

Meeting Agendas/Info

CITY COUNCIL COMMUNICATION:

ITEM _____

01-099

OFFICE OF THE CITY MANAGER CITY OF DES MOINES, IOWA

AGENDA:

FEBRUARY 26, 2001

SUBJECT:

PUBLIC NUISANCE
AT 1372 KENYON
AVENUE

TYPE:

RESOLUTION
ORDINANCE
RECEIVE/FILE

SUBMITTED BY:

JAMES GRANT
COMMUNITY
DEVELOPMENT
DIRECTOR

SYNOPSIS -

The single-family dwelling at 1372 Kenyon Avenue has building components that have suffered decay and partial failure and contains building portions that have been partially demolished. The damage is to a degree that, in the opinion of the Building Official, it is threatening to the health, safety and welfare of the public and the building occupants. As such, it constitutes a public nuisance.

FISCAL IMPACT -

Estimated demolition costs are \$8,000. All costs associated with this action are intended to be collected from the owner by means of a personal judgment or assessed against the property.

RECOMMENDATION -

Approval.

BACKGROUND -

This action addresses a structure that has suffered ongoing neglect and deterioration. Roof and wall coverings have deteriorated to the point that partial failure of wall, floor and roof systems have occurred in many portions of the building. Partial demolition by the owner further degraded this structure by exposing interior elements to weather damage. This structure is believed to be vacant.

Following initial complaints, the City brought legal action in October 1999 regarding inadequate maintenance. The courts entered a ruling that caused the owner to allow inspection by City staff, coupled with an order to repair the structure within 30 days. Initially, some progress was observed, and the City granted an additional 30 days to complete repairs. During that additional 30-day period, the owner demolished a deteriorated room addition, and

covered the area with a tarp. Since that time, no additional efforts at correction have been noted, and the property remains in violation.

At this time, staff believes that financial hardships limit the ability of the owner to make the needed repairs.

The owner of the property, Ms. Amy Brazelton, and the mortgage holder, DialPlan Inc. n/k/a Wells Fargo Iowa 1, Attn. Patricia McFarland, Registered Agent, were served with notice dated January 8, 2001 to repair or demolish the structure. A response to these notices has not been received.

This action will enable the City to bring additional legal action to cause its demolition or repair in the event the titleholder fails to bring the building into compliance.

Attached to the Roll Call are copies of notices, return receipts, photographs, property condition report, and site plan.