ORDINANCE NO. 19-02

AN ORDINANCE APPROVING A REZONING FROM R-2, MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL, TO PDR, PLANNED DEVELOPMENT RESIDENTIAL, FOR PROPERTY SOUTH OF FERNOW ROAD AND EAST OF CRESTWOOD LANE AND BURNS DRIVE. (CURTIS J. COPE FAMILY TRUST & COPE AGRICULTURAL INVESTMENTS, LLC)

WHEREAS, Curtis J. Cope Family Trust & Cope Agricultural Investments, LLC have made application to zone from R-2, Medium Density Single-Family Residential, to PDR, Planned Development Residential, for property south of Fernow Road and east of Crestwood Lane and Burns Drive, more particularly described as follows:

Parcel A Plat of Survey #1436 in the SE ¼ NE ¼ of 33-84-6 West of the 5th PM as recorded in Book 6812, Page 629, Office of the Recorder Linn County, Iowa lying North of Linn Meadows Third and Fourth Additions to the City of Marion, Linn County, Iowa, and now as shown on a Plat of Retracement Survey recorded in Book 9302 Page 348

And

NE ¼ NE ¼ except the North 309 feet of the West 676.7 feet (measured along the North line) Section 33-84-6, Linn County, Iowa and further excepting therefrom: Burnsfield First Addition to the City of Marion, Linn County, Iowa, subject to easements, restrictions and covenants of record.

WHEREAS, the Marion Planning and Zoning Commission, on December 11, 2018, conducted a public hearing and approved CPC Resolution No 18-54 recommending approval of a request by Curtis J. Cope Family Trust & Cope Agricultural Investments, LLC to rezone certain property located south of Fernow Road and east of Crestwood Lane and Burns Drive from R-2, Medium Density Single-Family Residential, to PDR, Planned Development Residential; and

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 R-2, Medium Density Single-Family Residential, to PDR, Planned Development 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Section 2: That all ordinances and parts of ordinances in conflict with the same are hereby repealed.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 provided by law.

Passed and approved this 7 day of February, 2019.
ATTEST:

I, Rachel Bolender, 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.

Rachel Bolender, 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 **14th** day of **February**, 2019.

Rachel Bolender, City Clerk