



Date May 5, 2014

APPLICATION OF DENISE CODY TO REZONE PROPERTY SHE OWNS IN THE VICINITY OF 912 43RD STREET, FROM THE "R1-60" ONE-FAMILY LOW-DENSITY RESIDENTIAL DISTRICT TO THE "R-2" ONE AND TWO-FAMILY RESIDENTIAL DISTRICT, TO ALLOW THE PROPERTY TO CONTINUE TO BE OCCUPIED AS A TWO-FAMILY DWELLING

WHEREAS, on April 21, 2014, by Roll Call No. 14-0616, it was duly resolved by the City Council that the application of Denise Cody (owner), represented by Curtis White (Power of Attorney), to rezone property she owns in the vicinity of 912 43rd Street, more fully described as follows:

Lot 35, Chamberlain Heights, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa (herein referred to as the "Property").

from the "R1-60" One-Family Low-Density Residential District to the "R-2" One and Two-Family Residential District, to allow the subject property to continue to be occupied as a two-family dwelling, be set down for hearing on May 5, 2014, 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 April 25, 2014, 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; and,

WHEREAS, the Plan and Zoning Commission voted 9 - 0 in support of a motion to recommend that the proposed rezoning and the corresponding amendment to the comprehensive plan be denied.

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 sustained, and the hearing is closed.
2. The City Council hereby makes the following findings of fact regarding the proposed rezoning:



Roll Call Number

Agenda Item Number

41

Date May 5, 2014

- a. The Des Moines 2020 Community Character Land Use Plan designates the area in which the Property is located as Low Density Residential.
- b. The designation of the Property and surrounding area as Low Density Residential is appropriate and consistent with the predominate character of the surrounding area.
- c. Rezoning the Property to the One and Two-Family Residential District is not in conformance with the Des Moines 2020 Community Character Land Use Plan.
- d. If the application of the existing zoning regulations has the effect of denying the owner all economic use of the property, then the appropriate remedy is to seek relief from the Zoning Board of Adjustment.

Alternative A

MOVED by _____ to adopt and **DENY** the proposed rezoning.

Alternative B

MOVED by _____ to continue the public hearing until May 19, 2013, at 5:00 p.m., in the Council Chambers, and to direct the City Manager and Legal Department to prepare the necessary legislation to **APPROVE** the rezoning subject to conditions acceptable to the City and the applicant.

FORM APPROVED:

Roger K. Brown, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
MOORE				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

CERTIFICATE

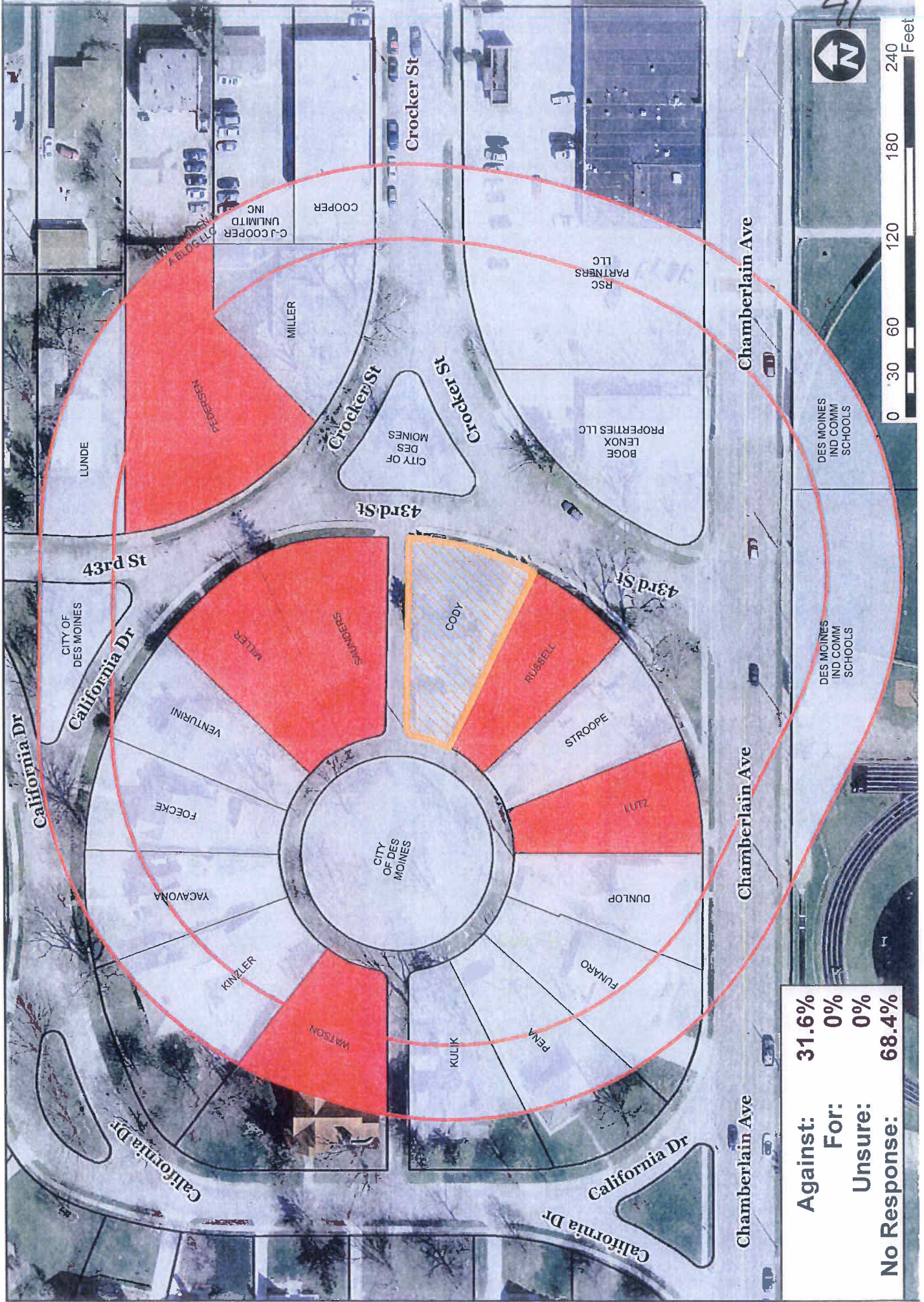
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

City Clerk

Cody, 912 43rd Street

ZON2014-00037



Against: 31.6%
For: 0%
Unsure: 0%
No Response: 68.4%



DES MOINES
IND COMM
SCHOOLS

DES MOINES
IND COMM
SCHOOLS

41



April 15, 2014

Honorable Mayor and City Council
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held April 3, 2014, the following action was taken regarding a request from Denise Cody (owner) represented by Curtis White (power of attorney) to amend the Des Moines' 2020 Community Character Plan to revise the future land use designation from Low Density Residential to Low/Medium Density Residential and to rezone property located at 912 43rd Street.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 9-0-1 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Dory Briles	X			
JoAnne Corigliano	X			
Jacqueline Easley			X	
Tim Fitzgerald	X			
Dann Flaherty				X
Jann Freed	X			
John "Jack" Hilmes	X			
Ted Irvine	X			
Greg Jones				X
William Page	X			
Christine Pardee	X			
CJ Stephens				X
Vicki Stogdill				X
Greg Wattier	X			

APPROVAL of staff recommendation to find the proposed rezoning not in conformance with the existing Des Moines' 2020 Community Character Plan; **DENIAL** of a request to amend the Des Moines' 2020 Community Character future land use designation from Low Density Residential to Low/Medium Density Residential and **DENIAL** of the rezoning from

“R1-60” One-Family Low-Density Residential District to “R-2” Two-Family District to allow the subject property to be occupied as a two-family dwelling.

(21-2014-4.03 & ZON2014-00037)

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Part A) Staff recommends that the requested rezoning be found not in conformance with the Des Moines’ 2020 Community Character Plan.

Part B) Staff recommends denial of the requested amendment to the Des Moines’ 2020 Community Character future land use designation from Low Density Residential to Low/Medium Density Residential.

Part C) Staff recommends denial of the requested rezoning from “R1-60” to “R-2” based on a finding that it would not be compatible with the surrounding predominant “R1-60” zoning of surrounding neighborhood properties.

Written Responses

0 In Favor

7 In Opposition

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The owner is seeking to lease the residential property as a two-family dwelling.
2. **Size of Site:** 64 feet by 130 feet irregular shaped (7,680 square feet).
3. **Existing Zoning (site):** “R1-60” One-Family, Low-Density Residential District.
4. **Existing Land Use (site):** The property contains a 2,095-square foot two-story single-family dwelling. This is also consistent with the Polk County Assessor’s tax classification for the property.
5. **Adjacent Land Use and Zoning:**
 - North** – “R1-60”; Uses are single-family dwellings.
 - South** – “R1-60”; Uses are single-family dwellings.
 - East** – “R1-60 & R-4”; Uses are single-family and multiple-family dwellings.
 - West** – “R1-60”; Uses are single-family dwellings. There is a two-family dwelling at 4401/4403 Chamberlain Drive on the same block to the west.
6. **General Neighborhood/Area Land Uses:** The subject property is located within a predominantly single-family residential neighborhood area north of Roosevelt High School and west of the Roosevelt Shopping district on 42nd Street.

- 7. Applicable Recognized Neighborhood(s):** The subject property is located in the Waveland Park Neighborhood. This neighborhood association was notified of the public hearing by mailing of the Preliminary Agenda on March 14, 2014. Additionally, separate notifications of the hearing for this specific item were mailed on March 14, 2014 (20 days prior to public hearing) and March 24, 2014 (10 days prior to the public hearing) to the Waveland Park Neighborhood Association and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site. A Final Agenda for the meeting was mailed to all the recognized neighborhood associations on March 28, 2014.

All agendas and notices are mailed to the primary contact(s) designated by the recognized neighborhood association to the City of Des Moines Neighborhood Development Division. The Waveland Park Neighborhood Association notices were mailed to Eric Burmeister, 1517 42nd Street, Des Moines, IA 50311.

The applicant will report a summary of their neighborhood engagement at the hearing.

- 8. Relevant Zoning History:** On November 20, 2013, the owner appealed a decision of the Zoning Enforcement Officer that the property did not have legal non-conforming rights to a two-family dwelling use. The Board upheld the Zoning Enforcement Officer's decision.
- 9. 2020 Community Character Land Use Plan Designation:** Low Density Residential.
- 10. Applicable Regulations:** The Commission reviews all proposals to amend zoning regulations or zoning district boundaries within the City of Des Moines. Such amendments must be in conformance with the comprehensive plan for the City and designed to meet the criteria in §414.3 of the Iowa Code. The Commission may recommend that certain conditions be applied to the subject property if the property owner agrees in writing, prior to the City Council Hearing. The recommendation of the Commission will be forwarded to the City Council.

II. ADDITIONAL APPLICABLE INFORMATION

- 1. Parking & Access:** The property has a two car detached garage in the rear yard with access coming from an internal public alley system within the block. There is no other off-street parking provided on the premises. The parking requirement is two spaces for a two-family dwelling.
- 2. Zoning Enforcement Comments:** Based on zoning enforcement research, the first known use of the premises for a two-family dwelling was in 2005, when notice of violation was issued for not having a rental inspection certificate. The City Neighborhood Inspection Division issued a rental inspection certificate for a second unit on the subject property, with one unit being owner-occupied and not requiring a certificate. This was done in error without review of the Zoning Ordinance provisions at that time prohibiting two-family use of the property. The most recent rental inspection certificate for the property expired on August 10, 2013. Since that time, complaint was received regarding illegal rental occurring on the property. Inspection of the premises determined that the dwelling was occupied by two families, neither of which was the owner of the property. This included one unit that did not require a certificate as it was previously owner occupied.

3. **Des Moines 2020 Community Character Plan:** In order to recommend rezoning of the property to “R-2”, the Commission would need to recommend amendment to the future land use plan designation from Low Density Residential to Low/Medium Density Residential. While there are examples of dwellings with more than one unit in the surrounding neighborhood area, the character of the immediate block is predominantly single-family dwellings. Staff does not believe that rezoning the property individually and amending the future land use designation would be appropriate.

Additionally, if the property were zoned to “R-2”, a two-family dwelling would require a minimum of 10,000 square feet of lot area and a minimum 75 feet of lot width, thereby necessitating appeals of these standards to the Zoning Board of Adjustment.

III. STAFF RECOMMENDATION TO THE PLAN AND ZONING COMMISSION AND BASIS FOR APPROVAL

Part A) Staff recommends that the requested rezoning be found not in conformance with the Des Moines’ 2020 Community Character Plan.

Part B) Staff recommends denial of the requested amendment to the Des Moines’ 2020 Community Character future land use designation from Low Density Residential to Low/Medium Density Residential.

Part C) Staff recommends denial of the requested rezoning from “R1-60” to “R-2” based on a finding that it would not be compatible with the surrounding predominant “R1-60” zoning of surrounding neighborhood properties.

SUMMARY OF DISCUSSION

Jason Van Essen presented the staff report and recommendation.

Tim Fitzgerald asked if this building been cut in half or if it was just an extra room.

Jason Van Essen stated he understands that at one time there was an owner that had a professional office i.e. dentist or something and that office was converted.

Mike Ludwig stated he believes at the time of the conversion, the property owner was living in the dwelling and the second dwelling was the rental.

Jason Van Essen stated that when the rental certificate was issued it was technically just one certificate for the rental unit. The rental certificate was still issued in error.

Kenneth Wieland Attorney at Law 1502 30th Street stated the applicant purchased this house with the idea that she was buying a duplex. He stated that attached to the application copies of the listing, rental certificate and a statement from the real estate agent that sold the applicant the house indicating that the primary intention was having two rental units. The applicant lived there for a period of time before moving out and renting out the main house as well. At that time a rental certificate was issued although it may have been issued in error. The applicant along with her fiancé Mr. White looked at this property and researched and saw that it had a rental certificate and the zoning code for this particular area indicated there was a grandfather clause in 1996 that anything that was being used as

a multi-family housing at that time would still be allowed. He pointed out that there is an 8-plex across the street so this property is not deep inside a zoning area, it is on the edge of a single-family zoning line. An 8-plex versus a little tiny efficiency apartment. No one had any complaints about this property until the main unit got rented out. He believes that the real problem is that the family now living in the main house is large and everyone in the neighborhood is upset because there are so many of them. But that would not change renting out the small unit because the large family is still in the main house. The rental certificate suggests they can rent out the main house, they just cannot rent out both the main house and the smaller unit. Any complaints regarding this large family living there is not going to be remedied by denying the use of this efficiency apartment on the side. When taking into consideration the property owner only purchased this property because it was a rental there is an issue of fairness. If the City of Des Moines had not issued the rental certificate the applicant never would have purchased it.

JoAnne Corigliano asked who owned the house when the certificate was issued.

Kenneth Wieland stated there is nothing on the certificate that indicated the house was owner occupied.

JoAnne Corigliano asked if the person who applied for the certificate was living in the house.

Kenneth Wieland stated that he did not know.

JoAnne Corigliano stated that if it was owner occupied then that little apartment is not a big deal in her opinion but she is not so sure that the rental certificate applies to the duplex situation.

Kenneth Wieland stated that when the house was purchased it was under a trust deed because the previous owner was deceased.

JoAnne Corigliano stated she did not think it would be difficult to find out who owned the house when the certificate was issued and whether or not the person who asked for that certificate was in deed the owner and occupier of the main portion of the house.

Tim Fitzgerald asked when there is a certificate of occupancy for a duplex his understanding is that both unit must have a refrigerator, stove, plumbing a living space. Can they just rent a room as a duplex?

Mike Ludwig stated that he could not speak to the specifics on the rental certificate of the property. He assumes that if the unit complied with the rental code the certificate was issued. But the rental certificate does have to be renewed. It is not a permanent certificate. So if codes change the owner is responsible for complying with the current code when applying for their rental certificate.

Tim Fitzgerald stated he believes that they might have gotten that certificate because they have plumbing without actually being a dual dwelling at the time but he didn't see how a 120 square feet apartment would have enough room for more than a bed. He doesn't believe there are adequate facilities to make this a dwelling unit.

Christine Pardee asked staff if someone can speak to whether or not the owner occupied dwelling needed a rental certificate.

Roger Brown stated an owner occupant does not need to get a rental certificate of what they are occupying. At the time the rental certificate was issued the owner was living in the main part of the building. There was no rental certificate for the main part.

Kenneth Weiland stated he might be able to answer the question that was asked by Commissioner Corigliano, as to who owned the house when the certificate was issued. A rental certificate was issued to Richard Leth 912 43rd Street at one point in time and the certificate was also issued with an address of 3930 Grand Avenue. Both units were addressed to Richard Leth which would imply when the second one was issued he was not living there.

Mike Ludwig asked if the second rental certificate had its own address.

Kenneth Weiland stated each one just indicated an address of 912 43rd Street.

CHAIRPERSON OPENED THE PUBLIC HEARING

Curtis White 912 43rd Street stated he and his fiancé bought this property with the intention of having a rental unit attached to it. All they have received from the City of Des Moines is that they are sorry they made a mistake. That was a \$190,000 mistake that they are stuck with to try and figure out what to do. He believes that it is very unfair that they have to suffer because of a mistake made by the City. This property was sold by a reputable company, Iowa Realty. He personally called the City of Des Moines to validate the rental certificate. They would not have bought this property had they known that it could not be used for a rental. He has been in real estate for 20 years now and have other additional rental properties and know to work with the City and not against them. But to have this error brought to them this way and say hey it's your lost is totally unfair. When purchasing this property they budgeted for a certain amount of money to pay off the mortgage. To take away the income that would come from that unit puts about a \$550 deficit into their budget for the next 15 years. The bottom line is the applicant was sold a house by Iowa Realty based upon the City of Des Moines' information that this was a property that had a valid rental certificate. It showed that it had been rented over and over before. The tenant was in there when they purchased the property and to now tell them the very first time that it is up for renewal sorry it was a mistake is wrong.

John "Jack" Hilmes asked are they currently living on the property.

Curtis White stated not now.

John "Jack" Hilmes stated that the applicant just gave the property being discussed tonight as his address.

Curtis White stated that he thought that was the address he needed to present.

Jacqueline Easley asked what his personal address is.

Curtis White stated 4107 Lakeland Court.

Tim Fitzgerald asked since Mr. White has been in the business for 20 years what does he know about the rental laws.

Curtis White if he is talking about a rental certificate or this particular property that he really did not question because the City issued a rental certificate on it and an inspector has been there and it passed everything.

Tim Fitzgerald stated that he understands that. The large part was being rented and there may have been a mistake. Now they are asking for a duplex. What does Mr. Curtis know about occupancy permits in individual units to get that certificate?

Curtis White stated he is unable to answer that. He trusted that if the City needs a certain amount of plumbing, a certain amount of space that they have checked it for compliance.

Tim Fitzgerald stated that Mr. Curtis said that he knew there was an occupancy permit. Now he is asking that it be rezoned so that it could be a duplex. Mr. Curtis also said that he went in there knowing that there was a rental certificate. But now he is asking for a two rental units. They are not asking to renew the one that they had but asking to rezone it so that it would be a duplex.

Curtis White stated when they purchased the property there was a tenant there. He is not sure about the question the Commissioner is asking.

Tim Fitzgerald stated that Mr. Curtis stated this property was sold as a duplex so he thought everything was taken care of. However, the permit was for a single-family unit. Now they are asking to have a duplex. His question then is what needs to be done to get a second unit.

Mike Ludwig stated that he believes that the Commissioner is mixing rental code and zoning and asked that they be a little cautious on that. Mr. White has indicated how they purchased the property.

Theodore Stroope 4309 Chamberlain Drive stated that he did not appreciate Mr. Weiland implying that there is a conspiratorial racial or cultural bias in their neighborhood against the current occupants of that house. It is very offensive. His daughters play with the lovely daughters of the current tenants. He believes the character of the neighborhood is very important. California Drive/Chamberlain Circle actually has a duplex on it. It has adequate off street parking. It has been a duplex, it was built as a duplex. It is two separate units. The 8-plex on the corner of 43rd and Chamberlain opposite of his house has adequate off street parking for the anticipated tenant load. They also have on street parking in front of the building that is very often full because obviously folks own more than one car or people just want to come and go. That is a very busy intersection. Because of that triangle median it spurs a lot of parking issues. There is no parking adjacent or on the triangle median and because it is a rounded corner the typical "here to corner" space is not an option. The property in question has the least amount of off street parking in the entire circle. The only off street parking the applicant's property has is the apron in front of the garage. So there is only one off street space for two units. This is a lovely house and could be rented for the mortgage cost plus profit easily to a single family.

Chris Naumann 920 California Drive stated his concerns are keeping the characteristics of the circle and blocking the traffic from the multiple cars that are there.

Kevin Saunders 920 43rd Street stated he and his wife have lived there for 13 years. The issue is not who is living there as long as it is a one dwelling unit.

Peggy Russell 900 43rd Street stated that the Board of Adjustment hearings did establish that at the time the property was purchased that the Assessor site did list it as a single-family home and not as a duplex. She has lived in the neighborhood for 20 years and has seen a few changes. There are lots of young families with kids which is very encouraging. This is a great neighborhood and she encouraged retention of the existing zoning.

Mike Coyne 900 43rd Street stated he and Peggy have enjoyed living in the neighborhood for 20 years. He attended the Board of Adjustment hearing and the Board upheld the determination of the Zoning Enforcement Officer that use of the property for a two-family dwelling is not a permitted use in the "R1-60" District. While a rental inspection certificate was issued for a second dwelling unit in 2005, it would violate the intent and spirit of the Zoning Ordinance's "R1-60" District regulations to continue to allow the property to be used for a two-family dwelling with a rental inspection certificate that violates zoning. This would continue to jeopardize the essential character of the surrounding residential neighborhood area. There was a caveat by the board chair that said if Mr. White and his fiancé did move back into the house and were occupants of the home their probably would be an allowance for variance for that one small accessory unit, which has always been the condition. The current occupants are very nice and quiet and he does not understand where the bias came from.

Rebuttal

Keith Weiland stated the issue is the parking as he predicted. He stated he only mentioned the current occupants because it is a fact. It is a large family with a lot of cars. The parking has been abated because the applicant has acquired a number of parking spaces in the commercial lot that is next to the 8-plex. He reiterated that he believes that someone living in that small space should not be an issue.

CHAIRPERSON CLOSED THE PUBLIC HEARING

Christine Pardee stated Waveland Park Neighborhood Association (WPNA) has a very large number of houses that are rental properties and houses that do have split situations like this. She was president of this neighborhood for a number of years and during that time they actually did an assessment of the number of single-family homes there that are rentals. It is close to 20%. This is an incredibly difficult situation. Knowing the plans of this neighborhood very well, the neighborhood plan does call for a diverse housing stock which does include multi-family homes and rentals. However, what is really compelling about this is that the comment cards indicate a significant number of the surrounding and direct neighbors are opposed. She attended the Waveland Park Neighborhood Association's annual meeting which was last night and this item was not on the agenda as a formal item to discuss. However, it did come up during the meeting. All of the WPNA Commissioners who were able to review the comment from Eric Burmeister who is currently the president of the Waveland Park Neighborhood Association and it was the Board's consensus that they do not support the applicant's request to make this a rental property. She is not sure if the Board was aware of the mistakes that have occurred. She cannot ignore the consensus of the surrounding neighbors and the WPNA.

JoAnne Corigliano stated in a lot of older neighborhoods here in Des Moines the Commission has seen other instances where things like this happen and it does destroy the neighborhood. Maybe this one issue won't destroy the neighborhood but if allowed it could go on and on and then there will be an awful lot of homes in this lovely neighborhood that the owners live somewhere else and really don't care. Therefore, she will agree with the staff recommendation.

COMMISSION ACTION:

John "Jack" Hilmes moved staff recommendation that the requested rezoning be found not in conformance with the Des Moines' 2020 Community Character Plan; DENIAL of the requested amendment to the Des Moines' 2020 Community Character future land use designation from Low Density Residential to Low/Medium Density Residential; and DENIAL of the requested rezoning from "R1-60" to "R-2" based on a finding that it would not be compatible with the surrounding predominant "R1-60" zoning of surrounding neighborhood properties.

- Motion passed 9-0-1 (Jacqueline Easley abstained)

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

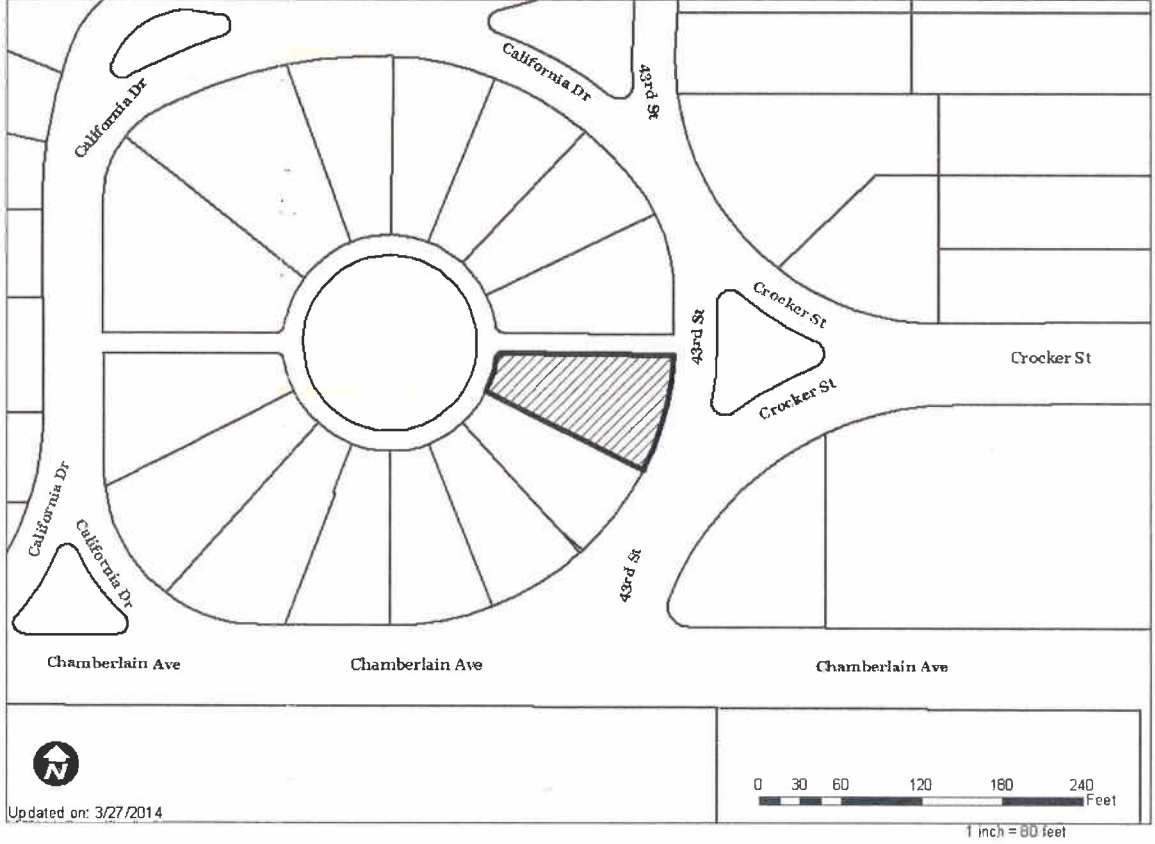
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Attachment

Denise Cody (owner) represented by Curtis White (power of attorney) for property located at 912 43rd Street.			File # 21-2014-4.03		
Description of Action	Denial of request to amend the Des Moines' 2020 Community Character Plan to revise the future land use designation from Low Density Residential to Low/Medium Density Residential.				
2020 Community Character Plan	Low Density Residential (existing). Low/Medium Density Residential (proposed).				
Horizon 2035 Transportation Plan	No planned improvements.				
Current Zoning District	"R1-60" One-Family Low-Density Residential District.				
Proposed Zoning District	"R-2" Two-Family Residential District.				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area	0	6			
Outside Area					
Plan and Zoning Commission Action	Approval		Required 6/7 Vote of the City Council	Yes	X
	Denial	9-0-1		No	

Cody, 912 43rd Street

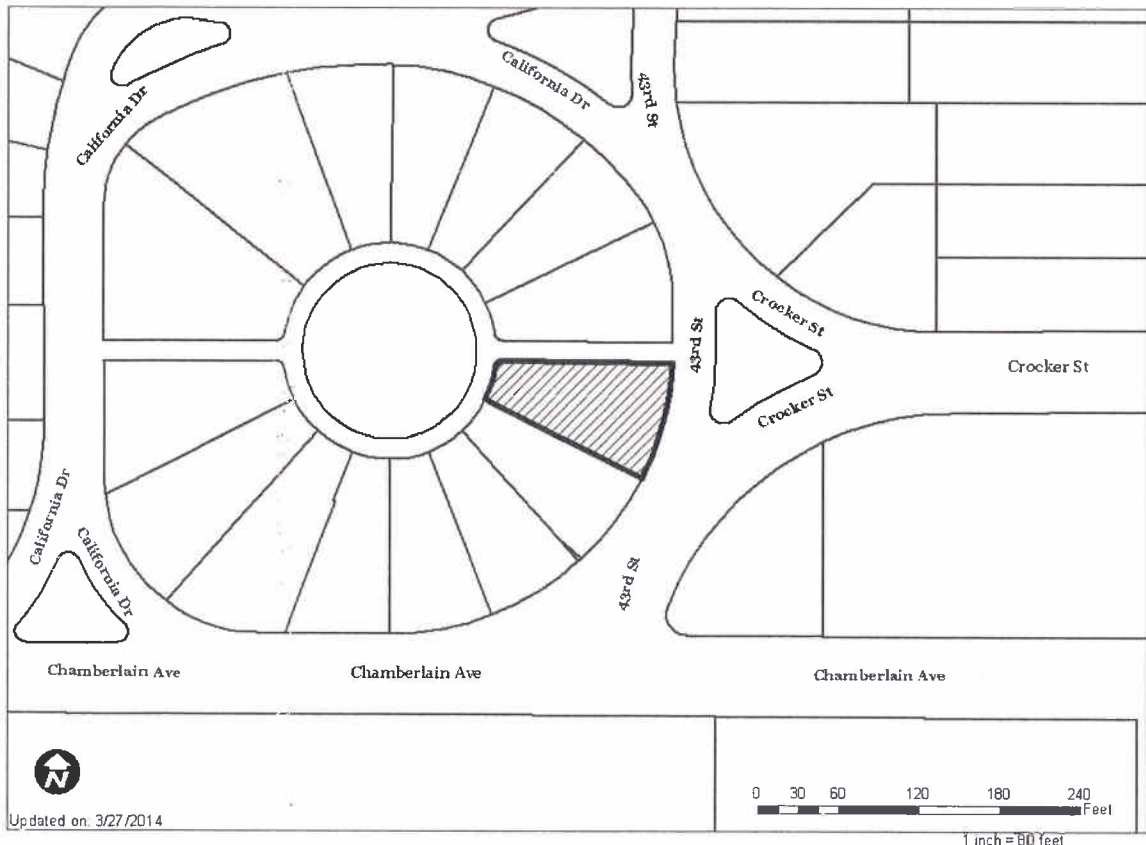
21-2014-4.03



Denise Cody (owner) represented by Curtis White (power of attorney) for property located at 912 43rd Street.			File # ZON2014-00037		
Description of Action	Denial of request to rezone from "R1-60" One-Family Low-Density Residential District to "R-2" Two-Family District, to allow the subject property to be occupied as a two-family dwelling.				
2020 Community Character Plan	Low Density Residential (existing). Low/Medium Density Residential (proposed).				
Horizon 2035 Transportation Plan	No planned improvements.				
Current Zoning District	"R1-60" One-Family Low-Density Residential District.				
Proposed Zoning District	"R-2" Two-Family Residential District.				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area		7			
Outside Area					
Plan and Zoning Commission Action	Approval		Required 6/7 Vote of the City Council	Yes	X
	Denial	9-0-1		No	

Cody, 912 43rd Street

ZON2014-00037



1 inch = 80 Feet

Item ZON2014-00037

Date 3-25-14

41

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

(Circle One)

Print Name Randi Ray Watson

Signature Randi Ray Watson

Address 917 California Dr.

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

This home was not built to accommodate more than one family. It has a central hall plan and cannot be easily converted for more than one family to live in separate quarters. There is an undivided small 2-car garage with no driveway, only a small threshold entering the garage. There is minimal on street parking. The neighborhood is comprised of single family homes and to require this home would doubt less the integrity of the neighborhood and home values. My husband & I are absolutely opposed to this request.

Item ZON2014-00037

Date 3/25/14

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

RECEIVED

(Circle One)

COMMUNITY DEVELOPMENT

Print Name TOD Miller

MAR 28 2014

Signature TOD

DEPARTMENT

Address 924 43rd St

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

Reduced home value.

Item ZON2014-00037 Date 3-25-14

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

RECEIVED
COMMUNITY DEVELOPMENT

MAR 28 2014

DEPARTMENT

Print Name PEGGY RUSSELL

Signature Peggy Russell

Address 900 43RD ST

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

WE BELIEVE REZONING THE PROPERTY AT
912 43RD ST. FROM R1-60 TO R-2 WOULD
COMPROMISE THE EXISTING NEIGHBORHOOD
CHARACTER AND OVERLOAD THE EXISTING
INFRASTRUCTURE

Item ZON2014-00037 Date 3/25/2014

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

RECEIVED
COMMUNITY DEVELOPMENT

MAR 31 2014

DEPARTMENT

Print Name KENT LOTZ

Signature KL

Address 4315 CHAMBERLAIN

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

THIS IS A UNIQUE NEIGHBORHOOD TYPOGRAPHY. "POCKET"
RE-ZONING IS DETRIMENTAL TO ITS INTEGRITY. THIS
NEIGHBORHOOD HAS ENOUGH CHALLENGES WITH PARKING,
PROXIMITY TO SCHOOLS.

Item ZON2014-00037

Date 3/25/14

41

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

Neighborhood Assoc

RECEIVED

(Circle One)

COMMUNITY DEVELOPMENT

Print Name Waveland Park N.A.

MAR 28 2014

Signature *[Signature]*

DEPARTMENT

Address President

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

The WPNA strongly opposes the rezoning because it adversely impacts the single family residential character of the area.

Item ZON2014-00037

Date 3/25/14

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

(Circle One)

RECEIVED

COMMUNITY DEVELOPMENT

Print Name Kevin Saunders

Signature *[Signature]*

MAR 31 2014

Address 920 43rd Street

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

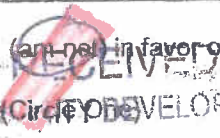
The proposed change will negatively impact the neighborhood due to impact on infrastructure, safety (parking on street), and residential aspect of community. The change does not align with the 2020 plan or community development goals.

Item ZON2014-00037

Date 3/30/2014

I (am) in favor of the request.

COMMERCIAL DEVELOPMENT



APR 02 2014

DEPARTMENT

Print Name Kyle Pedersen

Signature [Handwritten Signature]

Address 917 43rd

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

owner occupied with efficiency, as rental okay
Both units rented, does not add value to
neighborhood