

★ Roll Call Number

12-0980

Agenda Item Number

23

Date June 25, 2012

RESOLUTION SCHEDULING HEARING ON APPEAL BY CONLIN PROPERTIES
FROM DECISION OF THE HISTORIC PRESERVATION COMMISSION
REGARDING THE PROPERTY AT 826 18th STREET

WHEREAS, on November 30, 2011, the Historic Preservation Commission conditionally approved an application from Conlin Properties for a Certificate of Appropriateness to replace ten windows in the first floor of the multiple-family dwelling at 826-18th Street in the Sherman Hill Historic District, subject to the following conditions:

1. The windows be constructed of wood with no metal cladding.
2. The windows be of the same general style, shape and dimensions as the existing windows.
3. Review and approval of the selected window product by staff prior to installation.

WHEREAS, Conlin Properties timely appealed that decision to the City Council pursuant to §58-31(f) of the Des Moines Municipal Code; and,

WHEREAS, on April 23, 2012, by Roll Call No. 12-0629, after notice and public hearing on the appeal, the City Council referred the matter back to the Historic Preservation Commission to review new information developed by Conlin Properties, that was not considered by the Commission in the original proceeding; and,

WHEREAS, on May 16, 2012, the Historic Preservation Commission upheld and reaffirmed their original decision to approve a Certificate of Appropriateness for the replacement of the windows subject to the conditions identified above; and,

WHEREAS, Conlin Properties has again appealed the Commission's decision to the City Council pursuant to §58-31(f) of the Des Moines Municipal Code, and seeks to be allowed to use the double-paned, double-locked, energy-efficient windows of the type that have already been installed in five of the ten windows to be replaced.

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

1. The appeal by Conlin Properties is hereby scheduled for a public hearing before the City Council on July 9, 2012, at 5:00 p.m., in the Council Chambers, at City Hall, Des Moines, Iowa.
2. The City Clerk is hereby authorized and directed to publish notice of said hearing in the form hereto attached all in accordance with §362.3 of the Iowa Code.

(continued)

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-2-

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MOVED by Hensley 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 | ✓ | | | |
| GRIESS | ✓ | | | |
| HENSLEY | ✓ | | | |
| MAHAFFEY | ✓ | | | |
| MEYER | ✓ | | | |
| MOORE | ✓ | | | |
| 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 Rauh City Clerk