ORDINANCE 18-09

AN ORDINANCE AMENDING THE CODE OF ORDINANCES TO REZONE PROPERTY FROM RURAL RESTRICTED (A-1) TO MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL (R-2) LOCATED WEST OF ALBURNETT ROAD AND SOUTH OF ECHO HILL ROAD, MARION, IOWA (INTEGRITY CUSTOM HOMES INC.).

WHEREAS, Integrity Custom Homes, Inc. has made application to rezone from Rural Restricted (A-1) to Medium Density Single Family Residential (R-2) for certain property located west of Alburnett Road and south of Echo Hill Road, legally described as follows:

Parcel A, Plat of Survey No. 2212 as recorded in Book 9997 Page 651-652 of the records of the Linn County, Iowa Recorder on December 12, 2017, being a part of the SWJ/4 of the NE l/4 of Section 23-84-7, Marion, Linn County, Iowa, described as follows:

Beginning at the Northeast corner of the Northwest Quarter of the Southeast Quarter of said Section 23; thence South 1°18'46" East a distance of 409.45 feet along the East line of said Northwest Quarter; thence South 89°39'57" West a distance of342.17 feet; thence North 52°16'54" West a distance of210.92 feet; thence South 89°30'46" West a distance of 412.82 feet; thence North 01°18'35" West a distance of 1604.59 feet to the North line of the Southwest Quarter of Northeast Quarter of said Section 23; thence North 89°47'42" East a distance of587.48 feet along said North line; thence South 1°18'35" East a distance of1327.00 feet along the West line of Plat of Survey No.2026 to the Southwest corner thereof; thence North 89°37'13 "East a distance of331.31 feet along the South line of said Plat of Survey to the point of beginning, containing 24.99 acres subject to covenants, easements and restrictions of record.

And

Northwest Quarter of Southeast Quarter (NW1/4 SE1/4); and the West Three Fourths of the Southwest Quarter of the Northeast Quarter W3/4 SW1/4 NE1/4) of Section Twenty-three (23), Township Eighty-four (84) North of Range Seven (7), Linn County Iowa.

WHEREAS, the Marion Planning and Zoning Commission, on March 26, 2018, conducted a public hearing and approved CPC Resolution No 18-20 recommending approval of a request made by the Integrity Custom Homes, Inc. to rezone property from Rural Restricted (A-1) to Medium Density Single Family Residential (R-2) for property located west of Alburnett Road and south of Echo Hill Road;

WHEREAS, the City Council has considered the recommendation of the Planning and Zoning Commission regarding said rezoning application and finds that the rezoning should be approved.
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARION, IOWA;

Section 1: That Section 176.05 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 Rural Restricted (A-1) to Medium Density Single Family Residential (R-2).

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 provided by law.

Passed and approved this 17 day of May, 2018.

Nicolas AbouAssaly, Mayor

ATTEST:

I, Wesley A. Nelson, City Clerk of the City of Marion, Iowa hereby certify that at a meeting of the City Council of said City, held on the above date, among other proceedings the above was adopted.

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 24 day of May, 2018.

Wes Nelson, City Clerk