



Roll Call Number

Agenda Item Number

43 D

Date June 27, 2022

ABATEMENT OF PUBLIC NUISANCE AT 704 CRESTON AVENUE

WHEREAS, the property located at 704 Creston Avenue, 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 a public nuisance; and

WHEREAS, the Titleholder, Iowa Rehab, LLC, was notified more than thirty days ago to repair or demolish the main 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 main structure on the real estate legally described as The North 146.7 feet (except the North 3.5 feet) of the East 54.5 feet of the West 537.5 feet of Lot 16 in MORRIS PLACE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 704 Creston 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 structure.

Moved by _____ to adopt.
Second by _____

FORM APPROVED:

Judy K. Parks-Kruse
Judy K. Parks-Kruse, Assistant City Attorney

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

CERTIFICATE

I, Laura Baumgartner, acting 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



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

Case Number: NUIS-2022-000106	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 04/26/2022
	Date of Notice: 04/28/2022
	Date of Inspection: 04/26/2022

IOWA REHAB LLC
SANDRA ESTRADA, REG. AGENT
3313 SW 33RD ST
DES MOINES IA 50321

Address of Property: 704 CRESTON AVE, DES MOINES IA 50315
Parcel Number: 782416407008
Legal Description: -EX N 3.5F-E 54.5F W 537.5F N 146.7F LOT 16 MORRIS PLACE

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
135-2 C - Outbuilding and Detached Garage	Remove the outbuilding and/or detached garage should the primary structure be removed.	06/08/2022
60-191 - Vacation and Abatement	Vacate the structure until nuisance has been abated and is no longer declared a public nuisance.	06/08/2022

60-192(10) - Dangerous Structure or Premise - Lack of Sufficient Construction

Vacate and secure the structure or premises, OR, demolish the structure after obtaining required demolition permit, OR, repair or replace insufficient construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause that is a threat to life or health.

06/08/2022

HAVE A LICENSED ELECTRICAL CONTRACTOR INSPECT THE ENTIRE ELECTRICAL SYSTEM AND PROVIDE A COPY OF THE FINDINGS. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE ELECTRICAL SYSTEM THROUGHOUT THE ENTIRE STRUCTURE. WORK MUST BE DONE BY A LICENSED ELECTRICAL CONTRACTOR. OBTAIN FINAL ON ELECTRICAL PERMIT.

60-192(4) - Dangerous Structure or Premise - Insufficient Strength or Stability

Repair or replace any portion of a building, or any member, appurtenance, or ornamentation on the exterior of the structure that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.

06/08/2022

Main Structure:

REPAIR OR REPLACE ALL DAMAGED OR MISSING WINDOWS AS NEEDED. PERMIT REQUIRED IF CHANGING OPENING SIZE.

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.

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

UNSAFE TO GAIN ACCESS INTO STRUCTURE, POSSIBLE MORE VIOLATIONS.

60-192(9) - Dangerous Structure or Premise - Unsanitary, Unfit for Habitation	<p>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.</p> <p>HAVE A LICENSED MECHANICAL CONTRACTOR INSPECT THE ENTIRE MECHANICAL SYSTEM AND PROVIDE A COPY OF THE FINDING. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE MECHANICAL SYSTEM THROUGHOUT THE ENTIRE STRUCTURE. WORK MUST BE DONE BY A LICENSED MECHANICAL CONTRACTOR. OBTAIN FINAL ON MECHANICAL PERMIT.</p> <p>HAVE A LICENSED PLUMBING CONTRACTOR INSPECT THE ENTIRE PLUMBING SYSTEM AND PROVIDE A COPY OF THE FINDINGS. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE PLUMBING SYSTEM THROUGHOUT THE ENTIRE STRUCTURE. WORK MUST BE DONE BY A LICENSED PLUMBING CONTRACTOR. OBTAIN FINAL ON PLUMBING PERMIT.</p>	06/08/2022
60-194 - Defacing and Removing Placard	Replace or restore defaced or removed placard.	06/08/2022
60-195 - Emergency Measures to Vacate	Immediately vacate the building or structure.	06/08/2022

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 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,



Scott Clauson
Neighborhood Inspector
Neighborhood Services
602 Robert D. Ray Drive, Des Moines, IA 50309
SAClauson@dmgov.org

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	704 CRESTON AVE				
City	DES MOINES	Zip	50315	Jurisdiction	Des Moines
District/Parcel	010/03511-000-000	Geoparcels	7824-16-407-008	Status	Active
School	Des Moines	Nbhd/Pocket	DM27/A	Tax Authority Group	DEM-C-DEM-77131
Submarket	South Des Moines	Appraiser	Joseph Peterson 515-286-3011		

Map and Current Photos - 1 Record

Click on parcel to get a new listing

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



[Historical Photos](#)

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	IOWA REHAB LLC	2022-04-12	19063/685

Legal Description and Mailing Address

-EX N 3.5F-E 54.5F W 537.5F N 146.7F LOT 16 MORRIS PLACE	IOWA REHAB LLC 3313 SW 33RD ST DES MOINES, IA 50321-1923
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Current Values

Type	Class	Kind	Land	Bldg	Total
2022 Value	Residential	Full	\$25,300	\$90,400	\$115,700

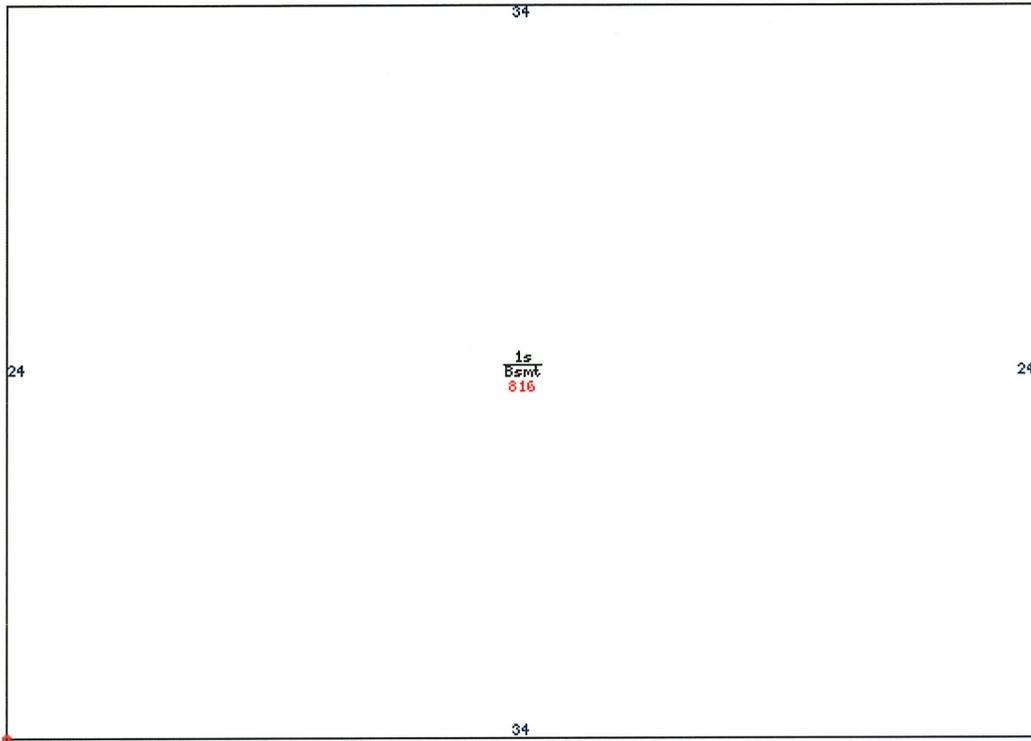
[Market Adjusted Cost Report](#)

Auditor Adjustments to Value

Category	Name	Information
2021 Homestead Credit	STONEHOCKER, PATRICIA A	Application #70418

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	7,793	Acres	0.179	Frontage	54.0
Depth	143.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		
Residences - 1 Record					
Residence #1					
Occupancy	Single Family	Residence Type	1 Story	Building Style	Ranch
Year Built	1949	Number Families	1	Grade	4-05
Condition	Above Normal	Total Square Foot Living Area	816	Main Living Area	816
Basement Area	816	Veneer Area	272	Foundation	Concrete Block
Exterior Wall Type	Vinyl Siding	Roof Type	Gable	Roof Material	Asphalt Shingle
Heating	Gas Forced Air	Air Conditioning	100	Number Bathrooms	1
Number Toilet Rooms	1	Bedrooms	2	Rooms	4



Detached Structures - 1 Record

Detached Structure #101

Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	14	Measure 2	20	Story Height	1
Grade	4	Year Built	1959	Condition	Below Normal

Sales - 4 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
SIMPLE, LLC	IOWA REHAB, LLC	2022-04-07	\$65,000	Deed	19063/685
STONEHOCKER, PATRICIA A	SIMPLE, LLC	2022-04-08	\$16,430	Deed	19063/681
SPINLER, MARK	STONEHOCKER, PATRICIA A	1993-06-23	\$44,000	Deed	6810/36
MASSEY, THOMAS K	PAXTON, JUNE M	1992-06-06	\$42,500	Deed	6573/967

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
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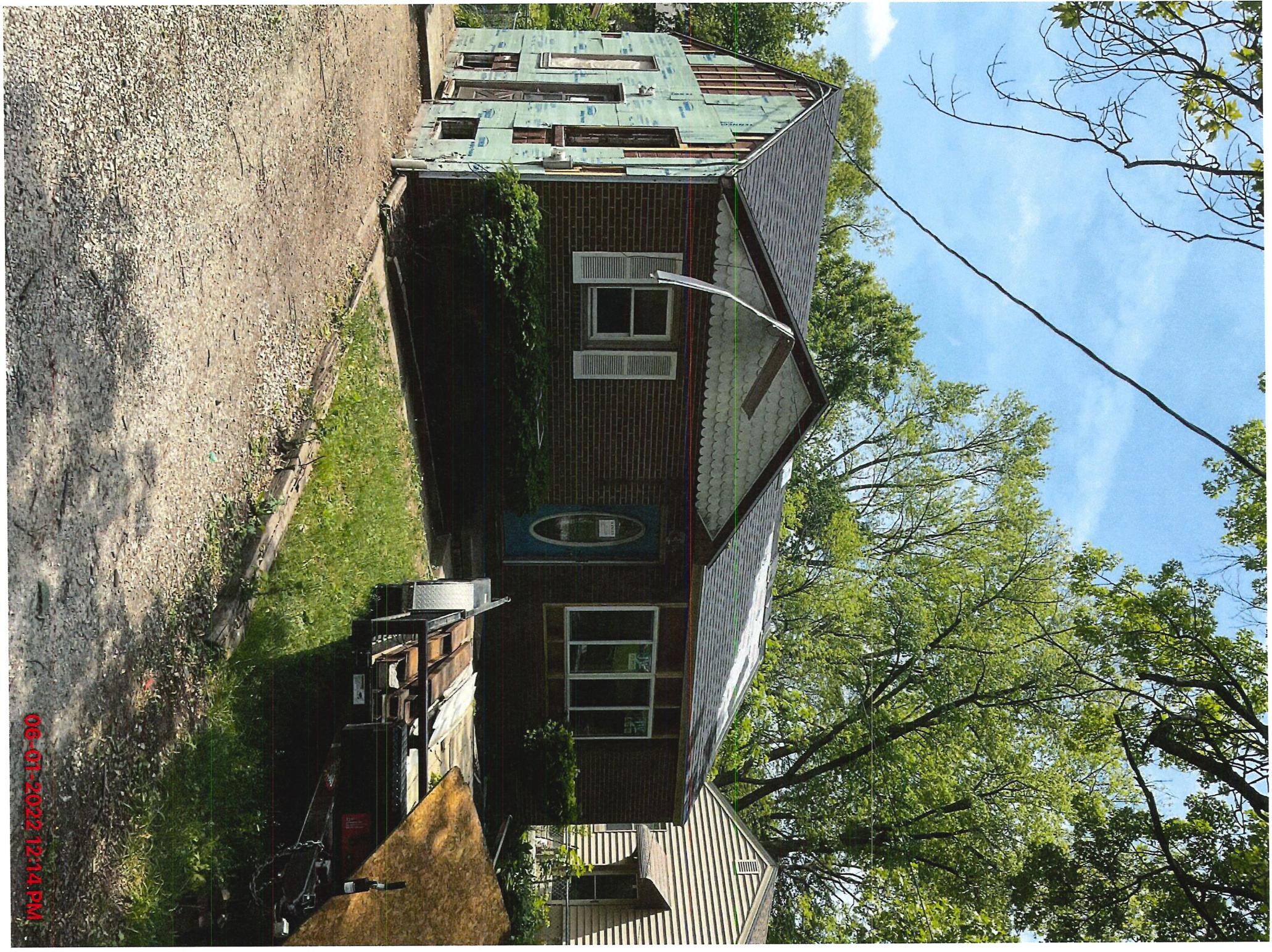
Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
STONEHOCKER, PATRICIA A	SIMPLE LLC	2022-04-08	2022-04-12	Warranty Deed	19063/681
SIMPLE LLC	IOWA REHAB LLC	2022-04-07	2022-04-12	Warranty Deed Corporate	19063/685

Historical Values

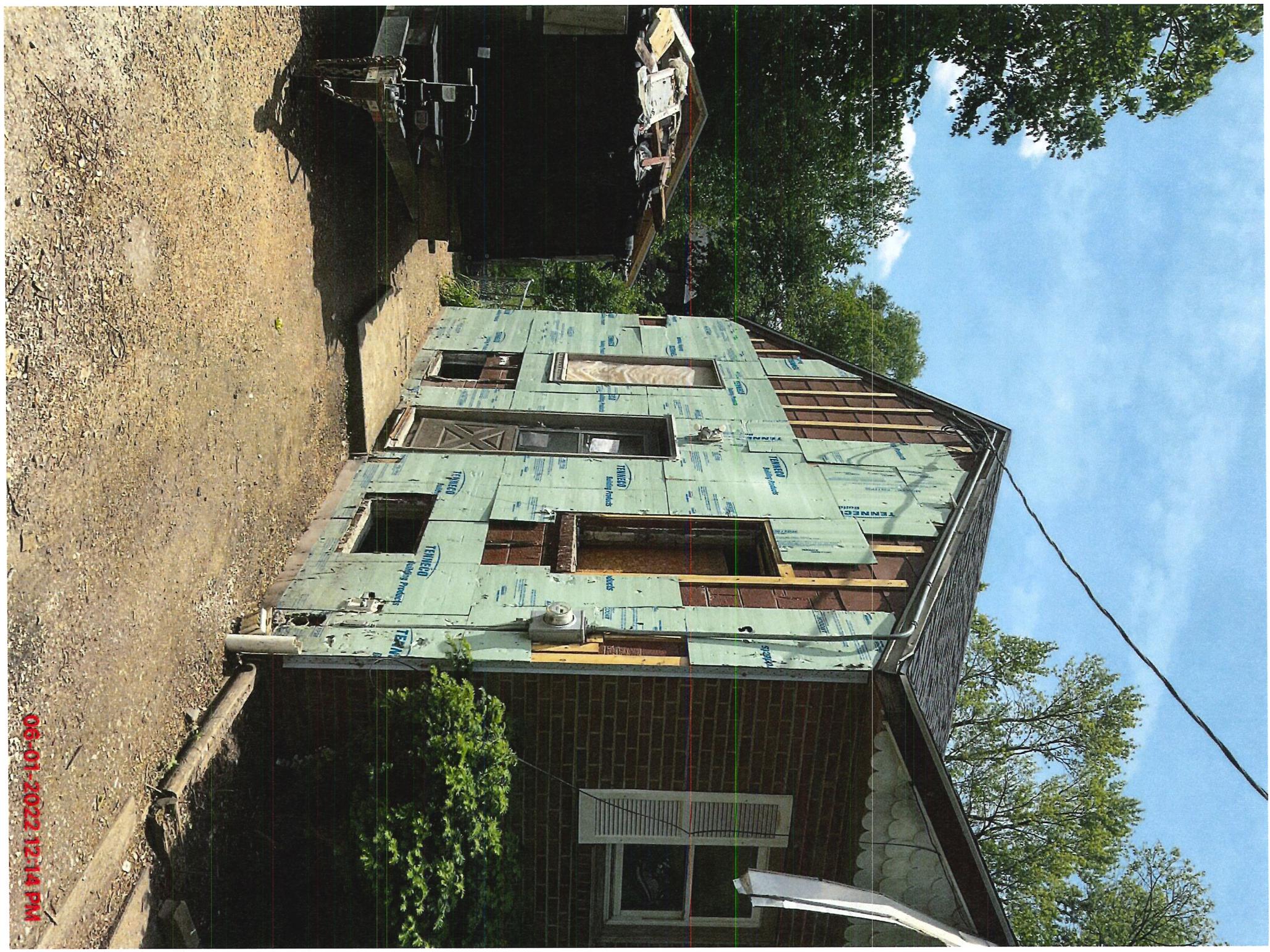
Yr	Type	Class	Kind	Land	Bldg	Total
2021	Assessment Roll	Residential	Full	\$25,300	\$90,400	\$115,700
2019	Assessment Roll	Residential	Full	\$22,500	\$81,300	\$103,800
2017	Assessment Roll	Residential	Full	\$19,600	\$72,200	\$91,800
2015	Assessment Roll	Residential	Full	\$17,700	\$66,600	\$84,300
2013	Assessment Roll	Residential	Full	\$17,700	\$68,000	\$85,700
2011	Assessment Roll	Residential	Full	\$17,700	\$68,200	\$85,900
2009	Assessment Roll	Residential	Full	\$18,000	\$69,200	\$87,200
2007	Assessment Roll	Residential	Full	\$19,200	\$73,500	\$92,700
2005	Assessment Roll	Residential	Full	\$18,300	\$66,600	\$84,900
2003	Assessment Roll	Residential	Full	\$15,630	\$57,520	\$73,150
2001	Assessment Roll	Residential	Full	\$13,970	\$51,720	\$65,690
1999	Assessment Roll	Residential	Full	\$11,210	\$44,820	\$56,030
1997	Assessment Roll	Residential	Full	\$10,480	\$41,890	\$52,370
1995	Assessment Roll	Residential	Full	\$9,180	\$36,700	\$45,880
1993	Assessment Roll	Residential	Full	\$8,120	\$32,480	\$40,600
1991	Assessment Roll	Residential	Full	\$7,520	\$25,870	\$33,390
1991	Was Prior Year	Residential	Full	\$7,520	\$24,220	\$31,740

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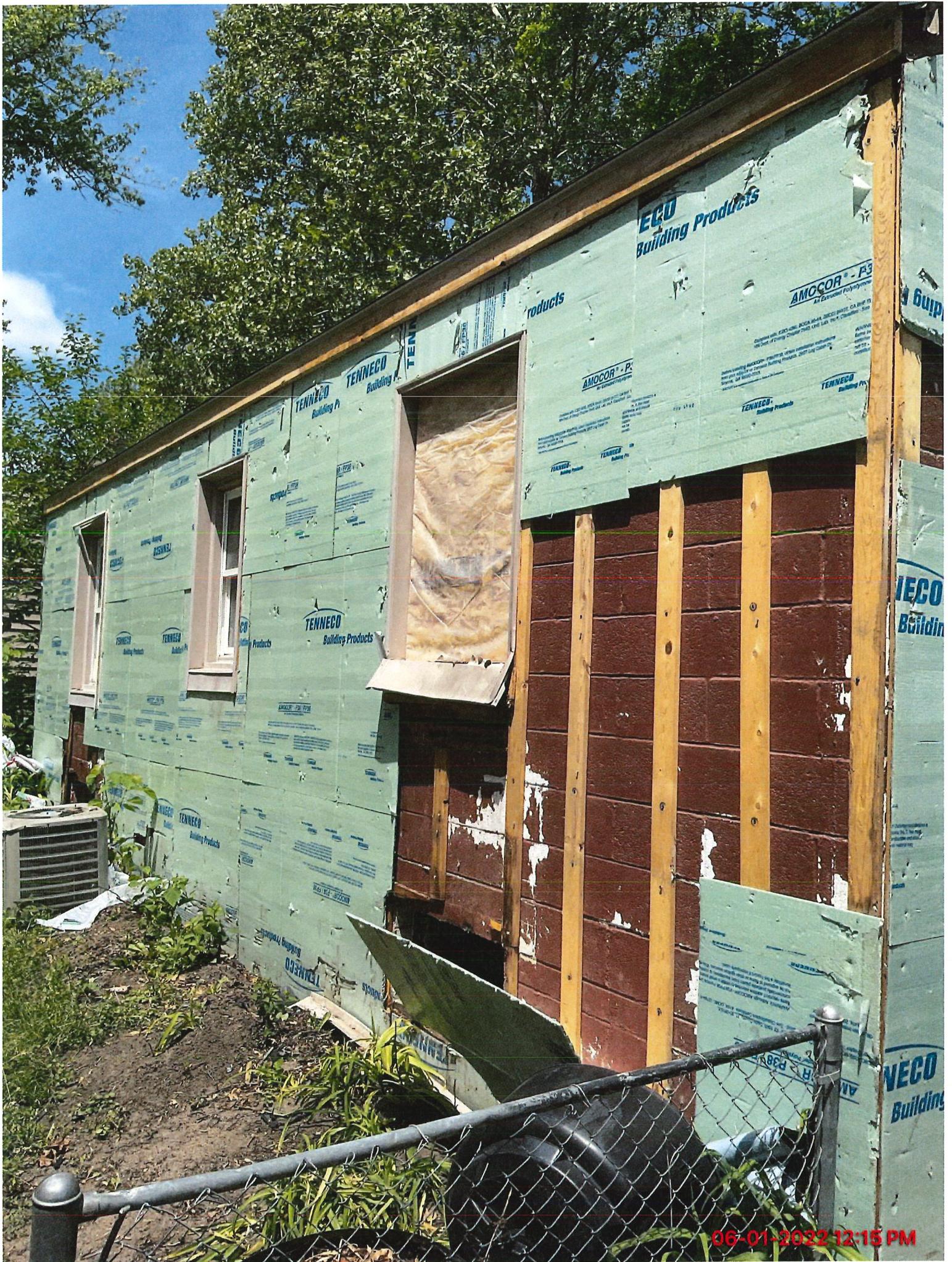
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