

ORDINANCE NO. 13,790

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 2721 to 2725 34th Street from an "R1-60" One Family, Low Density Residential District to a Limited "R-2" One and 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 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 2721 to 2725 34th Street, more fully described as follows, from an "R1-60" One Family, Low Density Residential District to a Limited "R-2" One and Two Family Residential District classification:

A parcel of land in the South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 29, Township 79 North, Range 24 West of the 5th P.M., City of Des Moines, Polk County, Iowa that is more particularly described as follows:

Commencing as a point of reference at the Northwest corner of Lot 34, Westridge, an Official Plat; thence South 00° (degrees) $20'$ (minutes) $14''$ (seconds) West, 194.32 feet to a point; thence South $90^{\circ}00'00''$ West, 189.02 feet to the Point of Beginning; thence South $90^{\circ}00'00''$ West, 117.17 feet to a point on the East right-of-way line of 34th Street; thence North $00^{\circ}00'00''$ East, 87.82 feet along said East right-of-way line to a point on the South right-of-way line of Urbandale Avenue; thence northeasterly along a curve to the left having a radius of 1196.0 feet and a chord bearing of North $57^{\circ}26'08''$ East, an arc length of 140.76 feet along said South right-of-way to a point; thence South $00^{\circ}29'06''$ West, 163.55 feet to the Point of Beginning and containing 0.335 acres more or less; and,

A parcel of land in the South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 29, Township 79 North, Range 24 West of the 5th P.M., City of Des Moines, Polk County, Iowa that is more particularly described as follows: Commencing as a point of reference at the Northwest corner of Lot 34, Westridge, an Official Plat; thence South 00° (degrees) $20'$ (minutes) $14''$ (seconds) West, 194.32 feet along the West line of said plat to the Point of Beginning; thence South $00^{\circ}20'14''$ West, 80.0 feet to a point; thence South $90^{\circ}00'00''$ West, 305.71 feet to a point; thence North $00^{\circ}00'00''$ East, 80.0 feet along the East right-of-way line of 34th Street to a point; thence North $90^{\circ}00'00''$ East, 306.18 feet to the Point of Beginning and containing 0.562 acres more or less.

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:

The only uses of structures or land permitted on the property shall be as follows:

A. Any use allowed in the "R1-60" One Family, Low Density Residential District.

B. Single-family semi-detached dwelling, provided:

1) Such dwelling is occupied by an owner of record of such dwelling.

2) Such dwelling shall be constructed with an elevation facing the street which substantially complies with the elevation drawing submitted by the applicant, a copy of which is attached to the Acceptance of Rezoning Ordinance signed by the applicant.

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 and proof of publication thereof to be properly filed in the office of the Recorder of Polk County, Iowa.

FORM APPROVED:

Roger K. Brown, Assistant City Attorney

Preston A. Daniels, Mayor

Attest:

I, Donna Boetel-Baker, 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. 00-367), passed by the City Council of said City at a meeting held February 7, 2000, signed by the Mayor on February 7, 2000, and published as provided by law in the Business Record on February 21 2000. Authorized by Publication Order No. 6401.

Donna Boetel-Baker, CMC/AAE, City Clerk