

 **Roll Call Number**

Agenda Item Number

291 E

Date April 4, 2022

ABATEMENT OF PUBLIC NUISANCE AT 1509 GUTHRIE AVE.

WHEREAS, the property located at 1509 Guthrie Ave., 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 public nuisance; and

WHEREAS, the Titleholder, Bobby B. Dalton, III, 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:

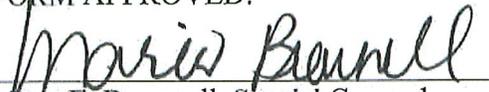
The garage structure on the real estate legally described as Lot 29 in DEWEY HEIGHTS, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1509 Guthrie Ave., has previously been declared a public nuisance;

The City Legal Department, through Special Counsel Ahlers & Cooney, P.C., 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,

Seconded by _____

FORM APPROVED:


Maria E. Brownell, Special Counsel
Ahlers & Cooney, P.C.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
SHEUMAKER				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	

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.

_____ Mayor

_____ City Clerk



City of Des Moines
 400 Robert D. Ray Drive
 Des Moines, IA 50309

29E

Case Number: NUIS-2022-000006	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 01/05/2022
	Date of Notice: 02/15/2022
Date of Inspection: 09/14/2021	

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC
 C/O GENPACT MERS MAILROOM
 1901 E VORHEES ST STE C
 DANVILLE IL 618344512

Address of Property: **1509 GUTHRIE AVE, DES MOINES IA 50316**
 Parcel Number: **792436102003**
 Legal Description: **LOT 29 DEWEY HEIGHTS**

Upon inspection of the property located at and locally known as the Address of Property shown above, located in Des Moines, Iowa, ("Property"), there was/were found to be violation(s) of the Municipal Code of the City of Des Moines, Iowa. It has been determined from that inspection that the dwelling currently constitutes a danger to health and safety to the public and is a public nuisance.

We are notifying you that you have the **time set out in this notice (below under "Compliance Due Date")** to abate the following violation(s) and complete the required remedial action.

VIOLATION(S)

Violation	Corrective Action	Compliance Due Date
60-191 - Vacation and Abatement	GARAGE THROUGHOUT Vacate the structure until nuisance has been abated and is no longer declared a public nuisance.	02/17/2022
60-192(13) - Unsafe or dangerous structure	GARAGE THROUGHOUT Repair or replace the building or structure that is in a condition that it presents either a substantial risk of fire, building collapse, or any other threat to life and safety, OR, demolish the structure.	02/18/2022
60-192(15) - Unsafe or dangerous structure	GARAGE THROUGHOUT Repair or replace the unsafe or unlawful structure OR demolish the structure.	02/18/2022

Repair or replace any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.

*IF CHOSEN TO DEMOLISH, PERMIT MUST BE PULLED AND FINALIZED.

*ALL ELECTRICAL, MECHANICAL, PLUMBING AND STRUCTURAL COMPONENTS THROUGHOUT THE STRUCTURE THAT ARE IN NEED OF REPLACEMENT OR REPAIR ARE TO BE BROUGHT TO MINIMUM CODE REQUIREMENTS WITH NECESSARY PERMITS AS REQUIRED TO MEET THE CITY CODES.

*REPLACE ANY DAMAGED ROOFING MATERIAL. PER CITY CODE SHINGLES LIMITED TO ONE LAYER. ANY STRUCTURAL REPAIRS WILL REQUIRE A PERMIT

*REPLACE ALL DAMAGED ROOFING COMPONENTS BY LICENSED CONTRACTOR. BUILDING PERMIT REQUIRED IF REPLACING SHEETING.

*OBTAIN FINAL ON PERMIT AND HAVE LICENSED CONTRACTOR REPAIR OR REPLACE ALL DAMAGED WALL COMPONENTS, INCLUDING: FRAMING, SHEETING, AND COVERINGS. PERMIT REQUIRED FOR REPLACEMENT OF ALL STRUCTURAL COMPONENTS.

*REPAIR/REPLACE ANY BROKEN, MISSING, DAMAGED OR ROTTED SIDING. ANY REPAIRS TO THE STRUCTURE WILL REQUIRE A BUILDING PERMIT.

*SEVERE SMOKE AND FIRE DAMAGE. REPLACE ALL THAT IS DAMAGED. BUILDING PERMIT REQUIRED.

*SCRAPE LOOSE PAINT, REPAIR WHERE NEEDED AND PAINT TO MATCH.

60-192(5) - Dangerous Structure or Premise - Dilapidated or Deteriorated	GARAGE THROUGHOUT	02/18/2022
	Repair or replace the building or structure, or part of a structure which is likely to partially or completely collapse because of dilapidation, deterioration, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.	
60-192(6) - Dangerous Structure or Premise - Unsafe	GARAGE THROUGHOUT	02/18/2022
	Vacate and secure any structure that is clearly unsafe for its use and occupancy, OR, demolish the structure after obtaining required permit, OR repair or replace the building or structure, or any portion thereof, that is clearly unsafe for its use and occupancy.	
60-192(7) - Dangerous Structure or Premise - Attractive Nuisance, Harbor for Vagrants	GARAGE THROUGHOUT	02/18/2022
	Vacate and secure the structure, OR, repair or replace the building or structure that is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.	
60-192(9) - Dangerous Structure or Premise - Unsanitary, Unfit for Habitation	GARAGE THROUGHOUT	02/18/2022
	Vacate and secure the structure or premises, OR, repair, replace, and/or sanitize any building or structure determined to be unsanitary, unfit for human habitation, or in such a condition that it is likely to cause sickness or disease.	
60-194 - Defacing and Removing Placard	Replace or restore defaced or removed placard.	02/18/2022

If not occupied, the structure is to remain vacant and unoccupied until occupancy is authorized by this office.

If the structure 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 may
 NUIS-2022-000006

seek a court order directing you to vacate the structure, pursuant to Section 60-191 and 60-192 of the Municipal Code of the City of Des Moines, Iowa.

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. Should you have any 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 over a year, there may be zoning issues, which may affect the renovation plans. Please contact the Development Zoning Division at (515) 283-4207 to determine if there is anything you should be aware of.

If you decide to demolish the building or take the structure down, you will need a demolition permit.

If you cannot renovate or demolish the structure, contact me to discuss allowing the City to remove the structure. There will be costs billed out to you and possibly a judgment. It may be cheaper for you to remove the structure yourself.

If you no longer own this property, please let us know.

Unpaid costs may be collected by personal judgment, collection, or assessment to be collected as a property tax.

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

Thank you for your help,

Respectfully,



Kevin Pyles

Neighborhood Inspector

Neighborhood Services

602 Robert D. Ray Drive, Des Moines, IA 50309

(515) 283-4122

KEPyles@dmgov.org

29E



City of Des Moines
400 Robert D. Ray Drive
Des Moines, IA 50309

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PREMIER LENDING ALLIANCE
C/O STEVEN FLAMM
800 9TH ST
DES MOINES IA 50309

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Parcel Number: 792436102003
Legal Description: LOT 29 DEWEY HEIGHTS

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Kevin Pyles

Neighborhood Inspector

Neighborhood Services

602 Robert D. Ray Drive, Des Moines, IA 50309

(515) 283-4122

KEPyles@dmgov.org

29B



03-23-2022 10:05 AM

29B



03-22-2022 10:05 AM



JAE



03-23-2022 10:06 AM



03-22-2022 10:07 AM



2022/01/10
11:10:19

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

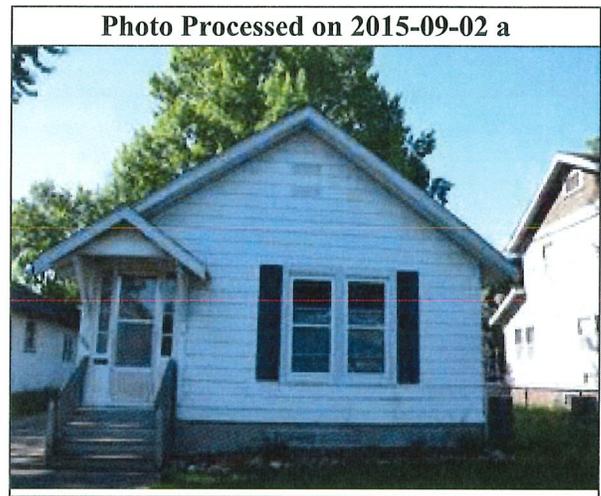
Location					
Address	1509 GUTHRIE AVE				
City	DES MOINES	Zip	50316	Jurisdiction	Des Moines
District/Parcel	110/01840-000-000	Geoparcel	7924-36-102-003	Status	Active
School	Des Moines	Nbhd/Pocket	DM89/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northeast Des Moines	Appraiser	Joseph Peterson 515-286-3011		

Map and Current Photos - 1 Record

Click on parcel to get a new listing

Map showing street grid with Guthrie Ave and E 15th St. Parcel 1509 is highlighted in yellow.

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



[Historical Photos](#)

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	DALTON III, BOBBY B	2013-03-28	14717/376

Legal Description and Mailing Address

LOT 29 DEWEY HEIGHTS	BOBBY B DALTON III 1509 GUTHRIE AVE DES MOINES, IA 50316-1613
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Current Values

Type	Class	Kind	Land	Bldg	Total
2021 Value	Residential	Full	\$24,400	\$78,300	\$102,700

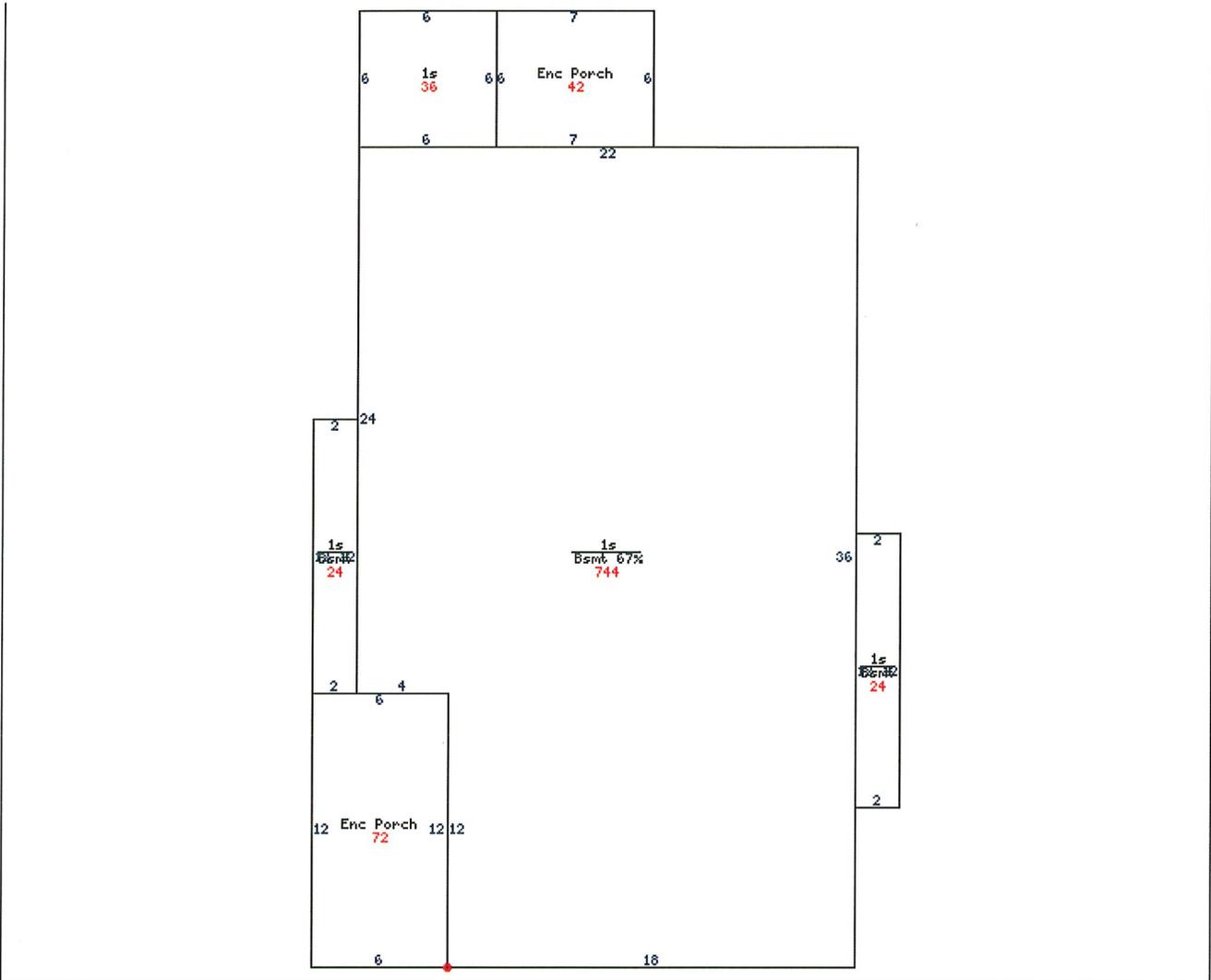
[Assessment Roll Notice](#) [Market Adjusted Cost Report](#)

Auditor Adjustments to Value

Category	Name	Information
2021 Homestead Credit	DALTON III, BOBBY B	Application #286842

Zoning - 1 Record

Zoning	Description			SF	Assessor Zoning
N5	N5 Neighborhood District				Residential
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>					
Land					
Square Feet	7,600	Acres	0.174	Frontage	50.0
Depth	152.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		
Residences - 1 Record					
Residence #1					
Occupancy	Single Family	Residence Type	1 Story Unfinished Attic	Building Style	Early 20s
Year Built	1918	Number Families	1	Grade	5+05
Condition	Above Normal	Total Square Foot Living Area	828	Main Living Area	828
Attic Floor and Stairs Area	260	Basement Area	546	Enclosed Porch Area	114
Foundation	Concrete Block	Exterior Wall Type	Metal Siding	Roof Type	Gable
Roof Material	Asphalt Shingle	Heating	Gas Forced Air	Air Conditioning	100
Number Bathrooms	1	Bedrooms	2	Rooms	5



Detached Structures - 1 Record

Detached Structure #101

Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	28	Measure 2	24	Story Height	1
Grade	4	Year Built	1993	Condition	Normal

Sales - 1 Record

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
BIERMANN, MICHAEL A	DALTON, BOBBY B. III	2013-03-25	\$90,000	Deed	14717/376

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
BIERMANN, MICHAEL A	DALTON III, BOBBY B	2013-03-27	2013-03-28	Warranty Deed	14717/376

Permits - 2 Records

Year	Type	Permit Status	Application	Reason	Reason1
1999	Permit	No Add	1998-08-05	Fix Damage	MISC (Cost \$11,000)
1994	Permit	Complete	1993-06-23		New Garage

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2021	Assessment Roll	Residential	Full	\$24,400	\$78,300	\$102,700
2019	Assessment Roll	Residential	Full	\$21,600	\$69,000	\$90,600
2017	Assessment Roll	Residential	Full	\$18,600	\$60,600	\$79,200
2015	Assessment Roll	Residential	Full	\$17,500	\$57,300	\$74,800
2013	Assessment Roll	Residential	Full	\$17,800	\$59,300	\$77,100
2011	Assessment Roll	Residential	Full	\$17,800	\$59,300	\$77,100
2009	Assessment Roll	Residential	Full	\$18,700	\$60,500	\$79,200
2007	Assessment Roll	Residential	Full	\$18,300	\$59,400	\$77,700
2005	Assessment Roll	Residential	Full	\$14,200	\$56,100	\$70,300
2003	Assessment Roll	Residential	Full	\$12,890	\$52,010	\$64,900
2001	Assessment Roll	Residential	Full	\$13,340	\$45,570	\$58,910
1999	Assessment Roll	Residential	Full	\$10,730	\$51,560	\$62,290
1997	Assessment Roll	Residential	Full	\$9,850	\$47,350	\$57,200
1995	Assessment Roll	Residential	Full	\$8,780	\$42,190	\$50,970
1994	Assessment Roll	Residential	Full	\$7,840	\$37,670	\$45,510
1993	Assessment Roll	Residential	Full	\$7,840	\$32,270	\$40,110
1991	Assessment Roll	Residential	Full	\$7,840	\$27,970	\$35,810
1991	Was Prior Year	Residential	Full	\$7,840	\$28,480	\$36,320

This template was last modified on Thu Jun 3 19:39:49 2021 .