



Roll Call Number

130400

Agenda Item Number

21

Date March 11, 2013

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on February 28, 2013, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a request from Anthony Holt (owner), additional subject property is owned by Roll-Offs of Des Moines, Inc., Gary Eilbert Auto Body, Inc., and Charles Gary Eilbert to rezone property located in the vicinity of 20 East 18th Street from M-1 Light Industrial District to Limited M-2 Heavy Industrial District, to allow use of a portion of the property for a conditional use for the outdoor storage of inoperable construction equipment subject to the following conditions:

1. Use of the property shall be limited to the following:
 - a. Any use as permitted and limited in the M-1 District.
 - b. Storage of inoperable machinery in accordance with a Conditional Use Permit as granted by the Zoning Board of Adjustment.
2. Any area used for outdoor storage of inoperable machinery shall be completely screened from view and shall be setback at least 100 feet from any public right-of-way.

The subject property is more specifically described as follows:

Lots 1 through 8 and Lots 15 through 22, Block 1, I.N. Thomas Sub Division, an Official Plat, and the vacated East-West alley lying North and adjoining Lots 17 through 22, Block 1, I.N. Thomas Sub Division 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 March 25, 2013, at which time the City Council will hear both those who oppose and those who favor the proposal.



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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.

FORM APPROVED:

MOVED by Moore to change the date of hearing to April 8, 2013.

Michael F. Kelley
Assistant City Attorney

(ZON2013-00005)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

T. M. Franklin Council 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.

City Clerk