

.....
March 12, 2007

Date.....

WHEREAS, on January 22, 2007, by Roll Call No. 07-115, the City Council initiated the rezoning of property in the vicinity of 1703 and 1707 E. Madison Avenue owned by Francis Gilbert and the Estate of Ike Gilbert, and more fully described as follows:

Lots 27 and 28 and the East 25 feet of Lot C lying West and adjacent said Lot 27, in McDonald Acres, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

from the "M-1" Light Industrial District to the "R1-60" One Family Residential District, and imposed a temporary moratorium effective until March 28, 2007, on any new development on the subject and adjoining properties inconsistent with the proposed rezoning; and,

WHEREAS, on February 26, 2007, by Roll Call No. 07-345, it was duly resolved by the City Council that the proposed rezoning be set down for hearing on March 12, 2007, at 5:00 P.M., in the Council Chambers of the City Hall; and,

WHEREAS, due notice of said hearing was published in the Des Moines Register on March 2, 2007, as provided by law, setting forth the time and place for hearing on said proposed amendment to the Zoning Ordinance; and,

WHEREAS, in accordance with said notice those interested in said proposed rezoning, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council;

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

1. Upon due consideration of the facts, statements of interested persons and arguments of counsel, the objections to the proposed rezoning are hereby overruled, and the hearing is closed.

(continued)

★ **Roll Call Number**

Agenda Item Number

44B

Date..... March 12, 2007

2. The proposed rezoning of the property described above to the "R1-60" One-Family Low-Density Residential District classification is hereby found to be in conformance with the Des Moines 2020 Community Character Land Use Plan, as previously amended.

MOVED by _____ to adopt and approve the rezoning, subject to final passage of the rezoning ordinance.

FORM APPROVED:

Roger K. Brown
 Roger K. Brown
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

MOTION CARRIED

APPROVED

.....
 Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

 City Clerk

Item 2007 00001

Date 2-7-07

44B

(am) (am not) in favor of the request.

(Circle One)

RECEIVED

FEB 09 2007

COMMUNITY DEVELOPMENT DEPARTMENT

Print Name IKE + Mary Seymour

Signature *Mary Seymour*

Address 1703 E. Madison Ave

Reason for opposing or approving this request may be listed below:

Subject Property

If we were to have a major house fire, we could not rebuild. Also, if we wanted to sell our house, a prospective buyer would have difficulty finding a lender willing to finance a house zoned "M-1."

Item 2007 00001

Date 2/12/07

(am) (am not) in favor of the request.

(Circle One)

RECEIVED

FEB 13 2007

COMMUNITY DEVELOPMENT DEPARTMENT

Print Name FRANCES MCKNIGHT

Signature *Frances McKnight (Milbert)*

Address 6419 N.E. 29th Aveny Box 5002

Reason for opposing or approving this request may be listed below:

Subject Property

I don't know if rezoning this property would be of a benefit to me. I just know that while it was zoned M-1 I had to pay \$10,000.00 in special assessments for heavy truck paving

Thank You Frances McKnight