

ORDINANCE NO. 14,799

AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-277 of the Municipal Code of the City of Des Moines, Iowa, 2000, by rezoning and changing the district classification of certain property located in the vicinity of 2501 24<sup>th</sup> Street, Des Moines, Iowa 50310 from the R1-60 and R-3 Districts to a Limited R-3 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 134-277 of the Municipal Code of the City of Des Moines, Iowa, 2000, be and the same is hereby amended by rezoning and changing the district classification of certain property located in the vicinity of 2501 24<sup>th</sup> Street, Des Moines, IA 50310, more fully described as follows, from the R1-60 and R-3 Districts to a Limited R-3 classification:

North 220 feet measured on the East lot line of Lot 25 and all Lot 26, Murray Hill, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

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 multiple-family residential use of the property shall have a maximum of 36 dwelling units. (Note: any multiple-family residential use of the property with more than 27 dwelling units is subject to the Zoning Board of Adjustment granting the necessary Exception from the zoning regulations.)

B. Any building shall be constructed to predominantly face 24<sup>th</sup> Street and have a front yard setback of approximately 30 feet.

C. Any off-street parking shall be either to the side or to the rear of any building constructed and not between the street and any building.

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

Sec. 4. The City Clerk is hereby authorized and directed to cause a certified copy of the Acceptance of Rezoning Ordinance, this ordinance, a vicinity map, and proof of publication of this ordinance, to be properly filed in the office of the Polk County Recorder.

FORM APPROVED:

Michael F. Kelley, Assistant City Attorney

T.M. Franklin Cownie, Mayor

Attest:

I, Diane Rauh, 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. 08-1692), passed by the City Council of said City at a meeting held September 22, 2008 signed by the Mayor on September 22, 2008 and published as provided by law in the Business Record on October 6, 2008. Authorized by Publication Order No. 6357.

Diane Rauh, City Clerk