

ORDINANCE NO. 13,532

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 624 - 35th Street, from an "R1-60" One Family, Low Density Residential District classification to a Limited "C-O" Commercial-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 624 - 35th Street, more fully described as follows:

The South 55.0 feet of Lot 27 in the Official Plat of Lot 1 of the Official Plat of the Southeast 1/4 of the Southwest 1/4 of Section 6, Township 78 North, Range 24 West of the 5th P.M., all now included in and forming a part of the City of Des Moines, Polk County, Iowa, (the "Property").

from an "R1-60" One Family, Low Density Residential District classification to a Limited "C-O" Commercial-Residential District classification.

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:

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a) Only the uses of structures or land listed below shall be permitted upon the Property:

(i) Any use permitted in the "R1-60" One Family, Low Density Residential District;

(ii) Any of the following commercial uses, subject to such business being conducted within the existing structure only.

(1) The office of a doctor, dentist, osteopath, chiropractor, optometrist, chiropodist, or similar profession.

(2) Business and professional offices including the following: law, engineering, architecture, real estate, insurance, accounting and bookkeeping, and similar uses, but not including uses involving retail sales or nonprofessional services.

(3) Barber or beauty shop, including tanning salon and other accessory services.

(4) The studio of a professional photographer, provided that all photography shall be done by a professional photographer and that no retail sales shall be permitted except those which are incidental to the services of the professional photographer.

b) Prior to commencement of any commercial use of the Property, the front porch of the existing structure shall be restored

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and thereafter maintained as an open porch of a residential character.

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

Sec. 4. That the City Clerk is hereby authorized and directed to cause certified copies of this ordinance, the Acceptance of Rezoning Ordinance and proof of publication of this ordinance to be properly filed in the office of the Recorder of Polk County, Iowa.

FORM APPROVED:

Roger K. Brown

Assistant City Attorney