

ORDINANCE NO. 13,765

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 S.W. 31st Street and Stanton 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 S.W. 31st Street and Stanton 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:

Tract 1:

Lot 3, Serendipity Plat Three, an Auditor's Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa, AND

Tract 2:

A portion of Lot 2, Serendipity Plat Three, an Auditor's Plat being more particularly described as follows: Beginning at the Northeast corner of Lot 2, Serendipity Plat Three, an Auditor's Plat; thence South 00E05'59" West along the East line of said Lot 2 a distance of 621.88 feet; thence North 26E54'43" West a distance of 485.06 feet; thence North 00E00'31" East a distance of 190.07 feet to a point on the North line of said Lot 2; thence North 89E48'41" East along the North line of said Lot 2 a distance of 220.39 feet to the POINT OF BEGINNING, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

Tracts 1 and 2 are herein collectively referred to as 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 Tract 1, above, and are binding upon such owners and their successors, heirs, and assigns as follows:

A.No single story dwelling shall be constructed or placed upon the Property unless such dwelling has a finished interior space

(excluding basement and garage) of at least 1250 square feet. No dwelling shall be constructed or placed upon the Property having more than one story unless such dwelling has a finished interior space (excluding basement and garage) of at least 1400 square feet.

B.No dwelling shall be constructed or placed upon the Property without a basement.

C.No dwelling shall be constructed or placed upon the Property without a two car attached or detached garage.

D.Prior to any development of the Property, the entire Property shall be subdivided by a single subdivision plat.

Sec. 3. The City, being the owner of Tract 2, above, hereby consents to the imposition upon Tract 2 of the additional conditions identified above.

Sec. 4. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Sec. 5. 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

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Attest:

I, Donna Boetel-Baker, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 99-3265 ), passed by the City Council of said City at a meeting held October 18, 1999, signed by the Mayor on October 18, 1999, and published as provided by law in the Business Record on March 6, 2000. Authorized by Publication Order

Donna Boetel-Baker, CMC/AAE, City Clerk