

ORDINANCE NO. 15,805

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 150 East County Line Road to correct scrivener's errors in the existing Limited "R1-60" One-Family Low-Density Residential District by amending certain rezoning conditions listed in Ordinance No. 15,592 as approved on June 26, 2017 and the Acceptance of Rezoning Conditions related thereto.

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 150 East County Line Road, more fully described as follows, to correct scrivener's errors in the existing Limited "R1-60" One-Family Low-Density Residential District by amending certain rezoning conditions listed in Ordinance No. 15,592 as approved on June 26, 2017 and the Acceptance of Rezoning Conditions related thereto:

LOTS 1 - 51, A, B, C, AND D, AND OUTLOTS X, Y, AND Z IN PARKSIDE ESTATES PLAT 1, AN OFFICIAL PLAT, ALL 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) Street trees shall be provided along East County Line Road at the time public improvements are installed for the development, and shall comply with the City's street tree policies.
- (2) A minimum of one street tree shall be provided per lot frontage within the development 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 constructed on that lot.
- (3) No same house plan shall be built on adjacent lots.

- (4) Each house shall have a full basement.
- (5) Each house shall have a minimum two-car attached garage.
- (6) The front façade of any house constructed 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.
- (7) All windows and doors shall have trim that is no less than 4-inches in width.
- (8) The roof on any house constructed shall be of asphalt type shingles or cedar shakes. Standard 3-tab shingles are prohibited.
- (9) Single story homes on Conceptual Plan Lots 1-4 also known as Lots 1-3 on final plat, Conceptual Plan Lots 25-32 also known as Lots 24-31 on final plat, Conceptual Plan Lots 37-44 also known as 36-43 on final plat, and Conceptual Plan Lots 49-52 also known as 48-51 on final plat, shall be constructed with a minimum of 1,300 square feet of above-grade finished floor area. Single story homes on Conceptual Plan Lots 5-24 also known as Lots 4-23 on final plat, Conceptual Plan Lots 33-36 also known as Lots 32-35 on final plat, and Conceptual Plan Lots 45-48 also known as Lots 44-47 on final plat, shall be constructed with a minimum of 1,400 square feet of above-grade finished floor area.
- (10) 1½ story homes on Conceptual Plan Lots 1-4 also known as Lots 1-3 on final plat, Conceptual Plan Lots 25-32 also known as Lots 24-31 on final plat, Conceptual Plan Lots 37-44 also known as Lots 36-43 on final plat, and Conceptual Plan Lots 49-52 also known as Lots 48-51 on final plat, shall be constructed with a minimum of 1,500 square feet of above-grade finished floor area with a minimum of 1,000 square feet on the first floor. 1½ story homes on Conceptual Plan Lots 5-24 also known as Lots 4-23 on final plat, Conceptual Plan Lots 33-36 also known as Lots 32-35 on final plat, and Conceptual Plan Lots 45-48 also known as Lots 44-47 on final plat, shall be constructed with a minimum of 1,600 square feet of above-grade finished floor area with a minimum of 1,000 square feet on the first floor.
- (11) 2 story homes on Conceptual Plan Lots 1-4 also known as Lots 1-3 on final plat, Conceptual Plan Lots 25-32 also known as Lots 24-31 on final plat, Conceptual Plan Lots 37-44 also known as Lots 36-43 on final plat, and Conceptual Plan Lots 49-52 also known as Lots 48-51 on final plat, shall be constructed with a minimum of 1,500 square feet of above-grade finished floor area. 2 story homes on Conceptual Plan Lots 5-24 also known as Lots 4-23 on final plat, Conceptual Plan Lots 33-36 also known as Lots 32-35 on final plat, and Conceptual Plan Lots 45-48 also known as Lots 44-47 on final plat, shall be constructed with a minimum of 1,600 square feet of above grade finished floor area.
- (12) Exterior material for any home constructed shall be masonry (brick or stone), vinyl of no less than 0.042 thickness, cedar, masonite, or cement fiber board.
- (13) Any chain link fence shall have black vinyl-cladding.
- (14) Provision of a trail providing pedestrian access to Fort Des Moines Park.

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. 19-1545), passed by the City Council of said City at a meeting held September 23, 2019 signed by the Mayor on September 23, 2019 and published and provided by law in the Business Record on October 11, 2019. Authorized by Publication Order No. 10795.

Diane Rauh, City Clerk