



**Roll Call Number**

12-1453

**Agenda Item Number**

34C

**Date** September 10, 2012

RESOLUTION CONTINUING THE HEARING ON THE APPEAL BY  
CONLIN PROPERTIES OF THE DECISION OF THE HISTORIC PRESERVATION  
COMMISSION REGARDING THE MULTIPLE-FAMILY DWELLING 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 for the replacement of ten first floor windows in the multiple-family dwelling at 826 18th Street, subject to the following conditions:

1. The windows shall be constructed of wood with no metal cladding.
2. The windows shall 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, pursuant to §58-31(f) of the Des Moines Municipal Code, Conlin Properties appealed the conditions imposed by the Historic Preservation Commission and sought to be allowed to use vinyl windows of the type that have already been installed in 5 of the windows to be replaced; and

WHEREAS, on April 23, 2012, by Roll Call No. 12-0629, after public notice and hearing the City Council referred the matter back to the Historic Preservation Commission to review new information presented by Conlin Properties; and,

WHEREAS, on May 16, 2012, the Historic Preservation Commission reaffirmed its prior decision and conditionally approved the application for a Certificate of Appropriateness upon the same three conditions identified above; and,

WHEREAS, pursuant to §58-31(f) of the Des Moines Municipal Code, Conlin Properties has again appealed the conditions imposed by the Historic Preservation Commission; and

WHEREAS, on April 23, 2012, by Roll Call No. 12-0629, it was duly resolved by the City Council that the appeal be set down for hearing on July 9, 2012, at 5:00 p.m., in the Council Chambers; and,

WHEREAS, due notice of the hearing was published in the Des Moines Register on June 29, 2012, and a copy of the notice was provided to the attorney for Conlin Properties; and,

WHEREAS, on July 9, 2012, by Roll Call No. 12-1123, the hearing was continued until September 10, 2012, at 5:00 p.m.; and,

WHEREAS, in accordance with the said notice, the hearing on the appeal has been opened and those interested in the issuance of the Certificate of Appropriateness, both for and

( continued )

★ Roll Call Number

12-1453

Agenda Item Number

34C

-2-

Date September 10, 2012

against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council.

MOVED by Hensley to continue the hearing until September 24, 2012, at 5:00 p.m. in the Council Chambers; refer to the City Manager to report on the 10-year history of tax values in the Sherman Hill area, and to work with Jack Porter to provide information on how vinyl windows are used across the country. Mr. Conlin will provide information about wood-grain vinyl products. The City Council plans to make a final determination on the matter at the September 24th Council meeting.

FORM APPROVED:

Roger K. Brown

Roger K. Brown

Assistant City Attorney

C:\Rog\Historic\Appeals\Conlin\2nd\RC Hrg Continue.doc

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