



Roll Call Number

Agenda Item Number

BDH 1(C)

Date March 9, 2015

WHEREAS, the property located at 1509 Maury Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the structure (commercial building) and accessory building in their present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholders, Bud J Sonderleiter and Leola M Sonderleiter, were notified via personal service more than thirty days ago to repair or demolish the structure (commercial building) and accessory building and as of this date have failed to abate the nuisance.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA, AND SITTING AS THE LOCAL BOARD OF HEALTH:

The structure (commercial building) and accessory building on the real estate legally described as Lots 1 through 6, and all the East/West alley right-of-way lying South of and adjoining Lots 1 through 6, GRAY'S SUBDIVISION of Block 61, Brooks and Company's Addition, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa AND Lots 29, 30, 31, 32, 33 and 36 in GRAY'S SUBDIVISION of Block 61, Brooks and Co's Addition to the City of Des Moines, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1509 Maury Street, has previously been declared a public nuisance.

The City Legal Department is hereby authorized to file an action in district court to obtain a decree ordering the abatement of the public nuisance, and should the owners fail to abate the nuisance, as ordered, that the matter may be referred to the Department of Engineering which will take all necessary action to demolish and remove said structure.

Moved by _____ to adopt.

FORM APPROVED:


Vicky Long Hill, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
MOORE				
TOTAL				

MOTION CARRIED APPROVED

Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk



**PUBLIC NUISANCE
NOTICE OF INSPECTION
PERMIT AND DEVELOPMENT CENTER
COMMUNITY DEVELOPMENT DEPARTMENT
CITY OF DES MOINES, IOWA**

BDH 1 (C)

DATE OF NOTICE: October 30, 2014

DATE OF INSPECTION: October 29, 2014

CASE NUMBER: COD2014-06902

LEGAL INTEREST HOLDERS:	
Title Holder	BUD J SONDERLEITER & LEOLA M SONDERLEITER 1504 E 13TH ST DES MOINES, IA 50316

PROPERTY ADDRESS: 1509 MAURY ST
LEGAL DESCRIPTION: VAC E/W ALLEY ROW S & ADJ & LTS 1 THRU 6 & LTS 29 THRU 33 & LT 36
 GRAYS SD BLK 61 BROOKS & COS ADD

An inspection of the referenced property was conducted for its conformance to the Municipal Code of the City of Des Moines. It has been determined from that inspection that the structure currently constitutes not only a menace to health and safety, but is also a public nuisance. Accordingly, the structure will be placarded as unsafe to occupy pursuant to the Municipal Code of the City of Des Moines and the Code of Iowa.

If not occupied at the present time, the structure is to remain vacant and unoccupied until occupancy is authorized by this office. If the structure is occupied, it must be vacated immediately. In accordance with Chapter 26-157 (fka 26-277) of Des Moines Municipal code, this structure is deemed unsafe, and creates a public nuisance threatening to the health and safety of the public.

Attached is a listing of the violations existing on the date of the inspection and a recommendation as to the remedial action required to correct such violations. Failure to correct these violations will result in legal action. The violations noted must be corrected within **30 days** from the date of this notice. Permits must be obtained from this department prior to commencing any repairs or demolition. Inspections must be requested and approved in accordance with the code and our policies.

ALL ELECTRICAL, MECHANICAL, PLUMBING, AND STRUCTURAL COMPONENTS IN NEED OF REPLACEMENT OR REPAIR, ARE TO BE BROUGHT TO MINIMUM CODE REQUIREMENTS WITH NECESSARY PERMITS AS REQUIRED TO MEET CITY CODES.

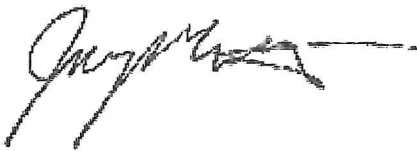
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Appropriate building permits may be required for those violations noted in the "Special Requirements" section on the notice. Should you have questions regarding permits, contact the Permit and Development Center at 283-4200. **If you plan to renovate the structure and it has been vacant for a period in excess of one year, there may be zoning issues which will affect the proposed use of the structure and/or real estate.** Please contact the Development Zoning Division at 283-4207 to determine what the legal use for the structure and/or the real estate is prior to commencement of any renovation.

If you believe the building is beyond repair and decide to remove it, all debris must be removed from the property and the basement excavation if any, filled in the manner required by the City. You are encouraged to arrange for this demolition yourself; however a demolition permit must be obtained from the Building Department. In the event you are unable to arrange for demolition, you may sign an agreement voluntarily authorizing the City to do so. However, you will be responsible for all costs associated with the abatement of the public nuisance. The City may seek a personal judgment against you for the costs of removal and assess those costs against the property.

If you no longer own the property, notify us in writing of the name, address, and telephone number of the new owner. A copy of the real estate contract or deed, if it has not been recorded at the Polk county Recorder's Office, shall likewise be furnished to the Permit and Development Center.

Should you have any questions, feel free to call. I can usually be reached between 8:00am and 9:00am, Monday through Friday.



Jay M. Mattas
Building Specialist
Permit and Development Center
Ph: 515-237-1485

DATE MAILED: 10/30/2014

MAILED BY: JMM

Areas that need attention: 1509 MAURY ST

ID/Entered:	2014/10/30 07:36:41.1080	Complied:	
Component:	Accessory Buildings	Defect:	In disrepair
Requirement:	Compliance with International Building Co	Location:	Shed
Comments:	-----		

ID/Entered:	2014/10/30 07:34:14.6150	Complied:	
Component:	Exterior Walls	Defect:	Structurally Unsound
Requirement:	Compliance with International Building Co	Location:	Throughout
Comments:	Bowling walls		

ID/Entered:	2014/10/29 15:57:44.0920	Complied:	
Component:	Foundation	Defect:	Structurally Unsound
Requirement:	Compliance with International Building Co	Location:	Throughout
Comments:	Building sloping		

ID/Entered:	2014/10/29 15:54:31.7130	Complied:	
Component:	Roof	Defect:	Holes or major defect
Requirement:	Compliance with International Building Co	Location:	Throughout
Comments:	Many holes in roofing		

ID/Entered:	2014/10/29 15:56:10.8820	Complied:	
Component:	Roof	Defect:	Major sagging
Requirement:	Engineering Report	Location:	Throughout
Comments:	Structural problems evident		

ID/Entered:	2014/10/30 07:37:46.0040	Complied:	
Component:	Shingles Flashing	Defect:	Not impervious to weather
Requirement:		Location:	Throughout
Comments:	Roofing system in terrible shape		

ID/Entered:	2014/10/30 07:33:00.8770	Complied:	
Component:	Windows/Window Frames	Defect:	Not Weather Tight
Requirement:	Compliance with International Building Co	Location:	Throughout
Comments:	Open and broken windows		



October 27, 2014

Bud J. Sonderleiter
Leola Sonderleiter
1504 E. 13th Street
Des Moines, IA

Re; 1509 Maury

Dear Mr. and Mrs. Sonderleiter,

You were notified in 2011 that the property at 1509 Maury is in violation of various ordinances of the City of Des Moines, time was granted allow compliance but the site remains in violation and must be brought into compliance. An inspection conducted on October 27, 2014 confirms the following violations continue on the property:

Failure to obtain a conditional use permit for maintaining a salvage yard in violation of 134-1122, previously sited as 2A-21(k), of the Municipal Code of the City of Des Moines when the property was previously zoned M-2.

Storage of miscellaneous material, junk and debris on the property not in a completely enclosed structure in violation of Sections 134-1087 and 134-1276(r) of the Municipal Code of the City of Des Moines, IA.

Display or storage of materials in the required front yard in violation of Section 134-1276(n) of the Municipal code of the City of Des Moines.

Use of semi-trailers on the property as an accessory structure for storage in violation of the building code contained in Chapter 26 and Section 134-1276 (a) of the Municipal Code of the City of Des Moines. Semi-trailers are not defined as accessory structures pursuant to Section 134-3 of the Municipal Code of the City of Des Moines.

Installation of an opaque fence in excess of four feet in height without the required permit in violation of Sections 134-1296 (i) (2) a. and 134-1296 (i) (1) d. of the Municipal Code of Des Moines.

Failure to maintain the city right-of-way by allowing cars to use the required area for driving, parking and storage of a dumpster in violation of Section 102-2 of the Municipal Code of the City of Des Moines.

The property has no legal non-conforming use as a junk yard. The property must be cleaned so as to eliminate all outside storage for merchandise, materials, junk and debris. Any storage of materials must be stored in a completely enclosed building. All semi-trailers must be removed from the property. Remove the fence.

If action to bring the property into compliance is completed within **thirty (30) days** from the date of notice, you need to contact this office to request an inspection.

If you fail to bring the property into compliance, the City may take the appropriate legal action to obtain a court order directing that the violation(s) be abated. If so, a civil suit may be filed in Polk County District Court, pursuant to Section 134-32 of the Municipal Code of the City of Des Moines, Iowa. A civil penalty and/or an order will be sought by the City to enjoin you from allowing the real estate to remain in violation and any other relief the court may deem reasonable to ensure compliance. The City may also ask that the Court order all costs of the court action, fines, and any other costs incurred by the City to abate the violation be entered against you as a personal judgment.

Sincerely,



SuAnn Donovan
Neighborhood Inspection Administrator
Deputy Zoning Enforcement Officer
602 Robert D. Ray Drive
Des Moines, IA 50309
smdonovan@dmgov.org

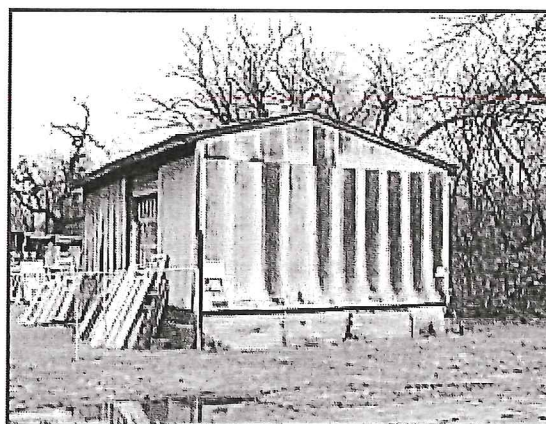
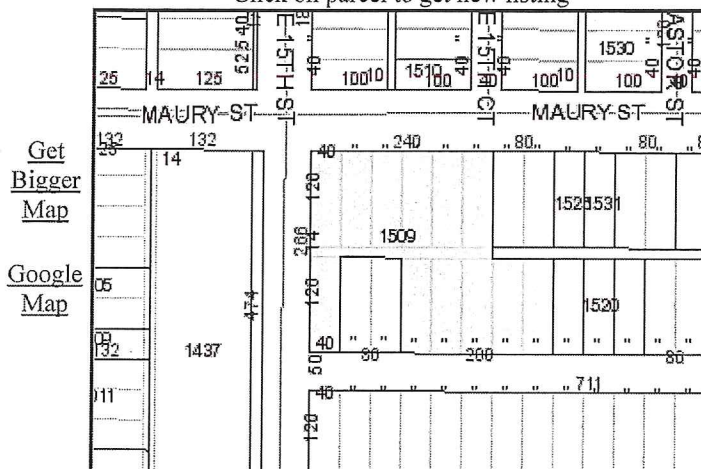
NOTE: Any order, decision or determination made by this office in the enforcement of the Zoning Ordinance may be appealed to the Zoning Board of Adjustment. The Procedural Rules of the Zoning Board of Adjustment provide that you, as the party to whom this communication is directed, must file the appeal with the Community Development Department within ten days of the date of this communication. Any other aggrieved person seeking to appeal this order, decision or determination must file the appeal within ten days of actual notice by such person of such order, decision, or determination, which in no event shall be later than ten days after commencement of such physical construction or use. Any appeal not timely filed may be rejected by the Board.

Polk County Assessor 
Joan

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District/Parcel	GeoParcel	Map	Nbhd	Jurisdiction	Status
040/02637-003-000	7824-11-153-028	0422	DM20/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines	30/DM 98 SE Agri Bus Park				
Street Address			City State Zipcode		
1509 MAURY ST			DES MOINES IA 50317-1042		

Click on parcel to get new listing



Approximate date of photo 11/28/2006
 Click on photo to see all 2 photos

Mailing Address
BUD J SONDERLEITER 1504 E 13TH ST DES MOINES, IA 50316-2432

Legal Description
VAC E/W ALLEY ROW S & ADJ & LTS 1 THRU 6 & LTS 29 THRU 33 & LT 36 GRAYS SD BLK 61 BROOKS & COS ADD

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	SONDERLEITER, BUD J	1999-02-10	8137/641	
Title Holder #2	SONDERLEITER, LEOLA M			

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Commercial	Full	49,500	12,100	0	61,600

[Estimate Taxes](#) [Polk County Treasurer Tax Information](#) [Pay Taxes](#)

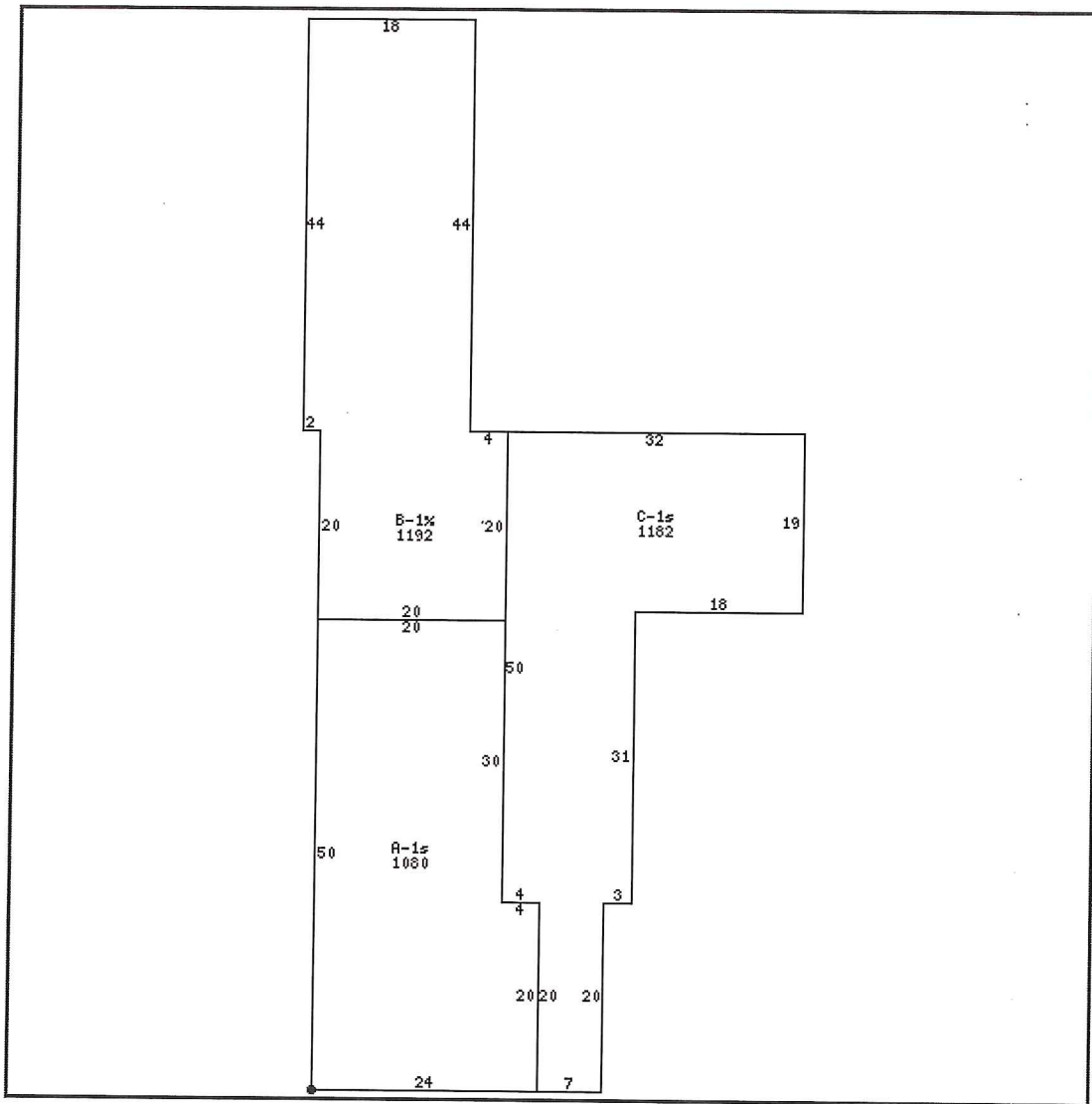
Zoning	Description	SF	Assessor Zoning
M-1	Light Industrial District		Industrial Light
Source: City of Des Moines Community Development Published: 2012-03-20 Contact: Planning and Urban Design 515 283-4182			

Land					
SQUARE FEET	63,840	ACRES	1.466	SHAPE	IR/Irregular
TOPOGRAPHY	B/Blank				

Commercial Summary					
OCCUPANCY	37/Auto Repair Shop	WEIGHTED AGE	1930	STORY HEIGHT	1
LAND AREA	63,840	GROSS AREA	3,454	FINISH AREA	480
BSMT UNFIN	0	BSMT FINISH	0	NUMBER UNITS	0

Csection # 101					
OCCUPANT	SONDERLEITER'S IOWA BUILDERS SUPPLY				
SECT MULTIPL	1	OCCUPANCY	37/Auto Repair Shop	FOUNDATION	BS/Brick Stone
EXT WALL	SS/Siding/Shingle	INSULATION	Y/Yes	ROOF	G/Gable
ROOF MATERL	S/Shingle	COVERED AREA	860	COVER QUAL	BN/Below Normal
WIRING	A/Adequate	PLUMBING	A/Adequate	TOTAL ST HT	1
FRAME TYPE	FR/Frame	FIREPRF CNST	N/No	BLDG CLASS	4/Frame, Concrete Blk, Tile, Tilt Up
TOT SCT AREA	1,080	GRND FL AREA	1,080	PERIMETER	148
GRADE	6	GRADE ADJUST	+00	YEAR BUILT	1930
YEAR REMODEL	1984	CONDITION	PR/Poor		
COMMENT	P16-MTL CNPY				
COMMENT	Q=FR SHD SEE DETACHED				

BDH (cc)



<u>Cgroup # 101 1</u>					
USE CODE	506/Auto Repair Shop	BASE STORY	1	NUM STORIES	1
TOT GRP AREA	600	BASE FL AREA	600	HEATING	C/Central
AIR COND	Y	EXHAUST SYS	N/No		

<u>Cgroup # 101 2</u>					
USE CODE	400/Office General	BASE STORY	1	NUM STORIES	1
TOT GRP AREA	480	BASE FL AREA	480	HEATING	C/Central
AIR COND	Y	EXHAUST SYS	N/No		

BDH (cc)

Csection # 102					
OCCUPANT	SONDERLEITER'S IOWA BUILDERS SUPPLY				
SECT MULTIPL	1	OCCUPANCY	37/Auto Repair Shop	FOUNDATION	CN/Concrete
EXT WALL	SS/Siding/Shingle	INSULATION	Y/Yes	ROOF	G/Gable
ROOF MATERL	S/Shingle	WIRING	I/Inadequate	PLUMBING	N/None
TOTAL ST HT	1	FRAME TYPE	FR/Frame	FIREPRF CNST	N/No
BLDG CLASS	4/Frame, Concrete Blk, Tile, Tilt Up	TOT SCT AREA	1,192	GRND FL AREA	1,192
PERIMETER	152	GRADE	6	GRADE ADJUST	+00
YEAR BUILT	1930	CONDITION	PR/Poor		
COMMENT	PARTIALLY FALLING DOWN.UNUSABLE.6/3/2009				

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Cgroup # 102 1					
USE CODE	320/Warehouse	BASE STORY	1	NUM STORIES	1
TOT GRP AREA	1,192	BASE FL AREA	1,192	WALL HEIGHT	12
HEATING	N/None	AIR COND	N	EXHAUST SYS	N/No

Csection # 201					
SECT MULTIPL	1	OCCUPANCY	37/Auto Repair Shop	FOUNDATION	CN/Concrete
SUBMERGED	N/No	EXT WALL	SS/Siding/Shingle	INSULATION	N/No
ROOF	G/Gable	ROOF MATERL	M/Metal	WIRING	I/Inadequate
PLUMBING	N/None	TOTAL ST HT	1	FRAME TYPE	FR/Frame
FIREPRF CNST	N/No	BLDG CLASS	4/Frame, Concrete Blk, Tile, Tilt Up	TOT SCT AREA	1,182
GRND FL AREA	1,182	PERIMETER	130	GRADE	6

GRADE ADJUST	+00	YEAR BUILT	1930	CONDITION	PR/Poor
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Cgroup # 201 1					
USE CODE	320/Warehouse	BASE STORY	1	NUM STORIES	1
TOT GRP AREA	1,182	BASE FL AREA	1,182	WALL HEIGHT	12
HEATING	N/None	AIR COND	N	NIGHT DEP	N
AUTO BNK SYS	N	SECURITY SYS	N	EXHAUST SYS	N/No

Detached # 101					
OCCUPANCY	SHD/Shed	CONSTR TYPE	ST/Steel	MEASCODE	D/Dimensions
MEASURE1	20	MEASURE2	32	STORY HEIGHT	1
GRADE	5	YEAR BUILT	1930	CONDITION	BN/Below Normal
COMMENT	METAL SIDING.				

Detached # 201					
OCCUPANCY	FNC/Fence	CONSTR TYPE	CL/Chain Link	MEASCODE	L/Lineal Feet
MEASURE1	180	MEASURE2	4	GRADE	5
YEAR BUILT	1975	CONDITION	PR/Poor		
COMMENT	est lf and age of fence				

Detached # 401					
OCCUPANCY	SHD/Shed	CONSTR TYPE	FR/Frame	MEASCODE	D/Dimensions
MEASURE1	17	MEASURE2	30	STORY HEIGHT	1
GRADE	6	YEAR BUILT	1910	CONDITION	VP/Very Poor
COMMENT	former dwelling.unusable.6/3/2009				

Detached # 601					
OCCUPANCY	GAR/Garage	CONSTR TYPE	FR/Frame	MEASCODE	D/Dimensions

MEASURE1	12	MEASURE2	20	STORY HEIGHT	1
GRADE	5	YEAR BUILT	1930	CONDITION	PR/Poor
COMMENT	age est.				

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2013	<u>Assessment Roll</u>	Commercial	Full	49,500	12,100	0	61,600
2011	<u>Assessment Roll</u>	Commercial	Full	49,500	12,100	0	61,600
2009	<u>Board Action</u>	Commercial	Full	49,500	12,100	0	61,600
2009	<u>Assessment Roll</u>	Commercial	Full	49,500	13,500	0	63,000
2007	<u>Assessment Roll</u>	Commercial	Full	49,500	9,600	0	59,100
2005	<u>Assessment Roll</u>	Commercial	Full	45,000	9,300	0	54,300
2003	<u>Assessment Roll</u>	Commercial	Full	39,100	8,700	0	47,800
2001	<u>Assessment Roll</u>	Commercial	Full	36,860	8,200	0	45,060

email this page

Room 195, 111 Court Avenue, Des Moines, IA 50309
 Phone 515 286-3140 / Fax 515 286-3386
polkweb@assess.co.polk.ia.us

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