

ORDINANCE NO. 13493

AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 2A-5 of the Municipal Code of the City of Des Moines, 1991, by rezoning and changing the district classification of certain property located in the vicinity of 3951 & 3935 Mattern Avenue, from a "U-1" Flood Plain District classification to a Limited "R1-60" One Family Low Density Residential District classification.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 2A-5 of the Municipal Code of the City of Des Moines, Iowa, 1991, be and the same is hereby amended by rezoning and changing the district classification of certain property located in the vicinity of 3951 & 3935 Mattern Avenue, more specifically described as follows:

Lots 354 through 358, ELMWOOD PARK, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa (the "Property"),

from a "U-1" Flood Plain District classification to a Limited "R1-60" One Family Low Density Residential District classification.

Sec. 2. That this ordinance and the zoning granted by the terms hereof are subject to the following imposed additional conditions which have been agreed to and accepted by execution of an Acceptance of Rezoning Ordinance by all owners of said property and are binding upon the owners and their successors, heirs, and assigns as follows:

A. Any dwelling constructed upon the Property shall have no basement.

B. The lowest habitable floor of any dwelling constructed upon the Property shall be elevated to at least 34 feet above the City Datum and shall comply with the Flood Plain Development Regulations of the City of Des Moines.

Sec. 3. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Sec. 4. That the City Clerk is hereby authorized and directed to cause certified copies of this ordinance, the Acceptance of Rezoning Ordinance and proof of publication of this ordinance to be properly filed in the office of the Recorder of Polk County, Iowa.

FORM APPROVED:

Roger K. Brown
Assistant City Attorney