

ORDINANCE NO. 2015-500

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF POLK CITY, IOWA, BY REZONING 10.995 ACRES OWNED BY DEER HAVEN LAND COMPANY, LLC FROM R-1 SINGLE-FAMILY DETACHED RESIDENTIAL DISTRICT TO PLANNED UNIT DEVELOPMENT DISTRICT.

WHEREAS, on the 18th day of May, 2015, the Planning and Zoning Commission of the City of Polk City, Iowa, recommended to the City Council that the property described in the attached Exhibit “A” be considered for rezoning from R-1 Single-Family Detached Residential District (R-1) to Planned Unit Development District (P.U.D.) with the following restrictions:

- (1) that development of the property shall be in substantial conformance with the Deer Haven P.U.D. Master Plan attached hereto as Exhibit “B”;
- (2) that the principal permitted use shall be limited to single-family detached residential use;
- (3) that the minimum lot width shall be 60 feet wide as measured at the building setback line;
- (4) that the minimum lot area shall be 7,500 square feet;
- (5) that the minimum front yard shall be 30 feet;
- (6) that the minimum rear yard shall be 30 feet; and
- (7) that the minimum side yard shall be 5 feet provided that all Building Permits showing less than an eight feet side yard setback shall meet the following requirements: (a) all side walls shall have a 1 hour fire wall on both the inside and outside of the wall, (b) all roof soffits shall have a 1 hour fire rating, (c) no projections or cantilevers shall be permitted into the 5’ side yard, (d) roofs shall not overhang the building wall by more than two feet, and (e) as-built survey shall be required for all Building Permits showing less than a 6’ side yard setback.

WHEREAS, on the 8th day of June, 2015, after due notice and hearing as provided by law, the City Council now deems it reasonable and appropriate to rezone said property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POLK CITY, IOWA:

Section 1: That the Municipal Code of the City of Polk City, Iowa, be and it is hereby amended by rezoning the property described in the attached Exhibit “A” from R-1 Single-Family Detached Residential District (R-1) to Planned Unit Development District (P.U.D.) with restrictions that (1) development of the property shall be in substantial conformance with the Deer Haven P.U.D. Master Plan attached hereto as Exhibit “B”; (2) the principal permitted use shall be limited to single-family detached residential use; (3) the minimum lot width shall be 60 feet wide as measured at the building setback line; (4) the minimum lot area shall be 7,500 square feet; (5) the minimum front yard shall be 30 feet; (6) the minimum rear yard shall be 30 feet; and (7) that the minimum side yard shall be 5 feet provided that all Building Permits showing less than an eight feet side yard setback shall meet the following requirements: (a) all side walls shall have a 1 hour fire wall on both the inside and outside of the wall, (b) all roof soffits shall have a 1 hour fire rating, (c) no projections or cantilevers shall be permitted into the 5’ side yard, (d) roofs shall not overhang the building wall by more than two feet, and (e) as-built survey shall be required for all Building Permits showing less than a 6’ side yard setback.

Section 2: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

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

PASSED AND APPROVED this - day of - , 2015.

Jason Morse, Mayor

ATTEST:

Jennifer Ratcliff, City Clerk

First reading: _____
Second reading: _____
Third reading: _____
Publication Date: _____