CITY OF Ames INSPECTIONS

Report to the Property Maintenance Appeals Board

Meeting Date: November 5, 2026

Appellant: Troy Cakerice, Tenant

Code: Ames Municipal Code Chapter 13.503(3) Efficiency Unit

Property Address: 2801 West Street

Attachment A: Inspection Checklist 2026
Attachment B: Appeal Application

BACKGROUND:

The property at 2801 West Street is owned by Mother Lode Enterprises. It contains two structures; a four-family conversion and a mixed-use building that includes a barber shop and an apartment. The property owners manage the four-family conversion and lease the barbershop building to Troy Cakerice. This appeal is regarding the apartment within the barbershop building.

According to the owners, the barbershop structure has been utilized as a barbershop and an apartment space for decades. The previous barber leased the apartment space to the same tenant for many years. Mr. Cakerice began leasing the barber shop in 2011 and has had a tenant in the space until this Summer. The apartment space has never been a registered rental property and has never been issued a Letter of Compliance.

On August 6, 2026, staff noticed a 'For Rent' sign at the property advertising a 1-room studio that included utilities, parking, kitchen, shower, and bathroom for $500 per month. An email with an attached violation notice was sent to the property owners on August 6th asking them to register the property or let staff know that it is not a rental. The owner's responded to the email stating that the barber shop tenant, Mr. Cakerice, was responsible for the leasing of the structure. Staff responded explaining that as the property owner, they were responsible for the leasing of the property through the rental code. On August, 11th, the owners responded that they understood and the signs had been removed.

On August 19, 2026, staff received a rental housing registration application for the apartment space. A new rental housing inspection was conducted on August 24, 2026. The inspection checklist (Attachment A) identifies several items needing corrected prior to the issuance of a Letter of Compliance. Among those items were the following:

- Inadequate square footage of living area – the main floor sleeping/living space was approximately 143 square feet (11'x13')

- A toilet room with no sink
- A basement shower with inadequate ceiling height (currently 5'8" and should be 7')
- Inadequate parking – the barber shop is allotted one parking space on the West side of the structure. That space measures approximately 9'x15'. Mr. Cakerice leases additional space for his customers from the church across the street. At least one off-street parking space would be required.

CODE:

Chapter 13 sets minimum requirements for efficiency units:

> **Sec. 13.503. Occupancy Limitations**
> **(3) Efficiency Unit.**
> Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:
>
> (a) A unit occupied by not more than two occupants shall have a clear floor area of not less than 220 square feet. A unit occupied by three occupants shall have a clear floor area of not less than 320 square feet. These required areas shall be exclusive of the areas required by b and c, below.
> (b) The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches in front. Light and ventilation conforming to this Code shall be provided.
> (c) The unit shall be provided with a separate bathroom containing a water closet, lavatory and bathtub or shower.
> (d) The continued use of a pre-existing non-compliant room or dwelling unit may be approved, provided the owner makes application for approval of the pre-existing condition to the Building Official in accord with the procedures as described elsewhere in this Code.

Chapter 13 defines pre-existing conditions and sets forth specific criteria for documenting such conditions. The structure at 2801 West has never been a registered rental so has no documentation of non-compliant pre-existing conditions. New rentals must meet all current code requirements:

> **Sec. 13.402(3) Approved Pre-Existing Conditions.**
> **(h) Approvals not available for newly-registered dwellings.** Conditions which were approved by retroactive conversion permit, board variance, or administrative approval will not be approved for new rental registration applications. Newly registered rental properties must comply with all provisions of this Code at the time of initial registration and inspection.

APPEAL:

Mr. Cakerice was unaware that the apartment space was not registered as a rental property and did not meet the minimum requirements of the code as it was leased when he entered into his lease agreement.

To be compliant, the structure needs 77 square feet of additional living space. The toilet room would need to be remodeled to include space for a sink (reducing the current living space) and the basement shower would need to be relocated to the main floor to obtain adequate ceiling height. The structure is bound by property lines and an adjacent structure leaving no opportunity for expansion of the structure or additional parking.

Mr. Cakerice has submitted the appeal under the following criteria:

> There are specific fixed conditions that make strict compliance with the Code impracticable.

Mr. Cakerice believes that the space has functioned as an efficiency unit for decades as-is and would like to continue to offer the space for rent. The space cannot physically be enlarged to an extent that it would meet the rental code. Prospective tenants may view the space and determine if it meets their needs. The deficient items do not pose a risk to health or safety and should be allowed to continue.

BOARD AUTHORITY:

The Property Maintenance Appeals Board's authority is described in Ames Municipal Code Section 13.108(9):

13.108(9) Board decision.
The Board has authority to affirm, modify or reverse the decision of the Building Official.

The Board cannot waive the requirements of the code. The board must determine that the existing fixed conditions make strict compliance impracticable.

ALTERNATIVES:

The following are the alternatives available to the Property Maintenance Appeals Board:

1. The Property Maintenance Appeals Board can approve the appeal finding that fixed conditions make compliance impracticable. In this case, those conditions include inadequate habitable living space, lack of hand sink in the toilet room, lack of ceiling height in the shower area, and lack of off-street parking.

2. The Property Maintenance Appeals Board can deny the appeal if it finds that strict compliance with the fixed conditions is not impracticable.

3. The Property Maintenance Appeals Board can modify the decision of the Building Official if such modification does not violate the code.