

★ Roll Call Number
09-467

Agenda Item Number
18

Date March 23, 2009

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on March 5, 2009, its members voted 11-0 to support a motion to recommend **DENIAL** of a request from Florencio Estrada (owner) to find a proposed rezoning in conformance with the Des Moines' 2020 Community Character Plan and by separate vote of 6-5 to support a motion recommending **DENIAL** of an application to rezone property located at 335 Forest Avenue, from R1-60 One-Family Low-Density Residential District to R-3 Multiple-Family Residential District to allow construction of a detached garage as an accessory use to an existing 6-unit multiple-family residential dwelling.

The subject property is more specifically described as follows:

(except the North 180 feet of the South 250 feet of the West 50 feet) and (except the East 5 feet of the South 148.5 feet) of the West 303.18 feet, Lot 53, Official Plat Government Lot 3 & Southeast ¼ Section 34, Township 79 North, Range 24 West of the fifth P.M, 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 April 6, 2009, at which time the City Council will hear both those who oppose and those who favor the proposal.
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.

FORM APPROVED:

MOVED by Hensley to adopt.

Michael F. Kelley
Michael F. Kelley, Assistant City Attorney

(ZON2008-00198)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				✓
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER				✓
VLASSIS	✓			
TOTAL	5			2

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.

Thomas Vlassis
MAYOR PRO TEM

VED

Diane Fauh City Clerk