



**Roll Call Number**

**Agenda Item Number**

25B

**Date** April 20, 2020

**ABATEMENT OF PUBLIC NUISANCE AT 1232 48<sup>th</sup> STREET**

WHEREAS, the property located at 1232 48<sup>th</sup> Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the garage structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholders, Robert H. Meddaugh and Kathryn A. Stangl, and Mortgage Holder, West Des Moines State Bank n/k/a West Bank and Lien Holder Greater Des Moines Habitat for Humanity, Inc., were notified more than thirty days ago to repair or demolish the garage 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 garage structure on the real estate legally described as The South 70.88 feet of the North 220.88 feet of Lot 10, the North 50 feet of the South 110 feet of the West ½ of Lot 10 and the South 60 feet of the West ½ of Lot 10 in HANSING PLACE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1232 48<sup>th</sup> 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 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 garage structure.

Moved by \_\_\_\_\_ to adopt.

FORM APPROVED:

/s/ Megan Norberg  
Megan Norberg, Assistant City Attorney

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

**CERTIFICATE**

I, P. Kay Cmelik, 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.

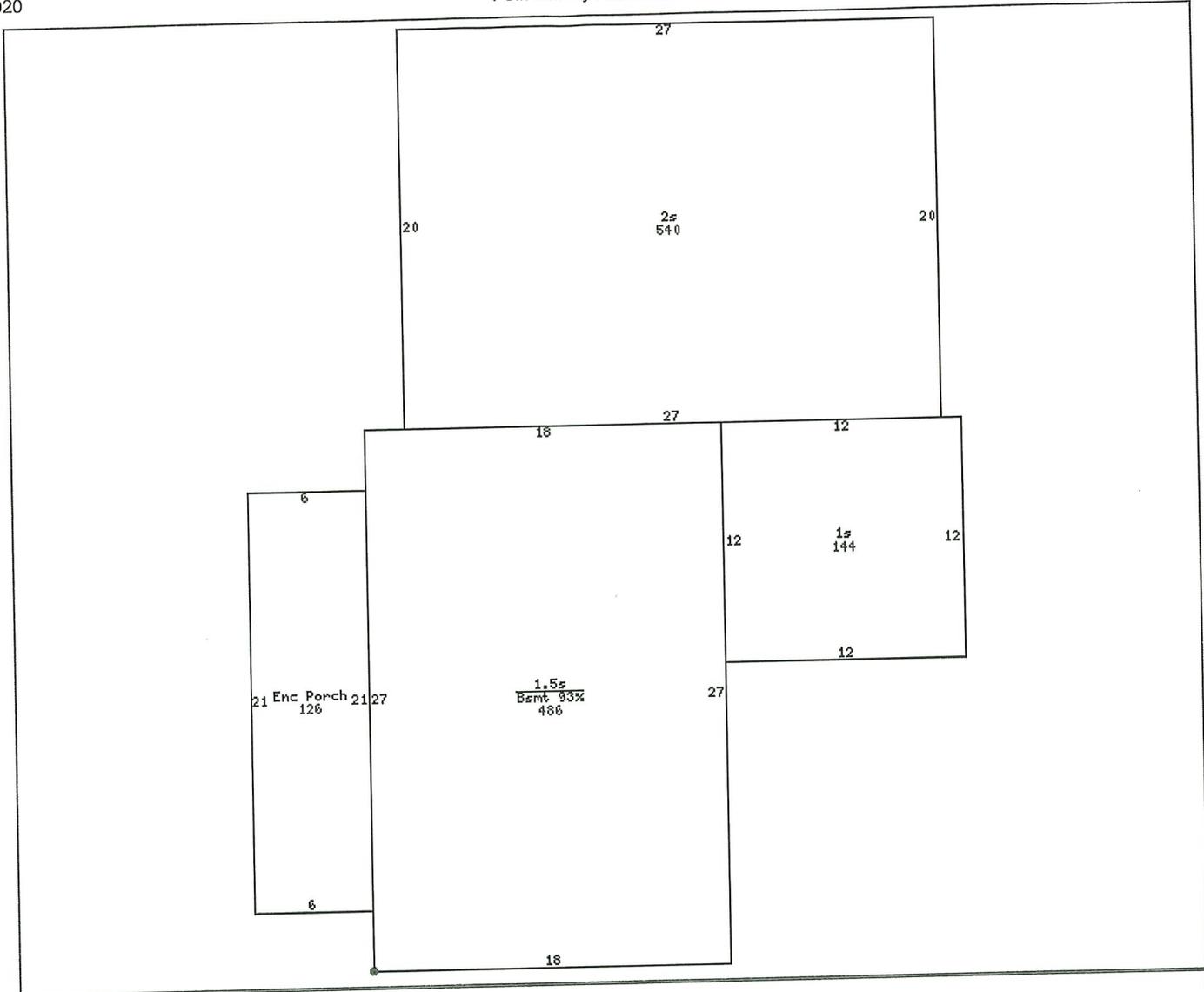
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED APPROVED  
\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk



Category		Name		Information	
2019 Military Exemption		MEDDAUGH, ROBERT H		Vietnam Application #56223	
<b>Zoning - 1 Record</b>					
Zoning	Description			SF	Assessor Zoning
R1-60	One Family, Low Density Residential District				Residential
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>					
<b>Land</b>					
Square Feet	21,240	Acres	0.488	Frontage	70.0
Depth	300.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		
<b>Residences - 1 Record</b>					
<b>Residence #1</b>					
Occupancy	Single Family	Residence Type	1.5 Stories	Building Style	Conventional
Year Built	1895	Number Families	1	Grade	5-10
Condition	Below Normal	Total Square Foot Living Area	2036	Main Living Area	1170
Upper Living Area	866	Basement Area	452	Enclosed Porch Area	126
Veneer Area	312	Foundation	Brick	Exterior Wall Type	Wood Siding
Roof Type	Gable	Roof Material	Asphalt Shingle	Number Fireplaces	1
Heating	Gas Forced Air	Air Conditioning	0	Number Bathrooms	1
Number Toilet Rooms	1	Bedrooms	2	Rooms	6



**Detached Structures - 1 Record**

**Detached Structure #101**

Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	24	Measure 2	24	Story Height	1
Grade	4	Year Built	1977	Condition	Below Normal

**Permits - 1 Record**

Year	Type	Permit Status	Application	Description
2011	Permit	No Add	2010-05-26	alterations/basement

**Historical Values**

Yr	Type	Class	Kind	Land	Bldg	Total
2019	<u>Assessment Roll</u>	Residential	Full	\$53,400	\$86,500	\$139,900
2017	<u>Assessment Roll</u>	Residential	Full	\$46,700	\$77,200	\$123,900
2015	<u>Assessment Roll</u>	Residential	Full	\$41,800	\$70,000	\$111,800
2013	<u>Assessment Roll</u>	Residential	Full	\$39,100	\$65,900	\$105,000
2011	<u>Assessment Roll</u>	Residential	Full	\$39,100	\$65,800	\$104,900
2009	<u>Board Action</u>	Residential	Full	\$41,500	\$67,800	\$109,300
2009	<u>Assessment Roll</u>	Residential	Full	\$41,500	\$82,900	\$124,400

Yr	Type	Class	Kind	Land	Bldg	Total
2007	<u>Assessment Roll</u>	Residential	Full	\$38,200	\$76,400	\$114,600
2005	<u>Assessment Roll</u>	Residential	Full	\$30,000	\$79,700	\$109,700
2003	<u>Assessment Roll</u>	Residential	Full	\$26,690	\$70,420	\$97,110
2001	<u>Assessment Roll</u>	Residential	Full	\$23,500	\$56,660	\$80,160
1999	Assessment Roll	Residential	Full	\$19,430	\$52,620	\$72,050
1997	Assessment Roll	Residential	Full	\$18,190	\$49,270	\$67,460
1995	Assessment Roll	Residential	Full	\$15,950	\$43,200	\$59,150
1993	Assessment Roll	Residential	Full	\$14,110	\$38,220	\$52,330
1991	Assessment Roll	Residential	Full	\$14,110	\$30,240	\$44,350
1991	Was Prior Year	Residential	Full	\$14,110	\$39,520	\$53,630

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

25B

**DATE OF NOTICE: February 6, 2020**

**DATE OF INSPECTION: January 02, 2020**

**CASE NUMBER:** COD2020-00044

**PROPERTY ADDRESS:** 1232 48TH ST

**LEGAL DESCRIPTION:** S 70.88 F N 220.88 F LOT 10 HANSING PLACE

ROBERT H MEDDAUGH  
Title Holder  
1232 48TH ST  
DES MOINES IA 50311-2406

GREATER DES MOINES HABITAT FOR HUMANITY INC  
Lien Holder  
2200 E EUCLID AVE  
DES MOINES IA 50317

WEST DES MOINES STATE BANK NKA WEST BANK  
Mortgage Holder - DAVID D NELSON, PRESIDENT  
1601 22ND ST  
WEST DES MOINES IA 50266

KATHRYN A STANGL  
Title Holder  
1232 48TH ST  
DES MOINES IA 50311-2406

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.**

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.

Brad Rissman  
(515) 283-4754



Nid Inspector

DATE MAILED: 2/6/2020

MAILED BY: BJR

**Areas that need attention:** 1232 48TH ST

<b>Component:</b>	Electrical System	<b>Defect:</b>	Deteriorated
<b>Requirement:</b>	Electrical Permit	<b>Location:</b>	Garage Throughout
<b>Comments:</b>	Have licensed contractor repair or replace electrical system. Bring any and all components up to code		
<b>Component:</b>	Exterior Doors/Jams	<b>Defect:</b>	Deteriorated
<b>Requirement:</b>	Compliance with Int Residential Code	<b>Location:</b>	Garage Throughout
<b>Comments:</b>	Repair or replace all damaged or missing doors and or jams as needed. Building Permit required if changing opening size.		
<b>Component:</b>	Foundation	<b>Defect:</b>	Cracked/Broken
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Garage Throughout
<b>Comments:</b>	Foundation Needs Engineers Report.		
<b>Component:</b>	Trusses	<b>Defect:</b>	Deteriorated
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Garage Throughout
<b>Comments:</b>	Have licensed contractor replace all damage and deteriorated trusses.		
<b>Component:</b>	Roof	<b>Defect:</b>	Holes or major defect
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Garage Throughout
<b>Comments:</b>	Replace all damaged roofing components by licensed contractor.		
<b>Component:</b>	Exterior Walls	<b>Defect:</b>	Holes or major defect
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Garage Throughout
<b>Comments:</b>	Have licensed contractor repair or replace all damaged wall components, including framing, sheeting, and coverings. Permit required for replacement of all structural components.		
<b>Component:</b>	Soffit/Facia/Trim	<b>Defect:</b>	Deteriorated
<b>Requirement:</b>	Compliance with Int Residential Code	<b>Location:</b>	Garage Throughout
<b>Comments:</b>	Repair or replace all damaged or missing items as needed.		
<b>Component:</b>	Windows/Window Frames	<b>Defect:</b>	Deteriorated
<b>Requirement:</b>	Compliance with Int Residential Code	<b>Location:</b>	Garage Throughout
<b>Comments:</b>	Repair or replace all damaged or missing windows and frames as needed. Permit required if changing opening size.		

1232 48th St

top

25B

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