



Roll Call Number

Agenda Item Number

48 (C)

Date August 5, 2019

ABATEMENT OF PUBLIC NUISANCE AT 106 E GRANGER AVENUE

WHEREAS, the property located at 106 E Granger Avenue, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the accessory structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholder, Linda K. De Francisoco, and Mortgage Holder, Wells Fargo Bank, N.A., were notified by personal service more than thirty days ago to repair or demolish the accessory structure 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:

The accessory structure on the real estate legally described as Lot 2, Block 17, VAN'S ADDITION TO SOUTH DES MOINES, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 106 E Granger 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 accessory structure.

Moved by _____ to adopt.

FORM APPROVED:


Luke DeSmet, Assistant City Attorney

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.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

City Clerk

Polk County Assessor

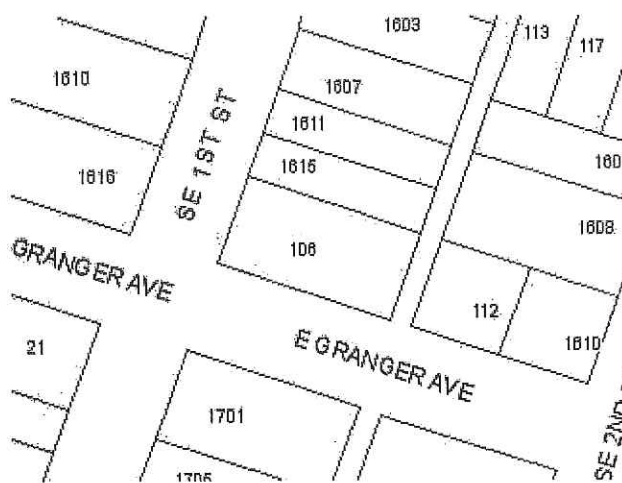
111 Court Avenue #195
Des Moines, IA 50309-0904

(515) 286-3014 Fax (515) 286-3386
polkweb@assess.co.polk.ia.us

Location					
Address	106 E GRANGER AVE				
City	DES MOINES	Zip	50315	Jurisdiction	Des Moines
District/Parcel	020/02665-000-000	Geoparcel	7824-10-309-006	Status	Active
School	Des Moines	Nbhd/Pocket	DM23/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	South Des Moines	Appraiser	Andrew Rand 515-286-3368		

Map and Current Photos - 2 Records

Click on parcel to get a new listing



[Bigger Map](#) [Polk County GIS](#)
[Google Map](#) [Pictometry](#)

Photo Processed on 2014-03-25 a

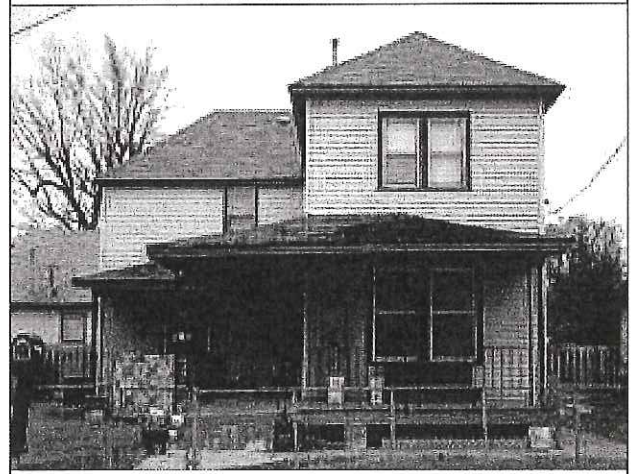
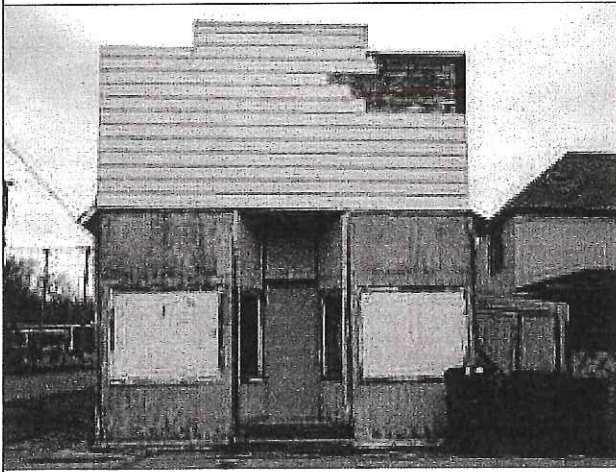


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Historical Photos

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	DE FRANCISCO, LINDA K	1999-08-30	8308/34

Legal Description and Mailing Address

LOT 2 BLK 17 VANS ADDITION TO SOUTH DES MOINES	LINDA K DE FRANCISCO 106 E GRANGER AVE DES MOINES, IA 50315-1221
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Current Values

Type	Class	Kind	Land	Bldg	Total
2019 Value	Residential	Full	\$15,000	\$76,200	\$91,200
<u>Assessment Roll Notice Market Adjusted Cost Report</u>					

Auditor Adjustments to Value

Category	Name	Information
2018 Homestead Credit	DE FRANCISCO, LINDA K	Application #30656
2018 Military Exemption	DE FRANCISCO, JOSEPH M	Vietnam Application #54055

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
C-0	Commercial Residential District		Commercial

Conditional Zoning

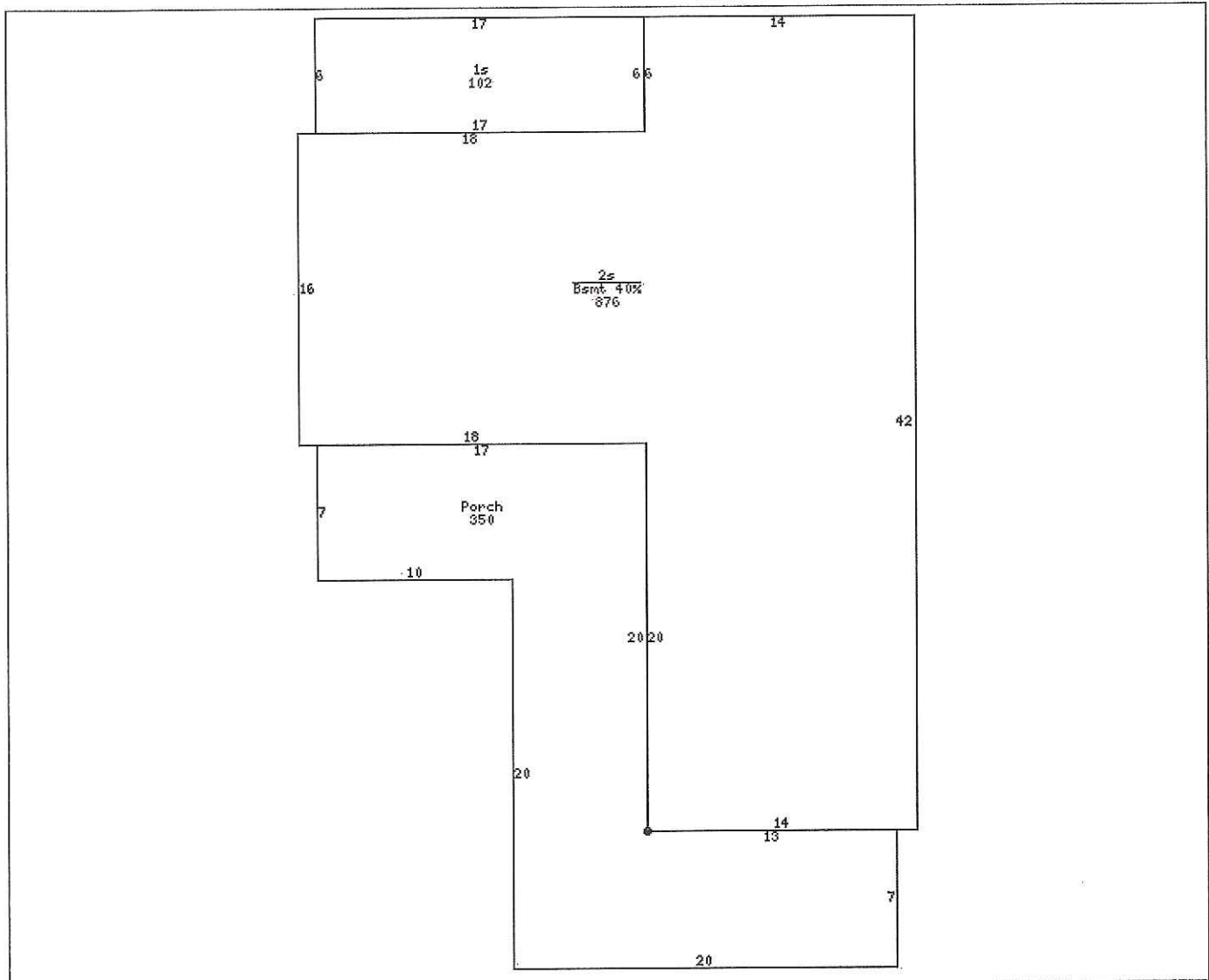
Docket no 14361

*City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)***Land**

Square Feet	8,712	Acres	0.200	Frontage	66.0
Depth	132.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		

Residences - 1 Record**Residence #1**

Occupancy	Single Family	Residence Type	2 Stories	Building Style	Conventional
Year Built	1900	Number Families	1	Grade	4-10
Condition	Normal	Total Square Foot Living Area	1854	Main Living Area	978
Upper Living Area	876	Basement Area	350	Open Porch Area	350
Foundation	Brick	Exterior Wall Type	Vinyl Siding	Roof Type	Hip
Roof Material	Asphalt Shingle	Heating	Gas Forced Air	Air Conditioning	100
Number Bathrooms	1	Number Toilet Rooms	1	Bedrooms	4
Rooms	7				



Detached Structures - 2 Records

Detached Structure #101

Occupancy	Garage	Construction Type	Frame	Measurement Code	Square Feet
Measure 1	20	Measure 2	20	Grade	4
Year Built	2008	Condition	Normal		

Detached Structure #201

Occupancy	Shop	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	20	Measure 2	44	Story Height	1
Grade	5	Year Built	1900	Condition	Very Poor

Sales - 1 Record

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
DE FRANCISCO, LOIS E	DE FRANCISCO, LINDA K & JOSEPH M	<u>1996-08-08</u>	\$25,000	Contract	<u>7461/996</u>

Permits - 4 Records

Year	Type	Permit Status	Application	Description
2015	Pickup	No Add	2015-01-20	review value/class change
2015	Pickup	No Add	2014-09-17	review/dual class

Year	Type	Permit Status	Application	Description
2009	Permit	Complete	2008-08-25	construction/garage (400 sf)
2002	Permit	No Add	2001-09-12	addition/fence

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2019	<u>Assessment Roll</u>	Residential	Full	\$15,000	\$76,200	\$91,200
2017	<u>Assessment Roll</u>	Residential	Full	\$13,500	\$69,000	\$82,500
2015	<u>Assessment Roll</u>	Residential	Full	\$12,700	\$66,000	\$78,700
2013	<u>Assessment Roll</u>	Commercial	Full	\$17,500	\$28,300	\$45,800
2011	<u>Assessment Roll</u>	Commercial	Full	\$17,500	\$28,300	\$45,800
2009	<u>Assessment Roll</u>	Commercial	Full	\$17,500	\$28,300	\$45,800
2007	<u>Assessment Roll</u>	Commercial	Full	\$17,500	\$21,500	\$39,000
2005	<u>Assessment Roll</u>	Commercial	Full	\$16,000	\$20,900	\$36,900
2003	<u>Assessment Roll</u>	Commercial	Full	\$13,900	\$19,500	\$33,400
2001	<u>Assessment Roll</u>	Commercial	Full	\$13,070	\$18,400	\$31,470
1999	Assessment Roll	Commercial	Full	\$12,300	\$18,400	\$30,700
1995	Assessment Roll	Commercial	Full	\$11,900	\$17,900	\$29,800
1993	Assessment Roll	Commercial	Full	\$11,300	\$17,000	\$28,300
1991	Assessment Roll	Commercial	Full	\$10,890	\$16,310	\$27,200
1991	Was Prior Year	Commercial	Full	\$10,890	\$12,900	\$23,790

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

DATE OF NOTICE: May 29, 2019

DATE OF INSPECTION: May 01, 2019

CASE NUMBER: COD2019-00847

PROPERTY ADDRESS: 106 E GRANGER AVE

LEGAL DESCRIPTION: LOT 2 BLK 17 VANS ADDITION TO SOUTH DES MOINES

LINDA K DE FRANCISCO
Title Holder
106 E GRANGER AVE
DES MOINES IA 50315-1221

WELLS FARGO BANK, NATIONAL ASSOCIATION
Mortgage Holder - CORP. SERVICE COMP., REG.AGENT
505 5TH AVENUE SUITE 729
DES MOINES IA 50309

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 60-192 and 60-191 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 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.

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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 (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.

Daniel Adams
(515) 237-1612



Nid Inspector

DATE MAILED: 5/29/2019

MAILED BY: TSY

Areas that need attention: 106 E GRANGER AVE

<u>Component:</u>	Exterior Walls	<u>Defect:</u>	In disrepair
<u>Requirement:</u>	Building Permit	<u>Location:</u>	Accessory Building Throughou
<u>Comments:</u>			
<u>Component:</u>	Exterior Doors/Jams	<u>Defect:</u>	In disrepair
<u>Requirement:</u>	Compliance with International Building Code	<u>Location:</u>	Accessory Building Throughou
<u>Comments:</u>			
<u>Component:</u>	Soffit/Facia/Trim	<u>Defect:</u>	In disrepair
<u>Requirement:</u>	Compliance with International Building Code	<u>Location:</u>	Accessory Building Throughou
<u>Comments:</u>			
<u>Component:</u>	Landings	<u>Defect:</u>	In disrepair
<u>Requirement:</u>	Building Permit	<u>Location:</u>	Accessory Building Throughou
<u>Comments:</u>			
<u>Component:</u>	Shingles Flashing	<u>Defect:</u>	In disrepair
<u>Requirement:</u>	Compliance with International Building Code	<u>Location:</u>	Accessory Building Throughou
<u>Comments:</u>			
<u>Component:</u>	Windows/Window Frames	<u>Defect:</u>	In disrepair
<u>Requirement:</u>	Compliance with International Building Code	<u>Location:</u>	Accessory Building Throughou
<u>Comments:</u>			
<u>Component:</u>	See Comments	<u>Defect:</u>	In disrepair
<u>Requirement:</u>	Compliance with International Building Code	<u>Location:</u>	Accessory Building Throughou
<u>Comments:</u>	Siding throughout and chipped/peeling paint		
<u>Component:</u>	Interior Walls /Ceiling	<u>Defect:</u>	In disrepair
<u>Requirement:</u>	Building Permit	<u>Location:</u>	Accessory Building Throughou
<u>Comments:</u>			

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<u>Component:</u>	Electrical System	<u>Defect:</u>	In disrepair
<u>Requirement:</u>	Compliance with National Electrical Code	<u>Location:</u>	Accessory Building Throughou
<u>Comments:</u>	Have electrical system checked for proper, safe working order by licensed contractor.		

<u>Component:</u>	Flooring	<u>Defect:</u>	In disrepair
<u>Requirement:</u>	Building Permit	<u>Location:</u>	Accessory Building Throughou
<u>Comments:</u>			

<u>Component:</u>	Mechanical System	<u>Defect:</u>	In disrepair
<u>Requirement:</u>	Compliance, Uniform Mechanics Code	<u>Location:</u>	
<u>Comments:</u>	Have mechanical system checked for proper, safe working order by licensed contractor.		

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106 E. Granger Ave



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