

ORDINANCE NO. 15-05

ORDINANCE AMENDING THE MARION CODE OF ORDINANCES REGARDING A REQUEST TO ZONE PROPERTY LOCATED NORTH OF ECHO HILL ROAD AND WEST OF ALBURNETT ROAD IN MARION, IOWA TO R-2, MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL (Mooney-Engle Land Company).

WHEREAS, Mooney-Engle Land Co, applicant, has made application to zone property to R-2, Medium Density Single Family Residential for property located north of Echo Hill Road and west of Alburnett Road in Marion, Iowa, more particularly described as follows:

Zone to R-2

THE N 1/2 NE 1/2 OF SECTION 23-84-7, LINN COUNTY, IOWA EXCEPT THAT PART DESCRIBED AS FOLLOWS: COMMENCING AS A POINT OF REFERENCE AT THE NE CORNER OF SAID SECTION 23; THENCE SOUTH 0°00'00" WEST, 1295.8 FEET ALONG THE EAST LINE OF NE 1/4 OF SAID SECTION 23 TO THE CENTER LINE OF EAST-WEST ROAD; THENCE SOUTH 89°53'20" WEST, 428.17 FEET ALONG SAID CENTER LINE TO THE PLACE BEGINNING; THENCE CONTINUING SOUTH 89°53'20" WEST, 436.4 FEET ALONG SAID CENTER LINE; THENCE NORTH 0°23'20" EAST, 454.3 FEET; THENCE NORTH 89°53'20" EAST, 432.4 FEET TO THE PLACE OF BEGINNING.

WHEREAS, said application has been considered by the Planning and Zoning Commission and the Commission adopted CPC Resolution No. 15-09 dated March 10, 2015, recommending approval of said rezoning request; and,

WHEREAS, said application has heretofore been set for public hearing on April 9, 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 rezoning 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 to R-2, Medium 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 That all ordinances and parts of ordinances in conflict with the same are hereby repealed.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 7th day of May, 2015.

R. J. Spinks
Raleigh J. Spinks, Jr., Mayor pro tem

ATTEST:

Wesley A. Nelson
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 21 day of May, 2015
Wesley Nelson City Clerk