

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	September 12, 2016
	Agenda Item No.	74
	Roll Call No.	<u>16-1560</u>
	Communication No.	<u>16-495</u>
	Submitted by:	Phillip Delafield, Community Development Director

AGENDA HEADING:

Review Zoning Board of Adjustment decision granting a Use Variance to allow for the parking of one (1) semi-truck with trailer that is owned and operated by Gregory Wilson at 801 Southeast 7th Street.

SYNOPSIS:

Staff recommends that the Council decline to remand the decision of the Zoning Board of Adjustment conditionally granting a Use Variance of the permitted uses in the “R1-60” One-Family Low-Density Residential District. The appeal allows use of the property for parking of one (1) semi-truck with trailer that is owned and operated by the appellant (Gregory Wilson) for an independent trucking business.

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

- The site is located at the southeast corner of Maury Street and Southeast 7th Street. It measures 56 feet by 150 feet (8,400 square feet) and is located within the Historic East Village Neighborhood.
- The site is owned by Gregory Wilson, 725 Maury Street, Des Moines, IA 50309.
- The site is zoned “R1-60” One-Family Low-Density Residential District.
- The site contains a single-family dwelling and a paved pad for the semi-truck with trailer.
- On August 24, 2016, the Zoning Board of Adjustment voted 6-0 to approve a Use Variance of the permitted uses in the “R1-60” One-Family Low-Density Residential District to allow use of the property for parking of one (1) semi-truck with trailer that is owned and operated by the appellant (Gregory Wilson) for an independent trucking business, where the parking occurs within 0 feet of the north front property line along Maury Street and within 0 feet of the east rear property line along an alley right-of-way.
- The approval is conditional upon the use being limited to the parking of one (1) semi-tractor with trailer on the existing paved surface location, with semi semi-tractor with trailer owned and operated by the appellant (Gregory Wilson) for an independent trucking business.

- Pursuant to Section 134-65 of the City Code, the City Council shall review the Board's decision within 30 days after the decision is filed. After such review, the City Council may remand the decision to the Board for further study. If the City Council declines to remand the decision, that decision shall become final on the date of the City Council's action (September 12, 2016).

PREVIOUS COUNCIL ACTION(S):

Date: June 27, 2016

Roll Call Number: [16-1083](#)

Action: Moved by Gatto to adopt and deny the proposed rezone the property from "R1-60" One-Family Low-Density Residential District to "M-1" Light Industrial District, approved by a 7-0 vote.

BOARD/COMMISSION ACTION(S):

Board: Zoning Board of Adjustment

Date: August 24, 2016

Resolution Number: ZON2016-00133

Action: Approved a Use Variance to allow to allow for the parking of one (1) semi-truck with trailer that is owned and operated by Gregory Wilson at 801 Southeast 7th Street, by a 6-0 vote.

Board: Plan & Zoning Commission

Date: June 2, 2016

Resolution Number: ZON2016-00073

Action: Recommended denial of a request to rezone the property from "R1-60" One-Family Low-Density Residential District to "M-1" Light Industrial District, by a 10-0 vote.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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