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Date January 10, 2011

RESOLUTION INITIATING REZONING OF RESIDENTIAL PROPERTIES
AT 4600, 4610 AND 4720 SW 31st STREET FROM THE "M-3" LIMITED
INDUSTRIAL DISTRICT TO THE "R1-80" ONE-FAMILY RESIDENTIAL
DISTRICT, TO RESTORE SUCH PROPERTIES TO A LEGAL
CONFORMING USE STATUS

WHEREAS, Gayland Hoffman of 4600 SW 31st Street, Richard Phillips of 4610 SW 31st Street, and Robert Kinder of 4720 SW 31st Street, have asked that their homes at the addresses above be rezoned back to the "R1-80" One-Family Residential District from the "M-3" Limited Industrial District; and,

WHEREAS, the properties identified above were rezoned from "R1-80" District to the "M-3" District by Ordinance No. 7226, passed July 12, 1965, in the expectation that the properties would be acquired by the Des Moines International Airport for airport or airport related facilities; and,

WHEREAS, the properties were not acquired by the Airport, are not needed for any planned airport activities, and continue to be used for owner-occupied single-family dwellings; and,

WHEREAS, residential uses are not permitted in the "M-3" District, which causes the dwellings on the properties identified above to be legal non-conforming, which makes it more difficult and expensive for the potential buyers and owners of these properties to obtain financing for the purchase and improvement of these properties; NOW THEREFORE,

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

1. The rezoning of the properties identified above, and more specifically described below, from the "M-3" Limited Industrial District to the "R1-80" One Family Residential District, and any necessary amendment to the Des Moines 2020 Community Character Land Use Plan necessary to accommodate such rezoning, is hereby initiated by the City Council:

Lots 7, 8 and 13, Serendipity Plat 3, an Official Plat; and, Lot 1, Airport Heights, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

2. The proposed rezoning and any necessary amendment to the Des Moines 2020 Community Character Land Use Plan necessary to accommodate such rezoning shall be considered by the City Council at a public hearing to be held in the Council Chambers at City Hall, Des Moines, Iowa at 5:00 p.m. on February 14, 2011, at which time the City Council will hear both those who oppose and those who favor the proposal.

Date January 10, 2011

- The City Clerk is hereby authorized and directed to cause notice of said proposal in the accompanying form to be given by publication once, not less than seven (7) days and not more than twenty (20) days before the date of hearing, all as specified in Section 362.3 and Section 414.4 of the Iowa Code.

MOVED by _____ to adopt.

FORM APPROVED:

Roger K Brown

Roger K. Brown
 Assistant City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				

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.

MOTION CARRIED APPROVED

 Mayor

 City Clerk

Proposed Rezoning "M-3" to "R1-80"



