinic”). The Clinic is run and operated by Drs. Tanner Sandy and Jennifer Stumpf. The Clinic is currently zoned Class C2 – Highway Commercial, which is consistent with the zoning required for a veterinary clinic and has been in continuous operation under IVC Properties, LLC, since 2016, and a veterinary clinic has operated on that site for more than thirty (30) years. The Clinic seeks to expand its services to include on-site pet cremation, which requires the installation of a large batch incinerator behind the Clinic. Although the Clinic use is already permitted under the commercial zoning classification, the cremation service represents an additional component that is not expressly listed in the district’s permitted uses. For that reason, the clinic is applying for a variance as requested by the City of Indianola (“City”), even though the prior mayor and city manager have indicated their approval of the installation of an incinerator. Based on various communications with city staff approving the crematorium, the incinerator has already been installed, and the Clinic has relied on city staff’s assurances to pay over \$135,000 to have this built and installed. The incinerator is fully functioning and operating in accordance with the approvals previously received. Dr. Sandy obtained permits from the City for the construction of the building that houses the incinerator and from the Department of Natural Resources for the cremation equipment. This application to the Indianola Board of Adjustment complies with the requirements set forth in Section 165.02(3)(B)(3)(b) of the Code of Ordinances of Indianola.<sup>1</sup>

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<sup>1</sup> To grant a variance from the terms of the Zoning Ordinance when a property owner can show that the owner’s property was acquired in good faith and where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property, or where by reason of exceptional topographical conditions or other extraordinary or exceptional situation, the strict application of the terms of the Zoning Ordinance actually prohibits the use of such property in a manner reasonably similar to that of other property in the same district, and where the Board is satisfied under the evidence before it that a literal enforcement of the provisions of the Zoning Ordinance would result in unnecessary hardship; provided, however, all variations granted under this clause shall be in harmony with the general purpose and intent of the Zoning Ordinance. Furthermore, the following findings shall be made in order to grant a variance:

- i. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
- ii. That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance;
- iii. That the special conditions and circumstances do not result from the actions of the applicant;
- iv. That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district. No nonconforming use of neighboring lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance.

## APPLICATION OF 165 CITY OF INDIANOLA ZONING ORDINANCE

Indianola Ordinance 165 covers zoning regulations. Under Section 165.02(3)(B)(3)(b), the Board of Adjustment may grant a variance where strict application of the ordinance would result in “unnecessary hardship,” provided certain findings are made:

1. This property is already dedicated to animal health services. Cremation is incidental to veterinary care and is not a stand-alone commercial use. 165.02(3)(B)(3)(b)(i).
2. Prohibiting cremation would unfairly limit the Clinic’s ability to serve clients. 165.02(3)(B)(3)(b)(ii).
3. The restrictions arise from the ordinance language and not from the Clinic’s actions. 165.02(3)(B)(3)(b)(iii).
4. Approval of the variance allows a natural extension of the existing use and does not permit a fundamentally different use or broader commercial activity. 165.02(3)(B)(3)(b)(iv).

In addition, the ordinance requires that all variances remain in harmony with the general purpose and intent of the zoning regulations. In this case, the proposed cremation service remains consistent with the clinic’s primary commercial purpose, does not conflict with surrounding land uses, and aligns with community expectations.

Lastly, the Clinic has acted in good faith reliance on approvals and guidance from the City. Specifically, Jacob Meshke confirmed that previous and current staff members allowed the crematorium under current zoning as it was deemed to fit or relate to the already established veterinary use at the site. The prior mayor, Stephanie Erickson, approved the crematorium stating “a new building would bring additional taxable valuation” and it would “better serve the community” by including care for animals at Kya Koda Humane Society. Tim Little, the City inspector, advised Dr. Sandy he could move forward with construction and that an exception was being made to allow the project. City planner, Emily Rizvic indicated that when cremation is for animals that it is part of common veterinary services allowed in C2 zoning. As Mr. Little has recommended that the Clinic now apply for a variance, the Clinic is again relying on recommendations made by city officials and is acting in good faith to complete this process.

The correspondence also suggests that a wall surrounding the structure containing the crematorium might be preferred. However, this request is beyond the scope of what the Board of Adjustment can require, as the site plan for the property has already been reviewed and approved by the City.<sup>2</sup> At no point during that approval process was a wall identified as a condition or requirement. The only issue properly before the Board is whether to grant a variance to allow the continued operation of the crematorium in connection with the existing veterinary clinic. For these reasons, the request for a variance to permit pet cremation services at the existing clinic is squarely within the Board’s

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In granting any variance, the Board may prescribe appropriate conditions and safeguards in conformity with this Ordinance. Violation of any such conditions and safeguards shall be deemed a violation of this Ordinance. Under no circumstances shall the Board grant a variance to allow a use not permissible under the terms of the Zoning Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of the Zoning Ordinance in said district.

If relevant and applicable, the Board may prescribe a time limit within which the action for which the variance is required shall begin or be completed, or both. Failure to begin or complete, or both, such action within the time limit shall void the variance. If no time limit is set by the Board and if relevant to the variance, then the granted variances shall become void eighteen months after the date of the Board approval unless a building permit has been issued for the construction provided for by the variance. In the event the building permit for the construction provided for by the variance expires or is canceled, then the variance approval shall become void.

<sup>2</sup> Section 165.02(3)(B)(3).

authority and meets the applicable standards for approval. We respectfully request that the variance be granted without the imposition of additional conditions beyond those already addressed in the approved site plan.

Yours Truly,



Kate M. Simon  
Attorney for Drs. Tanner Sandy and Jennifer Stumpf

Attachments:

Application  
Site maps  
Permits  
Communications

# BOARD OF ADJUSTMENT APPLICATION

**Community Development**  
 110 North 1<sup>st</sup> Street, Indianola, Iowa 50125-0299  
 (515) 961-9430 • [comdev@indianolaiowa.gov](mailto:comdev@indianolaiowa.gov)



## PROPERTY OWNER

(Last Name) IVC Properties, LLC (Business)  
 (First Name) Brian Brennan (Agent)  
 (Address) 2201 N Jefferson  
 (City) Indianola (State) IA (Zip) 50125  
 (Phone) \_\_\_\_\_ (Email) \_\_\_\_\_

## APPLICANT (if not Property Owner)

(Last Name) Sandy  
 (First Name) Tanner  
 (Address) 2201 N Jefferson Way  
 (City) Indianola (State) IA (Zip) 50225  
 (Phone) \_\_\_\_\_ (Email) tannersandy20@gmail.com  
COVNER: SCOTT BRENNAN-SCOTT.BRENNAN@IVC.COM

### APPEAL

#### Submittal Requirements:

All submittal requirements must be completed.  
 Incomplete applications will not be considered.

- Completed Application
- Filing Fee: \$300 per request
- Written narrative indicating where it is alleged there is error in any order, requirement, decision, or determination made by the Administrative Officer in the enforcement of this Code of Ordinances of Indianola, Iowa.
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### SPECIAL USE PERMIT

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- Property Address: \_\_\_\_\_
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- Filing Fee: \$300 per request
- Site Plan and Elevations as outlined in 165.06
- Written narrative indicating the special use permit sought and response to the criteria outlined in Section 165.02(3)(B)(3)(c)(v) of the Code of Ordinances of Indianola, Iowa
- Other Information as required by Director

### VARIANCE

#### Submittal Requirements:

All submittal requirements must be completed.  
 Incomplete applications will not be considered.

- Property Address: 2201 N Jefferson Way
- Completed Application
- Filing Fee: \$300 per request
- Site Plan and Elevations
- Written narrative indicating justification for proposed variance and response to the criteria outlined in Section 165.02(3)(B)(3)(b) of the Code of Ordinances of Indianola, Iowa
- Other Information as required by Director

I certify that the information and exhibits submitted are true and correct to the best of my knowledge and that in filing this application I am acting with the knowledge, consent and authority of the owner(s) of the property. Pursuant to said authority, I hereby permit City officials to enter upon the property for the purpose of inspection related to this application.

Signature [Handwritten Signature]

Name (printed) Kate Simon, Attorney Date 8/18/2025

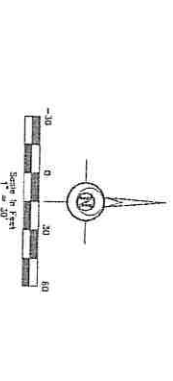
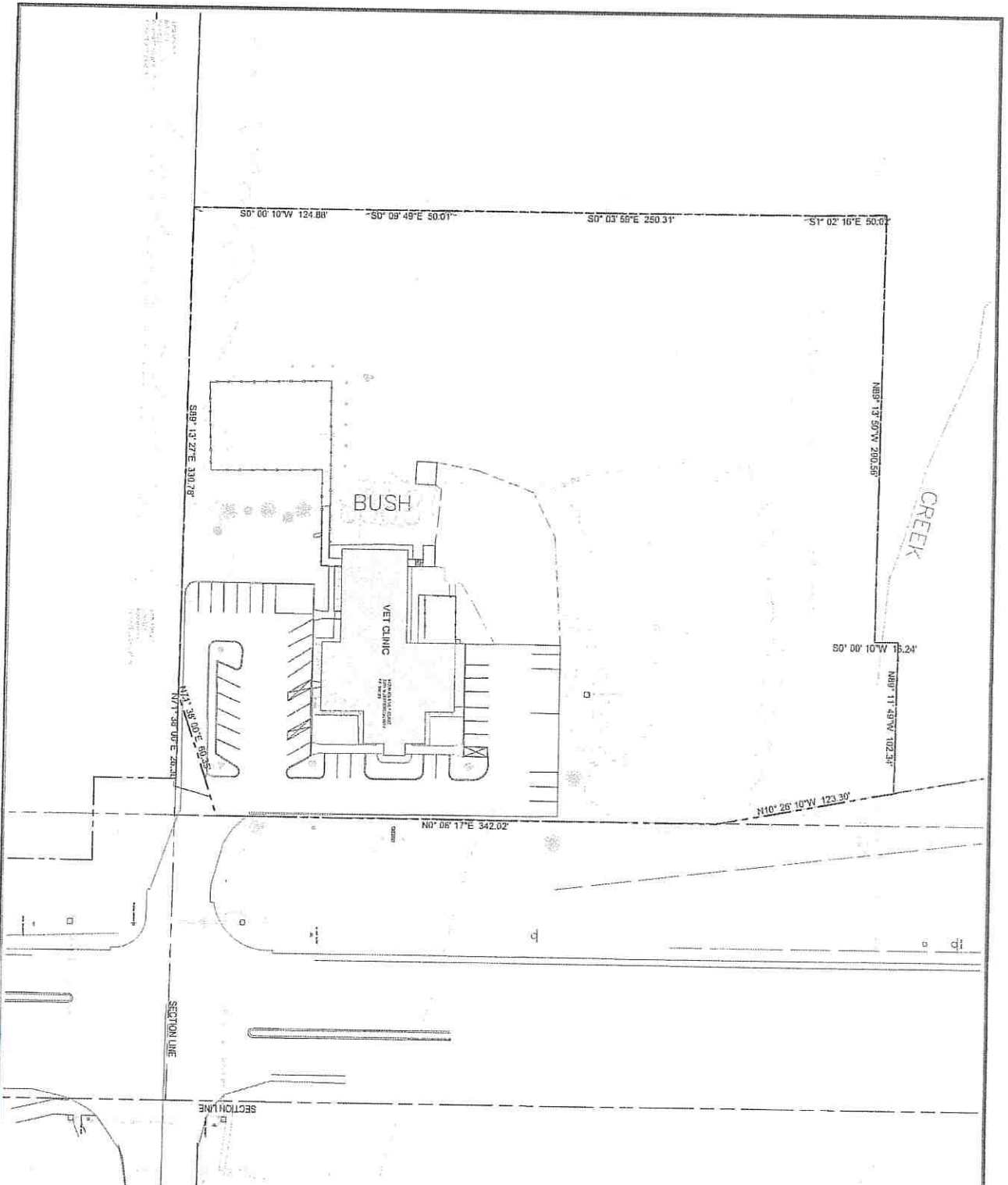
kate.simon@ivcproperties.com

**FOR OFFICE USE ONLY:** Code to 45180

Date Received: \_\_\_\_\_  
 Receipt No: \_\_\_\_\_  
 Receipt Amount: \_\_\_\_\_  
 BOA Agenda Date: \_\_\_\_\_







**LEGEND:**

<ul style="list-style-type: none"> <li>1. LONG CURVE</li> <li>2. F.F. PERMANENT ELEVATION</li> <li>3. F.F. PERMANENT ELEVATION</li> <li>4. F.F. PERMANENT ELEVATION</li> <li>5. F.F. PERMANENT ELEVATION</li> <li>6. F.F. PERMANENT ELEVATION</li> <li>7. F.F. PERMANENT ELEVATION</li> <li>8. F.F. PERMANENT ELEVATION</li> <li>9. F.F. PERMANENT ELEVATION</li> <li>10. F.F. PERMANENT ELEVATION</li> <li>11. F.F. PERMANENT ELEVATION</li> <li>12. F.F. PERMANENT ELEVATION</li> <li>13. F.F. PERMANENT ELEVATION</li> <li>14. F.F. PERMANENT ELEVATION</li> <li>15. F.F. PERMANENT ELEVATION</li> <li>16. F.F. PERMANENT ELEVATION</li> <li>17. F.F. PERMANENT ELEVATION</li> <li>18. F.F. PERMANENT ELEVATION</li> <li>19. F.F. PERMANENT ELEVATION</li> <li>20. F.F. PERMANENT ELEVATION</li> <li>21. F.F. PERMANENT ELEVATION</li> <li>22. F.F. PERMANENT ELEVATION</li> <li>23. F.F. PERMANENT ELEVATION</li> <li>24. F.F. PERMANENT ELEVATION</li> <li>25. F.F. PERMANENT ELEVATION</li> <li>26. F.F. 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**ELDS DESIGN SERVICES**

Architectural | Engineering | Surveying

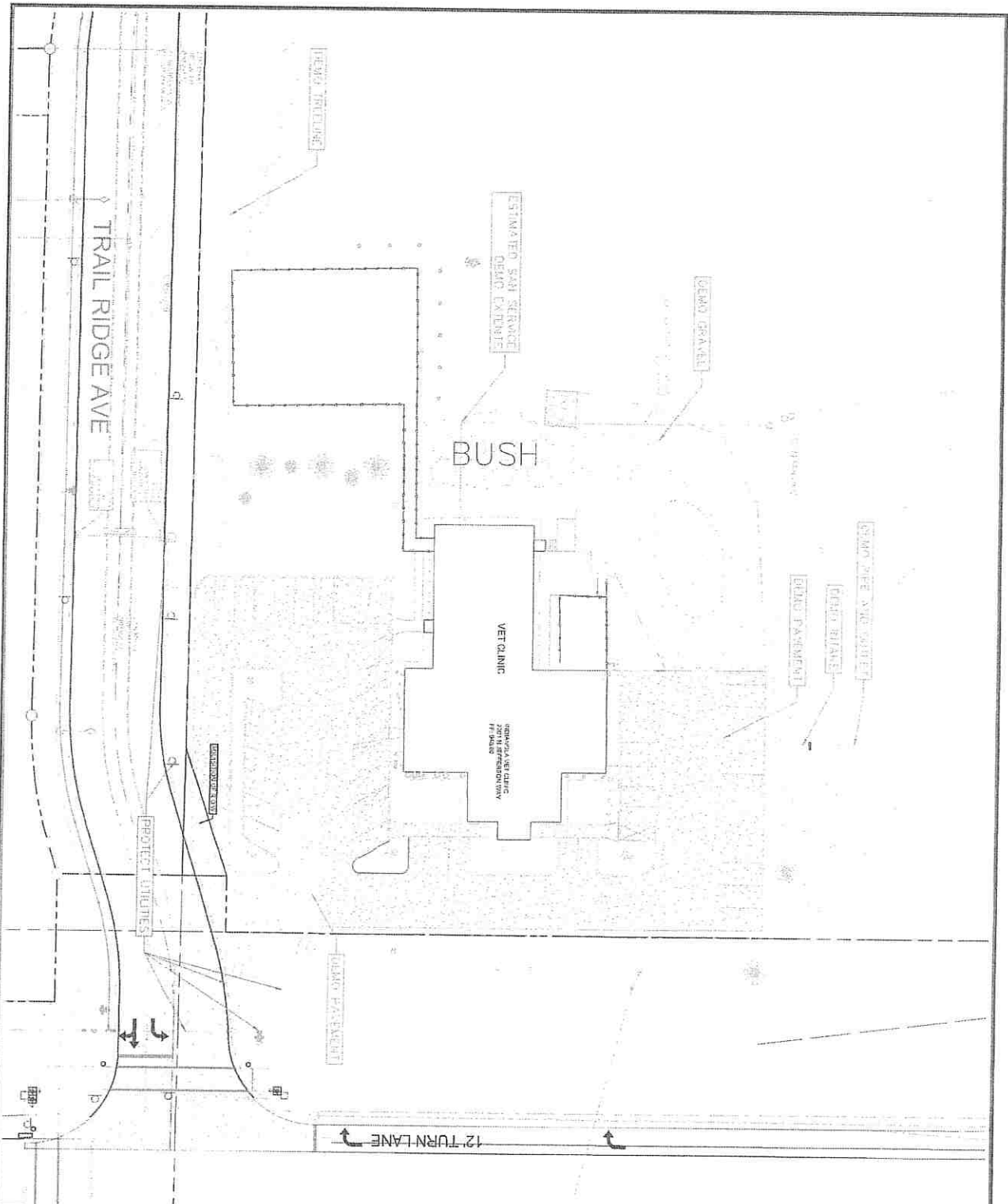
**INDIANOLA VETERINARY CLINIC**

2201 N JEFFERSON WAY

INDIANOLA, IOWA

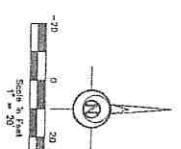
DATE: 5-15-2025	SCALE: 1" = 20'	SHEET: 24-016	PROJECT: CA - TORO SHEET
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2201 Drove Drive, Des Moines, Iowa 50319 | Phone: 515.281.1000 | Fax: 515.281.1001 | www.eldsdesign.com



**UTILITY NOTES:**  
 ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. THE CLIENT IS RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.

- EXISTING GRAVEL DEMO
- EXISTING PAVING DEMO
- EXISTING SIDEWALK



**LEGEND:**

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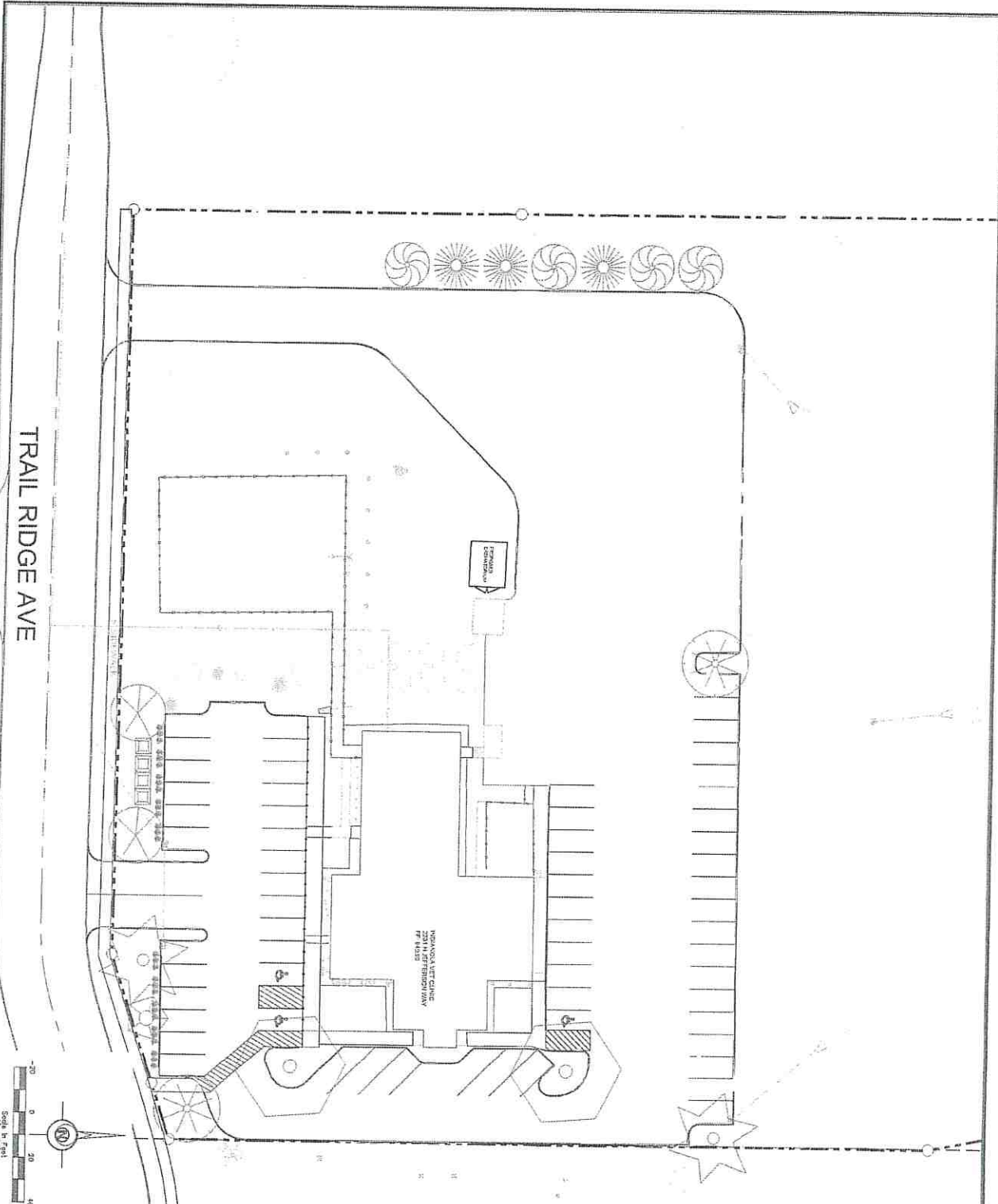
**ELDS DESIGN SERVICES**  
 A subsidiary of | Engineering | Surveying | Construction  
 2202 Dixon Street Des Moines, Iowa 50319 | P: 515-281-1111 | F: 515-281-1112  
**INDIANOLA VETERINARY CLINIC**  
 2201 N. JEFFERSON WAY  
 INDIANOLA, IOWA

DATE: 5-15-2025  
 SHEET: 24-148  
 PROJECT: C1 - DEMO SHEET

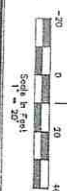








TRAIL RIDGE AVE



**P** ELDS DESIGN SERVICES  
 Architectural, Engineering, & Surveying  
 INDIANOLA VETERINARY CLINIC  
 2201 N JEFFERSON WAY  
 INDIANOLA, IOWA

2201 South Street, Des Moines, Iowa 50316 | PO Box 4026, Des Moines, Iowa 50320 | Ph: 515.283.9195  
 1/16/2024 1/3 SCALE 1/20" 5-15-2025 24/448  
 CP - LANDSCAPING SHEET

- LEGEND:**
- 1. VENT GAS LINE
  - 2. F.P. RAISED TROOP
  - 3. F.P. FLOOR ELEVATION
  - 4. F.P. FLOOR FINISH
  - 5. F.P. FLOOR FINISH (NON-CONCRETE)
  - 6. F.P. FLOOR FINISH (CONCRETE)
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  - 97. F.P. FLOOR FINISH (CONCRETE) (BELOW)
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  - 99. F.P. FLOOR FINISH (CONCRETE) (BELOW)
  - 100. F.P. FLOOR FINISH (CONCRETE) (BELOW)

**LANDSCAPING RECOMMENDATIONS:**

1. PLANTING: PLANTING SHOULD BE DONE IN ACCORDANCE WITH THE FOLLOWING RECOMMENDATIONS:

2. SOIL: SOIL SHOULD BE TESTED AND AMENDED AS NEEDED.

3. IRRIGATION: IRRIGATION SHOULD BE INSTALLED AND MAINTAINED.

4. MAINTENANCE: MAINTENANCE SHOULD BE DONE REGULARLY.

5. FENCE: FENCE SHOULD BE INSTALLED AND MAINTAINED.

6. LIGHTING: LIGHTING SHOULD BE INSTALLED AND MAINTAINED.

7. TREES: TREES SHOULD BE PLANTED AND MAINTAINED.

8. SHRUBS: SHRUBS SHOULD BE PLANTED AND MAINTAINED.

9. FLOWERS: FLOWERS SHOULD BE PLANTED AND MAINTAINED.

10. GRASS: GRASS SHOULD BE PLANTED AND MAINTAINED.

11. MULCH: MULCH SHOULD BE PLANTED AND MAINTAINED.

12. ROCKS: ROCKS SHOULD BE PLANTED AND MAINTAINED.

13. WATER: WATER SHOULD BE PLANTED AND MAINTAINED.

14. AIR: AIR SHOULD BE PLANTED AND MAINTAINED.

15. SOIL: SOIL SHOULD BE PLANTED AND MAINTAINED.

16. LIGHT: LIGHT SHOULD BE PLANTED AND MAINTAINED.

17. TEMPERATURE: TEMPERATURE SHOULD BE PLANTED AND MAINTAINED.

18. HUMIDITY: HUMIDITY SHOULD BE PLANTED AND MAINTAINED.

19. WIND: WIND SHOULD BE PLANTED AND MAINTAINED.

20. SUN: SUN SHOULD BE PLANTED AND MAINTAINED.

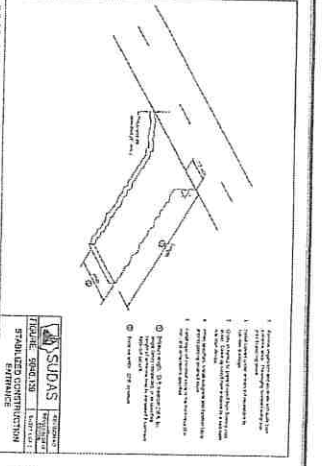
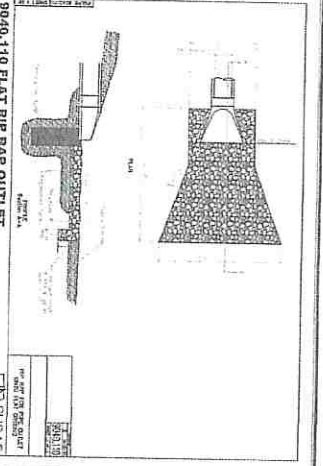
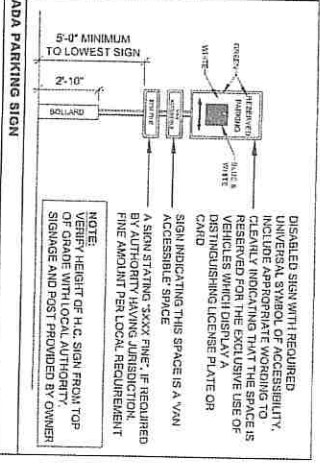
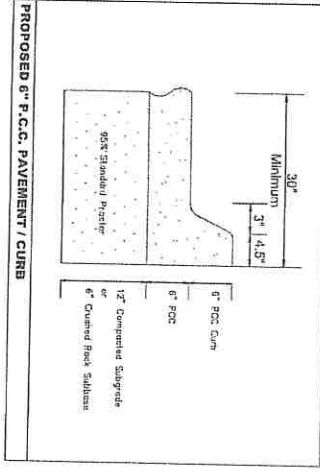
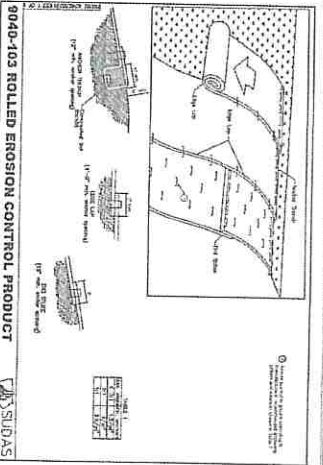
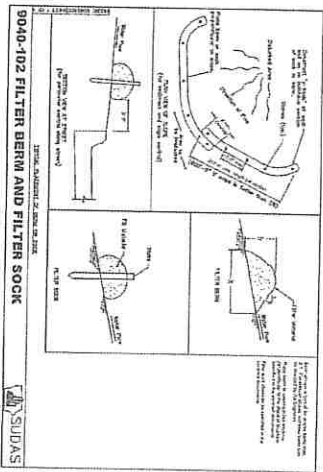
21. MOON: MOON SHOULD BE PLANTED AND MAINTAINED.

22. STARS: STARS SHOULD BE PLANTED AND MAINTAINED.

23. PLANETS: PLANETS SHOULD BE PLANTED AND MAINTAINED.

24. GALAXIES: GALAXIES SHOULD BE PLANTED AND MAINTAINED.

25. UNIVERSE: UNIVERSE SHOULD BE PLANTED AND MAINTAINED.



**P**  
ELDS DESIGN SERVICES

Architecture | Engineering | Surveying  
INDIANOLA VETERINARY CLINIC  
2201 N. JEFFERSON WAY  
INDIANOLA, IOWA

2201 Dixon Street, One-Milewest, Iowa 50126 PO Box 400, Des Moines, Iowa 50301 (515) 281-8196

5-15-2025 24 HOUR  
CON - DETAIL SHEET



# Community Development

110 North 1<sup>st</sup> Street, Indianola, Iowa 50125-0299  
[comdev@indianolaiowa.gov](mailto:comdev@indianolaiowa.gov) • (515) 961-9430 • [www.indianolaiowa.gov](http://www.indianolaiowa.gov)

# BUILDING PERMIT

DO NOT OCCUPY THIS BUILDING UNTIL A CERTIFICATE OF OCCUPANCY HAS BEEN ISSUED

Number BP-2024-132 Date Issued 10/16/2024 10:53

ADDRESS: 2201 N JEFFERSON WAY

Type of Construction: New Construction

OWNER: IVC PROPERTIES LLC (Deed)

CONTRACTOR: Next Generation Buildings

*Indianola Building Official*

Inspections	Completed		Pass/ Fail	Comments
	By	Date		
Setbacks/Footing				
Foundation				
Tar/Tile/Gravel				
Plumbing <small>Permit Required Prior to Inspection</small>				
Electric <small>Permit Required Prior to Inspection</small>				
Mechanical <small>Permit Required Prior to Inspection</small>				
Framing				
Driveway/Sidewalk				
Misc.				
Final				

October 3, 2024

**VIA EMAIL**

Tanner Sandy  
 S&S Cremation Services  
 2201 N Jefferson Way  
 Indianola, IA 50125

Re: Plant Number 91-01-040; Project Number 24-300; Issuance of Construction Permit.

Dear Mr. Sandy:

The Department has completed a review of the air construction permit application submitted on September 16, 2024 and a determination has been made that the following permit shall be issued:

**Table 1 - List of Issued Permits**

Emission Unit Description (EU ID)	EP ID	Control Equipment Description (CE ID)	Stack Testing	Permit Number
Animal Crematory Model AIS Cyclone PCM (EU1)	EP1	Afterburner (CE1)	No	24-A-328
Animal Crematory Model AIS Cyclone PCS1 (EU2)		Afterburner (CE2)		

This project was to permit a new animal crematory unit.

Your attention is directed toward the permit conditions within the permit especially Condition 1 (Emission Limits), Condition 2 (Compliance Demonstration), and Condition 5 (Operating Requirements with Associated Recordkeeping and Monitoring). Based upon the submitted application the Department has made the following determinations:

- 1) These emission units are of the source category affected by 40 CFR Part 60, Subpart CCCC (*Standards of Performance for Commercial and Industrial Solid Waste Incinerator*). However, these incineration units burn at least 90 percent of pathological waste on a calendar quarter basis, excluding the weight of auxiliary fuel and combustion air. As a result, per 40 CFR §60.2020(a), these incineration units are exempt from the requirements in Subpart CCCC.
- 2) This emission unit is not subject to any NESHAP subparts at this time as there are no applicable subparts for its source category.
- 3) This facility is not one of the 28 listed Prevention of Significant Deterioration (PSD) source categories. Therefore, the major source threshold is 250 tons per year (tpy) for New Source Review (NSR) regulated pollutants. Since the potential emissions of the facility are under the major source threshold, it is considered a minor stationary source for PSD purposes.
- 4) This facility is a minor stationary source for the Title V Operating Permit program because the potential emissions of this plant are below the Title V applicability thresholds (100 tpy for criteria pollutants, 10 tpy of individual HAP, and 25 tpy of total HAP). If you have any questions about this program please contact Chris Kjellmark at (515) 725-9537 or Jeremy Arndt at (515) 725-9511.
- 5) Initial compliance testing is waived for this project. However, the Department maintains the right to require testing of any source of emissions in the future if needed [567 IAC 21.10(7)].

**Tanner Sandy**  
**S&S Cremation Services**  
**Project Number 24-300**  
**October 3, 2024**

In accordance with 561 IAC 7.4(1), the owner or operator shall file any written notice of appeal within 60 days of receipt of the issued permit. The written notice of appeal shall be filed with the Director of the Department with a copy to the Legal Services Bureau Chief at the following addresses:

Director  
Iowa Department of Natural Resources  
6200 Park Ave  
Suite 200  
Des Moines, IA 50321

Bureau Chief  
Legal Services Bureau  
Iowa Department of Natural Resources  
6200 Park Ave  
Suite 200  
Des Moines, IA 50321

In addition to the permit you will find a list of definitions and acronyms included with this letter. When requesting a modification to any air quality construction permit, use the permit number and your plant number for identification. For future reference a status report of all construction permit applications submitted to the Department is available at [www.iowadnr.gov/airpermitsearch](http://www.iowadnr.gov/airpermitsearch). Additional Iowa EASY Air information can be found at [www.iowadnr.gov/eAirServices](http://www.iowadnr.gov/eAirServices).

For more information on the Air Quality program please see visit our website at [www.iowacleanair.gov](http://www.iowacleanair.gov). If you have any general air quality construction permitting questions please call 1-877-AIR-IOWA. If you have any questions about this permit, feel free to contact Nate Tatar by phone at (515) 725-9536 or by email at [nate.tatar@dnr.iowa.gov](mailto:nate.tatar@dnr.iowa.gov).

Sincerely,



Peter Zayudis  
Construction Permit Supervisor  
Air Quality Bureau, IDNR



## AIR QUALITY CONSTRUCTION PERMITS COMMON ACRONYMS

There are many terms and acronyms used in the air quality program. This fact sheet has been developed to provide a brief explanation of some of those terms that could be listed within your air quality construction permit. Please note that these acronyms may not be the exact definition of the term or acronym as contained within the regulations.

<b>acfm</b>	Actual cubic feet per minute
<b>Applicant</b>	The owner, company official or authorized agent
<b>BACT</b>	Best Achievable Control Technology
<b>Btu</b>	British thermal unit
<b>°C</b>	Degrees Celsius
<b>Condensable PM</b>	Material that condenses and/or reacts upon cooling and dilution in the ambient air to form particulate matter immediately after discharge from the stack
<b>CO<sub>2</sub>e</b>	Carbon dioxide equivalent which is the aggregate emissions of greenhouse gas (GHG) emissions based on global warming potentials
<b>Department</b>	Iowa Department of Natural Resources
<b>dia.</b>	Diameter
<b>°F</b>	Degrees Fahrenheit
<b>ft</b>	Foot
<b>GHG</b>	Greenhouse Gas which is defined as being the group of carbon dioxide (CO <sub>2</sub> ), methane (CH <sub>4</sub> ), nitrous oxide (N <sub>2</sub> O), hydrofluorocarbons (HFC), perfluorocarbons (PFC) and sulfur hexafluoride (SF <sub>6</sub> )
<b>g</b>	grams
<b>g/dscm</b>	Grams per dry standard cubic meter
<b>gr</b>	Grains
<b>gr/dscf</b>	Grains per dry standard cubic foot
<b>gr/scf</b>	Grains per standard cubic foot
<b>HAP</b>	Hazardous Air Pollutant(s)
<b>hp</b>	horsepower
<b>hr</b>	Hour
<b>LAER</b>	Lowest Achievable Emission Rate
<b>lb</b>	Pound
<b>lb/hr</b>	Pounds per hour
<b>m</b>	Meter
<b>MACT</b>	Maximum Achievable Control Technology
<b>mg</b>	Milligram
<b>MM</b>	Million
<b>MSDS</b>	Material Safety Data Sheet
<b>MW</b>	Megawatt
<b>NA</b>	Not Applicable
<b>PM<sub>2.5</sub></b>	Particulate Matter with an aerodynamic diameter equal to or less than 2.5 microns
<b>PM<sub>10</sub></b>	Particulate Matter with an aerodynamic diameter equal to or less than 10 microns
<b>PM – Federal</b>	Particulate Matter that does not include the condensable PM
<b>PM – State</b>	Particulate Matter that includes condensable PM
<b>ppm</b>	parts per million
<b>ppm<sub>v</sub></b>	parts per million by volume
<b>ppm<sub>w</sub></b>	parts per million by weight
<b>RACT</b>	Reasonably Achievable Control Technology
<b>scfm</b>	Standard cubic feet per minute
<b>SDS</b>	Safety Data Sheet
<b>SHAP</b>	Single hazardous air pollutant
<b>THAP</b>	Total hazardous air pollutants
<b>tons/yr</b>	Tons per year
<b>yr</b>	Year



IOWA DEPARTMENT OF NATURAL RESOURCES

# Air Quality Construction Permit

**Permit Number:** 24-A-328

**Plant Number:** 91-01-040

**Company:** S&S Cremation Services

**Contact Person:**

Tanner Sandy  
Veterinarian

(641) 344-3473  
[tannersandy2@gmail.com](mailto:tannersandy2@gmail.com)

2201 N Jefferson Way  
Indianola, IA 50125

**Responsible Party:**

Tanner Sandy  
Veterinarian

(515) 961-6201  
[tannersandy2@gmail.com](mailto:tannersandy2@gmail.com)

2201 N Jefferson Way  
Indianola, IA 50125

## Permitted Equipment

**Emission Point ID:** EP1

**Table 1 – Emission Unit(s) and Control Equipment:**

EU ID	Description	Maximum Rated Capacity	Control Equipment Description and ID
EU1	Animal Crematory Model AIS Cyclone PCM	110 pounds/hour, animal remains, 0.225 MMBtu/hr, natural gas	Afterburner, 0.45 MMBtu/hr, natural gas (CE1)
EU2	Animal Crematory Model AIS Cyclone PCS1	110 pounds/hour, animal remains, 0.225 MMBtu/hr, natural gas	Afterburner, 0.45 MMBtu/hr, natural gas (CE2)

**Equipment Location:** 2201 N Jefferson Way  
Indianola, IA 50125

Issuance of this permit shall not relieve the owner or operator of the responsibility to comply fully with applicable provisions of the State Implementation Plan (SIP), and any other requirements of local, state, and federal law.

**Table 2 – Project Issuance Information**

Project Number	Project Description	Stack Testing	Issuance Date
24-300	Original Permit	No	10/3/2024

Under the Direction of the Director of the  
Department of Natural Resources

[NLT]

## PERMIT CONDITIONS

### 1. Emission Limits

The owner or operator is required to report all emissions as required by law, regardless of whether a specific emission limit has been established in this permit. The following emission limits shall not be exceeded:

**Table 3 – Emission Limits**

Pollutant	lb/hr <sup>1</sup>	tons/yr <sup>2</sup>	Other Limits	Reference/Basis
Particulate Matter (PM) – State	1.10 <sup>3, 4</sup>	NA	0.35 gr/scf <sup>1, 5</sup>	567 IAC 23.4(12)"a", Limit PTE
Opacity	NA	NA	40% <sup>6, 7</sup>	567 IAC 23.4(12)"b"
Sulfur Dioxide (SO <sub>2</sub> )	NA	NA	500 ppm <sub>v</sub> <sup>1</sup>	567 IAC 23.3(3)"e"

<sup>1</sup> The emission limit is expressed as the average of three runs.

<sup>2</sup> The emission limit is based on a 12-month rolling total.

<sup>3</sup> The emission limit was established under Project Number 24-300 to limit the potential-to-emit of the source.

<sup>4</sup> PM<sub>10</sub> and PM<sub>2.5</sub> emissions are assumed to be equal to PM emissions.

<sup>5</sup> Adjusted to 12 percent carbon dioxide.

<sup>6</sup> The emission limit is based on a six minute average.

<sup>7</sup> Visible emissions more than 40% but less than 60% opacity may be emitted during an operation breakdown or during the cleaning of air pollution equipment, but only for periods aggregating no more than 3 minutes in any 60-minute period. All other times, an exceedance of the indicator opacity of 20% will require the owner or operator to promptly investigate the emission unit and make corrections to operations or equipment associated with the exceedance. If exceedances continue after the corrections, the Department may require additional proof to demonstrate compliance (e.g., stack testing).

### 2. Compliance Demonstration(s)

**If an initial stack test is specified in the "Compliance Demonstrations" table,** the owner or the owner's authorized agent shall demonstrate compliance with the emission limitations contained in Condition 1 (Emission Limits) within the applicable time period specified below:

- Within 60 days after achieving the maximum production rate but not later than 180 days after the initial startup date of the proposed equipment for the addition of new equipment or the physical modification of existing equipment or control equipment.
- Within 90 days of the issuance of this permit if there is no physical modification to any emission units or control equipment.

**If any additional stack testing beyond an initial test (i.e. quarterly, semi-annual, annual, etc.) is required in the "Compliance Demonstrations" table,** the owner or the owner's authorized agent shall demonstrate compliance with the emission limitations contained in Condition 1 (Emission Limits) as specified in the "Compliance Demonstrations" table. See Conditions 12.A.(4) and 12.B.(5) for notification and reporting requirements.

If stack testing is required, the owner or the owner's authorized agent shall use the test method and run time listed in the "Compliance Demonstrations" table unless another testing methodology is approved by the Department before testing.

**Table 4 - Compliance Demonstrations**

Pollutant	Compliance Methodology	Frequency	Test Run Time	Test Method
PM – State	None	NA	1 hour	40 CFR 60, Appendix A, Method 5 40 CFR 51, Appendix M, Method 202
Opacity	None	NA	1 hour	40 CFR 60, Appendix A, Method 9
SO <sub>2</sub>	None	NA	1 hour	40 CFR 60, Appendix A, Method 6C

Each emissions compliance test must be approved by the Department. Unless otherwise specified by the Department, each compliance test for an air pollutant, excluding opacity, shall consist of three separate runs. The arithmetic mean of three acceptable test runs shall apply for compliance, unless otherwise indicated by the Department.

Opacity compliance tests shall consist of a minimum of three, 1-hour runs of observations. Opacity shall be determined as the average of any 24 consecutive, 15-second observations from the data set. The opacity observation duration and averaging time requirements apply unless otherwise specified by federal rule, specified in this permit, or granted prior written approval by the Department.

In accordance with 567 IAC 21.10(7)"a":

- (1) At the Department’s request, a pretest meeting shall be held not later than 15 days before the owner or operator conducts the compliance demonstration. A testing protocol shall be submitted to the Department for review no later than 15 days before the owner or operator conducts the compliance demonstration. Representatives from the Department shall attend this meeting, along with the owner and the testing firm, if any. It shall be the responsibility of the owner to coordinate and schedule the pretest meeting.
- (2) A representative of the Department shall be permitted to witness the tests. In order to allow a Department representative the opportunity to observe a stack test, each test must begin on a weekday, between the hours of 6 am to 6 pm. Alternative stack test times may be granted through written Department approval prior to testing.
- (3) The Department shall reserve the right to impose additional, different, or more detailed testing requirements.

The owner shall be responsible for the installation and maintenance of test ports.

The unit(s) being sampled shall be operated in a normal manner (i.e. not under startup or shutdown conditions) at

- (a) its maximum continuous production or operating rating as rated by the equipment manufacturer, which is listed on either the first page or Condition 3, Emission Point Characteristics, of this permit, or
- (b) a permitted rating listed elsewhere in this permit that is less than the maximum continuous production or operating rating as rated by the equipment manufacturer.

If the compliance test is conducted at less than (a) or (b) above then the owner or operator shall either retest the unit(s) under the conditions of (a) or (b) above or the Department may require additional information or action to determine the unit(s) compliance status with applicable emission limits. This information or action includes, but is not limited to, a permit amendment, additional testing, continuous monitoring, and operating data.

### 3. Emission Point Characteristics

This emission point shall conform to the specifications listed in the table below.

**Table 5 – Emission Point Parameters**

Parameter	Value
Stack Height (feet from the ground)	13.25
Discharge Style	Vertical Unobstructed
Stack Outlet Dimensions (inches)	16
Exhaust Temperature (°F)	1,562
Exhaust Flowrate (scfm)	205 – 410 <sup>1</sup>

<sup>1</sup> The maximum exhaust flowrate is dependent on how many incineration units are operating at a time.

The temperature and flowrate are intended to be representative and characteristic of the design of the permitted emission point. The Department recognizes that the temperature and flow rate may vary with changes in the process and ambient conditions. If it is determined that any of the emission point characteristics above are different than the values stated, the owner or operator shall submit a request either by electronic mail or written correspondence to the Department within 30 days of the discovery to determine if a permit amendment is required, or submit a permit application requesting to amend the permit.

### 4. Federal Standards

A. New Source Performance Standards (NSPS):

The Animal Crematory Model AIS Cyclone PCM (EU1) and Animal Crematory Model AIS Cyclone PCS1 (EU2) are of the source category affected by 40 CFR Part 60, Subpart CCCC (*Standards of Performance for Commercial and Industrial Solid Waste Incinerator*). However, these incineration units burn at least 90 percent of pathological waste on a calendar quarter basis, excluding the weight of auxiliary fuel and combustion air. As a result, per 40 CFR §60.2020(a), these incineration units are exempt from the requirements in Subpart CCCC.

NOTE: The absence of the inclusion of any NSPS requirements as part of this permit does not relieve the owner or operator from any obligation to comply with all applicable NSPS conditions.

B. National Emission Standards for Hazardous Air Pollutants (NESHAP):

These emission units are not subject to any NESHAP subparts at this time as there are no applicable subparts for their source category.

NOTE: The absence of the inclusion of any NESHAP requirements as part of this permit does not relieve the owner or operator from any obligation to comply with all applicable NESHAP conditions.

### 5. Operating Requirements with Associated Monitoring and Recordkeeping

Unless specified by any federal regulation, all records as required by this permit shall be available on-site for a minimum of two years and shall be available for inspection by the Department. Records shall be legible and maintained in an orderly manner. The operating requirements and associated recordkeeping for this permit shall be:

- A. Only personnel that have completed a training course covering the proper operation and maintenance of the unit shall operate the Animal Crematory Model AIS Cyclone PCM (EU1) and Animal Crematory Model AIS Cyclone PCS1 (EU2).
  - (1) The owner or operator shall maintain a copy of the training certificate and other relevant training materials for each operator of the Animal Crematory Model AIS Cyclone PCM (EU1) and Animal Crematory Model AIS Cyclone PCS1 (EU2).
  
- B. The owner or operator shall inspect, maintain, and operate the Animal Crematory Model AIS Cyclone PCM (EU1) and Animal Crematory Model AIS Cyclone PCS1 (EU2) according to the manufacturer's specifications and instructions.
  - (1) The owner or operator shall maintain onsite a copy of the manufacturer's instructions and specifications.
  
- C. The owner or operator shall keep a log of all inspection and maintenance activities performed on the Animal Crematory Model AIS Cyclone PCM (EU1) and Animal Crematory Model AIS Cyclone PCS1 (EU2). At a minimum, this log shall include:
  - (1) The date that any inspection and/or maintenance was performed on the unit;
  - (2) Any issues identified during inspection and maintenance activities;
  - (3) The date each issue was resolved; and
  - (4) Identification of the staff member performing the inspection or maintenance activity.
  
- D. The Animal Crematory Model AIS Cyclone PCM (EU1) and Animal Crematory Model AIS Cyclone PCS1 (EU2) shall combust only natural gas or propane.
  - (1) The owner or operator shall keep records indicating the type of fuel burned in the unit (e.g. fuel invoices).
  
- E. The owner or operator shall only incinerate pathological waste in the Animal Crematory Model AIS Cyclone PCM (EU1) and Animal Crematory Model AIS Cyclone PCS1 (EU2). Per 40 CFR §60.2265 of Subpart CCCC, "pathological waste" is defined as waste material consisting of only human or animal remains, anatomical parts, and/or tissue, the bags/containers used to collect and transport the waste material and animal bedding (if applicable).
  
- F. The owner or operator shall not burn chlorine-containing disinfectants in the Animal Crematory Model AIS Cyclone PCM (EU1) and Animal Crematory Model AIS Cyclone PCS1 (EU2).
  - (1) The owner or operator shall keep records of the type and the weight of the materials burned in the Animal Crematory Model AIS Cyclone PCM (EU1) and Animal Crematory Model AIS Cyclone PCS1 (EU2).
  
- G. The owner or operator shall maintain the operating temperature of the primary and afterburner chambers at or above the level specified by the manufacturer during normal operation of the Animal Crematory Model AIS Cyclone PCM (EU1) and/or Animal Crematory Model AIS Cyclone PCS1 (EU2). This requirement does not include periods of start-up, shutdown, or malfunction.
  - (1) The owner or operator shall operate the afterburner chamber (CE1 and/or CE2) at any time that the Animal Crematory Model AIS Cyclone PCM (EU1) and Animal Crematory Model AIS Cyclone PCS1 (EU2) are in operation.
  - (2) During each unit startup process, the owner or operator shall preheat the afterburner chamber (CE1 and/or CE2) to the temperature specified by the manufacturer before starting the primary chamber burner. The afterburner chamber (CE1 and/or CE2) shall remain on until the charged material has burned down completely.
  - (3) The owner or operator shall maintain the operating temperature of the afterburner chamber (CE1 and/or CE2) at the level specified by the manufacturer, but no lower than 1600 °F.

- a. The owner or operator shall install, calibrate, operate, inspect, and maintain a monitoring device that continuously collects and records the combustion temperature of the primary and afterburner chambers whenever the Animal Crematory Model AIS Cyclone PCM (EU1) and Animal Crematory Model AIS Cyclone PCS1 (EU2) are in use.
  - b. If the temperature of the afterburner chamber (CE1 and/or CE2) falls below 1600 °F, the owner or operator shall investigate and make any necessary corrections.
    - i. The owner or operator shall maintain a record of all corrective actions taken. This requirement shall not apply on the days that the Animal Crematory Model AIS Cyclone PCM (EU1) and Animal Crematory Model AIS Cyclone PCS1 (EU2) are not in operation
- H. As specified in 40 CFR §60.2020(a) of Subpart CCCC, the waste/material incinerated in the Animal Crematory Model AIS Cyclone PCM (EU1) and Animal Crematory Model AIS Cyclone PCS1 (EU2) shall contain a minimum of 90 percent pathological waste by weight (on a calendar quarter basis and excluding the weight of auxiliary fuel and combustion air).
- (1) Per 40 CFR §60.2020(a)(2), the owner or operator shall keep records on a calendar quarter basis of the weight of pathological waste and weight of all other fuels and wastes burned in the Animal Crematory Model AIS Cyclone PCM (EU1) and Animal Crematory Model AIS Cyclone PCS1 (EU2).

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## 6. Continuous Monitoring Systems (CMS)

No continuous monitoring systems are required at this time.

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## 7. Department Review

This permit is issued under the authority of 567 Iowa Administrative Code (IAC) 22.3. The proposed equipment covered by this permit has been evaluated for conformance with the emission limits in this permit; Iowa Code Chapter 455B; Division II; 567 IAC Chapters 21 – 33; and 40 Code of Federal Regulations (CFR) Parts 51, 52, 60, 61, and 63 and has the potential to comply. Unless stated elsewhere in this permit, any control equipment covered by this permit shall operate at all times when the emission unit(s) covered by this permit are in operation.

This permit is issued based on information submitted by the applicant. Any misinformation, false statements or misrepresentations by the applicant or by the applicant's representative(s) shall cause this permit to be void.

No review has been undertaken on the engineering aspects of the equipment or control equipment other than the potential of that equipment for reducing air contaminant emissions. The Department assumes no liability, directly or indirectly, for any loss due to damage to persons or property caused by, resulting from, or arising out of the design, installation, maintenance or operation of the proposed equipment.

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## 8. Owner and Operator Responsibility

This permit is for the construction and operation of specific emission unit(s), control equipment, and emission point as described in this permit and in the application for this permit. The permit holder, owner, and operator of the facility shall assure that the installation of the equipment listed in this permit conforms to the design in the application (i.e. type, maximum rated capacity, etc.). No person shall construct, install, reconstruct or alter this emission unit(s), control equipment, or emission point without the required amended permit.

Any owner or operator of the specified emission unit(s), control equipment, or emission point, including any person who becomes an owner or operator subsequent to the date on which this permit is issued, is responsible for assuring that the installation, operation, and maintenance of the equipment listed in this permit is in compliance with the provisions of this permit and all other applicable requirements and that adequate operation and maintenance is provided to ensure that no condition of air pollution is created.

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## 9. Transferability

Unless the equipment is portable, this permit is not transferable from one location to another or from one piece of equipment to another. See Condition 12.A.(2) for notification requirements for relocating portable equipment [567 IAC 22.3(3)"f"].

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## 10. Construction

### A. General Requirements:

It is the owner's responsibility to ensure that construction conforms to the final plans and specifications as submitted.

In permit amendments, all provisions of the original permit remain in full force and effect unless they are specifically changed by the permit amendment. If a proposed project is not timely completed, the owner or operator shall seek a permit amendment in order to revert back to the most recent previous version of the permit. The previous, unchanged permit provisions are included in the amendment for your convenience only and are unappealable.

This permit or amendment shall become void if any one of the following conditions occurs:

- (1) The construction or implementation of the proposed project, as it affects the emission point permitted herein, is not initiated within 18 months after the permit issuance date; or
- (2) The construction or implementation of the proposed project, as it affects the emission point permitted herein, is not completed within 36 months after the permit issuance date; or
- (3) The construction or implementation of the proposed project, as it affects the emission point permitted herein, is not completed within a time period specified elsewhere in this permit.

### B. Changes to Plans and Specifications:

The owner or operator shall amend this permit or amendment prior to startup of the equipment if:

- (1) Any changes are made to the final plans and specifications submitted for the proposed project; or
- (2) This permit becomes void.

Changes to the final plans and specifications shall include changes to plans and specifications for permitted equipment and control equipment and the specified operation thereof.

### C. Amended Permits:

The owner or operator may continue to act under the provisions of the previous permit for the affected emission unit(s) and emission point, together with any previous amendment to the permit, until one of the following conditions occurs:

- (1) The proposed project authorized by this amendment is completed as it affects the emission unit(s) and emission point permitted herein; or
  - (2) This current amendment becomes void.
-

## 11. Excess Emissions

An incident of excess emissions other than as listed in 567 IAC 21.7(1) is a violation and may be subject to criminal penalties according to Iowa Code 455B.146A. If excess emissions are occurring, either the control equipment causing the excess shall be repaired in an expeditious manner, or the process generating the emissions shall be shut down within a reasonable period of time, as specified in 567 IAC 21.7.

An incident of excess emissions shall be orally reported by telephone, electronic mail or in person to the appropriate field office within eight hours of, or at the start of, the first working day following the onset of the incident [See Permit Condition 12.B.(1)]. A written report of an incident of excess emissions shall be submitted as a follow-up to all required initial reports within seven days of the onset of the upset condition [See Permit Condition 12.B.(2)].

---

## 12. Notification, Reporting, and Recordkeeping

- A. The owner or operator shall furnish the Department the following written notifications:
- (1) In accordance with 567 IAC 22.3(3)"b", dates of intended startup, start of construction, and actual equipment startup. All notifications required by 567 IAC 22.3(3)"b" shall be submitted in writing within 30 days following the applicable date and include the information required by 567 IAC 22.3(3)"b".
  - (2) In accordance with 567 IAC 22.3(3)"f", when portable equipment for which a permit has been issued is to be transferred from one location to another, the Department shall be notified:
    - a. At least 14 days before equipment relocation if the equipment will be located in a nonattainment area for the National Ambient Air Quality Standards (NAAQS) or a maintenance area for the NAAQS.
    - b. At least 7 days before equipment relocation.
  - (3) In accordance with 567 IAC 22.3(8), a new owner shall notify the Department of the transfer of equipment ownership within 30 days of the occurrence. The notification shall include the following information:
    - The date of ownership change; the name, address, and telephone number of the responsible official, the contact person, and the owner of the equipment both before and after the ownership change; and the construction permit number(s) of the equipment changing ownership.
  - (4) Unless specified, in accordance with a federal regulation, the owner or the owner's authorized agent shall notify the Department in writing not less than 30 days before a required test or performance evaluation of a continuous emission monitor [567 IAC 21.10(7)]. The notification shall include:
    - The time; the place; the name of the person who will conduct the tests; and other information as required by the Department.

If the owner or operator does not provide timely notice to the Department, the Department shall not consider the test results or performance evaluation results to be a valid demonstration of compliance with the applicable rules or permit conditions. Upon written request, the Department may allow a notification period of less than 30 days.
- B. The owner or operator shall furnish the Department with the following reports:
- (1) In accordance with 567 IAC 21.7(2), an incident of excess emissions as defined in 567 IAC 21.1 shall be reported within eight hours or at the start of the first working day following the onset of the incident. The report may be made by electronic mail, in person or by telephone.
  - (2) In accordance with 567 IAC 21.7(3), a written report of an incident of excess emissions as defined in 567 IAC 21.1 shall be submitted as a follow-up to all required initial reports to the Department within seven days of the onset of the upset condition.
  - (3) Operation of this emission unit(s) or control equipment outside of those operating parameters specified in Permit Condition 5 in accordance to the schedule set forth in 567 IAC 21.7.

- (4) In accordance with 567 IAC 21.10(6), the owner or operator of any facility required to install a continuous monitoring system or systems shall provide quarterly reports to the Director, no later than 30 calendar days following the end of the calendar quarter, on forms provided by the Director.
  - (5) In accordance with 567 IAC 21.10(7), a written compliance demonstration report for each compliance testing event, whether successful or not, postmarked no later than six weeks after the completion of the test period unless other regulations provide for other notification requirements. In that case, the more stringent reporting requirement shall be met.
- C. All data, records, reports, documentation, construction plans, and calculations required under this permit shall be available at the plant during normal business hours for inspection and copying by federal, state, or local air pollution regulatory agencies and their authorized representatives, for a minimum of two (2) years from the date of recording unless otherwise required by another applicable law (i.e. NSPS, NESHAP, etc.).
- D. Information regarding this permit should be sent to the attention of the following individuals based on the type of information being submitted: change in ownership (Air Quality Bureau Records Center), permit correspondence (Construction Permit Supervisor), stack testing correspondence (Stack Test Coordinator), and reports and notifications (Compliance Unit Supervisor and DNR Field Office). The addresses are:

Air Quality Bureau  
 Iowa Department of Natural Resources  
 6200 Park Ave, Ste. 200  
 Des Moines, IA 50321  
 Telephone: (515) 725-8200  
 Fax: (515) 725-8201

DNR Field Office 5  
 6200 Park Ave, Ste. 200  
 Des Moines, IA 50321  
 Telephone: (515) 725-0268  
 Fax: (515) 725-8201

### 13. Appeal Rights

All conditions within an original permit may be appealed, subject to the appeal rights set forth in 561 IAC Chapter 7. Amended conditions within a permit amendment may be appealed, subject to the appeal rights set forth in 561 IAC Chapter 7. In permit amendments, all provisions of the original permit remain in full force and effect unless they are specifically changed by the permit amendment. The previous, unchanged permit provisions are included in the amendment for your convenience only and are unappealable.

### 14. Permit History

**Table 6 – Permit History**

Permit No.	Project No.	Description	Date	Stack Testing

**END OF PERMIT**

**Simon, Kate**

---

**From:** Tanner Sandy <tannersandy2@gmail.com>  
**Sent:** Sunday, August 17, 2025 5:46 PM  
**To:** Brennan, Scott  
**Subject:** Fwd: Variance  
**Attachments:** BOA Application fillable\_202303220845199955.pdf

**[WARNING: EXTERNAL SENDER]**

---

This is the email they started this mess up with again a few weeks ago. At the bottom of it is the variance application

Thank you  
Tanner

Sent from my iPhone

Begin forwarded message:

**From:** Tim Little <tlittle@indianolaiowa.gov>  
**Date:** July 11, 2025 at 1:51:35 PM CDT  
**To:** Tanner Sandy <tannersandy2@gmail.com>  
**Cc:** Bill Mettee <bmettee@indianolaiowa.gov>  
**Subject: Variance**

Mr. Sandy,

I hope all is going well and that the ongoing construction traffic hasn't caused too much disruption for you or the essential services you provide not only to the citizens of Indianola, but to the broader community as well.

Last fall when discussions surrounding the incinerator project came back around, there was considerable back-and-forth regarding the structure that would house the unit. A shipping container was initially proposed but it was ultimately disallowed due to noncompliance with zoning district regulations. A stick built structure was then considered; however, upon further research, significant fire and life safety concerns were identified due to the high combustibility risk.

Given the specifications of the incinerator, all structural materials must be non-combustible and capable of withstanding extreme heat. Unfortunately, this requirement significantly increased the projected cost – well beyond the initial budget – placing the entire project and its intended service offering in jeopardy.

In an effort to avoid complete derailment, we explored all available options. After conducting extensive research, the only feasible solution was to revisit the original

shipping container proposal – provided it met building setbacks and was fully screened from public view. While this approach seemed reasonable, its important to note that screening alone does not exempt the container from zoning restrictions. As a result, we will need to bring this matter before the Board of Adjustment for consideration of a variance to zoning requirements prohibiting the use of shipping containers within the C-2 highway commercial zoning district.

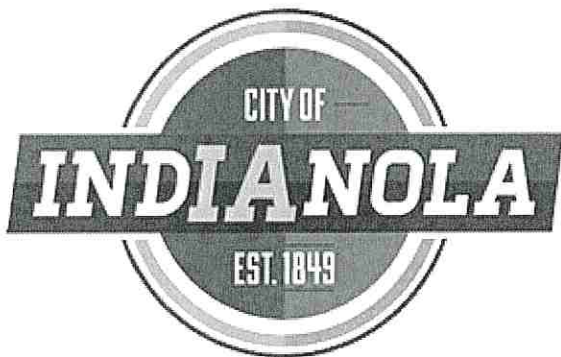
Please fill out the attached application and return all required information at your earliest convenience but no later than July 21<sup>st</sup>, 2025, so we can get you on the August 6<sup>th</sup>, 2025, agenda.

If you have any questions, please do not hesitate to reach out to myself or our senior planner Bill Mettee, [BMettee@indianolaiowa.gov](mailto:BMettee@indianolaiowa.gov) (515) 962-5276.

Please know that we will do everything we can to help ensure this process goes as smoothly as possible!

Thank you, Mr. Sandy

Respectfully,



**Tim Little**  
**Building & Zoning Official**

**Phone:** O: 515.962.5278 | C: 515.829.0122

**Email:** [TLittle@Indianolalowa.Gov](mailto:TLittle@Indianolalowa.Gov)

**Address:** 110 N. 1<sup>st</sup> Street, Indianola, IA 50125

**Simon, Kate**

---

**From:** Tanner Sandy <tannersandy2@gmail.com>  
**Sent:** Friday, August 15, 2025 8:22 PM  
**To:** Brennan, Scott  
**Subject:** Fwd: Final Inspection Results

[WARNING: EXTERNAL SENDER]

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Sent from my iPhone

Begin forwarded message:

**From:** noreply@schneidergis.com  
**Date:** August 15, 2025 at 12:01:29 PM CDT  
**To:** tannersandy2@gmail.com  
**Subject:** Final Inspection Results

Your inspection has been completed.

Approve Inspection: Yes

Remarks: Incinerator is housed inside a noncombustible pre-manufactured structure, it is compliant with set backs (50' from building, 50'+ away from property lines and combustibles.) Fuel source is natural gas, it is connected and the incinerator is operational.

Please login to reschedule this (if not approved) or to schedule additional inspections.

City of Indianola  
Community Development  
110 N. 1st St.  
P.O. Box 299  
Indianola, IA 50125

Ph: 515-961-9430

*These messages are sent using an email address that is not monitored by the sender and is not able to receive mail. If you have questions, please contact the Community Development Department*



**Number:** BP-2024-132

**Workflow:** Building Permit  
**Description:** IVC PROPERTIES LLC (Deed) | 2201 N JEFFERSON WAY | 48237023000  
**Created On:** 10/9/2024

[View Application](#)

**Simon, Kate**

---

**From:** Tanner Sandy <tannersandy2@gmail.com>  
**Sent:** Thursday, August 14, 2025 6:20 PM  
**To:** Brennan, Scott  
**Subject:** Fwd: Indianola vet clinic

[WARNING: EXTERNAL SENDER]

---

message from city inspector saying container system is fine

----- Forwarded message -----

**From:** **Tim Little** <tlittle@indianolaiowa.gov>  
**Date:** Mon, Dec 2, 2024 at 9:24 AM  
**Subject:** RE: Indianola vet clinic  
**To:** Tanner Sandy <tannersandy2@gmail.com>

Tanner,

Apologies for the late reply! My holiday weekend began just before noon on Wednesday. I did speak with Tony and confirm that yes the container system is what we are requiring. Our previous associate planner rejected the container system due to a zoning conflict, however, our primary concern here is fire safety, therefore, an exception is being made to use the container system as long as screening is provided to keep it out of view as much as possible.

Respectfully,

Tim Little

Building Official  
110 N. 1st Street  
Indianola, IA 50125  
O: 515.962.5278  
C: 515.829.0122  
[tlittle@indianolaiowa.gov](mailto:tlittle@indianolaiowa.gov)

-----Original Message-----

**From:** Tanner Sandy <tannersandy2@gmail.com>  
**Sent:** Wednesday, November 27, 2024 1:10 PM  
**To:** Tim Little <tlittle@indianolaiowa.gov>  
**Subject:** Indianola vet clinic

[You don't often get email from [tannersandy2@gmail.com](mailto:tannersandy2@gmail.com). Learn why this is important at

<https://aka.ms/LearnAboutSenderIdentification> ]

You spoke to Tony Nelson a week or two ago and it was discussed that we can use the container system to house our crematorium since it needs to be an all metal structure according to the fire marshal. We are really wanting to move forward with our project asap so just confirming with you personally that the container is a go. At this point from your conversation with Tony we have purchased the container and are starting the set up process to get it ready for the crematorium . I look forward to your response as soon as possible. Thank you

Sent from my iPhone

**Simon, Kate**

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**From:** Tanner Sandy <tannersandy2@gmail.com>  
**Sent:** Thursday, August 14, 2025 6:24 PM  
**To:** Brennan, Scott  
**Subject:** Fwd: Request for Immediate Assistance: Permit Issue for Indianola Veterinary Clinic

[WARNING: EXTERNAL SENDER]

---

correspondences between me, the mayor at the time and the city manager at the time

----- Forwarded message -----

**From:** Ben Reeves <breeves@indianolaiowa.gov>  
**Date:** Mon, Oct 7, 2024 at 1:26 PM  
**Subject:** RE: Request for Immediate Assistance: Permit Issue for Indianola Veterinary Clinic  
**To:** Stephanie Erickson <serickson@indianolaiowa.gov>, tannersandy2@gmail.com  
<tannersandy2@gmail.com>

Good Afternoon Mayor,

Tim, Bill, and I visited this morning just before lunch. Tim will reach out to the vet clinic today.

Thanks,

Ben

---

**From:** Stephanie Erickson <serickson@indianolaiowa.gov>  
**Sent:** Monday, October 7, 2024 11:15 AM  
**To:** tannersandy2@gmail.com; Ben Reeves <breeves@indianolaiowa.gov>  
**Subject:** Re: Request for Immediate Assistance: Permit Issue for Indianola Veterinary Clinic

Good morning Ben,

I wanted to follow up and confirm that someone from Community Development will be in touch with Dr. Sandy today to guide him on the next steps to obtain his permit.

Thank you,  
Stephanie

Get Outlook for iOS

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**From:** Stephanie Erickson  
**Sent:** Saturday, October 5, 2024 3:35:03 PM  
**To:** [tannersandy2@gmail.com](mailto:tannersandy2@gmail.com) <[tannersandy2@gmail.com](mailto:tannersandy2@gmail.com)>; Ben Reeves <[breeves@indianolaiowa.gov](mailto:breeves@indianolaiowa.gov)>  
**Subject:** Request for Immediate Assistance: Permit Issue for Indianola Veterinary Clinic

Hi Ben,

I wanted to reach out regarding an issue that has been brought to my attention by Dr. Tanner Sandy from the Indianola Veterinary Clinic. Back in July, Dr. Sandy contacted me about their plans to expand their services by adding cremation capabilities, and inquired about who to speak with in the city regarding rezoning or a special use permit. After speaking with Charlie that same day, it was confirmed that rezoning would not be necessary for the project.

Recently, however, Dr. Sandy shared his frustration over several months of delays and communication challenges with the city's development and zoning departments. He's been working on plans for a small Morton-style building, but has faced difficulty reaching the right contacts and getting clear answers about permits. There's some confusion now about whether rezoning might be required, contradicting the original guidance he received.

To clarify, the land in question has always been zoned residential, and the planned building is a small structure (16' x 24' with a 10' inside height). The Indianola Veterinary Clinic, which employs over 30 people, provides essential services, including care for animals at Kiya Koda, and they're eager to expand their offerings to better serve the community. Delays are having a significant impact, especially with the equipment and supplies they've already purchased. It also affects the city, as a new building would bring additional taxable valuation.

It's very likely that there's simply been a miscommunication somewhere along the line, and I'm confident that there's an easy resolution here. I'm unsure what has changed since our initial conversations in July,

but it's important that we find a way to prioritize this and help Dr. Sandy get his permit before winter so they can move forward with construction. I've copied Dr. Sandy on this email as well.

Could we please discuss how we can ensure this process moves forward smoothly and quickly?

Thank you,

Stephanie Erickson

Mayor, City of Indianola

[Get Outlook for iOS](#)

**Simon, Kate**

---

**From:** Mellisa Sones <msones@indianolaiowa.gov>  
**Sent:** Wednesday, August 13, 2025 10:13 PM  
**To:** Jackie Raffety  
**Cc:** Jacob Meshke  
**Subject:** Fw: Indianola Vet Clinic

Email per your request.

The initial complaint I received was via a phone call from a concerned resident, who had researched the specific incinerator and our codes. They had concerns about odor, smoke and the impact to Jesse Rognes' development. Mentioned placing a call to Jesse and I asked if they would allow city staff to look into the situation, to which they agreed. That is the only communication I have had with the person who reported it.

Thank you,  
Mellisa

Mellisa Sones  
Indianola City Council - First Ward  
Address: 110 N 1st Street, Indianola, IA 50125  
Phone: 515-669-4915  
Web: [www.indianolaiowa.gov](http://www.indianolaiowa.gov)

---

**From:** Jacob Meshke <jmeshke@indianolaiowa.gov>  
**Sent:** Friday, June 27, 2025 5:03 PM  
**To:** Mellisa Sones <msones@indianolaiowa.gov>  
**Subject:** Re: Indianola Vet Clinic

Mellisa,

The veterinary clinic was given approval to construct the facility by right through a combination of previous and current staff. The facility was allowed under the current zoning as it was deemed to fit or relate to the already established veterinary use at the site. The type of facility was chosen with an emphasis on fire safety.

Any odor emitted from the site would become a code enforcement issue for enforcement.

Best,  
Jake

**Jacob Meshke**

City Manager  
City of Indianola  
110 N 1<sup>st</sup> Street



## NOTICE OF PUBLIC HEARING

August 21, 2025

Re: Proposed Variance – 2201 North Jefferson Way

Dear Property Owner:

The City of Indianola has received a variance application from IVC, LLC, property owners of 2201 North Jefferson Way, which is located west of North Jefferson Way and north of East Trail Ridge Avenue. The owner has filed for a variance from §165.04(2)(F) and §165.05(5)(F) of the Indianola Municipal Code which states that “The outdoor storage of any materials, goods, shipping containers, construction equipment.....is prohibited in all zoning districts except where expressly permitted by the zoning regulations” and “Accessory buildings shall match the architectural style and design of the principal structure. The exterior building materials shall also be similar and of identical quality as that found on the principal structure.” The applicant is requesting the variance to permit a shipping container accessory structure that won’t adhere to the architectural guidelines for accessory buildings.

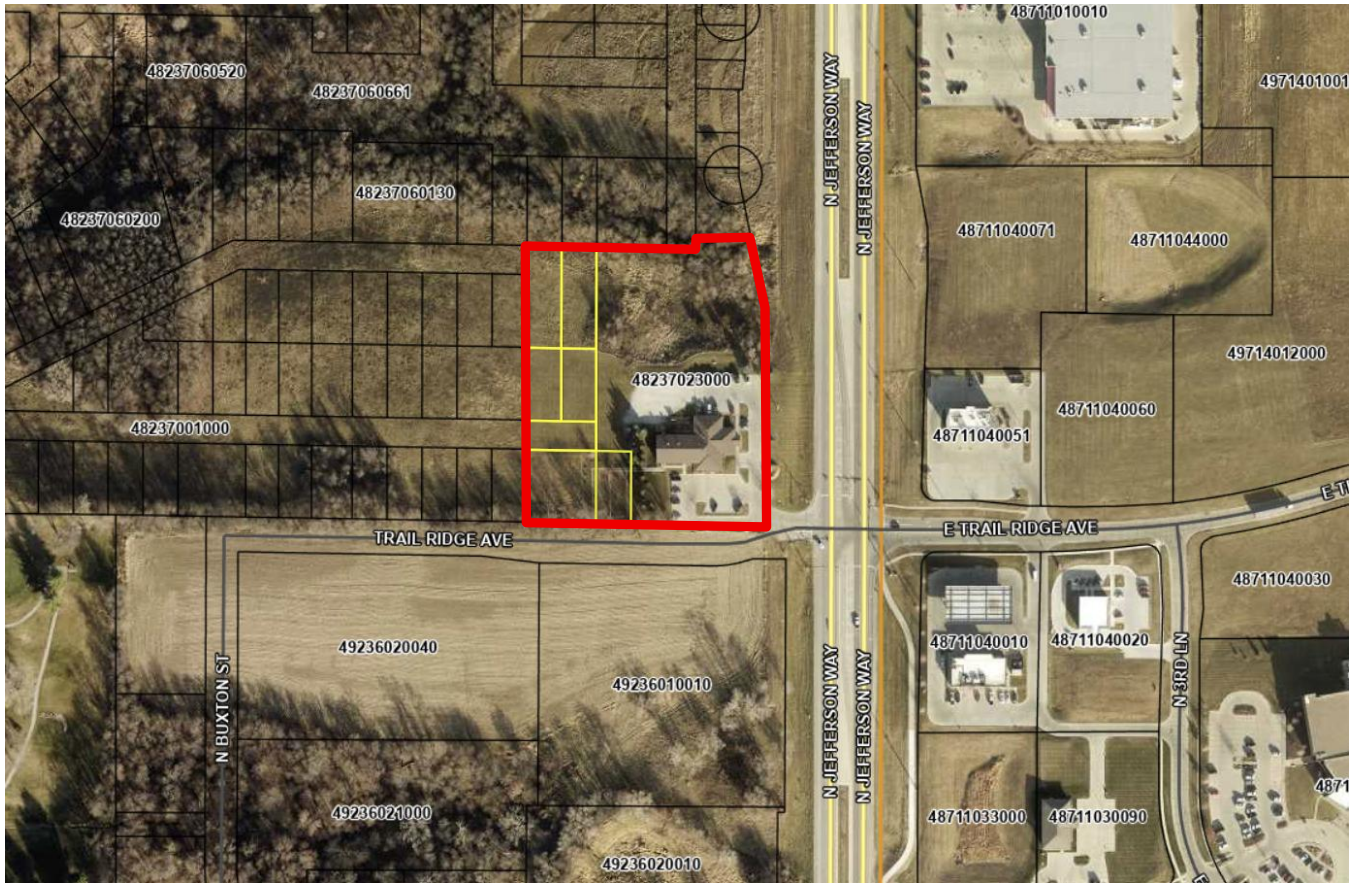
The Indianola Board of Adjustment will hold a public hearing at **6:00 p.m., Wednesday, September 3, 2025, at Indianola City Hall, City Council Chambers, 110 North 1<sup>st</sup> Street, Indianola, IA.**

§165.02 of the Indianola Municipal Code states that the Board of Adjustment has the power to “To grant a variance from the terms of the Zoning Ordinance when a property owner can show that the owner’s property was acquired in good faith and where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property, or where by reason of exceptional topographical conditions or other extraordinary or exceptional situation, the strict application of the terms of the Zoning Ordinance actually prohibits the use of such property in a manner reasonably similar to that of other property in the same district, and where the Board is satisfied under the evidence before it that a literal enforcement of the provisions of the Zoning Ordinance would result in unnecessary hardship; provided, however, all variations granted under this clause shall be in harmony with the general purpose and intent of the Zoning Ordinance..” Such a variance cannot be granted unless it meets certain criteria.

All interested parties are invited to attend the public hearing and express their opinions pro or con. Any written comments received on or before this date by the City Zoning Administrator will be considered to be part of the hearing as well. If you have any questions concerning the application or if you would like additional information, please call the Community Development Department at 515-962-9430.

Sincerely,  
Bill Mettee  
Senior Planner

110 N. First Street • PO Box 299 • Indianola, Iowa 50125 • Phone: (515) 961-9410 • [www.indianolaiowa.gov](http://www.indianolaiowa.gov)



**ABOVE:** Subject property (outlined in **RED**).



**STAFF REPORT**

<b>TO:</b> Board of Adjustment	<b>PREPARED BY:</b> Bill Mettee, Senior Planner
<b>RE:</b> 1306 North 9 <sup>th</sup> Street	<b>DATE:</b> August 29, 2025

**GENERAL INFORMATION:**

**Applicant / Owner:** Nicholas and Brittini Horstman

**Requested Action(s)** Variance from §165.04 of the Indianola Municipal Code which states that “Accessory buildings and structures within 10 feet from any principal structure must meet the setback standards required of the principal structure.” The applicant wishes to install an in-ground pool 6’ from the principal structure and 10’ from the rear property line.

**Location and Size:** Addressed as 1306 North 9<sup>th</sup> Street, property legally described as Lot 3 of Lincoln Ridge Plat 4, which is located north of East Iowa Avenue and east of North Jefferson Way, containing 0.23 acres.

**Land Uses and Zoning:**

Location	Existing Land Use	Comprehensive Plan	Current Zoning
Property in Question	Single Family Residential	Low-Density Residential	R-2
North	Single Family Residential	Low-Density Residential	R-2
South	Single-Family Residential	Low-Density Residential	R-2
East	Public Trail	Low-Density Residential	R-2
West	Single Family Residential	Low-Density Residential	R-2

**BACKGROUND:**

The subject property is located near the intersection of North 9<sup>th</sup> Street and East Madison Avenue. The property is approximately 80’ x 135’ and 0.23-acres in area. The property has an existing single-family home built on it, as well as an attached garage. The applicant is requesting a variance to allow the construction of a 15’ x 39’ in-ground pool. The pool is proposed to be 6’ 1” from the covered patio of the principal structure, which requires compliance with the setbacks for principal structures. The pool is proposed to be 10’ 1” from the rear property line, where 35’ would be required. The applicant is requesting a variance of 24’ 11” to comply with the setbacks.

**CODE SECTIONS RELATED TO THE REQUESTED VARIANCE:**

**§165.04** Accessory Buildings and Structures. “Accessory buildings and structures within 10 feet from any principal structure must meet the setback standards required of the principal structure.”



**ABOVE:** Site plan of the property showing the requested accessory structure variance. The **RED** square shows the location of the proposed in-ground pool.

**ANALYSIS:**

Variations are designed to grant relief from the Ordinance, which if strictly imposed would deny a property owner reasonable use of the land and would therefore create undo hardship. An applicant is required to prove that a hardship exists by demonstrating that the overall integrity of the area will not be diminished, a reasonable use cannot be made, the situation is unique, and the hardship is not self-imposed. Nicholas and Brittini Horstman, the property owners, have submitted the attached Board of Adjustment application form dated August 20, 2025, stating arguments in favor of the requested variance. Notice of the proposed variance request was mailed to surrounding property owners within a 200-foot radius on Friday August 22, 2025. At the time this report was written, staff has not received any correspondence for or against the request.

**Hardship**

In order to prove that a hardship exists and is not self-imposed, the applicants must prove that a literal interpretation of the provisions of the Ordinance deprive the applicants' rights commonly enjoyed by other properties in the same district. In-ground pools are considered accessory structures, though they are at grade and don't protrude from the ground. At some point, owners of the home constructed a covered porch on the rear of the home and made it part of the principal structure. The structure currently has a 30' rear yard setback, where 35' is now required. Placing the pool anywhere on the rear of the lot would trigger this requirement and require a variance.

**Uniqueness**

In order to prove that the requested variance is unique to the property, the applicants must indicate proof of special conditions and circumstances that exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings. Most freestanding accessory structures (sheds) would be able to be placed on this property and not be within 10' of the principal structure and meet the required 5' setback requirement. In-ground pools are at grade and don't require other elements such as building materials.

August 29, 2025

**Public Interest and Integrity**

There are no obvious detriments to the public interest by installing a pool. The pool will be bonded and inspected by professionals.

**Staff Recommendation**

Staff recommends **approval** of the variance request as presented.

General findings of fact:

- The applicant wishes to construct a 15' x 39' in-ground pool in the rear yard.
- Accessory structures that are located within 10' of the principal structure must meet the setback requirements of the principal structure.
- The pool will be 6' from the primary structure and 10' from the rear lot line.
- Installing a pool is not detrimental to the neighborhood or general public and is a use commonly enjoyed by homeowners.

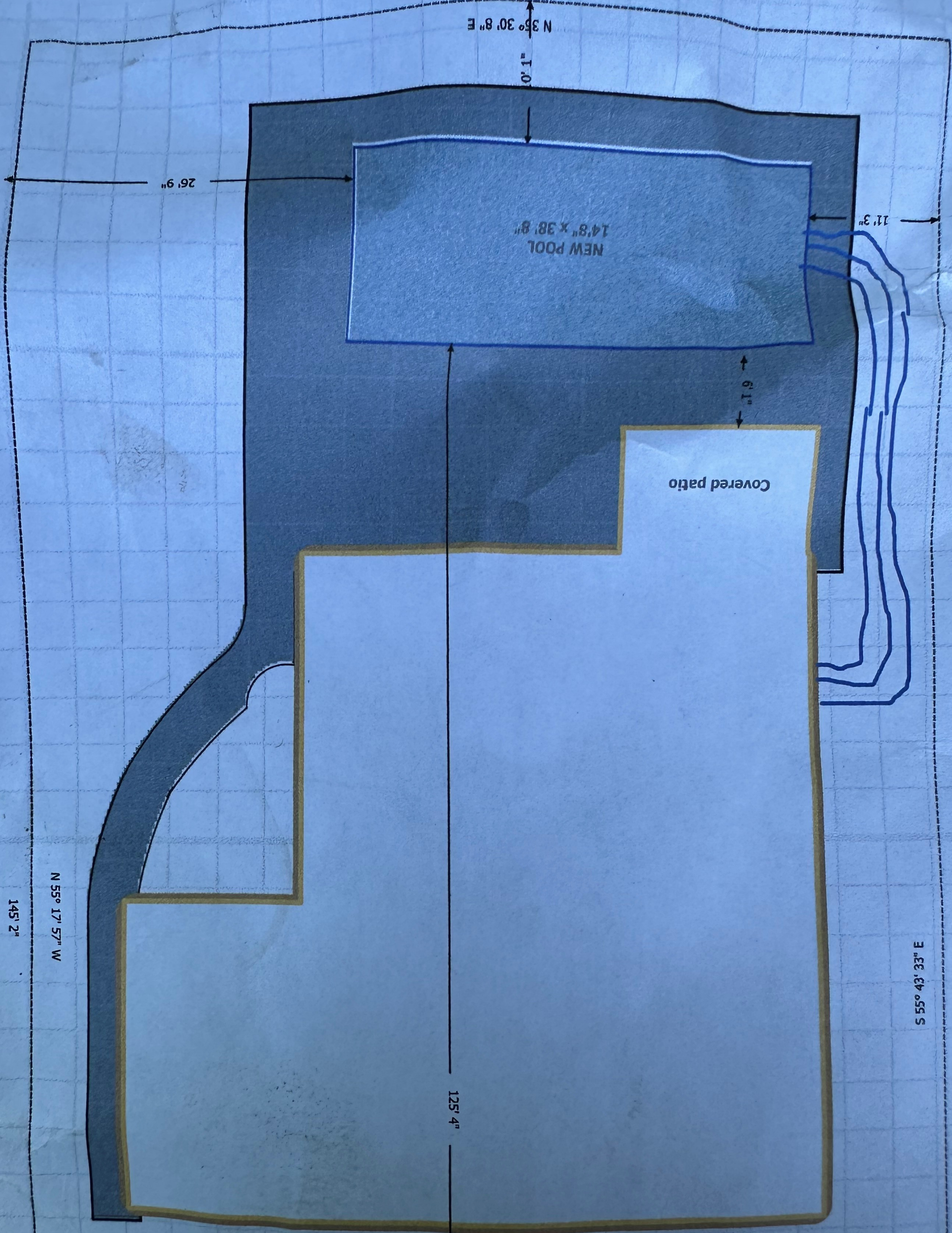
If there is information related to the application that has not been included with the packet that you feel would be beneficial to have available to you at the meeting, please contact me with those items and I will attempt to arrange for their availability.

**CITY OF INDIANOLA**

Bill Mettee  
Senior Planner

**Attachments**

- I. Completed Board of Adjustment Application – Dated 08/20/2025
- II. Public Notice sent by City – 08/22/2025





## NOTICE OF PUBLIC HEARING

August 21, 2025

Re: Proposed Variance – 1306 North 9<sup>th</sup> Street

Dear Property Owner:

The City of Indianola has received a variance application from Joseph and Kristi Kerner, property owners of 1008 North 7<sup>th</sup> Court, which is located east of North Jefferson Way and south of East Kentucky Avenue. The owner has filed for a variance from §165.04(2)(D)(7) of the Indianola Municipal Code which states that “Accessory buildings and structures within 10 feet from any principal structure must meet the setback standards required of the principal structure.” The applicant is requesting the variance to permit an inground pool that would not meet the rear yard setback.

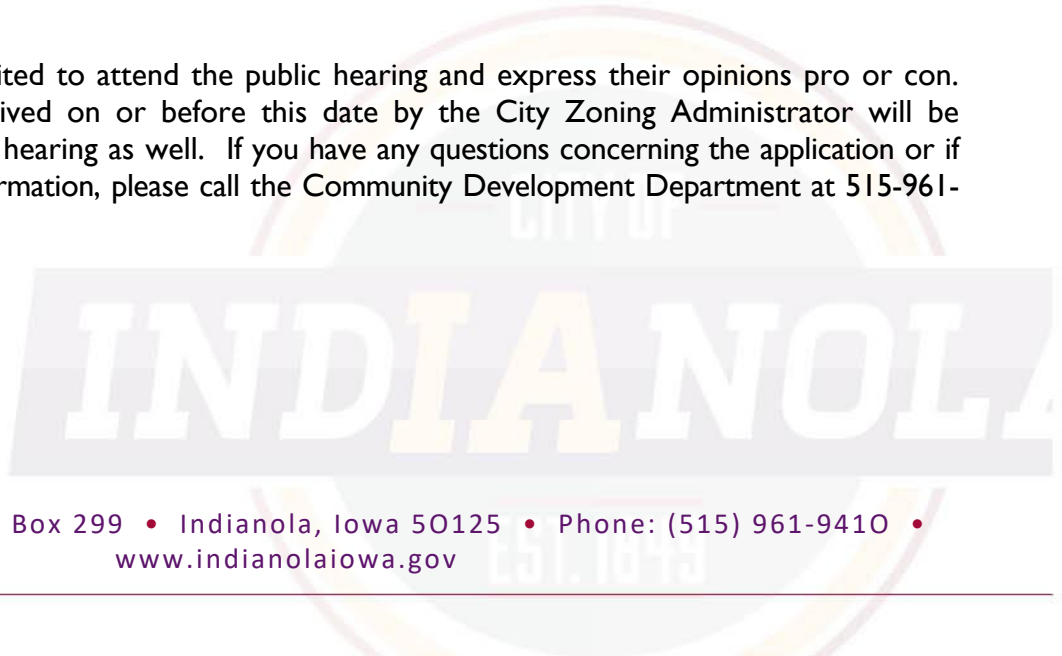
The Indianola Board of Adjustment will hold a public hearing at **6:00 p.m., September 3, 2025, at Indianola City Hall, City Council Chambers, 110 North 1<sup>st</sup> Street, Indianola, IA.**

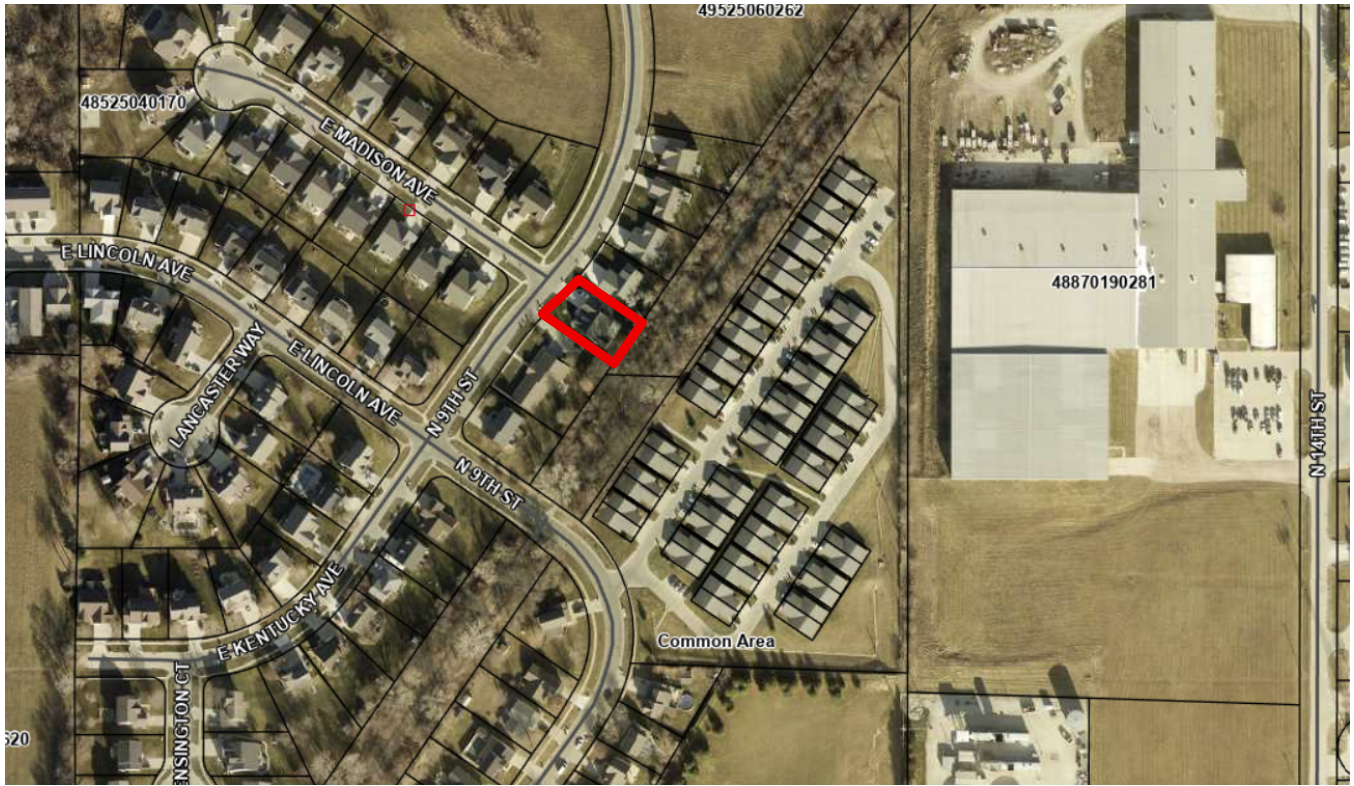
§165.02 of the Indianola Municipal Code states that the Board of Adjustment has the power to “To grant a variance from the terms of the Zoning Ordinance when a property owner can show that the owner’s property was acquired in good faith and where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property, or where by reason of exceptional topographical conditions or other extraordinary or exceptional situation, the strict application of the terms of the Zoning Ordinance actually prohibits the use of such property in a manner reasonably similar to that of other property in the same district, and where the Board is satisfied under the evidence before it that a literal enforcement of the provisions of the Zoning Ordinance would result in unnecessary hardship; provided, however, all variations granted under this clause shall be in harmony with the general purpose and intent of the Zoning Ordinance..” Such a variance cannot be granted unless it meets certain criteria.

All interested parties are invited to attend the public hearing and express their opinions pro or con. Any written comments received on or before this date by the City Zoning Administrator will be considered to be part of the hearing as well. If you have any questions concerning the application or if you would like additional information, please call the Community Development Department at 515-961-9430.

Sincerely,

Bill Mettee  
Senior Planner





**ABOVE:** Subject property (outlined in **RED**).



**STAFF REPORT**

<b>TO:</b> Board of Adjustment	<b>PREPARED BY:</b> Bill Mettee, Senior Planner
<b>RE:</b> 1208 South H Street	<b>DATE:</b> August 29, 2025

**GENERAL INFORMATION:**

**Applicant / Owner:** Gary and Lynn Ripperger

**Requested Action(s)** Variance from §165.07(3)(A)(4) of the Indianola Municipal Code which states that “All driveways, access drive, and off-street parking and loading areas shall be paved with HMA, PCC or pavers.” The applicant wishes to construct a secondary driveway with gravel.

**Location and Size:** Addressed as 1208 South H Street, which is located north of West 12<sup>th</sup> Avenue and west of South G Street, containing 1.58 acres.

**Land Uses and Zoning:**

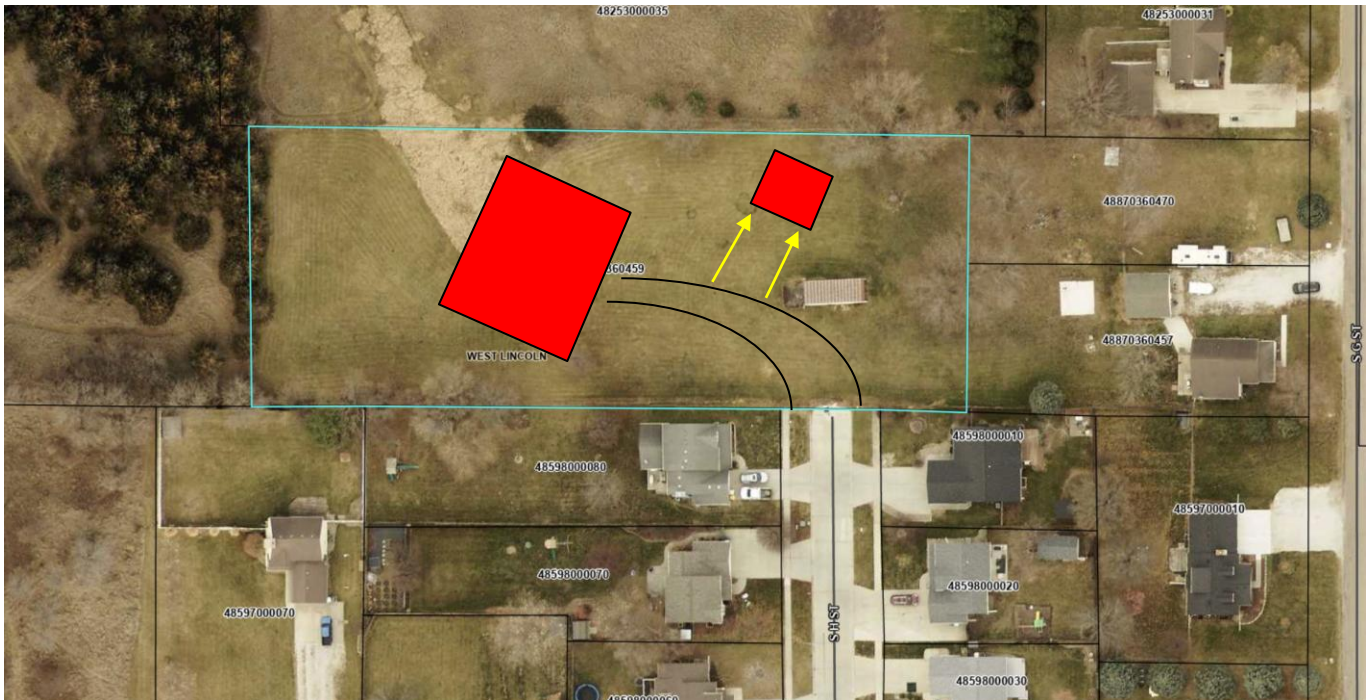
Location	Existing Land Use	Comprehensive Plan	Current Zoning
Property in Question	Single Family Residential	Low-Density Residential	R-1
North	Vacant / Undeveloped	Low-Density Residential	R-1
South	Single-Family Residential	Low-Density Residential	R-1
East	Single-Family Residential	Low-Density Residential	R-1
West	Vacant / Undeveloped	Low-Density Residential	A-1

**BACKGROUND:**

The subject property is located at the end of South H Street at its terminus. The property is approximately 165’ x 425’ and 1.58-acres in area. The owner is currently building a home on the property as well as a detached accessory structure. The primary driveway will extend from South H Street to the principal structure and will be paved. The applicant is requesting a variance to allow the second driveway to the accessory structure to be constructed with gravel.

**CODE SECTIONS RELATED TO THE REQUESTED VARIANCE:**

**§165.07(3)(A)(4)** “All driveways, access drive, and off-street parking and loading areas shall be paved with HMA, PCC or pavers.” The applicant wishes to construct a secondary driveway with gravel.



**ABOVE:** Site plan of the property showing the requested variance. The **RED** squares shows the location of the proposed house and accessory structure. The **YELLOW** arrows indicate the secondary driveway location proposed to be gravel.

**ANALYSIS:**

Variations are designed to grant relief from the Ordinance, which if strictly imposed would deny a property owner reasonable use of the land and would therefore create undo hardship. An applicant is required to prove that a hardship exists by demonstrating that the overall integrity of the area will not be diminished, a reasonable use cannot be made, the situation is unique, and the hardship is not self-imposed. Gary and Lynn Ripperger, the property owners, have submitted the attached Board of Adjustment application form dated August 19, 2025, stating arguments in favor of the requested variance. Notice of the proposed variance request was mailed to surrounding property owners within a 200-foot radius on Wednesday August 22, 2025. At the time this report was written, staff has not received any correspondence for or against the request.

**Hardship**

In order to prove that a hardship exists and is not self-imposed, the applicants must prove that a literal interpretation of the provisions of the Ordinance deprive the applicants’ rights commonly enjoyed by other properties in the same district. The applicant has noted the primary driveway will be paved and is asking for relief on the second driveway as its outlet is not the city streets or any intakes but rather the poured cement driveway.

**Uniqueness**

In order to prove that the requested variance is unique to the property, the applicants must indicate proof of special conditions and circumstances that exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings. The applicant has noted the size of the lot and length of requirement pavement to satisfy City code.

**Public Interest and Integrity**

The applicant has noted that the granting of the variance will not be contrary to the public interest or overall neighborhood integrity. The property abuts a mostly vacant property and won’t have any adverse effects.

**Staff Recommendation**

Staff recommends **approval** of the variance request as presented.

General findings of fact:

- The applicant is currently constructing a home on this parcel with a detached accessory structure.
- City Code states that all off-street parking areas and driveways are to be paved with HMA or PCC.
- The applicant will be paving the primary driveway from the street to the house. He wishes to install a gravel driveway from the paved driveway to the accessory structure.

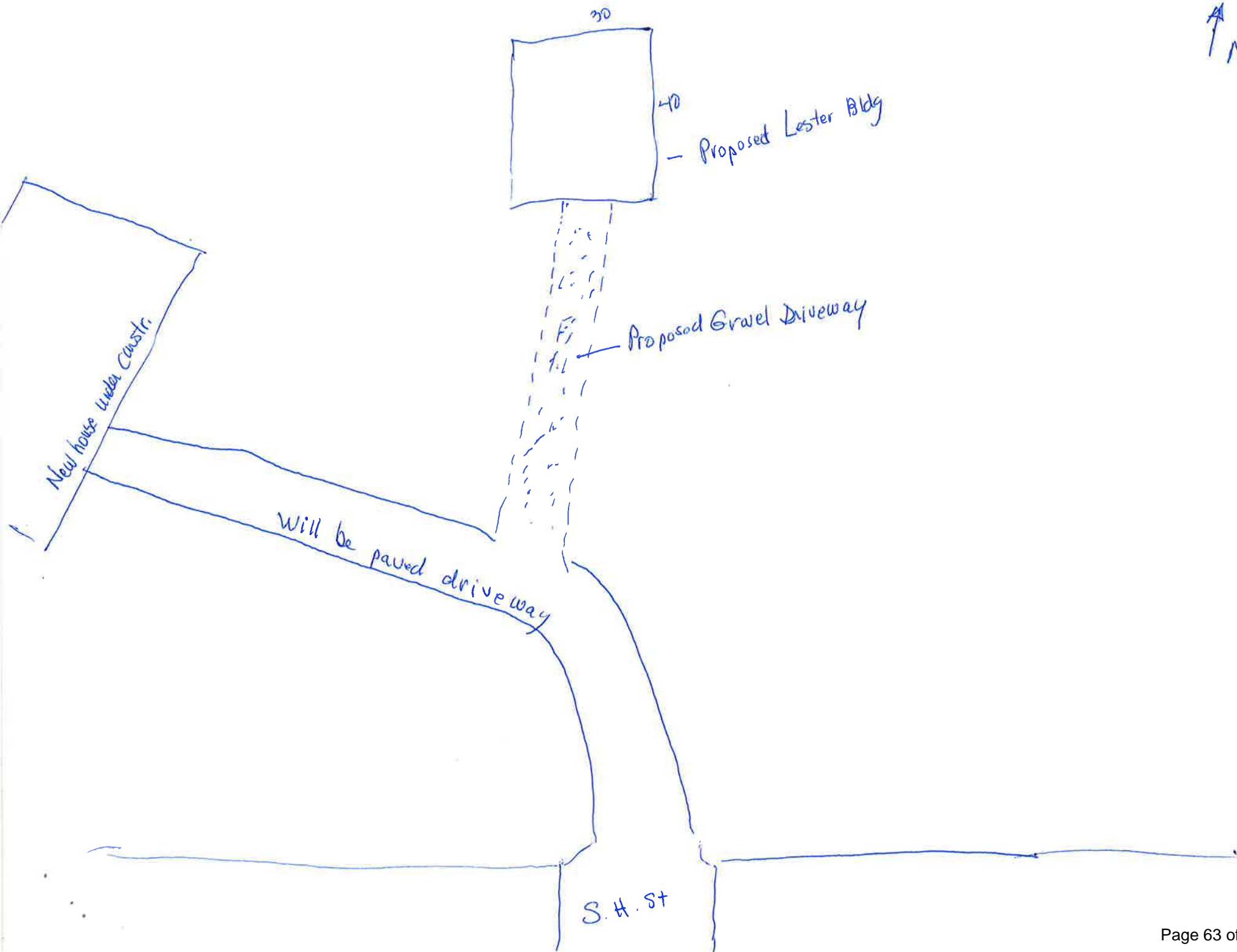
If there is information related to the application that has not been included with the packet that you feel would be beneficial to have available to you at the meeting, please contact me with those items and I will attempt to arrange for their availability.

**CITY OF INDIANOLA**

Bill Mettee  
Senior Planner

**Attachments**

- I. Completed Board of Adjustment Application – Dated 08/19/2025
- II. Public Notice sent by City – 08/22/2025



# BOARD OF ADJUSTMENT APPLICATION

## Community Development

110 North 1<sup>st</sup> Street, Indianola, Iowa 50125-0299  
 (515) 961-9430 • [comdev@indianolaiowa.gov](mailto:comdev@indianolaiowa.gov)



### PROPERTY OWNER

(Last Name) RIPPERGER  
 (First Name) GARY  
 (Address) 1208 S. H. St  
 (City) Indianola (State) IA (Zip) 50125  
 (Phone) 515-250-1421 (Email) garyr@iowa-insure.com

### APPLICANT (if not Property Owner)

(Last Name) \_\_\_\_\_  
 (First Name) \_\_\_\_\_  
 (Address) \_\_\_\_\_  
 (City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip) \_\_\_\_\_  
 (Phone) \_\_\_\_\_ (Email) \_\_\_\_\_

### APPEAL

#### Submittal Requirements:

All submittal requirements must be completed.  
 Incomplete applications will not be considered

- Completed Application
- Filing Fee: \$300 per request
- Written narrative indicating where it is alleged there is error in any order, requirement, decision, or determination made by the Administrative Officer in the enforcement of this Code of Ordinances of Indianola, Iowa .
- Other Information as required by Director

### SPECIAL USE PERMIT

#### Submittal Requirements:

All submittal requirements must be completed.  
 Incomplete applications will not be considered

- Property Address: \_\_\_\_\_
- Completed Application
- Filing Fee: \$300 per request
- Site Plan and Elevations as outlined in 165.06
- Written narrative indicating the special use permit sought and response to the criteria outlined in Section 165.02(3)(B)(3)(c)(v) of the Code of Ordinances of Ordinances of Indianola, Iowa
- Other Information as required by Director

### VARIANCE

#### Submittal Requirements:

All submittal requirements must be completed.  
 Incomplete applications will not be considered

- Property Address: 1208 S. H. St
- Completed Application
- Filing Fee: \$300 per request
- Site Plan and Elevations
- Written narrative indicating justification for proposed variance and response to the criteria outlined in Section 165.02(3)(B)(3)(b) of the Code of Ordinances of Indianola, Iowa
- Other Information as required by Director

I certify that the information and exhibits submitted are true and correct to the best of my knowledge and that in filing this application I am acting with the knowledge, consent and authority of the owner(s) of the property. Pursuant to said authority, I hereby permit City officials to enter upon the property for the purpose of inspection related to this application.

Signature [Handwritten Signature]  
 Name (printed) Gary Ripperger

Date 8-19-25

#### FOR OFFICE USE ONLY:

Code to 45180

Date Received: 8/19/25  
 Receipt No: \_\_\_\_\_  
 Receipt Amount: 300  
 BOA Agenda Date: 9/3/25

8-19-25

## **Proposed Variance on Lester shed for Gary Ripperger at 1208 S H St**

I am in the middle of building a new home on this property. Tim Little has been out several times, we have all the permits and qualified people building it.

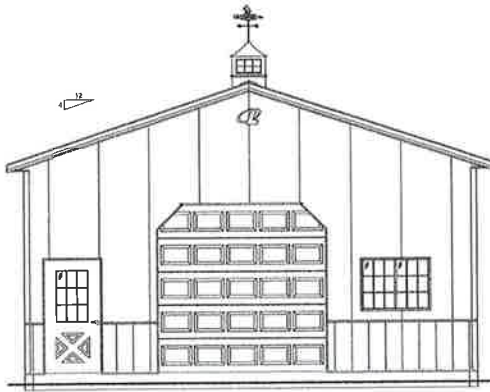
In addition I want to put up a 40 X 30 Lester building. It will have electricity and heat(hanging gas), no plumbing nor AC. It will only be used for my purposes(small shop, storage, some equipment). Will not be for commercial use.

I have 2 variance I need to ask for:

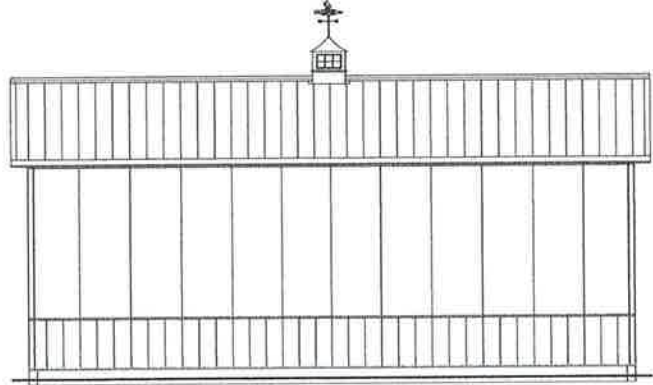
1. The location is not directly behind the structure, but off to the side and to the north of the main structure. See approximate location in attached drawing. To the north there are no houses but an open field. It appears land locked so no houses could probably never be built there. We are on about 1 3/4 acres. So variance #1 is for permission to build in the location chosen. The land and fill dirt pad has been paid for and they brought all the dirt in and packed it by Vanderpool.
2. Variance #2 request is for the short driveway from the poured cement drive to the door of the Lester building. I request to be able to use gravel since its outlet is not the city street but my poured cement driveway.

Thanks you,

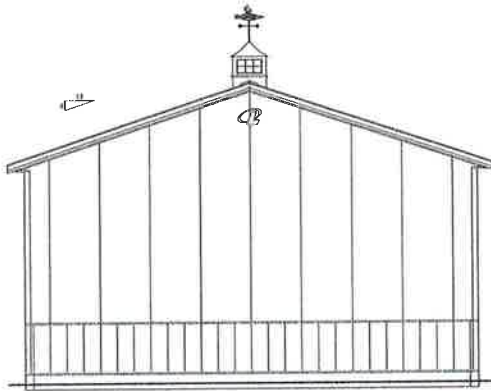
Gary Ripperger. 515-250-1421



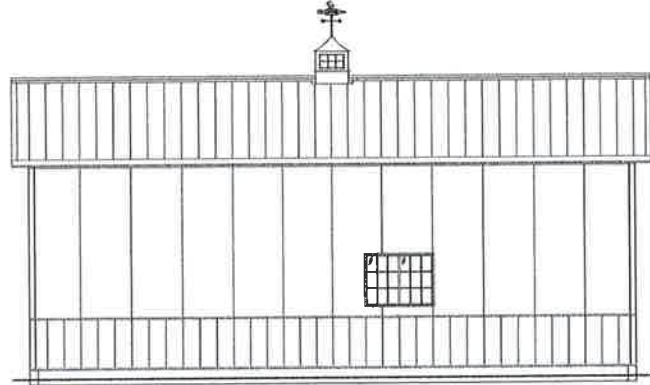
A2 ENDWALL 1 ELEVATION



B2 SIDEWALL 1 ELEVATION



C2 ENDWALL 2 ELEVATION



D2 SIDEWALL 2 ELEVATION



DEALER INFO.  
Iowa Post Frame and Construction LLC  
7638 Hoover St  
Indianola, IA 50125-7043

CUSTOMER INFO.  
Gary Ripperger  
1208 S H.  
Indianola, IA 50125

BUILDING DESCRIPTION  
30 x 40  
27'-0" x 36'-1" x 12'-0"  
Uni-Frame Not Embedded  
QP052225

Customer Approval

*GR*  
(Initials)

DATE:

Bldg Direction



(Mark North)

PROJ: R97A-15076-00-00  
PROPOSAL DRAWINGS ONLY  
Not Intended for Construction Purposes  
The information presented in this drawing is based on a preliminary design using the input provided. The final design is subject to Vester Engineering review.  
\*NOT TO SCALE\*



**STAFF REPORT**

<b>TO:</b> Board of Adjustment	<b>PREPARED BY:</b> Bill Mettee, Senior Planner
<b>RE:</b> 112 East Detroit Avenue	<b>DATE:</b> August 29, 2025

**GENERAL INFORMATION:**

**Applicant / Owner:** Simpson College (Owner) | Spirit Holdings Company (Applicant)

**Requested Action(s)** General Rule or Findings from Board of Adjustment that one nonconforming use of a structure may be changed to another nonconforming use of a structure, provided the proposed use is equally or more appropriate to the district than the existing nonconforming use. The applicant is requesting to utilize the structure for commercial uses, where commercial uses have occurred in the R-2 district.

**Location and Size:** Addressed as 112 East Detroit Avenue, property legally described as the East 92' and South 135' of Lot 4 Block 2 of Ader's Addition, which is located at the northwest corner of the intersection of North 1<sup>st</sup> Street and East Detroit Avenue, containing 0.29 acres.

**Land Uses and Zoning:**

Location	Existing Land Use	Comprehensive Plan	Current Zoning
Property in Question	Commercial	Downtown Mixed-Use	R-2
North	Multi-Family Residential	Medium to High-Density Residential	R-3
South	Simpson College Arts Facility	Downtown Mixed-Use	R-2
East	Multi-Tenant Commercial	Regional Mixed-Use	C-3
West	Multi-Family Residential	Medium to High-Density Residential	R-3

**BACKGROUND:**

The subject property is located on the northwest corner of North 1<sup>st</sup> Street and East Detroit Avenue. The property is approximately 95' x 135' and 0.29-acres in area. The property has an existing single-story building, built circa 1986, which Simpson College purchased in 2012. The property is zoned R-2 Single-Family Residential Attached District. Colleges and Universities are a Special Use within the R-2 district, therefore the zoning doesn't raise concern. While zoned R-2, previous uses have not been residential in nature, rather commercially oriented, including communications and media studios.

Simpson College has entered into a lease with Spirit Holdings Company to occupy the building for commercial uses, including medically supervised wellness clinic (med-spa) on the main story and a small catering operation in the basement. The med-spa will include IV hydration therapy, wellness treatments and other non-invasive

aesthetic services. The catering operation will operate under all applicable health and safety codes and support local culinary initiatives.

A total of 17 parking spaces exist on the site. One space per 250 square feet of GFA is required for medical clinics, which would total 13 spaces required. The catering operation won't be open to the public, therefore a parking requirement similar to a 1 space per employee is adequate.

**CODE SECTIONS RELATED TO THE REQUESTED VARIANCE:**

**§165.04(5)(E)(3) NONCONFORMING USES OF STRUCTURE:** "If no structural alterations are made, any nonconforming use of a structure, or structure and premise, may be changed to another nonconforming use, provided that the Board of Adjustment, either by general rule or by making findings in the specific case, shall find that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use."



**ABOVE:** Site plan of the property showing the requested appeal. The **RED** square shows the parcel

**ANALYSIS:**

The subject project is not a variance, a special use permit or an appeal. It most resembles an appeal but by definition, the Board of Adjustment is being asked to make a general rule or make findings that the proposal is compliant with the zoning ordinance related to nonconforming uses of structures. Simpson College and Spirit Holdings Company, the property owner and applicant, have submitted the attached Board of Adjustment application form dated August 20, 2025, stating arguments in favor of the requested appeal. Notice of the proposed variance request was mailed to surrounding property owners within a 200-foot radius on Friday August 22, 2025. At the time this report was written, staff has not received any correspondence for or against the request.

**Staff Recommendation**

Staff recommends **approval** of the request as presented.

General findings of fact:

- The property is zoned R-2 and Colleges and Universities are a permitted use in this district with a Special Use Permit.
- Simpson College existed prior to the special use permit process.
- Simpson College remains the owner of the property and proposes to lease the structure to Spirit Holdings Company.
- While zoned R-2, it appears the structure was never used for student housing or other residential uses. Previous uses have been commercial in nature, including media and communications studios.
- The future tenant proposes a change in commercial uses, including a small health clinic and catering operation.
- The Board of Adjustment make a general rule or make findings that support a change from one nonconforming use of a structure to another nonconforming use of a structure.
- Staff believes the uses are similar enough in nature and not an extreme enough difference to warrant denial of the request.

If there is information related to the application that has not been included with the packet that you feel would be beneficial to have available to you at the meeting, please contact me with those items and I will attempt to arrange for their availability.

**CITY OF INDIANOLA**

Bill Mettee  
Senior Planner

**Attachments**

- I. Completed Board of Adjustment Application – Dated 08/20/2025
- II. Public Notice sent by City – 08/22/2025

# BOARD OF ADJUSTMENT APPLICATION

## Community Development

110 North 1<sup>st</sup> Street, Indianola, Iowa 50125-0299  
 (515) 961-9430 • [comdev@indianolaiowa.gov](mailto:comdev@indianolaiowa.gov)



### PROPERTY OWNER

(Last Name) Simpson College  
 (First Name) \_\_\_\_\_  
 (Address) 701 N C Street  
 (City) Indianola (State) IA (Zip) 50125  
 (Phone) \_\_\_\_\_ (Email) \_\_\_\_\_

### APPLICANT (if not Property Owner)

(Last Name) Rankin - Spirit Holdings Co LLC  
 (First Name) Mack  
 (Address) 13069 Garst Trail  
 (City) Indianola (State) IA (Zip) 50125  
 (Phone) 5157299436 (Email) mack@spiritholdingsco.com

**APPEAL**

**Submittal Requirements:**  
*All submittal requirements must be completed. Incomplete applications will not be considered*

- Completed Application
- Filing Fee: \$300 per request
- Written narrative indicating where it is alleged there is error in any order, requirement, decision, or determination made by the Administrative Officer in the enforcement of this Code of Ordinances of Indianola, Iowa .
- Other Information as required by Director

**SPECIAL USE PERMIT**

**Submittal Requirements:**  
*All submittal requirements must be completed. Incomplete applications will not be considered*

- Property Address: \_\_\_\_\_
- Completed Application
- Filing Fee: \$300 per request
- Site Plan and Elevations as outlined in 165.06
- Written narrative indicating the special use permit sought and response to the criteria outlined in Section 165.02(3)(B)(3)(c)(v) of the Code of Ordinances of Indianola, Iowa
- Other Information as required by Director

**VARIANCE**

**Submittal Requirements:**  
*All submittal requirements must be completed. Incomplete applications will not be considered*

- Property Address: 112 E Detroit Ave
- Completed Application
- Filing Fee: \$300 per request
- Site Plan and Elevations
- Written narrative indicating justification for proposed variance and response to the criteria outlined in Section 165.02(3)(B)(3)(b) of the Code of Ordinances of Indianola, Iowa
- Other Information as required by Director

I certify that the information and exhibits submitted are true and correct to the best of my knowledge and that in filing this application I am acting with the knowledge, consent and authority of the owner(s) of the property. Pursuant to said authority, I hereby permit City officials to enter upon the property for the purpose of inspection related to this application.

Signature *Mack R. Rankin*  
 Name (printed) Mack R. Rankin Date 8/20/2025

**FOR OFFICE USE ONLY:** Code to 45180

Date Received: \_\_\_\_\_  
 Receipt No: \_\_\_\_\_  
 Receipt Amount: \_\_\_\_\_  
 BOA Agenda Date: \_\_\_\_\_

**Narrative Request for Variance**

**Property Address:** 112 E Detroit Ave, Indianola, IA 50125

**Zoning Classification:** Residential

**Property Owner:** Simpson College

**Applicant:** Spirit Holdings Co.

Spirit Holdings Co. respectfully requests a zoning variance for the property located at 112 E Detroit Ave, Indianola, IA 50125, currently zoned residential and owned by Simpson College. Spirit Holdings Co. has entered into a lease agreement with Simpson College to utilize the property for commercial purposes that will support community wellness and local enterprise.

The proposed use includes a medically supervised wellness clinic (med-spa) on the ground level, offering services such as IV hydration therapy, medically guided wellness treatments, and other non-invasive aesthetic services. The basement level will be dedicated to a catering preparation kitchen, operating under all applicable health and safety codes, and supporting local culinary initiatives.

The requested variance is essential to allow for adaptive reuse of the property while preserving the character of the neighborhood. The proposed operations are low-impact, wellness-focused, and community-serving, with minimal traffic disruption and a strong emphasis on maintaining the aesthetic and residential integrity of the surrounding area.

We appreciate the Board’s consideration and respectfully request approval of this variance to allow for this innovative and community-enhancing use of the property.



Mack R. Rankin, CEO  
Spirit Holding Company



## NOTICE OF PUBLIC HEARING

August 21, 2025

Re: Proposed Variance – 112 East Detroit Avenue

Dear Property Owner:

The City of Indianola has received a Board of Adjustment application from Spirit Holdings, LLC, proposed tenant of 112 East Detroit Avenue, owned by Simpson College, which is located north of East Detroit Avenue and west of North Jefferson Way. The owner has filed for a Board of Adjustment review from §165.04(5)(E)(3) of the Indianola Municipal Code which states that “If no structural alterations are made, any nonconforming use of a structure, or structure and premises, may be changed to another nonconforming use provided that the Board of Adjustment, either by general rule or by making findings in the specific case, shall find that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use.” The applicant wishes to operate two commercial businesses in an R-2 zoning district.

The Indianola Board of Adjustment will hold a public hearing at **6:00 p.m., Wednesday, September 3, 2025, at Indianola City Hall, City Council Chambers, 110 North 1<sup>st</sup> Street, Indianola, IA.**

§165.02 of the Indianola Municipal Code states that the Board of Adjustment has the power to “To grant a variance from the terms of the Zoning Ordinance when a property owner can show that the owner’s property was acquired in good faith and where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property, or where by reason of exceptional topographical conditions or other extraordinary or exceptional situation, the strict application of the terms of the Zoning Ordinance actually prohibits the use of such property in a manner reasonably similar to that of other property in the same district, and where the Board is satisfied under the evidence before it that a literal enforcement of the provisions of the Zoning Ordinance would result in unnecessary hardship; provided, however, all variations granted under this clause shall be in harmony with the general purpose and intent of the Zoning Ordinance..” Such a variance cannot be granted unless it meets certain criteria.

All interested parties are invited to attend the public hearing and express their opinions pro or con. Any written comments received on or before this date by the City Zoning Administrator will be considered to be part of the hearing as well. If you have any questions concerning the application or if you would like additional information, please call the Community Development Department at 515-961-9430.

Sincerely,  
Bill Mettee  
Senior Planner

110 N. First Street • PO Box 299 • Indianola, Iowa 50125 • Phone: (515) 961-9410 •  
[www.indianolaiowa.gov](http://www.indianolaiowa.gov)



**ABOVE:** Subject property (outlined in **RED**).