

ORDINANCE NO. 15,663

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 1625-1645 East Diehl Avenue, 1540-1580 Hart Avenue and 1545-1575 Hart Avenue from the “R1-80” One-Family Residential District to 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 1625-1645 East Diehl Avenue, 1540-1580 Hart Avenue and 1545-1575 Hart Avenue, more fully described as follows, from the “R1-80” One-Family Residential District to Limited “R1-60” One-Family Low-Density Residential District classification:

Lot 23, 24, 25, 26, and 27 in CAPITOL VIEW ACRES, an Official Plat now included in and forming a part of the City of Des Moines, Polk County, Iowa.

And

Lot 12 (Except the South 70 feet of the West 425 feet thereof) and Lots 13 and 14 in NEW HOPE, an Official Plat 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 of said property and are binding upon the owners and their successors, heirs, and assigns as follows:

- 1) A minimum of one street tree shall be provided per lot frontage within the development that complies with the City’s street tree policies. Each tree shall be

installed prior to the issuance of a Certificate of Occupancy for the dwelling constructed on that lot.

- 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 two-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. Stone or brick masonry siding covering at least 1/3 of the façade.
- 6) All windows and doors shall have trim that is no less than 4-inches in width.
- 7) The 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 1,400 square feet of above grade finished floor area.
- 9) 1½ story homes shall be constructed with a minimum of 1,600 square feet of above grade finished floor area with a minimum of 1,000 square feet on the first floor.
- 10) 2-story homes shall be constructed with a minimum of 1,800 square feet of above grade finished floor area.
- 11) Exterior material for any home constructed shall be masonry (brick or stone), vinyl of no less than 0.042 thickness, cedar, masonite, or cement fiber board.
- 12) Any chain link fence shall have black vinyl-cladding.

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.

18-0815), passed by the City Council of said City at a meeting held May 7, 2018 signed by the Mayor on May 7, 2018 and published and provided by law in the Business Record on May 25, 2018. Authorized by Publication Order No. 10329.

Diane Rauh, City Clerk