



Roll Call Number

Agenda Item Number

46 A

Date November 9, 2020

ABATEMENT OF PUBLIC NUISANCE AT 604 LELAND AVENUE

WHEREAS, the property located at 604 Leland Avenue, 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 Titleholder, Donna J. Montenguise, was notified more than thirty days ago to repair or demolish the garage 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 garage structure on the real estate legally described as Lots 16, 17 and 18 in Block 4 in PORTER'S REPLAT, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 604 Leland 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 garage structure.

Moved by _____ to adopt.

FORM APPROVED:

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

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

DATE OF NOTICE: August 18, 2020

DATE OF INSPECTION: July 16, 2020

CASE NUMBER: COD2020-03339

PROPERTY ADDRESS: 604 LELAND AVE

LEGAL DESCRIPTION: LTS 16,17 & 18 BLK 4 PORTERS REPLAT

FRANK MONTENGUISE & DONNA MONTENGUISE
Title Holder
604 LELAND AVE
DES MOINES IA 50315-5640

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



Nid Inspector

DATE MAILED: 8/18/2020

MAILED BY: TSY

Areas that need attention: 604 LELAND AVE

Component:	Electrical System	Defect:	Fire damaged
Requirement:	Electrical Permit	Location:	Garage
Comments:	REPAIR/REPLACE ALL ELECTRICAL COMPONENTS DAMAGED BY FIRE/SMOKE. OBTAIN AND FINALIZE ELECTRICAL PERMIT		
Component:	Exterior Doors/Jams	Defect:	Fire damaged
Requirement:	Compliance with Int Residential Code	Location:	Garage
Comments:	REPAIR/REPLACE DAMAGED DOOR JAMS		
Component:	Exterior Walls	Defect:	Fire damaged
Requirement:	Building Permit	Location:	Garage
Comments:	REPAIR/REPLACE ALL EXTERIOR WALLS AND SIDING WITH LIKE MATERIALS AND PAINT. OBTAIN AND FINALIZE BUILDING PERMIT		
Component:	Interior Walls /Ceiling	Defect:	Fire damaged
Requirement:	Compliance with Int Residential Code	Location:	Garage
Comments:	REPAIR/REPLACE ALL INTERIOR WALLS AND CEILING DAMAGED BY FIRE		
Component:	Roof	Defect:	Fire damaged
Requirement:	Building Permit	Location:	Garage
Comments:	REPAIR/REPLACE ALL DAMAGED PARTS OF THE ROOF. OBTAIN AND FINALIZE BUILDING PERMIT		
Component:	Wiring	Defect:	Fire damaged
Requirement:	Electrical Permit	Location:	Garage
Comments:	REPAIR/REPLACE ALL ELECTRICAL COMPONENTS DAMAGED BY FIRE/SMOKE. OBTAIN AND FINALIZE ELECTRICAL PERMIT		
Component:	Soffit/Facia/Trim	Defect:	Fire damaged
Requirement:	Compliance with Int Residential Code	Location:	Garage
Comments:	REPAIR/REPLACE ALL TRIM/SOFFIT/FACIA DAMAGED BY FIRE/SMOKE. MATERIALS AND PAINT NEED TO BE MATCHING		
Component:	See Comments	Defect:	Fire damaged
Requirement:	Compliance with Int Residential Code	Location:	Garage
Comments:	REPAIR/REPLACE ALL GUTTERS DAMAGED BY FIRE. MATERIALS AND PAINT NEED TO BE MATCHING		

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	604 LELAND AVE				
City	DES MOINES	Zip	50315	Jurisdiction	Des Moines
District/Parcel	120/03943-002-000	Geoparcels	7824-28-455-009	Status	Active
School	Des Moines	Nbhd/Pocket	DM41/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	South Des Moines	Appraiser	Patrick Zaimes, ICA 515-286-3832		

Map and Current Photos - 1 Record

Click on parcel to get a new listing

LELAND AVE

SW 6TH ST

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

Photo Processed on 2015-10-28 a

Historical Photos

Ownership - 2 Records

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	MONTENGUISE, FRANK	1980-11-10	5056/219
Title Holder	2	MONTENGUISE, DONNA J		

Legal Description and Mailing Address

LTS 16,17 & 18 BLK 4 PORTERS REPLAT	FRANK MONTENGUISE 604 LELAND AVE DES MOINES, IA 50315-5640
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Current Values

Type	Class	Kind	Land	Bldg	Total
2020 Value	Residential	Full	\$23,000	\$91,400	\$114,400

[Assessment Roll Notice](#) [Market Adjusted Cost Report](#)

Auditor Adjustments to Value

Category	Name	Information
2020 Homestead Credit	MONTENGUISE, FRANK	Application #2700

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
R1-60	One Family, Low Density Residential District		Residential

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

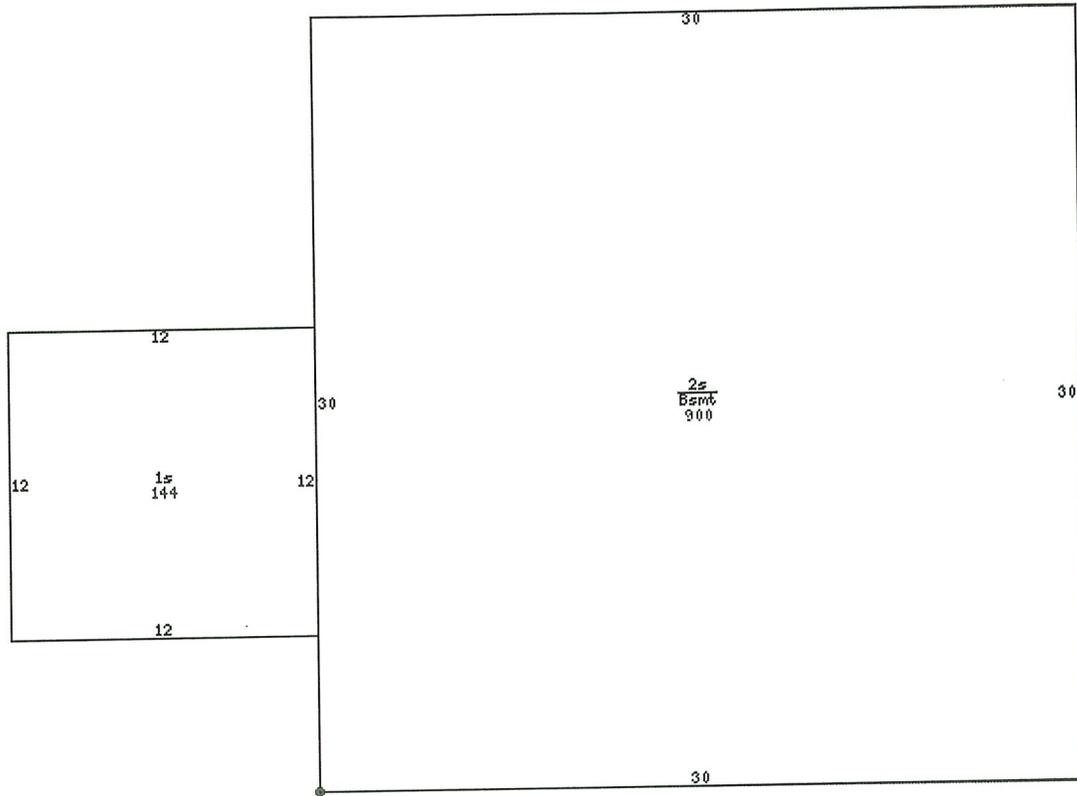
Land

Square Feet	9,375	Acres	0.215	Frontage	75.0
Depth	125.0	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	1890	Number Families	1	Grade	4+10
Condition	Below Normal	Total Square Foot Living Area	1944	Main Living Area	1044
Upper Living Area	900	Basement Area	900	Open Porch Area	30
Foundation	Brick	Exterior Wall Type	Brick	Brick%	92
Roof Type	Gable	Roof Material	Asphalt Shingle	Heating	Gas Forced Air
Air Conditioning	100	Number Bathrooms	1	Bedrooms	4
Rooms	7				



Detached Structures - 1 Record

Detached Structure #101

Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	22	Measure 2	22	Story Height	1
Grade	4	Year Built	2019	Condition	Normal

Permits - 3 Records

Year	Type	Permit Status	Application	Reason	Reason1
2020	Permit	Complete	2019-12-18	Remove	GARAGE
2020	Permit	Complete	2018-12-05	Construction	GARAGE
2019	Permit	Pass	2018-12-05	Construction	GARAGE (484 sf)

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2020	<u>Assessment Roll</u>	Residential	Full	\$23,000	\$91,400	\$114,400
2019	<u>Assessment Roll</u>	Residential	Full	\$23,000	\$82,700	\$105,700
2017	<u>Assessment Roll</u>	Residential	Full	\$20,200	\$76,400	\$96,600
2015	<u>Assessment Roll</u>	Residential	Full	\$18,400	\$70,500	\$88,900
2013	<u>Assessment Roll</u>	Residential	Full	\$18,600	\$72,200	\$90,800
2011	<u>Board Action</u>	Residential	Full	\$19,600	\$75,400	\$95,000
2011	<u>Assessment Roll</u>	Residential	Full	\$19,600	\$84,000	\$103,600

Yr	Type	Class	Kind	Land	Bldg	Total
2009	<u>Assessment Roll</u>	Residential	Full	\$19,300	\$78,800	\$98,100
2007	<u>Assessment Roll</u>	Residential	Full	\$19,800	\$64,800	\$84,600
2005	<u>Assessment Roll</u>	Residential	Full	\$15,500	\$60,500	\$76,000
2003	<u>Board Action</u>	Residential	Full	\$14,870	\$57,960	\$72,830
2003	<u>Assessment Roll</u>	Residential	Full	\$14,870	\$71,880	\$86,750
2001	<u>Assessment Roll</u>	Residential	Full	\$15,110	\$59,070	\$74,180
1999	Assessment Roll	Residential	Full	\$11,580	\$37,350	\$48,930
1997	Assessment Roll	Residential	Full	\$10,760	\$34,710	\$45,470
1995	Assessment Roll	Residential	Full	\$9,470	\$30,540	\$40,010
1993	Assessment Roll	Residential	Full	\$8,230	\$26,550	\$34,780
1991	Assessment Roll	Residential	Full	\$8,230	\$25,210	\$33,440
1991	Was Prior Year	Residential	Full	\$8,230	\$18,730	\$26,960

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604 Leland Ave

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