

ORDINANCE NO. 13,636

AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 2A-5 of the Municipal Code of the City of Des Moines, 1991, by rezoning and changing the district classification of certain property located in the vicinity of 2800 E. Watrous Avenue from an "R1-80" One Family Residential District to a Limited "R1-70" One-Family, Low Density Residential District classification.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 2A-5 of the Municipal Code of the City of Des Moines, Iowa, 1991, be and the same is hereby amended by rezoning and changing the district classification of certain property located in the vicinity of 2800 E. Watrous Avenue, more fully described as follows, from an "R1-80" One Family Residential District to a Limited "R1-70" One-Family, Low Density Residential District classification:

Except Easter Lake Park, an Official Plat, and Beginning Southeast corner of Lot 106, Easter Lake Park; Thence North 300.00 feet; Thence East 435.00 feet; Thence South 300 feet; Thence West 435.00 feet to the Point of Beginning, and Except North of South right-of-way line of road in Northeast Corner, South 1/2 of the Northeast 1/4 less road, Section 24, Township 78 North, Range 24 West of the 5th P.M., all now included in and forming a part of the City of Des Moines, Polk County, Iowa, (the "Property").

Sec. 2. That this ordinance and the zoning granted by the terms hereof are subject to the following imposed additional conditions which have been agreed to and accepted by execution of an Acceptance of Rezoning Ordinance by all owners of said property and are binding upon the owners and their successors, heirs, and assigns as follows:

A. Each house upon the Property shall have a minimum square footage of finished living area of 1200 square feet for a one story house, or 1400 square feet for any other configuration.

B. Each house upon the Property located upon any of the lots abutting either:

- 1) the First Baptist Church Raytown property at 2620 E. Watrous Avenue;
- 2) the developed residential lots on the west boundary of the Property; or
- 3) East Watrous Avenue,

shall have a minimum square footage of finished living area of 1400 square feet for a one story house, or 1700 square feet for any other configuration.

C. Any lots upon the Property abutting either:

- 1) the First Baptist Church Raytown property at 2620 E. Watrous Avenue; or,
- 2) the developed residential lots on the west boundary of the Property,

shall have a lot width of at least 80 feet.

D. Each house upon the Property shall have a full basement. The required finished area of any house shall be exclusive of any finished area within the basement.

E. Each house upon the Property shall have an attached garage which shall be flush with or setback from the front of the house. The required finished area of any house shall be exclusive of the garage.

Sec. 3. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Sec. 4. That the City Clerk is hereby authorized and directed to cause certified copies of this ordinance and proof of publication thereof, and the original of the Acceptance of Rezoning Ordinance to be properly filed in the office of the Recorder of Polk County, Iowa.

FORM APPROVED:

Roger K. Brown, Assistant City Attorney