

★ Roll Call Number
19-1590

Agenda Item Number
20

Date October 14, 2019

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING REQUEST FROM DAN BARRY FOR VACATION OF A SEGMENT OF RIGHT-OF-WAY ADJOINING 6024 RONWOOD DRIVE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on September 19, 2019, its members voted 11-0 to recommend **APPROVAL** of a request from Dan Barry (owner) to vacate an irregular segment of right-of-way adjoining the west side of 6024 Ronwood Drive, to allow for assemblage with the property to improve and increase the size of the rear yard and install fencing thereon, subject to the following conditions:

1. Reservation of any necessary easements for all existing utilities in place and for Des Moines Water Works for access to a 24-inch main on adjacent remaining right-of-way, until such time that these utilities are abandoned or are relocated at the applicant's expense;
2. Provision of a conservation easement on the property indicating that any development of structures or fencing is subject to the City's Floodplain Development Regulations;
3. All contiguous parcels owned by the applicant, and all contiguous parcels owned by any purchaser other than the applicant, shall be combined into one parcel recorded with Polk County; and
4. Any conveyance of the requested right-of-way to the applicant shall not occur until any public nuisance status has been abated to the satisfaction of the Zoning Enforcement Officer.

MOVED by Mandelbaum to receive and file the attached communication from the Plan and Zoning Commission, and refer to the Engineering Department, Real Estate Division. Engineering Real Estate to convey right-of-way adjoining 6031 North Waterbury Road to Mr. Pildis. Conveyance to Mr. Barry will not occur until renovation is complete.

FORM APPROVED:

Glenna K. Frank
 Glenna K. Frank, Assistant City Attorney

(11-2019-1.24)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED APPROVED

Mayor

CERTIFICATE

I, Laura Baumgartner, Acting 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.

Laura Baumgartner Acting City Clerk