

ORDINANCE NO. 15,101

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 1303 and 1305 Clark Street and 1512 and 1516 13<sup>th</sup> Street from the R1-60 One-Family Low-Density Residential District 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 1303 and 1305 Clark Street and 1512 and 1516 13<sup>th</sup> Street, more fully described as follows, from the R1-60 One-Family Low-Density Residential District to a Limited R-3 Multiple Family Residential District classification:

South 88.75 feet Lots 1 & 2 and all Lots 11 and 12, Block 2, Laymans 3<sup>rd</sup> Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa

Section 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 and contract purchasers of said property and are binding upon the owners and contract purchasers and their successors, heirs, and assigns as follows:

- (1) Permitted uses shall be limited to single-family residential, single-family semi-detached residential, and two-family residential.
- (2) Any reconfiguration of the lots shall be in accordance with a Plat of Survey as approved by the City's Permit and Development Center and recorded with Polk County.

- (3) Any tree removals on the site shall be subject to the provisions of the tree mitigation ordinance.
- (4) Any single-family dwelling shall be constructed in substantial conformance with the submitted design, subject to the following alteration:
  - Exterior building materials shall be reviewed and approved by the Community Development Director.
- (5) Any two-family dwelling shall be constructed in substantial conformance with the submitted design, subject to the following alterations:
  - a. Exterior building materials shall be reviewed and approved by the Community Development Director.
  - b. The window on the front of each dwelling unit's ground floor shall be expanded to be a triple-window.
  - c. A minimum of three decorative roof supports shall be provided under the front gable on each dwelling unit.

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

Section 4. The City Clerk is hereby authorized and directed to cause a certified copy of the Acceptances of Rezoning Ordinance, hearing Roll Call No. 12-0564 whereby the City Council approved on behalf of the City of Des Moines the conditions on the rezoning to a Limited R-3 classification, 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. 12-0637), passed by the City Council of said City at a meeting held April 23, 2012 signed by the Mayor on April 23, 2012 and published as provided by law in the Business Record on May 11, 2012. Authorized by Publication Order No. 7909.

Diane Rauh, City Clerk