
Prepared by: Glenna K. Frank, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, IA 50309
Phone: 515/283-4530
Return Address: City Clerk - City Hall, 400 Robert D. Ray Drive, Des Moines, IA 50309
Title of Document: City of Des Moines, Ordinance No. 15,800
Grantor/Grantee: City of Des Moines, Iowa
Legal Description: See page 1, below.

ORDINANCE NO. 15,800

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 3908 Lower Beaver Road from the “R1-60” One-Family Low-Density Residential District to Limited “R-2” Two-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 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 3908 Lower Beaver Road, more fully described as follows, from the “R1-60” One-Family Low-Density Residential District to Limited “R-2” Two-Family Residential District classification:

EXCEPT THE WEST 78 FEET, LOT 66 IN HALLETT ACRES, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

Section 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:

- (1) Construction of any dwelling shall be in substantial compliance with the submitted design and materials or of a design equivalent in quality as determined by the Planning Administrator.
- (2) Exterior material for each dwelling units constructed shall be masonry (brick or stone), vinyl of no less than 0.042 thickness, cedar, cement fiber board or other composite materials generally equal in quality to cement fiber board as approved by the Planning Administrator.
- (3) The front façade of each unit must contain one of the following:
 - a. A front porch of not less than 60 square feet; or
 - b. Stone or brick masonry siding covering at least 1/3 of the façade.
- (4) All windows and doors on any dwelling shall have trim that is no less than 4 nominal inches in width and shall have pre-hung exterior doors with trim.
- (5) The roof on each dwelling unit constructed shall be of architectural profile asphalt type shingles or cedar shakes. Standard 3-tab shingles are prohibited.
- (6) A minimum of one street tree per lot frontage that complies with the City's street tree policies. Each tree shall be installed prior to the issuance of a Certificate of Occupancy for the dwelling.
- (7) Any mechanical equipment shall be located in the rear or side yard of the building.
- (8) Any unit in a 1- or 2-household dwelling shall be constructed with a minimum of 1,300 square feet of finished floor area.
- (9) Any dwelling or accessory structure shall be constructed in compliance with all applicable building codes with issuance of all necessary permits by the Permit and Development Center.

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

Section 4. That the City Clerk is hereby authorized and directed to cause certified copies of the Acceptance of Rezoning Ordinance, this ordinance, vicinity map and proof of publication of this ordinance to be properly filed in the office of the County Recorder of the county in which the subject property is located.

FORM APPROVED:

Glenna K. Frank, 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. 19-1360), passed by the City Council of said City at a meeting held August 19, 2019 signed by the Mayor on August 19, 2019 and published and provided by law in the Business Record on September 6, 2019. Authorized by Publication Order No. 10790.

Diane Rauh, City Clerk