

ORDINANCE NO. 14,806

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 5119 Bel-Aire Road from the “R-2” Two-Family Residential to a Limited “R-3” Multiple-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 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 5119 Bel-Aire Road, more fully described as follows, from the “R-2” Two-Family Residential to a Limited “R-3” Multiple-Family Residential District classification:

Lots 65-72, Westchester Manor Plat 5 an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

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:

- (1) Only permitted uses are single-family residential, single-family semi-detached residential, and two-family residential.
- (2) All common areas shall be owned and maintained by a homeowners association.
- (3) Preparation of a Plat of Survey by the owner to be reviewed and approved by the Permit and Development Center and filed by the owner with Polk County.

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

Sec. 4. 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:

Michael F. Kelley, 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. 08-1888), passed by the City Council of said City at a meeting held October 27, 2008 signed by the Mayor on October 27, 2008 and published as provided by law in the Business Record on November 10, 2008. Authorized by Publication Order No. 6364.

Diane Rauh, City Clerk