

ORDINANCE NO. 14,296

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 2414, 2470 and 2540 E. Payton Avenue from the R1-80 One-Family Residential District to a Limited "R1-70" One-Family Low Density 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 2414, 2470 and 2540 E. Payton Avenue, more fully described as follows, from the R1-80 One-Family Residential District to a Limited "R1-70" One-Family Low Density Residential District classification:

All that part of the Northeast 1/4 of the Southwest 1/4 of Section 25, Township 78 North, Range 24 West of the 5th P.M., except the East 304.0 feet, and except the South 310.0 feet of the West 152.1 feet, and except the North 295.67 feet of the South 345.17 feet of the West 126.7 feet of the East 617.9 feet, and less road, all now included in and forming a part of the City of Des Moines, Polk County, Iowa (hereinafter referred to as the "Property").

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:

A. Any dwelling constructed or placed upon the Property shall have a minimum finished floor area of 1,200

square feet exclusive of any attached garage.

B. Any dwelling constructed or placed upon the Property shall be served by an attached or detached garage of a size to accommodate a minimum of two vehicles, prior to occupancy of the dwelling.

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 the vicinity map, this ordinance, proof of publication of this ordinance, and the Acceptance of Rezoning Ordinance signed by all owners of the Property, to be properly filed in the office of the County Recorder of the county in which the Property is located.

FORM APPROVED:

Roger K. Brown, Assistant City Attorney

Preston Daniels, 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. 03-2773), passed by the City Council of said City at a meeting held December 8, 2003 signed by the Mayor on December 8, 2003 and published as provided by law in the Business Record on December 22, 2003 Authorized by Publication Order No. 4006.

Diane Rauh, City Clerk