

Date April 25, 2016

ABATEMENT OF PUBLIC NUISANCE AT 3235 STATE AVENUE

WHEREAS, the property located at 3235 State Avenue, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the fire-damaged main structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholder, Estate of Roy J Waltz Jr., was notified via personal service more than thirty days ago to repair or demolish the fire-damaged main structure and as of this date has failed to abate the nuisance.

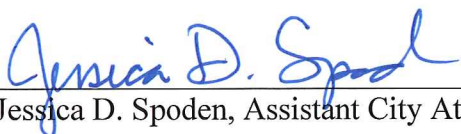
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

The fire-damaged main structure on the real estate legally described as The 7 feet South of and adjoining and all of Lot 7, Block "E" GRAY HEIGHTS, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa and locally known as 3235 State Avenue, 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 owner(s) 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:



 Jessica D. Spoden, Assistant City Attorney

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

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.

MOTION CARRIED APPROVED

_____ Mayor

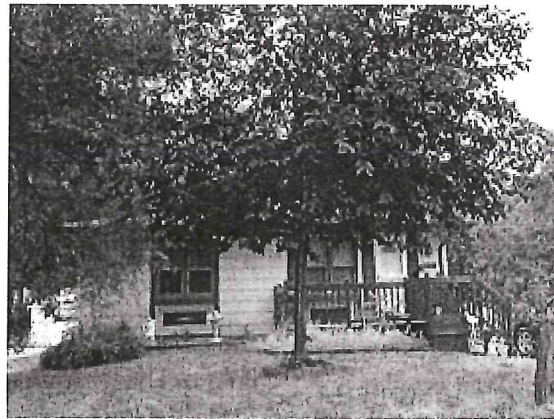
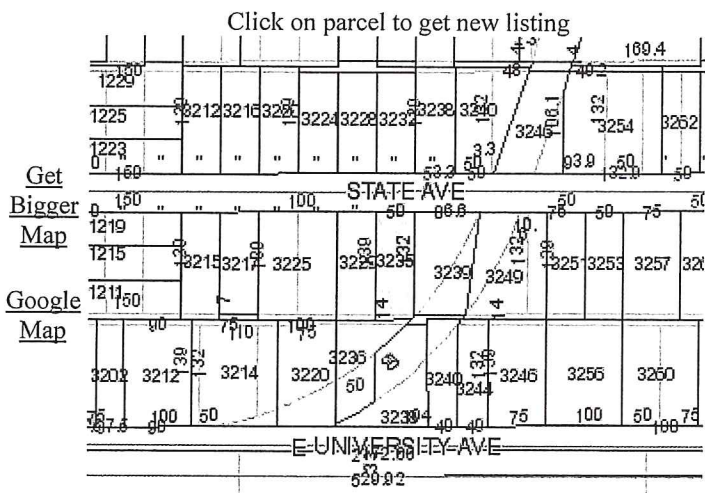
_____ City Clerk

43B

Polk County Assessor 

[[Home](#)] [[General Query](#)] [[Legal Query](#)] [[HomeOwner Query](#)] [[Book/Page Query](#)] [[Commercial Query](#)] [[Res Sales Query](#)] [[Comm Sales Query](#)] [[Help](#)]

District/Parcel	GeoParcel	Map	Nbhd	Jurisdiction	Status
060/05531-000-000	7923-32-379-009	0329	DM14/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address			City State Zipcode		
3235 STATE AVE			DES MOINES IA 50317-6643		



Approximate date of photo 09/17/2013

Mailing Address
VICTORIA L PRUITT 3104 STATE AVE DES MOINES, IA 50317-6658

Legal Description
7F S & ADJ & ALL LOT 7 BLK E GRAY HEIGHTS

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	WALTZ, ROY J JR	1995-02-23	7157/795	87.20

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	14,900	92,100	0	107,000

[Market Adjusted Cost Report](#) [Estimate Taxes](#) [Polk County Treasurer Tax Information](#) [Pay Taxes](#)

Taxable Value Credit	Name	Number	Info
Homestead	WALTZ, ROY J JR	20168	

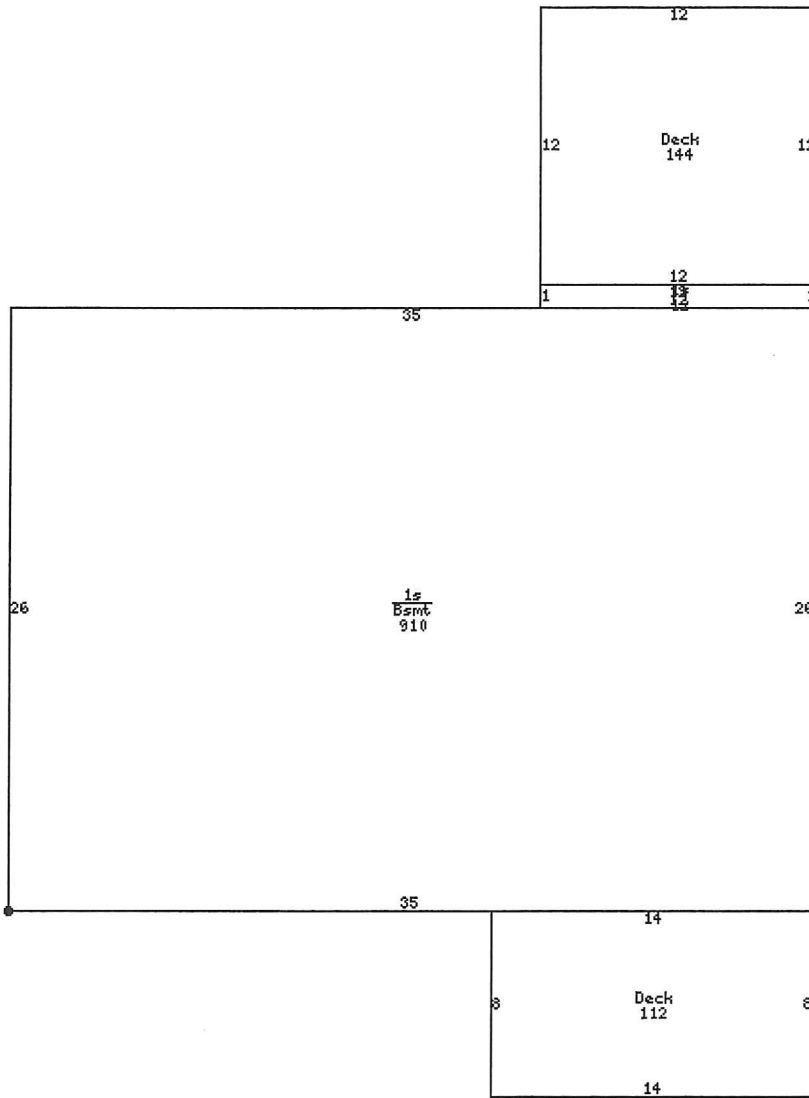
Military	WALTZ, ROY J JR	52086	Vietnam
----------	-----------------	-------	---------

Zoning	Description	SF	Assessor Zoning
R1-60	One Family, Low Density Residential District		Residential
<p>Source: City of Des Moines Community Development Published: 2012-03-20 Contact: Planning and Urban Design 515 283-4182</p>			

Land					
SQUARE FEET	6,950	FRONTAGE	50.0	DEPTH	139.0
ACRES	0.160	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1					
OCCUPANCY	SF/Single Family	RESID TYPE	S1/1 Story	BLDG STYLE	RN/Ranch
YEAR BUILT	1975	# FAMILIES	1	GRADE	4
GRADE ADJUST	+00	CONDITION	NM/Normal	TSFLA	922
MAIN LV AREA	922	BSMT AREA	910	DECK AREA	256
FOUNDATION	C/Concrete Block	EXT WALL TYP	MS/Hardboard	ROOF TYPE	H/Hip
ROOF MATERL	A/Asphalt Shingle	HEATING	A/Gas Forced Air	AIR COND	100
BATHROOMS	1	BEDROOMS	3	ROOMS	5

43 B



Detached # 101					
OCCUPANCY	GAR/Garage	CONSTR TYPE	FR/Frame	MEASCODE	
MEASURE1	24	MEASURE2	24	STORY HEIGHT	1
GRADE	4	YEAR BUILT	2002	CONDITION	NM/Normal

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
GROTH, RICHARD	WALTZ, ROY J	1995-02-16	55,000	D/Deed	7157/795
GOFF, SANDRA L	GROTH, RICHARD	1994-08-29	40,000	D/Deed	7078/388

Year	Type	Status	Application	Permit/Pickup Description
2003	P/Permit	CP/Complete	2002-09-13	AD/DECK (120 sf)

2003	P/Permit	CP/Complete	2002-04-23	NC/GARAGE (576 sf)
2003	P/Permit	CP/Complete	2002-04-11	NC/MISC (576 sf)
2000	P/Permit	NA/No Add	1999-05-03	AD/FENCE (Cost \$800)
1995	U/Pickup	CP/Complete	1994-10-18	Rehab

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2015	Assessment Roll	Residential	Full	14,900	92,100	0	107,000
2013	Assessment Roll	Residential	Full	15,000	94,800	0	109,800
2011	Assessment Roll	Residential	Full	15,000	95,200	0	110,200
			Adj	15,000	83,120	0	98,120
2009	Assessment Roll	Residential	Full	15,200	95,300	0	110,500
			Adj	15,200	83,220	0	98,420
2007	Board Action	Residential	Full	15,200	95,300	0	110,500
			Adj	15,200	83,220	0	98,420
2007	Assessment Roll	Residential	Full	15,200	99,500	0	114,700
			Adj	15,200	87,420	0	102,620
2005	Assessment Roll	Residential	Full	13,300	95,500	0	108,800
			Adj	13,300	83,420	0	96,720
2003	Assessment Roll	Residential	Full	11,200	80,850	0	92,050
			Adj	11,200	62,960	0	74,160
2001	Assessment Roll	Residential	Full	10,410	63,200	0	73,610
			Adj	10,410	57,390	0	67,800
1999	Assessment Roll	Residential	Full	7,440	53,710	0	61,150
			Adj	7,440	47,900	0	55,340
1997	Assessment Roll	Residential	Full	6,740	53,710	0	60,450
			Adj	6,740	47,900	0	54,640
1995	Board Action	Residential	Full	6,130	48,870	0	55,000
			Adj	6,130	43,060	0	49,190
1995	Assessment Roll	Residential	Full	6,130	51,870	0	58,000
			Adj	6,130	42,610	0	48,740
1993	Assessment Roll	Residential	Full	5,290	43,820	0	49,110
1991	Board Action	Residential	Full	5,290	41,710	0	47,000
1991	Assessment Roll	Residential	Full	5,290	47,960	0	53,250
1991	Was Prior Year	Residential	Full	5,290	42,160	0	47,450

43B

[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*



**PUBLIC NUISANCE
NOTICE OF INSPECTION
NEIGHBORHOOD INSPECTION DIVISION
COMMUNITY DEVELOPMENT DEPARTMENT
CITY OF DES MOINES, IOWA**

43B

DATE OF NOTICE: February 18, 2016

DATE OF INSPECTION: January 29, 2016

CASE NUMBER: COD2016-00339

PROPERTY ADDRESS: 3235 STATE AVE

LEGAL DESCRIPTION: 7F S & ADJ & ALL LOT 7 BLK E GRAY HEIGHTS

VICTORIA L PRUITT
Executor
3104 STATE AVE
DES MOINES IA 50317

ROY J WALTZ JR
Title Holder
DECEASED

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 dwelling currently constitutes not only a menace to health and safety, but is also a public nuisance. Accordingly, the dwelling will be placarded as unfit for human habitation pursuant to the Municipal Code of the City of Des Moines and the Code of Iowa.

If not occupied at the present time, the dwelling is to remain vacant and unoccupied until occupancy is authorized by this office. If the dwelling is occupied, it must be vacated immediately. If procedures to vacate the premises are not undertaken immediately upon receipt of this notice, and in no case later than seven (7) days, the City will issue a Municipal Infraction in accordance with Section 60-304 and 60-306 pursuant to the Municipal code of the City of Des Moines. Additionally, if the property had a Certificate of Inspection, it is hereby revoked.

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. The violations noted must be corrected within 30 days from date of notice. Failure to correct these violations will result in a request to the City Council, sitting as the Board of Health, to approve legal action. As a result of this public nuisance action there will be costs incurred by the City. Costs will be billed out when the nuisance has been abated. Failure to pay the costs will result in collection by assessment to the property or personal judgment.

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.

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 (515) 283-4200. All work performed by a contractor or you must be completed in a workmanlike manner. 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 (515) 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 a waiver voluntarily authorizing the City to do so. However, the City may take a personal judgment against you for the costs of removal.

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 County Recorder's Office, shall likewise be furnished to the Neighborhood Inspection Division.

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

Justin S. Denning

(515) 237-1484

Nid Inspector



DATE MAILED: 2/18/2016

MAILED BY: JDH

Areas that need attention: 3235 STATE AVE

Component: Electrical Service Requirement: Electrical Permit Comments:	Defect: Fire damaged Location: Kitchen
Component: Plumbing System Requirement: Plumbing Permit Comments:	Defect: Fire damaged Location: Kitchen
Component: Mechanical System Requirement: Mechanical Permit Comments:	Defect: Flame/Smoke Spread Location: Throughout
Component: Interior Walls /Ceiling Requirement: Building Permit Comments:	Defect: Fire damaged Location: Kitchen
Component: Flooring Requirement: Building Permit Comments:	Defect: Fire damaged Location: Kitchen
Component: Interior Walls /Ceiling Requirement: Building Permit Comments:	Defect: Smoke Damage Location: Throughout
Component: Accessory Buildings Requirement: Comments:	Defect: See Comments Location: Garage The garage in its current condition does not constitute a public nuisance. However, if the primary structure is demolished and no primary structure is immediately built on the property, the garage must be demolished as well because it is an accessory use only pursuant to Des Moines Municipal Code Section 134-343.
Component: Windows/Window Frames Requirement: Complainece with Int Residential Code Comments:	Defect: Fire damaged Location: Kitchen

top

3235 State Ave



top

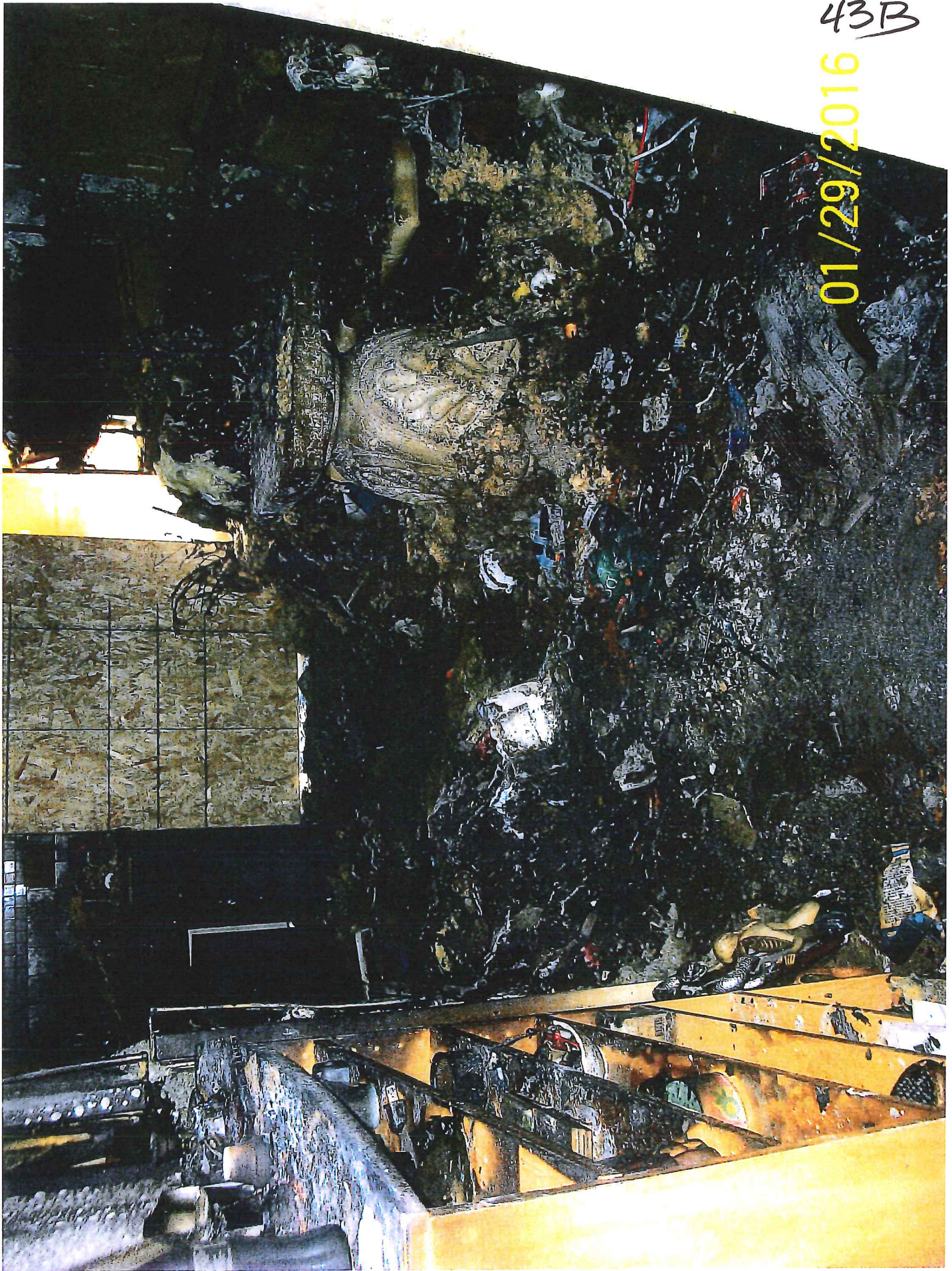
3235 State Ave



43B

3235 State Avp

top



01/29/2016

43B

top

3235 State Ave



San Mateo Public Works
3235 State Ave
San Mateo, CA 94401

3235

3235

WALZ

2/27/08