



MELISSA BAHNSEN, RECORDER
CEDAR COUNTY IOWA

Prepared by: Kevin D. Olson, West Branch City Attorney, PO Box 5640, Coralville, Iowa 52241 (319)351-2277
Return to: City of West Branch, 110 N. Poplar Street, P.O. Box 218, West Branch, Iowa 52358 (319)643-5888

ORDINANCE NO. 798

AN ORDINANCE RE-ZONING THAT CERTAIN PARCELS OF REAL PROPERTY LOCATED NORTH OF E. MAIN STREET AND WEST OF N. 4TH STREET FROM R-3 RESIDENCE DISTRICT TO PLANNED UNIT DEVELOPMENT DISTRICT.

WHEREAS, BBCO, LLC, has petitioned the City of West Branch for a zoning district amendment for properties located north of E. Main Street and west of N. 4th Street, said parcel being legally described as:

All that portion of former Depot Street as shown in the 1901 Replat of West Branch, Iowa, as shown in Book S, pages 351-353, Recorder's Office, Cedar County, Iowa, and more particularly described as follows: Beginning at the NW corner of Lot Five (5), Block Thirteen (13) in the Town of West Branch, Cedar County, Iowa; thence westerly 20.48 feet along the northerly line of said Lot Five (5) produced westerly to a point; thence northerly along a straight line to the NW corner of Lot Ten (1), said Block Thirteen (13), thence southeasterly along the westerly line of said Block Thirteen (13) to a point of beginning; and also

Lots Six (6), Seven (7) and Eight (8) in Block Thirteen (13) in the Original Town of Cameron, now West Branch, Cedar County, Iowa; also beginning at the NE corner of Lot Seven (7) of Block Thirteen (13) of the plat of the Original Town of Cameron as recorded in Book E at pages 436-438 of the Town Lot Deed Records of Cedar County, Iowa; thence north to the SE corner of Lot Eight (8) in said Block Thirteen (13); thence west along the south line of said Lot Eight (8) to the SW corner of Lot Eight (8); thence south to the NW corner of Lot Seven (7) of said Block Thirteen (13); thence east along the north line of Lot Seven (7) to the place of beginning; and also

Beginning at the NW corner of Lot 5 in Block 13, 1901 Replat of West Branch, Cedar County, Iowa, as shown in Book S, pages 351-353, Recorder's Office of Cedar County, Iowa; thence northerly to the SW corner of Lot 6 in Block 13; thence westerly along the southerly border of said Lot 6 to the SW corner thereof; thence southeasterly along the northern lot line of said Lot 5 to the point of beginning; and also

Lot 9, Block 13 in the Original Town of Cameron, now West Branch, Cedar County, Iowa; and also

That portion of Wapsi Creek Park shown on that certain preliminary plat of Heritage Hill Subdivision, West Branch, Iowa. (*the "Parcel"*).

WHEREAS, the owner has requested that the Parcel be rezoned to be located in a Planned Unit Development District, in place of an R-3 Residence District; and

WHEREAS, the West Branch Planning and Zoning Commission has recommended the City Council approve said rezoning request; and

WHEREAS, a public hearing has been held on said request pursuant to published notice thereof.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of West Branch, Iowa :

Section 1. That the zoning map for the City of West Branch is hereby amended to show the Parcel being located in a Planned Unit Development District in place of R-3 Residence District.

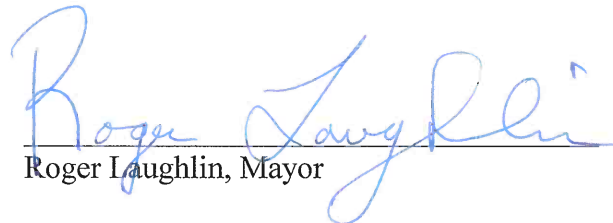
Section 2. This ordinance shall be in full force and effect from and after its publication as by law provided.

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

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


Passed and approved this 7th day of November, 2022.

Read First Time: October 3, 2022
Read Second Time: October 17, 2022
Read Third Time: November 7, 2022



Roger Laughlin, Mayor

ATTEST:



Leslie Brick, City Clerk