



Roll Call Number

19-1657

Agenda Item Number

65B

Date October 14, 2019

RESOLUTION HOLDING HEARING ON REQUEST FROM WALTER AND KELLY LAURIDSEN TO REZONE PROPERTY LOCATED AT 2725 SOUTHWEST 30TH STREET

WHEREAS, on September 23, 2019, by Roll Call No. 19-1488, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on September 5, 2019, its members voted 11-0 in support of a motion to recommend APPROVAL of a request from Walter and Kelly Lauridsen (purchasers), to rezone property located at 2725 Southwest 30th Street ("Property") from "M-3" Limited Industrial District to Limited "R1-80" One-Family Residential District, to allow for development of the Property with a single-family dwelling, subject to the following conditions:

- 1. Any dwelling constructed shall have a front door or an entry presence facing Southwest 30th Street to the satisfaction of the Planning Administrator.
2. Any dwelling constructed shall have a full basement.
3. Any dwelling constructed shall have minimum 2-car garage.
4. The front facade of any house constructed must contain one of the following:
a. A front porch of not less than 60 square feet; or
b. At least 1/3 of the facade shall be clad with stone or brick masonry.
5. Any dwelling constructed shall have trim around all windows on all facades that is a minimum of 4 inches (nominal) wide and shall have pre-hung exterior doors with trim.
6. The roof on any dwelling constructed shall be of architectural profile asphalt type shingles or cedar shakes. Standard 3-tab shingles are prohibited.
7. Any single-story home shall be constructed with a minimum of 1,200 square feet of above grade finished floor area.
8. Any 1 1/2 and 2-story homes shall be constructed with a minimum of 1,400 square feet of above grade finished floor area.
9. Exterior material for any dwelling constructed shall be masonry (brick or stone), cedar, masonite, or cement fiber board.
10. Any chain link fence shall have black vinyl-cladding.
11. 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; and

WHEREAS, on September 23, 2019, by Roll Call No. 19-1488, it was duly resolved by the City Council that the application from Walter and Kelly Lauridsen to rezone the Property be set down for hearing on October 14, 2019 at 5:00 P.M., in the Council Chamber at City Hall; and

WHEREAS, due notice of said hearing was published in the Des Moines Register, as provided by law, setting forth the time and place for hearing on said proposed amendment to the Zoning Ordinance; and

WHEREAS, in accordance with said notice, those interested in said proposed rezoning, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council; and

WHEREAS, the Legal Department has prepared an amendment to the Zoning Ordinance of the City of Des Moines to rezone the Property located at 2725 Southwest 30th Street, legally described as:

ALL OF THE NE 1/4 OF THE SE 1/4 OF SECTION 18, TOWNSHIP 78 NORTH, RANGE 24, WEST OF THE 5TH P.M., LYING NORTH OF THE CHICAGO, BURLINGTON, & QUINCY RAILWAY AND

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EAST OF SW 30<sup>TH</sup> STREET (EXCEPT THE NORTH 5.24 ½ CHAINS, ALSO EXCET THE FOLLOWING: COMMENCING AT A POINT ON THE EAST LINE OF SW 30<sup>TH</sup> STREET, IN THE CITY OF DES MOINES, POLK COUNTY, IOWA, 531 SOUTH AND 841.5 FEET WEST OF THE NE CORNER OF THE SE ¼ OF SECTION 18, TOWNSHIP 78, RANGE 24, WEST OF THE 5<sup>TH</sup> P.M., THENCE SOUTH ALONG THE EAST LINE OF SW 30<sup>TH</sup> STREET, 294.3 FEET TO THE NORTHERLY SIDE OF THE CHICAGO, BURLINGTON & QUINCY RAIROAD RIGHT-OF-WAY, THENCE IN A NORTHEASTERLY DIRECTION ALONG THE NORTHERLY SIDE OF THE CHICAGO, BURLINGTON & QUINCY RAILROAD RIGHT-OF-WAY ON A LEFT CURVE HAVING A RADIUS OF 2827.4 FEET A DISTANCE OF 151.5 FEET, THENCE NORTH 282 FEET TO A POINT 529 FEET SOUTH OF THE NORTH LINE OF SAID SE ¼, THENCE WESTERLY 150.9 FEET TO PLACE OF BEGINNING.)

from "M-3" Limited Industrial District to Limited "R1-80" One-Family Residential District, to allow for development of the Property with a single-family dwelling subject to the conditions set forth above.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Des Moines, Iowa, as follows:

1. Upon due consideration of the facts, and any and all statements of interested persons and arguments of counsel, any objections to the proposed rezoning of the Property to Limited "R1-80" One-Family Residential District, with conditions as set forth above, are hereby overruled, and the hearing is closed.
2. The proposed rezoning of the Property, as legally described above, to Limited "R1-80" One-Family Residential District, is hereby found to be in conformance with the PlanDSM: Creating Our Tomorrow Land Use Plan and is approved, subject to conditions set forth above and subject to final passage of an ordinance rezoning the Property as set forth herein.

MOVED BY Mandelbaum TO ADOPT.

FORM APPROVED:

Glenna K. Frank  
 Glenna K. Frank, Assistant City Attorney

(ZON2019-00156)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

**CERTIFICATE**

I, Laura Baumgartner, Acting City Clerk said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

J. M. Franklin Cownie Mayor

Laura Baumgartner Acting City Clerk