



Roll Call Number

16-0766

Agenda Item Number

26A

Date May 9, 2016

RESOLUTION SCHEDULING PUBLIC HEARING ON APPEAL BY NICHOLAS S. BUSSANMASS, LLC OF THE DENIAL OF A PRELIMINARY PLAT "WINTERFELL" ON PROPERTY LOCATED AT 3816 JOHN LYNDE ROAD

WHEREAS, on April 25, 2016, by Roll Call No. 16-0669, the City Council received a communication from the Plan and Zoning Commission advising that at a public hearing on April 7, 2016, the Commission voted 11-1 for DENIAL of a request from Nicholas S. Bussanmass, LLC (owner) represented by Nicholas Bussanmass (officer) for review and approval of a Preliminary Plat "Winterfell" on property located at 3816 John Lynde Road; and

WHEREAS, Nicholas S. Bussanmass has timely appealed to the City Council pursuant to the ordinance proposed by Roll Call No. 17-0765, seeking to have the determination of the Plan and Zoning Commission overturned.

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

- 1. Subject to approval and publication of the ordinance proposed by Roll Call No. 17-0765 the City Council shall consider the appeal by Nicholas S. Bussanmass, LLC at a public hearing to be held on June 13, 2016, at 5:00 p.m., during the City Council meeting, Municipal Services Center, 1551 E. Martin Luther King, Jr. Parkway, Des Moines, Iowa.
2. The City Clerk is hereby authorized and directed to publish notice of said hearing in the form hereto attached, in accordance with §362.3 of the Iowa Code.

MOVED by Hensley to adopt.

FORM APPROVED:

Glenna K. Frank

Glenna K. Frank, Assistant City Attorney

(13-2016-1.37)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MOORE, WESTERGAARD, and TOTAL (7 yeas).

MOTION CARRIED

APPROVED

Y. 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.

Diane Fauh City Clerk