

★ Roll Call Number

08-074

Agenda Item Number

52

Date January 8, 2008

REVIEW OF DECEMBER 20, 2007 DECISION OF THE BOARD OF ADJUSTMENT TO CONDITIONALLY APPROVAL A USE VARIANCE TO ALLOW A GARAGE FOR GENERAL MOTOR VEHICLE REPAIR AT 4540 LOWER BEAVER ROAD

WHEREAS, on November 28, 2007 the Zoning Board of Adjustment voted 6-0 to approve a use variance to allow property owned by Greg Robinson, P.O. Box 240173, Honolulu, HI 96824 at 4540 Lower Beaver Road in Des Moines (R-4 Multiple Family Residential District) to be used for general motor vehicle repair, subject to certain conditions set forth in the Decision and Order of the Zoning Board of Adjustment dated December 20, 2007; and

WHEREAS, pursuant to Municipal Code Section 135-65(d) and Code of Iowa Section 414.7, the Decision and Order granting the use variance has been forwarded in a timely manner to the City Council for its review, and the City Council may remand the use variance back to the Zoning Board of Adjustment for further study if the City Council believes the use variance was improperly granted.

(Council Communication No. 08-022)

Moved by Vlassis to receive and file.

APPROVED AS TO FORM:

Michael F. Kelley Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, HENSLEY, KIERNAN, MAHAFFEY, MEYER, VLASSIS, and 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.

T. M. Franklin Council Mayor

Diane Rauh City Clerk