

★ Roll Call Number  
09-1545

Agenda Item Number  
22

Date August 24, 2009

RESOLUTION SCHEDULING PUBLIC HEARING ON APPLICATION OF  
ANGEL GROFF FOR RELIEF FROM TEMPORARY MORATORIUM

WHEREAS, on March 25, 2008, by Roll Call No. 08-510A, the City Council approved a temporary moratorium which provides in relevant part as follows:

1. No vehicle display lot shall be created or expanded and no site plan shall be approved for the creation or expansion of a vehicle display lot, at any location within the City of Des Moines that is zoned to the "C-2" General Retail and Highway Oriented Commercial District. The City Staff shall not issue any permit for any development which is prohibited by this section. This moratorium shall not apply to the completion and use of a vehicle display lot or expansion of a vehicle display lot which has been commenced under a valid permit and is diligently pursued to completion.

WHEREAS, on August 10, 2009, by Roll Call No. 09-1458, the City Council extended the temporary moratorium through September 29, 2009; and,

WHEREAS, Angel Groff seeks to establish a vehicle display lot for the sale of used cars at 4109 SE 14th Street; and,

WHEREAS, Angel Groff asserts that the City's refusal to allow her to establish a vehicle display lot for the sale of used cars at 4109 SE 14th Street is causing her undue hardship; NOW THEREFORE,

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

1. The City Council of the City of Des Moines shall consider the appeal by Angel Groff at a public hearing to be held on September 14, 2009, at 5:00 p.m., in the Council Chambers.
2. The City Clerk is hereby authorized and directed to publish notice of said proposal in the form hereto attached all in accordance with §362.3 of the Iowa Code.

( continued )

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MOVED by Kiernan 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	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

*T. M. Franklin*

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.

*Diane Fauh* City Clerk