

★ **Roll Call Number**

Agenda Item Number

20

Date December 7, 2009

WHEREAS, the City Zoning Board of Adjustment has advised that at a public hearing held on November 18, 2009, its members voted 5-0 in support of a motion to direct the attached communication regarding vehicle display lots to City Council.

Moved by _____ to receive and file.

APPROVED AS TO FORM:



 Michael F. Kelley
 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

November 24, 2009

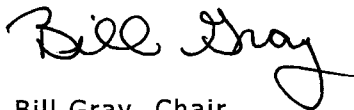
Honorable Mayor T.M. Franklin Cownie
And Members of the City Council
City Hall
400 Robert D. Ray Drive
Des Moines, Iowa 50309

Dear Mayor and City Council:

In recent months, the Zoning Board of Adjustment has considered multiple zoning appeals from owners of Vehicle Display Lots that are in violation of the Zoning Ordinance. These zoning violations have been a result of the City Council's directive to the City's Zoning Enforcement staff to conduct a City-wide review of all vehicle display lots. Most of the violations reviewed by the Board are regarding the lack of the required 5-foot front yard landscaped setback for parking lots.

The Board would like the Council to be aware that in some circumstances requiring compliance with the zoning regulations may be detrimental to the long-term viability of the vehicle display lot business. If the Council believes that this is creating a hardship on vehicle display lot owners, please request that the Plan & Zoning Commission review the zoning regulations and site plan guidelines for vehicle display lots.

Sincerely,



Bill Gray, Chair
Zoning Board of Adjustment

Cc: Larry Hulse; Community Development Department Director
Michael Kelley; Attorney for the Zoning Board of Adjustment



ZONING BOARD OF ADJUSTMENT
ARMORY BUILDING
602 ROBERT D. RAY DRIVE
DES MOINES, IOWA 50309 --1881
(515) 283-4192

ALL-AMERICA CITY
1949, 1976, 1981
2003

FILED
NOV 24 11 14 9 27
CITY CLERK
DES MOINES, IOWA