



Roll Call Number

23-1314

Agenda Item Number

24

Date October 2, 2023

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING REQUEST FROM 106 SW 7TH STREET, LLC (OWNER, 106 SW 7TH STREET), REPRESENTED BY TIM RYPMA (OFFICER), FOR VACATION OF APPROXIMATELY 144 SQUARE FEET OF AIR RIGHT-OF-WAY AND APPROXIMATELY 40 SQUARE FEET OF SURFACE RIGHT-OF-WAY ADJOINING PROPERTY AT 106 SOUTHWEST 7TH STREET

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on September 21, 2023 its members voted 8-0 to recommend APPROVAL of a request from 106 SW 7th Street, LLC (owner), represented by Tim Rypma (officer) for vacation of approximately 144 square feet of air right-of-way and approximately 40 square feet of surface right-of-way adjoining property at 106 Southwest 7th Street, to allow the encroachment of a new balcony and existing ground floor door swings within the Southwest 7th Street right-of-way, subject to the reservation of any necessary easements for any existing utilities until such time that they are abandoned or relocated at the applicant's expense.

MOVED by Gatto to receive and file the attached communication from the Plan and Zoning Commission, and refer to the Engineering Department, Real Estate Division.

SECOND BY Boesen

APPROVED AS TO FORM:

/s/ Chas M. Cahill
Chas M. Cahill
Assistant City Attorney

(ROWV-2023-000011)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, MANDELBAUM, VOSS, WESTERGAARD, and TOTAL.

MOTION CARRIED

APPROVED

J. M. Franklin Cownie Mayor

CERTIFICATE

I, Laura Baumgartner, 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

City Clerk