

**CITY COUNCIL
COMMUNICATION:**

ITEM _____

**OFFICE OF THE CITY MANAGER
CITY OF DES MOINES, IOWA**

00-074

SYNOPSIS -

AGENDA:

FEBRUARY 21, 2000

SUBJECT:

PUBLIC NUISANCE
AT 327 EAST
EDISON AVE.

This property contains two structures previously used for wholesale food distribution. The roofs, walls, doors, windows and exterior finishes have suffered deterioration to the point that significant repair or replacement is necessary. Periodically, these structures have been open allowing unauthorized access. This property is located in a residential neighborhood and the Zoning Official has determined that the structures have lost their legal, non-conforming zoning status. Based on these factors, it is the opinion of the Building Official that these buildings are obsolete and constitute a Public Nuisance.

TYPE:

FISCAL IMPACT -

RESOLUTION
ORDINANCE
RECEIVE/FILE

Estimated demolition costs are \$37,000 (assuming no asbestos). All costs associated with this action are intended to be collected from the owner by means of a personal judgement or assessed against the property.

SUBMITTED BY:

JAMES GRANT,
COMMUNITY
DEVELOPMENT
DIRECTOR

RECOMMENDATION -

Approval

BACKGROUND -

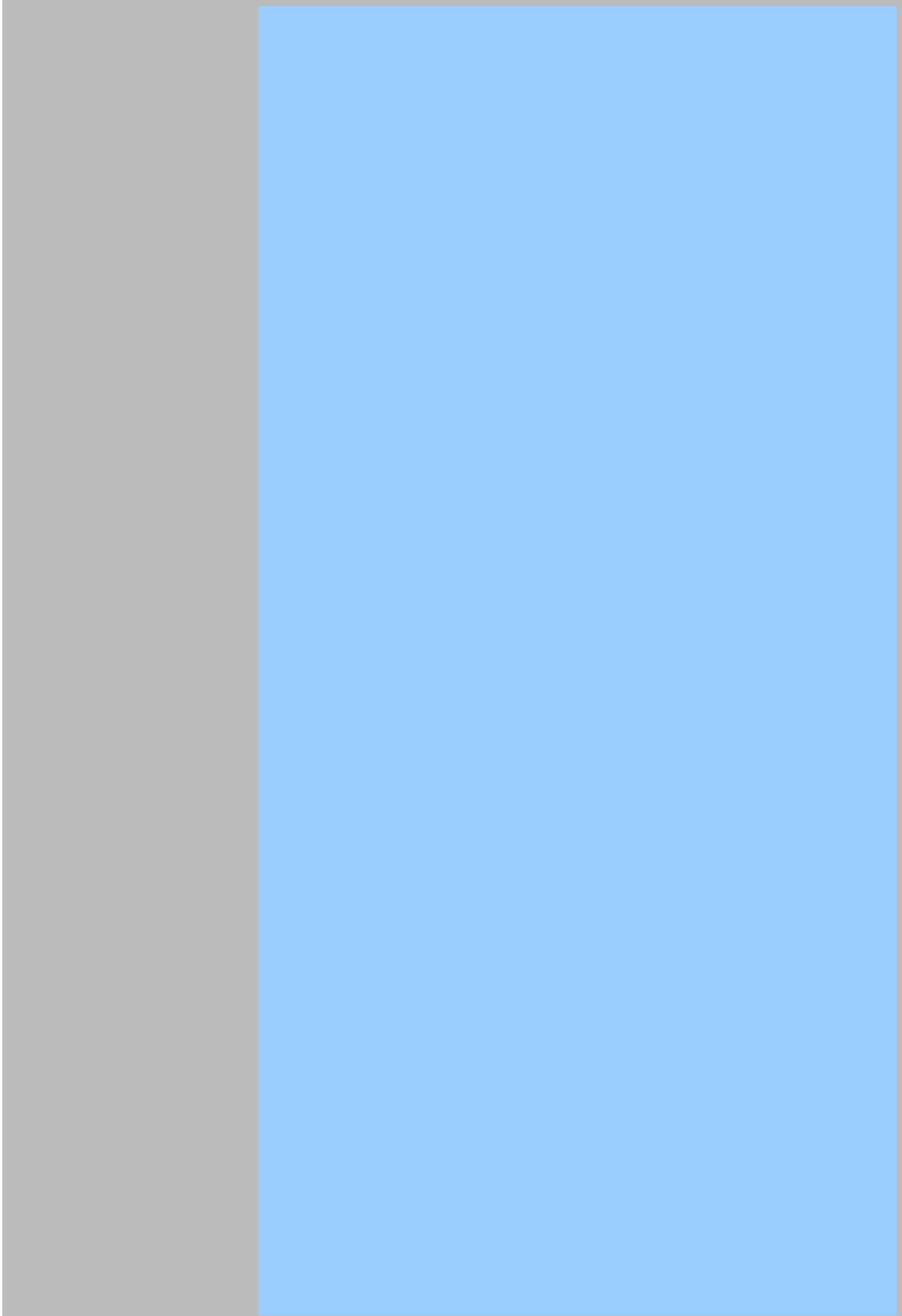
The titleholder of this property, Ms. Ethel Wickert, the contract purchasers, Steve C. and Debra Cairns, and the tax certificate holder, Glendower Corporation, James E. Nervig, Registered Agent, have been served with notice of Public Nuisance dated October 18, 1999. Based on deterioration and obsolescence by loss of zoning status, the notice required demolition of these structures within 30 days of receipt of the notice.

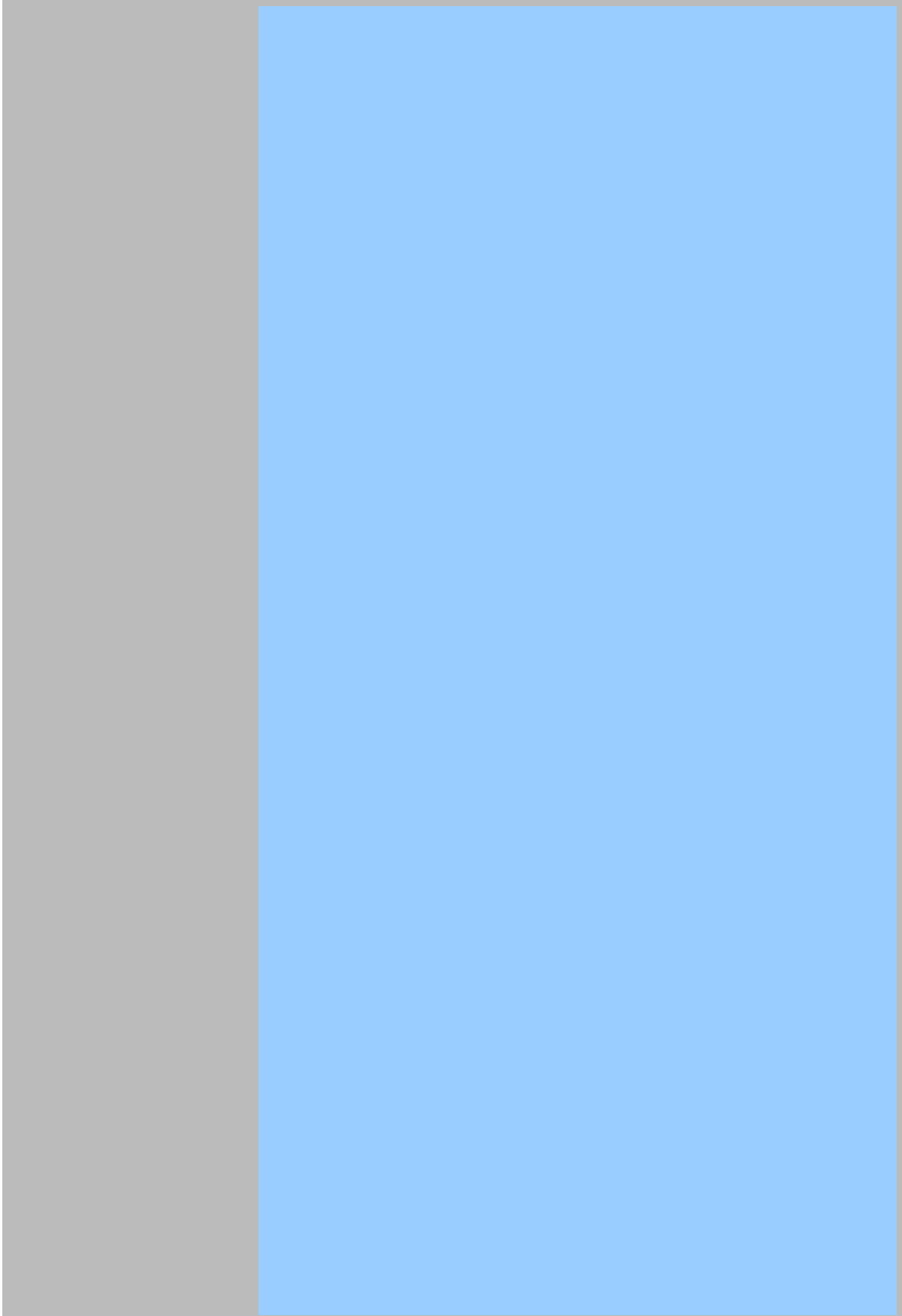
The contract purchasers of this property have filed an appeal

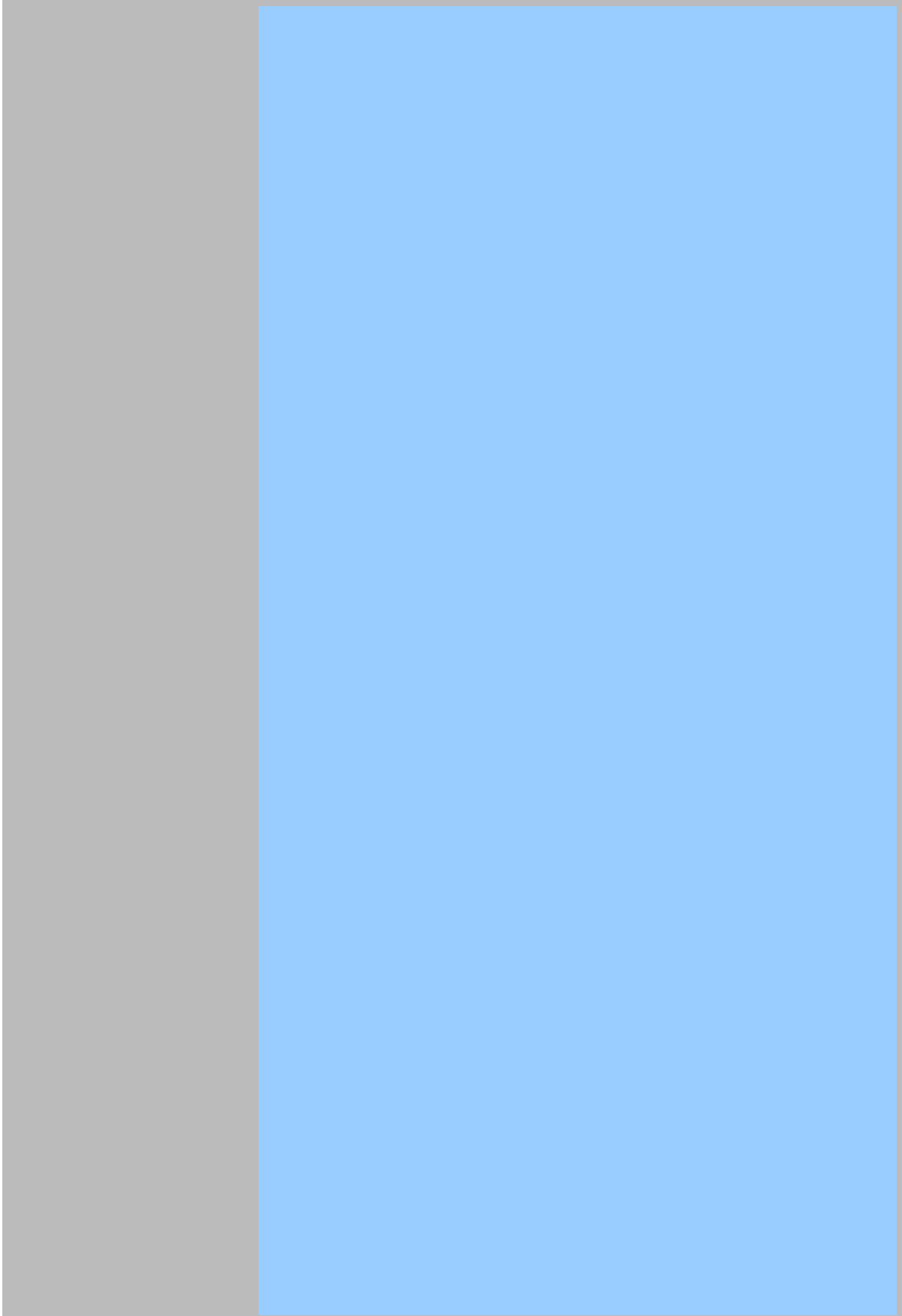
with the Zoning Board of Adjustment (BOA) regarding the loss of zoning status. This appeal is scheduled to be heard at the BOA meeting February 23, 2000.

Regardless of the ruling by the Zoning BOA, it is the Building Official's recommendation that the matter be referred to the Legal Department to bring legal action as a public nuisance. The action will cause either the repair or demolition as a Public Nuisance depending on the BOA ruling.

An inspection conducted February 15, 2000 found the building secured. Minor repairs had been performed on doors and windows.









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