

ORDINANCE NO. 2116

WHEREAS, on January 11, 1990, the Polk County Board of Supervisors adopted the Zoning Ordinance and map for the unincorporated territory of Polk County, Iowa; and

WHEREAS, the petitioner, Todd A. Steddom, 973 W. Morelos St. Chandler, Arizona, and Heidi Metoyer, 872 Tahoe Island Drive, S. Lake Tahoe, California, is requesting that the approximate 35.23 acre parcel (case# 02/98E) located on the west side of Highway 141 and south of N.W. Saylorville Drive, be rezoned from the Estate District to the Light Business District with conditions; and

WHEREAS, a Comprehensive Land Use Plan Map Amendment and Zoning Map Amendment were reviewed and heard by the Polk County Zoning Commission on September 23, 2002, at 7:00 P.M., at the Polk County Planning and Development Department, 5885 N.E. 14th Street, Des Moines, Iowa, due and timely notice published as provided by law; and

WHEREAS, the Polk County Zoning Commission, after hearing the evidence both in favor and opposed to the Comprehensive Land Use Plan Map Amendment and Zoning Map Amendment, voted four (4) in support, two (2) in opposition, with one (1) absent, to recommend to the Polk County Board of Supervisors that the zoning map amendment from the Estate District to the Light Business District with conditions; be denied; and

WHEREAS, a Comprehensive Land Use Plan Map Amendment was heard and reviewed by the Polk County Board of Supervisors on November 12, 2002, at 5:00 P.M., in Room 120 of the Polk County Administrative Office Building, Des Moines, Iowa, due and timely notice published as provided by law; and

WHEREAS, the Zoning Map amendment was heard by the Polk County Board of Supervisors on November 12, 2002, at 5:00 P.M., in Room 120 of the Polk County Administrative Office Building, Des Moines, Iowa, due and timely notice published as provided by law.


H.S.

NOW, THEREFORE, BE IT ORDAINED that the Zoning Map Amendment (Attachment A) from the Estate District to the Light Business District with conditions for parcel E (Attachment B) for the following described property:

THE NORTHEAST QUARTER (NE1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 20, TOWNSHIP 80 NORTH, RANGE 25 WEST OF THE 5TH PRINCIPAL MERIDIAN, POLK COUNTY, IOWA, CONTAINING 40.12 ACRES OF LAND MORE OR LESS, LESS 4.89 ACRES FOR ROAD RIGHT-OF-WAY – Jefferson Township

BE APPROVED.

POLK COUNTY BOARD OF SUPERVISORS



Jack Bishop, Chairperson

FIRST READING:

ROLL CALL
FOR ALLOWANCE

NOV 12 '02

Gene Phillips	<input checked="" type="checkbox"/> Yea	<input type="checkbox"/> Nay
Nathan Brooks	<input checked="" type="checkbox"/> Yea	<input type="checkbox"/> Nay
Robert Brownell	<input checked="" type="checkbox"/> Yea	<input type="checkbox"/> Nay
Angela Connolly	<input checked="" type="checkbox"/> Yea	<input type="checkbox"/> Nay
Jack Bishop	<input checked="" type="checkbox"/> Yea	<input type="checkbox"/> Nay
Yea	4	Nay 1

Above tabulation made by BD

ALLOWED
BY ABOVE VOTE OF BOARD

Jack Bishop

CHAIRPERSON

MOVED BY PHILLIPS
SECONDED BY BROWNELL
TO DEFER THE THIRD READING
OF THE ORDINANCE FOR 90 DAYS.

SECOND READING:

ROLL CALL
FOR ALLOWANCE

NOV 19 '02

Gene Phillips	<input checked="" type="checkbox"/> Yea	<input type="checkbox"/> Nay
Nathan Brooks	<input checked="" type="checkbox"/> Yea	<input type="checkbox"/> Nay
Robert Brownell	<input checked="" type="checkbox"/> Yea	<input type="checkbox"/> Nay
Angela Connolly	<input checked="" type="checkbox"/> Yea	<input type="checkbox"/> Nay
Jack Bishop	<input checked="" type="checkbox"/> Yea	<input type="checkbox"/> Nay
Yea	4	Nay 1

Above tabulation made by BD

ALLOWED
BY ABOVE VOTE OF BOARD

Jack Bishop

CHAIRPERSON

VOTE ON AMENDMENT:

ROLL CALL
FOR ALLOWANCE

NOV 26 '02

Gene Phillips	<input checked="" type="checkbox"/> Yea	<input type="checkbox"/> Nay
Nathan Brooks	<input checked="" type="checkbox"/> Yea	<input type="checkbox"/> Nay
Robert Brownell	<input checked="" type="checkbox"/> Yea	<input type="checkbox"/> Nay
Angela Connolly	<input checked="" type="checkbox"/> Yea	<input type="checkbox"/> Nay
Jack Bishop	<input checked="" type="checkbox"/> Yea	<input type="checkbox"/> Nay
Yea	3	Nay 1

Above tabulation made by BD

ALLOWED
BY ABOVE VOTE OF BOARD

Jack Bishop

ABS-1

THIRD READING:

ROLL CALL
FOR ALLOWANCE

DEC 31 '02

Gene Phillips	<input checked="" type="checkbox"/> Yea	<input type="checkbox"/> Nay
Nathan Brooks	<input checked="" type="checkbox"/> Yea	<input type="checkbox"/> Nay
Robert Brownell	<input checked="" type="checkbox"/> Yea	<input type="checkbox"/> Nay
Angela Connolly	<input checked="" type="checkbox"/> Yea	<input type="checkbox"/> Nay
Jack Bishop	<input checked="" type="checkbox"/> Yea	<input type="checkbox"/> Nay
Yea	4	Nay 1

Above tabulation made by BD

ALLOWED
BY ABOVE VOTE OF BOARD

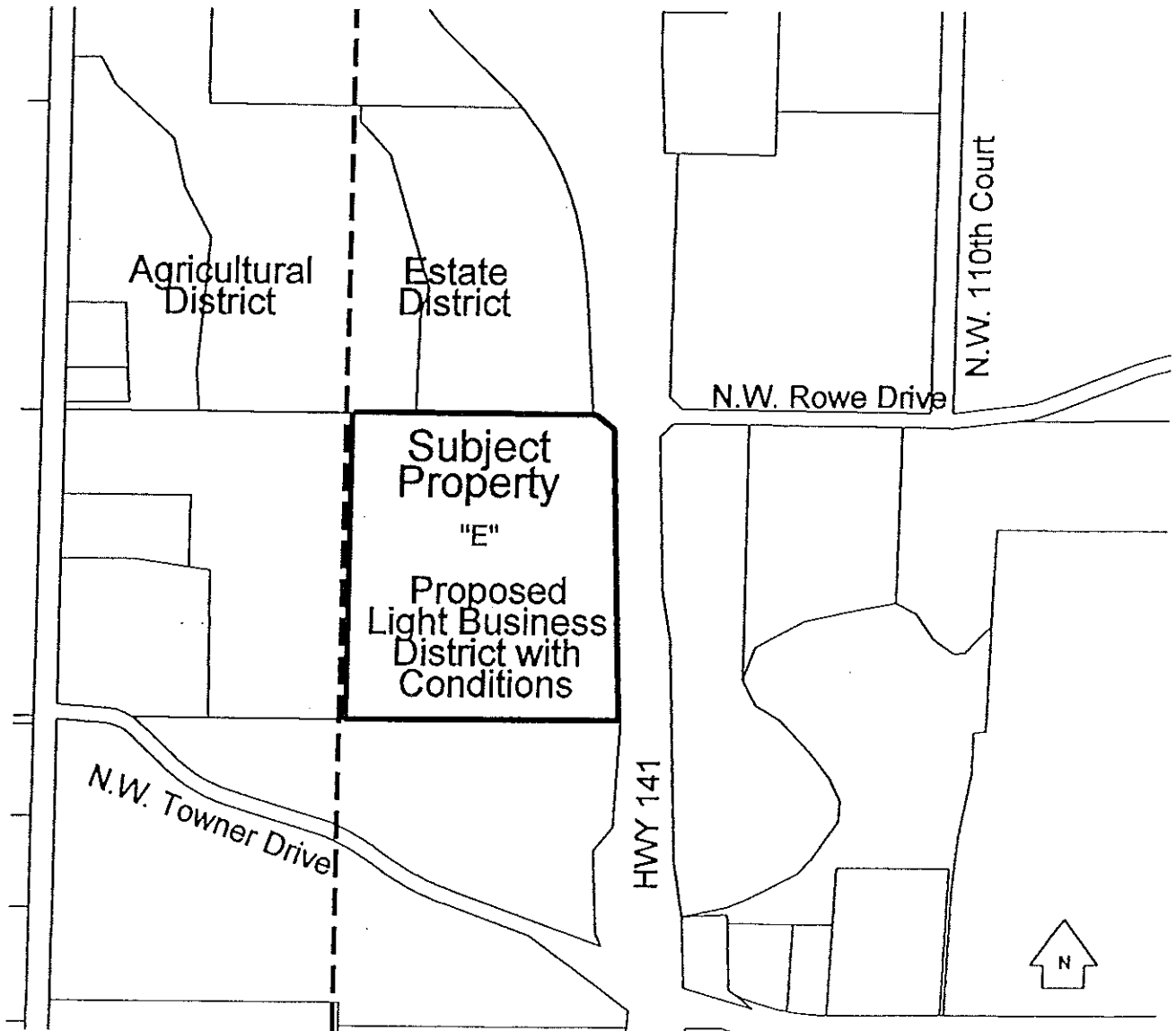
Jack Bishop

CHAIRPERSON

(PARCEL "E")
Deferred from November 26, 2002

#8

Zoning Map Amendment
Attachment A



LEGAL DESCRIPTION:

THE NORTHEAST QUARTER (NE1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 20, TOWNSHIP 80 NORTH, RANGE 25 WEST OF THE 5TH PRINCIPAL MERIDIAN, POLK COUNTY, IOWA, CONTAINING 40.12 ACRES OF LAND MORE OR LESS, LESS 4.89 ACRES FOR ROAD RIGHT-OF-WAY - Jefferson Township

Prepared by and after recording

Return to: Daniel L. Manning #8003, 317-6th Avenue, Suite 300, Des Moines, IA 50309 Telephone: (515) 243-8157

We, Todd A. Steddom and Heidi S. Metoyer, the owners of Parcels E and C, the legal descriptions of which are attached hereto, agree to the conditions and restrictions set out in this agreement for the purpose of obtaining a reclassification of the zoning upon these properties to a light business district classification with conditions as set out herein. This agreement shall be recorded and is binding on our successors and assigns. The following uses, as defined and applied in the Polk County Zoning Ordinance, are permitted on the property. The uses of the property designed as Parcel E with a legal description as set forth herein are permitted on the property:

Farms	Retail Services:
Forestry	Lawn and Garden
Nurseries	Irrigation
Outdoor Institutional	Landscaping
Indoor Institutional	Pest Control
Public Services	Ornamental Shrub & Tree (782 & 783)
Cemeteries	Commercial Stables
Office	Animal Services
Commercial Retail:	Light Industry:
Building Supplies (523-526)	Contractors: Residential Home (15)
Paint, Glass, Wallpaper	Masonry, Carpentry (174, 1975)
Hardware	175
Greenhouses	
Nursery, Lawn & Garden	

Uses of the subject property identified as Parcel C and with a legal description as set forth herein shall be limited to those uses identified herein:

Convenience Commercial
Office
Commercial Retail
Commercial Services
Drive-In Facilities
Gasoline Station

DATED this 25th day of October, 2002.

Todd A. Steddom

Heidi S. Metoyer

STATE OF IOWA)

)ss:

COUNTY OF)

On this 25 day of OCTOBER, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared Todd A. Steddom, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

Dennis J Manning
Notary Public in and for said State.

STATE OF CALIFORNIA)

)ss:

COUNTY OF)

On this ___ day of _____, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared Heidi A. Metoyer, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that se executed the same as her voluntary act and deed.

Notary Public in and for said State.