

ORDINANCE NO. 13,674

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 3350 Evergreen Avenue from an "R1-90" Large Lot One Family Residential District to a Limited "R1-80" One Family 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 3350 Evergreen Avenue, more fully described as follows, from an "R1-90" Large Lot One Family Residential District to a Limited "R1-80" One Family Residential District classification:

That part of the Northeast Quarter 1/4 of the Southwest Quarter 1/4 of Section 19, Township 78 North, Range 23 West of the 5 th P.M., Des Moines, Polk County, Iowa, more particularly described as follows:

Commencing at the West 1/4 corner of Section 19, Township 78 North, Range 23 West of the 5th P.M.; Thence South 87(degree) 57'(minutes) 33"(seconds) East along the North line of the Southwest 1/4 of said Section 19 a distance of 1214.54 feet to the Northwest corner of the Northeast 1/4 of the Southwest 1/4 of said Section 19; Thence continuing South 87°57'33" East along said North line a distance of 250.0 feet; Thence South 2413'47" East a distance of 55.76 feet to the Point of Beginning; Thence South 87°57'33" East along a line parallel with and 50.0 feet South of the North Line of said Northeast 1/4 of the Southwest 1/4 of said Section 19 a distance of 1017.08 feet to the East line of said Northeast 1/4 of the Southwest 1/4 of said Section 19 and being the centerline of Southeast 34th Street; Thence South 000'00" East along said East line a distance of 848.83 feet; Thence South 89°59'01" West a distance of 310.85 feet; Thence South 004'45" West a distance of 139.64

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feet; Thence South 89°57'19" East a distance of 311.04 feet to the East line of said Northeast 1/4 of the Southwest 1/4 of said Section 19; Thence South 000'00" East along said East line a distance of 339.91 feet to the Southeast corner of said Northeast 1/4 of the Southwest 1/4 of said Section 19 and being the centerline of Evergreen Avenue; Thence North 88°05'19" West along the South line of said Northeast 1/4 of the Southwest 1/4 of said Section 19 a distance of 461.37 feet; Thence North 2413'47" West a distance of 1426.24 feet to the Point of Beginning, containing 21.08 Acres including 1.19 Acres for roadway.

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. Any single-story dwelling constructed upon the Property shall have a minimum finished interior area of 1,250 square feet. Any dwelling constructed upon the Property having more than one floor level shall have a minimum finished interior area of 1,400 square feet.

B. Any dwelling constructed upon the Property shall have a full basement and a two car attached or detached garage.

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

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

FORM APPROVED:

Roger K. Brown

Assistant City Attorney