

ORDINANCE NO. 15,567

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 4518 Southwest 33rd Street from the “M-3” Limited Industrial District to Limited “R1-80” One-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 4518 Southwest 33rd Street, more fully described as follows, from the “M-3” Limited Industrial District to Limited “R1-80” One-Family Residential District classification:

ALL OF PARCEL “A” LYING SOUTH OF THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 6 IN SERENDIPITY PLAT 3, AN OFFICIAL PLAT, SAID PARCEL “A” IS RECORDED IN BOOK 15189 PAGE 476 IN THE RECORDER’S OFFICE OF POLK COUNTY, IOWA; 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 the purchasers of said property and are binding upon the purchasers and their successors, heirs, and assigns as follows:

- (1) Any dwelling constructed shall have a full basement.
- (2) Any dwelling constructed shall have minimum 2-car attached garage.
- (3) 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. At least 1/3 of the façade shall be clad with stone or brick masonry.
- (4) Windows on any façade facing a public street shall have either of the following:
 - a. Trim border not less than 4 inches in width; or
 - b. Shutters on each side.

- (5) Roof on any house constructed shall be of asphalt type shingles or cedar shakes. Standard 3-tab shingles are prohibited.
- (6) Any single story home shall be constructed with a minimum of 1,200 square feet of above grade finished floor area.
- (7) Any 1½ and 2-story homes shall be constructed with a minimum of 1,400 square feet of above grade finished floor area.
- (8) Exterior material for any home constructed shall be masonry (brick or stone), cedar, masonite, or cement fiber board.
- (9) Any chain link fence shall have black vinyl-cladding; and

Section 3. The City, as owner and contract seller of the property, hereby accepts and consents to the above-stated conditions of this rezoning.

Section 4. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Section 5. 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. 17-0519), passed by the City Council of said City at a meeting held March 20, 2017 signed by the Mayor on March 20, 2017 and published and provided by law in the Business Record on April 7, 2017. Authorized by

Publication Order No. 9971.

Diane Rauh, City Clerk