

ORDINANCE NO. 15,450

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 at the 4601 Block of Southeast 34<sup>th</sup> Street from the "R1-90" Large Lot One-Family Residential District to 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 at the 4601 Block of Southeast 34<sup>th</sup> Street, more fully described as follows, from the "R1-90" Large Lot One-Family Residential District to Limited "R1-70" One-Family Low-Density Residential District classification:

The South 20 acres of the West 30 acres of the South ½ of the Southeast 1/4 , less 1.003 acres for roadway, all in Section 19, Township 78 North, Range 23, West of the 5th P.M., in the City of Des Moines, Polk County, Iowa, containing 18.997 acres.

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

- 1) A berm and landscaping shall be provided along SE 34th Street to the satisfaction of the Planning Administrator and fencing shall be prohibited in the area west of the eastern edge of the berm.
- 2) No same house plan shall be built on adjacent lots.
- 3) Each house shall have a full basement.

- 4) Each house shall have a minimum three-car attached garage.
- 5) The front façade of any house constructed must contain one of the following:
  - a. A front porch of not less than 60 square feet; or
  - b. 1/3 to 1/2 stone or brick masonry.
- 6) Windows on the street-facing façade of any house constructed shall have either of the following:
  - a. Shutters on each side; or
  - b. Trim border not less than 4" in width.
- 7) Roof on any house constructed shall be of asphalt type shingles or cedar shakes. Standard 3-tab shingles are prohibited.
- 8) Single story homes shall be constructed with a minimum of 1400 square feet of above grade finished floor area. Except that any home constructed on a lot that has frontage on SE 34<sup>th</sup> Street shall have a minimum of 1600 square feet of above grade finished floor area.
- 9) 1½ story homes shall be constructed with a minimum of 1600 square feet of above grade finished floor area with a minimum of 1000 square feet on the first floor. Except that any home constructed on a lot that has frontage on SE 34<sup>th</sup> Street shall have a minimum of 1800 square feet of above grade finished floor area.
- 10) 2-story homes shall be constructed with a minimum of 1800 square feet of above grade finished floor area. Except that any home constructed on a lot that has frontage on SE 34<sup>th</sup> Street shall have a minimum of 2000 square feet of above grade finished floor area.
- 11) Exterior material for any home constructed shall consist of masonry (brick or stone), vinyl of no less than .042 thickness, cedar, or cement fiber board.
- 12) Any chain link fence shall have black vinyl-cladding.
- 13) A 6-foot wide public sidewalk shall be provided through the development providing enhanced east-west pedestrian connectivity to the satisfaction of the Planning Administrator.

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

Section 4. That the City Clerk is hereby authorized and directed to cause certified copies of the Acceptance of Rezoning Ordinance, this ordinance, vicinity map and proof of publication of this ordinance to be properly filed in the office of the County Recorder of the county in which the subject property is located.

FORM APPROVED:

Glenna K. Frank, 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. 16- 0420), passed by the City Council of said City at a meeting held March 7, 2016 signed by the Mayor on March 7, 2016 and published and provided by law in the Business Record on March 25, 2016. Authorized by Publication Order No. 9479.

Diane Rauh, City Clerk