

ORDINANCE NO. 1038 (2022/2023)

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF NEVADA, IOWA, BY REZONING THE PROPERTY AT 625 ACADEMY CIRCLE, OAK PARK ESTATES FROM R-4 (MULTIPLE FAMILY DWELLING DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT).

Be it enacted by the City Council of the City of Nevada, Iowa;

SECTION 1. ZONING AMENDMENT. The Zoning Map of the City of Nevada, Iowa, is hereby amended by rezoning parcel of land owned by Oak Park Estates and located within the corporate limits of the City of Nevada, Iowa which is legally described as:

That part of the East 25 acres of the SE ¼ of the SE ¼ of Section 7, Township 83 North, Range 22 West of the 5th PM, Story County, Iowa, lying West of Breezy Heights Plat 2, Nevada, Iowa, AND that part of the NW ¼ of the NE ¼ of Section 18, Township 83 North, Range 22 West of the 5th PM, Story County, lying East and North of Parcel A as shown on the Plat of Survey recorded June 9, 1992 in Book 10, Page 268 of the county records, AND that part of the West 55 acres of the S ½ of the SE ¼ of Section 7, Township 83 North, Range 22 West of the 5th PM, Story County Iowa, lying East of Highway 133 and West of Breezy Heights Plat 2, Nevada, Iowa, EXCEPT Parcel B as shown on the Plat of the Survey recorded June 9, 1992 in Book 10, Page 268 of the county records

and shall be rezoned from a "R-4" (Multiple Family Dwelling) District, to a "PUD" (Planned Unit Development) District.

SECTION 2. NOTATION. The City Zoning Official shall record the ordinance number and date of passage of this Ordinance on the Official Zoning Map as required by Section 165.09(5)(B), Code of Ordinances of the City of Nevada, Iowa, 2006 as amended.

SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 5. WHEN EFFECTIVE. This ordinance shall be in full force and effect from and after its final passage, approval and publication as provided by law.

PASSED AND APPROVED this 14th day of November, 2022, through the first reading.
PASSED AND APPROVED this 28th day of November, 2022, through the second reading
PASSED AND APPROVED this 12th day of December, 2022, through the third and final reading.
Enacted upon publication.


Brett Barker, Mayor

ATTEST:


Kerin Wright, City Clerk

Public Hearing Scheduled – October 24, 2022
Published – November 3, 2022
Public Hearing held– November 14, 2022

1st Reading – November 14, 2022

Motion by Council Member Sandy Ehrig, seconded by Council Member Jason Sampson, to adopt the first reading of Ordinance No. 1038 (2022/2023).

AYES: Ehrig, Sampson, Skaggs, Hanson, Mittman
NAYS: None
ABSENT: Nealson

2nd Reading – November 28, 2022

Motion by Council Member Brian Hanson, seconded by Council Member Steve Skaggs, to approve the second reading of Ordinance No. 1038 (2022/2023).

AYES: Hanson, Skaggs, Ehrig, Mittman, Nealson, Sampson
NAYS: None
ABSENT: None

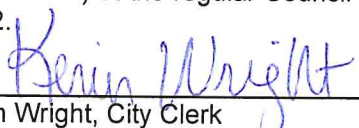
3rd Reading – December 12, 2022

Motion by Council Member Sandy Ehrig, seconded by Council Member Jason Sampson, to approve the third and final reading of Ordinance No. 1038 (2022/2023).

AYES: Ehrig, Sampson, Skaggs, Hanson, Mittman, Nealson
NAYS: None
ABSENT: None

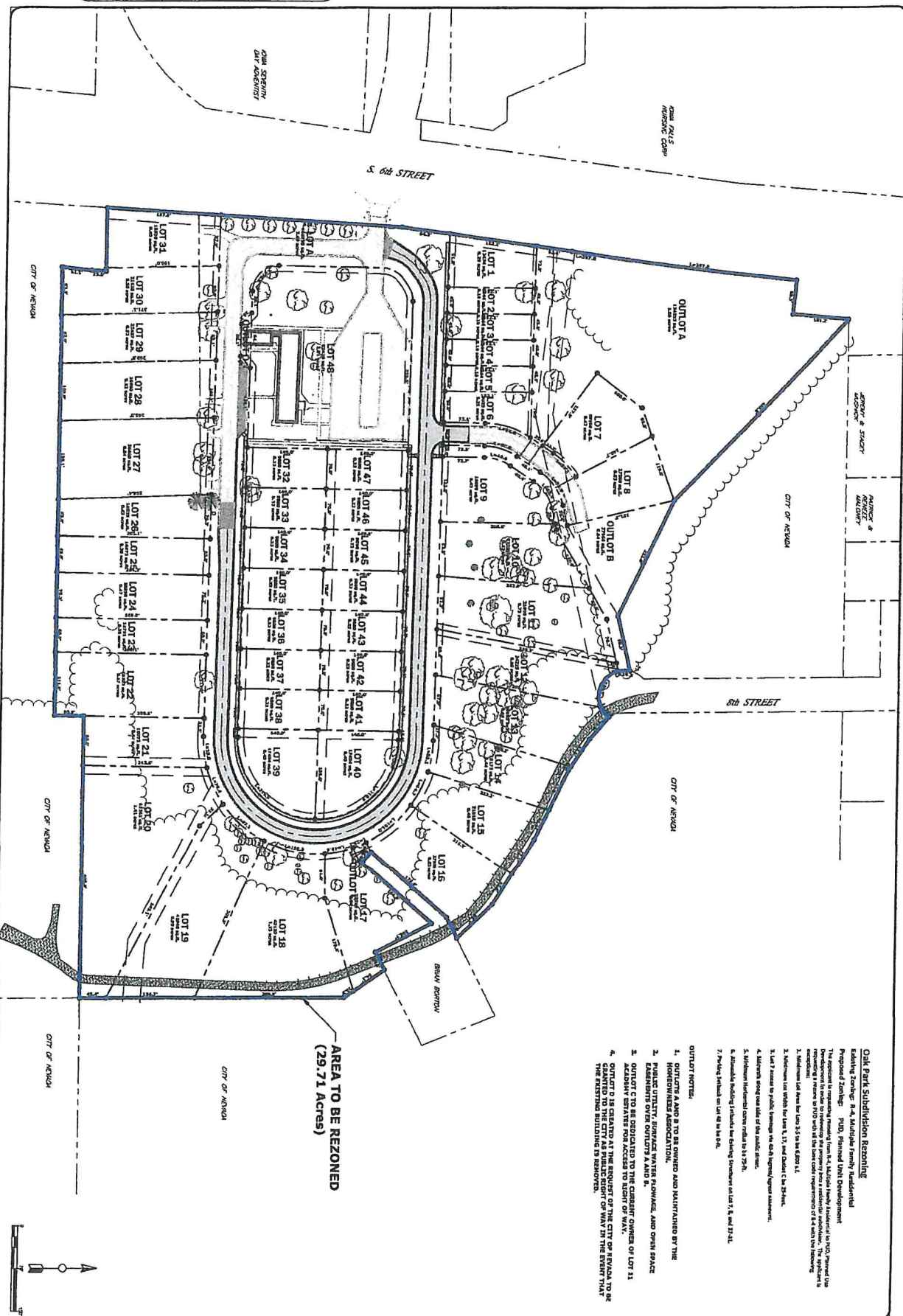
The Mayor declared Ordinance No. 1038 (2022/2023) adopted.

I hereby certify that the foregoing is a true copy of a record of the adoption of Ordinance No. 1038 (2022/2023) at the regular Council Meeting of the City of Nevada, Iowa, held on the 12th day of December 2022.



Kerin Wright, City Clerk

F:\OFFICE\COUNCIL\ORDINANCES\2022-2023\1038-REZONING OF 625 ACADEMY CIRCLE.DOCX



**-AREA TO BE REZONED
(29.71 Acres)**

- [illegible]

OUTLINE NOTES:

1. OUTLOTS A AND B TO BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
2. PUBLIC UTILITY, SURFACE WATER FLOWAGE, AND OPEN SPACE ELEMENTS OVER OUTLOTS A AND B.

ACADEMY ESTATES FOR ACCESS TO RIGHT OF WAY.

4. OUTLOT D IS CREATED AT THE REQUEST OF THE CITY OF NEVADA TO BE GRANTED TO THE CITY AS PUBLIC RIGHT OF WAY IN THE EVENT THAT THE EXISTING BUILDING IS REMOVED.

LOCALiQ

Ames Tribune

PO Box 631851 Cincinnati, OH 45263-1851

PROOF OF PUBLICATION

City Of Nevada
ACCOUNTS PAYABLE
City Of Nevada
1209 6Th ST

Nevada IA 50201-1536

STATE OF WISCONSIN, COUNTY OF BROWN

The Nevada Journal, a weekly newspaper printed and published at Ames, Story County, Iowa, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspaper in the issues dated:

11/03/2022

and that the fees charged are legal.

Sworn to and subscribed before on 11/03/2022

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$43.50

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AMY KOKOTT
Notary Public
State of Wisconsin

#7971092 NOTICE OF REQUEST TO AMEND THE ZONING ORDINANCE OF NEVADA, IOWA

The City Council of the City of Nevada, Iowa, has received a recommendation from the Planning and Zoning Commission to approve a rezoning request from the property owner, Oak Park Estates, to amend the zoning ordinance of the City of Nevada, Iowa, by changing the zoning classification on the following described property, 625 Academy Circle, owned by them and located within the corporate limits of the City of Nevada, Iowa, from R-4 (Multiple Family Dwelling) to PUD (Planned Use Development). The property for which the Rezoning Application is proposed is legally described as:

That part of the East 25 acres of the SE 1/4 of the SE 1/4 of Section 7, Township 83 North, Range 22 West of the 5th PM, Story County, Iowa, lying West of Breezy Heights Plat 2, Nevada, Iowa,

AND that part of the NW 1/4 of the NE 1/4 of Section 18, Township 83 North, Range 22 West of the 5th PM, Story County, Iowa, lying East and North of Parcel A as shown on the Plat of Survey recorded June 9, 1992 in Book 10, Page 268 of the county records.

AND that part of the West 55 acres of the S 1/2 of the SE 1/4 of Section 7, Township 83 North, Range 22 West of the 5th PM, Story County Iowa, lying East of Highway 133 and West of Breezy Heights Plat 2, Nevada, Iowa, EXCEPT Parcel B as shown on the Plat of the Survey recorded June 9, 1992 in Book 10, Page 268 of the county records.

The Planning and Zoning Commission of the City of Nevada, Iowa, held a public hearing on this request on the 10th day of October, 2022. It is their recommendation to approve the rezoning request.

The City Council of the City of Nevada, Iowa, will hold a public hearing on this request on the 14th day of November, 2022 at the City Council Meeting which is set to begin at 6:00 o'clock P.M., in the Nevada City Hall, 1209 Sixth Street, Nevada, Iowa, to consider the recommendation.

It is your right to attend this hearing and express your views concerning the proposed change, or you may submit your comments in writing to the City Clerk no later than 9:00 o'clock A.M. on the 14th day of November, 2022.

Kerin Wright
City Clerk

Published in the Nevada Journal on November 3, 2022 (1T)

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PO Box 631851 Cincinnati, OH 45263-1851

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City Of Nevada
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City Of Nevada
1209 6Th ST

Nevada IA 50201-1536

STATE OF WISCONSIN, COUNTY OF BROWN

The Nevada Journal, a weekly newspaper printed and published at Ames, Story County, Iowa, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspaper in the issues dated:

12/22/2022

and that the fees charged are legal.

Sworn to and subscribed before on 12/22/2022

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$52.20

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Published in the Nevada Journal on December 22, 2022 (1T)