



Roll Call Number

Agenda Item Number

25E

Date April 20, 2020

ABATEMENT OF PUBLIC NUISANCES AT 3115 SOUTH UNION STREET

WHEREAS, the property located at 3115 South Union Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure, in its present condition constitutes not only a menace to health and safety but is also public nuisance; and

WHEREAS, the Titleholders, Stephanie Holloway and Jason M. Holloway, were notified more than thirty days ago to repair or demolish the main 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 main structure on the real estate legally described as The North 100 feet of the South 189 feet of Lots 422, 423 and 424 in CRAWFORD PLACE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 3115 South Union 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 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:

/s/ Megan Norberg
Megan Norberg, Assistant City Attorney

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

MOTION CARRIED APPROVED

Mayor

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.

City Clerk



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

25E

DATE OF NOTICE: February 3, 2020

DATE OF INSPECTION: January 24, 2020

CASE NUMBER: COD2020-00500

PROPERTY ADDRESS: 3115 S UNION ST

LEGAL DESCRIPTION: -EX N 120F- & -EX S 89F- LOTS 422, 423 & 424 CRAWFORD PLACE

JASON M HOLLOWAY & STEPHANIE HOLLOWAY
Title Holder
3115 SOUTH UNION ST
DES MOINES IA 50315-7026

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.

Neighborhood Inspection Division

(515) 283-4046

CHAD S. HYERMAN



Nid Inspector

DATE MAILED: 2/3/2020

MAILED BY: TSY

Areas that need attention: 3115 S UNION ST

Component:	Electrical Service	Defect:	Fire damaged
Requirement:	Electrical Permit	Location:	Main Structure Throughout
Comments:			

Component:	Exterior Walls	Defect:	Fire damaged
Requirement:	Building Permit	Location:	Living Room
Comments:	First floor living room and any other damaged exterior wall		

Component:	Floor Joists/Beams	Defect:	Fire damaged
Requirement:	Building Permit	Location:	Basement
Comments:	Basement ceiling joist/first floor floor joist		

Component:	Interior Walls /Ceiling	Defect:	Fire damaged
Requirement:	Building Permit	Location:	Main Structure Throughout
Comments:	Basement walls and any other damaged walls		

Component:	Mechanical System	Defect:	Fire damaged
Requirement:	Mechanical Permit	Location:	Main Structure Throughout
Comments:			

Component:	Plumbing System	Defect:	Fire damaged
Requirement:	Plumbing Permit	Location:	Main Structure Throughout
Comments:			

Component:	Sub Floor	Defect:	Fire damaged
Requirement:	Building Permit	Location:	Basement
Comments:	Flooring between basement and first floor		

Component:	Windows/Window Frames	Defect:	Cracked/Broken
Requirement:		Location:	Kitchen
Comments:	Kitchen window		

Component: Accessory Buildings **Defect:** See Comments
Requirement: **Location:** Garage
Comments: 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: Accessory Buildings **Defect:** See Comments
Requirement: **Location:** Shed
Comments: The shed 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 shed must be demolished as well because it is an accessory use only pursuant to Des Moines Municipal Code Section 134-343.

Polk County Assessor

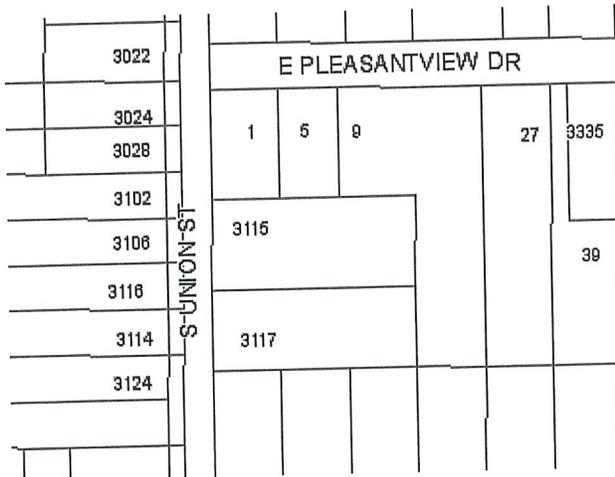
111 Court Avenue #195
Des Moines, IA 50309-0904

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

Location					
Address	3115 SOUTH UNION ST				
City	DES MOINES	Zip	50315	Jurisdiction	Des Moines
District/Parcel	010/01570-000-000	Geoparcels	7824-15-352-019	Status	Active
School	Des Moines	Nbhd/Pocket	DM26/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	South Des Moines	Appraiser	Andrew Rand 515-286-3368		

Map and Current Photos - 1 Record

Click on parcel to get a new listing



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

Photo Processed on 2017-07-13 a



Historical Photos

Ownership - 2 Records

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	HOLLOWAY, STEPHANIE	2017-11-14	16722/810
Title Holder	2	HOLLOWAY, JASON M	2017-11-14	16722/810

Legal Description and Mailing Address

-EX N 120F- & -EX S 89F- LOTS 422, 423 & 424
CRAWFORD PLACE

STEPHANIE HOLLOWAY
3115 SOUTH UNION ST
DES MOINES, IA 50315-7026

Current Values

Type	Class	Kind	Land	Bldg	Total
2019 Value	Residential	Full	\$21,400	\$95,400	\$116,800

Market Adjusted Cost Report

Auditor Adjustments to Value

Category	Name	Information
2019 Homestead Credit	HOLLOWAY, STEPHANIE	Application #388115

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
R1-70	One Family, Low Density Residential District		Residential

Conditional Zoning

Docket no 14361

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

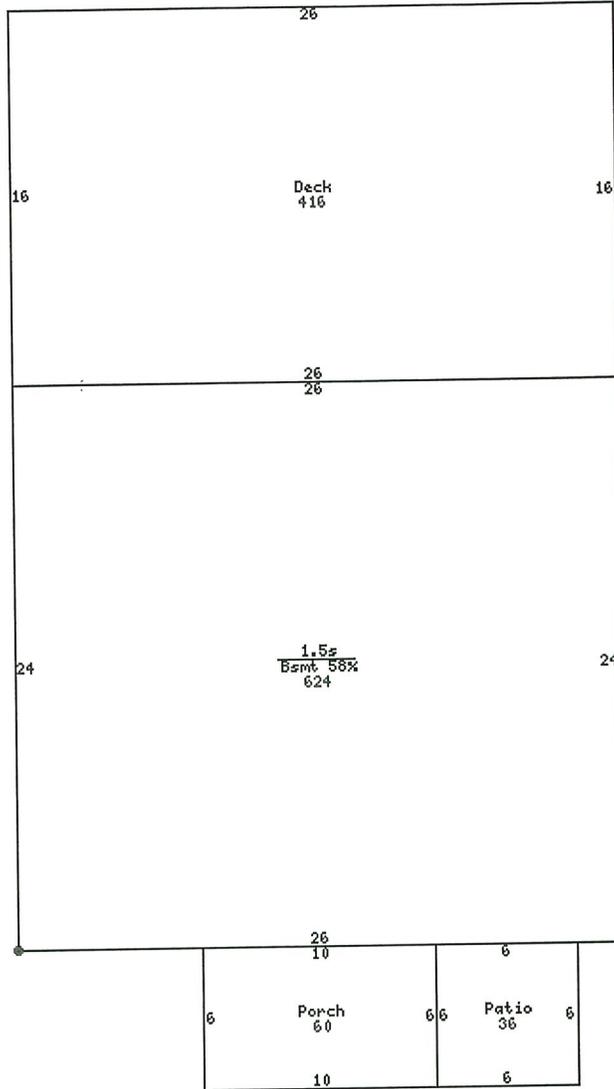
Land

Square Feet	22,500	Acres	0.517	Frontage	100.0
Depth	225.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		

Residences - 1 Record

Residence #1

Occupancy	Single Family	Residence Type	1.5 Stories	Building Style	Early 20s
Year Built	1915	Number Families	1	Grade	4+00
Condition	Very Good	Total Square Foot Living Area	1042	Main Living Area	624
Upper Living Area	418	Basement Area	362	Open Porch Area	60
Deck Area	416	Patio Area	36	Foundation	Brick
Exterior Wall Type	Vinyl Siding	Roof Type	Gable	Roof Material	Asphalt Shingle
Heating	Gas Forced Air	Air Conditioning	100	Number Bathrooms	1
Bedrooms	3	Rooms	6		



Detached Structures - 1 Record

Detached Structure #101

Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	30	Measure 2	24	Story Height	1
Grade	4	Year Built	1982	Condition	Above Normal
Comment	COND CHANGE NM NOW AN, NEWER SIDING, OH DR ROOF SA/PV				

Sales - 5 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
FEDERAL NATIONAL MORTGAGE ASSOC	BISE, PATRICE	<u>2009-11-18</u>	\$63,900	Deed	<u>13296/70</u>
ALEXANDER, MELISSA D	LYNCH, ROGER	<u>2006-09-26</u>	\$108,000	Deed	<u>11889/604</u>
CUMMINS, PAMELA J.	ALEXANDER, MELISSA D	<u>2003-12-29</u>	\$103,000	Deed	<u>10340/542</u>
JENISON, MICHAEL J	MARSHALL, PAMELA J.	<u>2000-03-04</u>	\$91,000	Deed	<u>8445/987</u>

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
ROGERSON, JNO R	JENISON, MICHAEL J.	<u>1997-07-24</u>	\$84,000	Deed	<u>7690/82</u>

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
BISE, PATRICE	HOLLOWAY, STEPHANIE _____ HOLLOWAY, JASON MICHEAL	2017-10-23	2017-11-14	Quit Claim Deed	<u>16722/810</u>

Permits - 1 Record

Year	Type	Permit Status	Application	Description
1990	Pickup	Complete	1989-09-20	garage & deck - reval

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2019	<u>Assessment Roll</u>	Residential	Full	\$21,400	\$95,400	\$116,800
2017	<u>Assessment Roll</u>	Residential	Full	\$19,300	\$87,000	\$106,300
2015	<u>Assessment Roll</u>	Residential	Full	\$17,600	\$79,900	\$97,500
2013	<u>Assessment Roll</u>	Residential	Full	\$17,400	\$80,400	\$97,800
2011	<u>Assessment Roll</u>	Residential	Full	\$17,400	\$79,700	\$97,100
2009	<u>Assessment Roll</u>	Residential	Full	\$18,500	\$80,200	\$98,700
2007	<u>Assessment Roll</u>	Residential	Full	\$18,200	\$84,800	\$103,000
2005	<u>Assessment Roll</u>	Residential	Full	\$19,500	\$76,700	\$96,200
2003	<u>Assessment Roll</u>	Residential	Full	\$17,450	\$68,020	\$85,470
2001	<u>Assessment Roll</u>	Residential	Full	\$13,930	\$55,000	\$68,930
1999	Assessment Roll	Residential	Full	\$16,620	\$72,620	\$89,240
1997	Assessment Roll	Residential	Full	\$14,800	\$42,700	\$57,500
1995	Assessment Roll	Residential	Full	\$13,450	\$38,820	\$52,270
1993	Assessment Roll	Residential	Full	\$12,570	\$36,280	\$48,850
1991	Assessment Roll	Residential	Full	\$11,430	\$32,980	\$44,410
1990	Assessment Roll	Residential	Full	\$11,430	\$23,870	\$35,300

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