

ORDINANCE NO. 13,508

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 4139 Mattern Avenue, more fully described as follows:

Lots 303, 304, and 305, ELMWOOD PARK, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa,

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 4139 Mattern Avenue, hereinafter more fully described, from a "U-1" Flood Plain District classification to a Limited "R1-60" One Family Low Density Residential District classification:

Lots 303, 304, and 305, ELMWOOD PARK, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa (the "Property").

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. The Property shall be used exclusively for a single-family dwelling without a basement, and for permitted accessory uses thereto.

B. The Property is located in the vicinity of a flood plain and the lowest occupied level of any habitable structure upon the Property shall be elevated to at least 34 feet above the City Datum for 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