

ORDINANCE NO. 14,660

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 2750 E. Pine Avenue from the "A-1" Agricultural District to a Limited "R1-60" 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 2750 E. Pine Avenue, more fully described as follows, from the "A-1" Agricultural District to a Limited "R1-60" One-Family Low-Density Residential District classification:

Beginning 120 feet West of the Southeast corner, then North 323.47 Feet, West 827.09 Feet, South 323.47 Feet, East 827.09 Feet to Point of Beginning, less streets, in the Northeast ¼ of Section 36, 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, (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. All lots and parcels hereafter created upon the Property with frontage on East Pine Avenue shall have a minimum width of 80 feet.
- B. Each single-family dwelling hereafter constructed or placed on the Property shall have a two-car garage and basement.
- C. The minimum finished floor area for each single-family dwelling hereafter constructed or placed on the Property shall be as follows:

- i) Single-story (ranch) - 1,200 square feet, excluding basement area.
  - ii) All others - 1,400 square feet, excluding basement area.
- D. At least 50% of the single family dwellings hereafter constructed or placed on the Property shall satisfy one of the following standards:
  - i) At least one-third of the total area of the front elevation shall be masonry;  
or,
  - ii) The dwelling shall have a front porch with a floor area of at least 60 square feet.
- E. The front elevation of each single-family dwelling hereafter constructed or placed on the Property must contain one of the following:
  - i) Shutters on each side of each window; or,
  - ii) Window trim not less than 4" in width.
- F. The exterior of each dwelling hereafter constructed or placed on the Property must be of masonry (brick or stone) and/or vinyl, cedar, Masonite, or Hardi-Plank siding. If vinyl siding is selected, it must be greater than 40 mills thick.
- G. The roof on each dwelling hereafter constructed or placed on the Property shall be of architectural type shingles or cedar shakes.

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 a certified copy of the Acceptance of Rezoning Ordinance, this ordinance, a vicinity map, and proof of publication of this ordinance, to be properly filed in the office of the Polk County Recorder.

FORM APPROVED:

Roger K. Brown , 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. 07-1108), passed by the City Council of said City at a meeting held June 4, 2007 signed by the Mayor on June 4, 2007 and published as provided by law in the Business Record on June 25, 2007, Authorized by Publication Order No. 5718.

Diane Rauh, City Clerk