



**Roll Call Number**

08-1753

**Agenda Item Number**

31

October 13, 2008

Date.....

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on September 18, 2008, its members voted 8-0 in support of a motion to recommend **APPROVAL** of a request from Home Opportunities Made Easy, Inc. (owner) represented by Pam Carmichael (officer) to rezone property located at 5119 Bel-Aire Road from "R-2" Two-Family Residential to a Limited "R-3" Multiple-Family Residential District, to allow a reconfiguration of the existing six (6) duplex properties to a property regime that has 12 separately owned single-family semi-detached units on common property owned and maintained by an owners association subject to the following conditions:

1. Only permitted uses are single-family residential, single-family semi-detached residential, and two-family residential.
2. All common areas shall be owned and maintained by a homeowners association.
3. Preparation of a Plat of Survey by the owner to be reviewed and approved by the Permit and Development Center and filed by the owner with Polk County.

The subject property is more specifically described as follows:

Lots 65-72, Westchester Manor Plat 5 an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

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

1. That the meeting of the City Council at which the proposed rezoning is to be considered shall be held in the Council Chambers, City Hall, Des Moines, Iowa at 5:00 p.m. on October 27, 2008, at which time the City Council will hear both those who oppose and those who favor the proposal.

*(Continued)*

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- 2. That 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 Coleman to adopt.

FORM APPROVED:

  
 Michael F. Kelley  
 Assistant City Attorney

(ZON2008-00124)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			

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.

  
 Diane Fauh City Clerk

MOTION CARRIED

APPROVED

  
 T. M. Franklin  
 Mayor