

ORDINANCE NO. 15-16

ORDINANCE AMENDING THE MARION CODE OF ORDINANCES REGARDING A REQUEST TO REZONE PROPERTIES LOCATED BETWEEN THE INTERSECTION OF WINSLOW ROAD/INDIAN CREEK ROAD AND SILVER OAK TRAIL, WEST OF THE ROUNDABOUT AT LUCORE ROAD AND TOWER TERRACE ROAD FROM UNDESIGNATED AND R-2, MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL TO R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL (City Initiated).

WHEREAS, the City of Marion has made application to rezone properties from Undesignated and R-2, Medium Density Single Family Residential to R-1, Low Density Single Family Residential located between the intersection of Winslow Road/Indian Creek Road and Silver Oak Trail, west of the roundabout at Lucore Road and Tower Terrace Road in Marion, Iowa, more particularly described as follows:

Undesignated to R-1

All lots included in Blackford's First Addition; excluding Lot 6

And

All lots included in Blackford's Second Addition; excluding Lot 4 and 7

And

Lot 2 of Mollenhauer's First Addition to Linn County

And

Lots 10 through 13 of Auditor's Plat No. 391

And

THAT PART OF LOT 1, IRREGULAR SURVEY NW1/4 SE ¼ SECTION 30-84-6, LINN COUNTY, IOWA, LYING EAST OF THE NORTH AND SOUTH HIGHWAY DESCRIBED AS FOLLOWS: Commencing at a point on the North line NW1/4 NW1/4 SE1/4 said Section 30 which is 423.05 feet East of the NW corner thereof; thence East 238.1 feet along said North line to the NE corner NW1/4 NW1/4 SE1/4 said Section 30; thence South 1°32' East, 330 feet; thence West 225.7 feet; thence North 3°41' West 330.56 feet to point of beginning EXCEPT THE PUBLIC HIGHWAY

And

That part of Lot 1, Irregular Survey SE1/4 Section 30-84-6 and that part of Lot 2, Irregular Survey SW1/4 Section 30-84-6, all in Linn County, Iowa described as follows: Commencing at the center of said Section 30; thence South 13.1 feet along the West line SE1/4 said Section 30 to the point of beginning; thence North 87°52.5' East 151.42 feet to the West line of the Public Highway; thence South 2°07.5' East 208.72 feet along the

West line of said Public Highway; thence South 87° 52.5' West 208.72 feet; thence North 2° 07.5' West 208.72 feet; thence North 87° 52.5' East 57. Feet to the point of beginning.

And

The North thirty-four (34) rods of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of Section Thirty (30), lying Southeasterly of the center line of the Marion and Central City Road, all in Township Eight-four (84), Rang Six (6), Linn County, Iowa, subject to zoning, easements, covenants and restrictions of record in the office of the Recorder of Linn County, Iowa.

And

That part of NE1/4 NE1/4 Section 30-84-6, Linn County, Iowa described as follows: Beginning at a point on the North line of said Section 30, 30.3 feet West of the Northeast corner thereof; thence West along the North line of said Section, 344.1 feet to the center of a public road running in a northwesterly and southeasterly direction through said NE1/4 NE1/4 Section 30; thence South 27° 53' East along the center line of said public road 277.5 feet to a point in the center of a public road running in a Northeasterly and southwesterly direction through said NE1/4 NE1/4; thence Northeasterly along the center line of said last named road 324.8 feet to the point of beginning, subject to the public highway.

R-2 to R-1

Lot 6, Blackford's First Addition

And

Lot 4 & 7, Blackford's Second Addition

WHEREAS, said application has been considered by the Planning and Zoning Commission and the Commission adopted CPC Resolution No. 15-23 dated May 12, 2015, recommending approval of said rezoning request; and,

WHEREAS, said application has heretofore been set for public hearing on June 4, 2015 before the City Council as required by law and said public hearing having been concluded and the Council having considered the record and all statements for and against said application and being fully advised of the premises; and,


WHEREAS, the City Council has considered the recommendation of the Planning & Zoning Commission regarding said zoning application.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARION IOWA; Section 1. That Section 176.04 of the Marion Code of Ordinances is hereby amended, including the Zoning District Map, and the zoning classification is changed for the above described real estate from Undesignated and R-2, Medium Density Single Family Residential to R-1, Low Density Single Family Residential.

Section 2. That all ordinances and parts of ordinances in conflict with the same are hereby repealed.


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

Passed and approved this 7 day of July, 2015.



Snooks Bouska, Mayor

ATTEST:



Wesley A. Nelson, City Clerk

CERTIFICATE OF SERVICE
The undersigned City Clerk of Marion, Iowa
certifies that the Ordinance
shown immediately above was published in the
Marion Times on the 16 day of
July, 20 15.
Wes Nelson

City Clerk