

Date..... August 24, 2009

RESOLUTION SCHEDULING PUBLIC HEARING ON APPLICATION OF
ANGEL GROFF FOR RELIEF FROM TEMPORARY MORATORIUM

WHEREAS, on March 25, 2008, by Roll Call No. 08-510A, the City Council approved a temporary moratorium which provides in relevant part as follows:

1. No vehicle display lot shall be created or expanded and no site plan shall be approved for the creation or expansion of a vehicle display lot, at any location within the City of Des Moines that is zoned to the "C-2" General Retail and Highway Oriented Commercial District. The City Staff shall not issue any permit for any development which is prohibited by this section. This moratorium shall not apply to the completion and use of a vehicle display lot or expansion of a vehicle display lot which has been commenced under a valid permit and is diligently pursued to completion.

WHEREAS, on August 10, 2009, by Roll Call No. 09-1458, the City Council extended the temporary moratorium through September 29, 2009; and,

WHEREAS, Angel Groff seeks to establish a vehicle display lot for the sale of used cars at 4109 SE 14th Street; and,

WHEREAS, Angel Groff asserts that the City's refusal to allow her to establish a vehicle display lot for the sale of used cars at 4109 SE 14th Street is causing her undue hardship; NOW THEREFORE,

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

1. The City Council of the City of Des Moines shall consider the appeal by Angel Groff at a public hearing to be held on September 14, 2009, at 5:00 p.m., in the Council Chambers.
2. The City Clerk is hereby authorized and directed to publish notice of said proposal in the form hereto attached all in accordance with §362.3 of the Iowa Code.

(continued)

★ **Roll Call Number**

Agenda Item Number

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Date August 24, 2009

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MOVED by _____ to adopt.

FORM APPROVED:

Roger K. Brown

Roger K. Brown

Assistant City Attorney

C:\Rog\Zoning\Moratorium\Car Lots\Groff\RC set hrg.doc

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

Mayor and City Council
400 Robert Ray Drive
Des Moines, IA 50310

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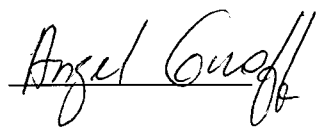
Re: Request for waiver of the moratorium to allow remodeling
of an empty lot at 4109 SE 14th street for a used car dealership.

Dear Mayor and City Council,

I currently have a used car dealership on East 14th street and I would like to open at a new location on S.E. 14th street to start fresh and create my own reputation as the reputation of the previous car dealership at the current location I am at is hindering the success of the business. If we are allowed to move the dealership to 4109 SE 14th st. we will make improvements to the property and we will bring it up to the city code requirements for this type of business as well as make additional improvements to enhance the overall look of the property. This includes building a fence in the back to shield the business from the view of the residents that live near by. The current property sits empty and we think our dealership will be a huge improvement to the current state of the property and it will improve the overall look of the area around it. Currently there is a car dealership right next to the empty space, in fact the pavement in the drive and parking area is shared by both properties and the addition of this dealership will not hinder, or create an eyesore for the area, as it will blend together with the adjacent lot.

Sincerely,

Angel Groff

A handwritten signature in cursive script that reads "Angel Groff". The signature is written in black ink and is positioned below the typed name.

