



**Roll Call Number**

**Agenda Item Number**

43 E

Date June 27, 2022

**ABATEMENT OF PUBLIC NUISANCE AT 210 FULTON DRIVE**

WHEREAS, the property located at 210 Fulton Drive, 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, Mary M. Gomez, 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 31 in the Official Plat of Out Lot "A" of the First Plat of CLIFTON HEIGHTS and the West 35' of Lot 329 in FIRST PLAT OF CLIFTON HEIGHTS, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 210 Fulton Drive, 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.  
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-2022-000085	
<b>Notice of Violation</b>	Case Type: Public Nuisance
	Case Opened: 04/11/2022
	Date of Notice: 04/12/2022
	Date of Inspection: 04/07/2022

MARY M GOMEZ  
210 FULTON DR  
DES MOINES IA 50315

Address of Property: 210 FULTON DR, DES MOINES IA 50315  
 Parcel Number: 782416229008  
 Legal Description: LT 31 OP OL A & 50F E & ADJ N 380F 1ST PLAT CLIFTON HEIGHTS; AND W 35F LOT 329 1ST PLAT OF CLIFTON HGTS

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
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60-192(3) - Dangerous Structure or Premise  
- Damaged

ACCESSORY STRUCTURE THROUGHOUT

05/13/2022

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.

ROOF OF DETACHED GARAGE, WINDOWS, DOORS, SIDING

\*REPAIR AND REPLACE ANY AND ALL DAMAGED EXTERIOR DOORS AND WINDOWS.

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

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

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

\*UNABLE TO GAIN ACCESS INTO STRUCTURE, POSSIBLE MORE VIOLATIONS.

60-192(5) - Dangerous Structure or Premise  
- Dilapidated or Deteriorated

ACCESSORY GARAGE THROUGHOUT

05/24/2022

Repair or replace the building or structure, or part of a structure that is likely to partially or completely collapse because of dilapidation, deterioration, decay, faulty construction, the removal of 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.

CONCRETE BLOCK WALLS AT NORTH SIDE AND SOUTHEAST SIDE ARE DAMAGED, MOVEMENT NOTED AND SHIFTING

60-192(6) - Dangerous Structure or Premise      ACCESSORY STRUCTURE THROUGHOUT      05/13/2022  
- Unsafe

Vacate and secure any structure that is clearly unsafe for its use and occupancy, OR, demolish the structure after obtaining the required permit; OR repair or replace the building or structure, or any portion thereof, that is clearly unsafe for its use and occupancy.

ROOF COLLAPSE, DAMAGED NORTH WALL

60-192(8) - Dangerous Structure or Premise      ACCESSORY STRUCTURE THROUGHOUT      05/13/2022  
- Substantial Risk

Repair or replace any portion of 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.

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.

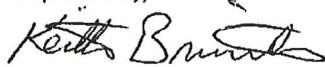
If you no longer own this property, please let us know.

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,

A handwritten signature in black ink, appearing to read "Keith Brincks". The signature is fluid and cursive, with the first name "Keith" written in a larger, more prominent script than the last name "Brincks".

Keith Brincks  
Neighborhood Inspector  
Neighborhood Services  
602 Robert D. Ray Drive, Des Moines, IA 50309  
(515) 283-4245  
kmbrincks@dmgov.org

# Polk County Assessor

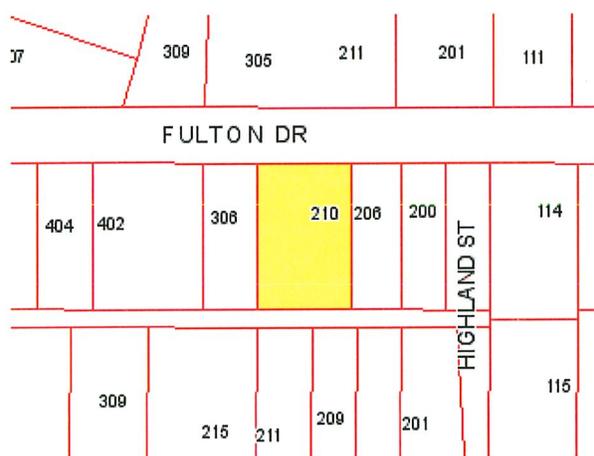
111 Court Avenue #195  
Des Moines, IA 50309-0904

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

Location					
<b>Address</b>	210 FULTON DR				
<b>City</b>	DES MOINES	<b>Zip</b>	50315	<b>Jurisdiction</b>	Des Moines
<b>District/Parcel</b>	010/00731-001-000	<b>Geoparcels</b>	7824-16-229-008	<b>Status</b>	<a href="#">Active</a>
<b>School</b>	Des Moines	<b>Nbhd/Pocket</b>	DM26/Z	<b>Tax Authority Group</b>	DEM-C-DEM-77131
<b>Submarket</b>	South Des Moines	<b>Appraiser</b>	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](#)

Photo Processed on 2017-04-18 a



## Historical Photos

## Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	GOMEZ, MARY M	2008-01-25	<a href="#">12522/426</a>

## Legal Description and Mailing Address

LT 31 OP OL A & 50F E & ADJ N 380F 1ST PLAT  
CLIFTON HEIGHTS; AND W 35F LOT 329 1ST PLAT OF  
CLIFTON HGTS

MARY M GOMEZ  
210 FULTON DR  
DES MOINES, IA 50315-1129

## Current Values

Type	Class	Kind	Land	Bldg	Total
2022 Value	Residential	Full	\$20,400	\$54,500	\$74,900

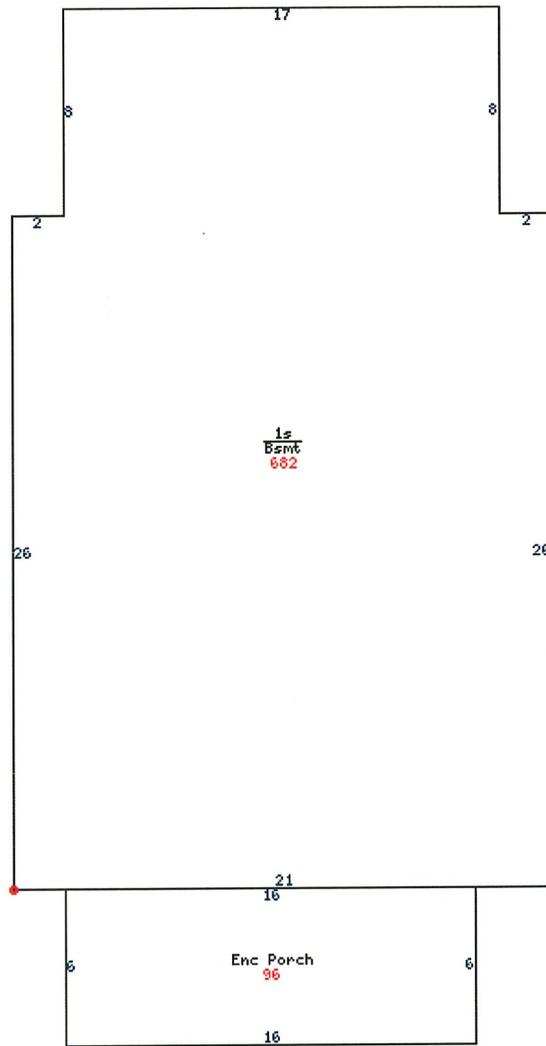
[Market Adjusted Cost Report](#)

## Auditor Adjustments to Value

Category	Name	Information
<a href="#">2021 Homestead Credit</a>	GOMEZ, MARY M	Application <a href="#">#216993</a>

## Zoning - 1 Record

<b>Zoning</b>	<b>Description</b>			<b>SF</b>	<b>Assessor Zoning</b>
N5	N5 Neighborhood District				Residential
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>					
<b>Land</b>					
<b>Square Feet</b>	11,220	<b>Acres</b>	0.258	<b>Frontage</b>	85.0
<b>Depth</b>	132.0	<b>Topography</b>	Normal	<b>Shape</b>	Rectangle
<b>Vacancy</b>	No	<b>Unbuildable</b>	No		
<b>Residences - 1 Record</b>					
<b>Residence #1</b>					
<b>Occupancy</b>	Single Family	<b>Residence Type</b>	1 Story	<b>Building Style</b>	Bungalow
<b>Year Built</b>	1912	<b>Number Families</b>	1	<b>Grade</b>	5+05
<b>Condition</b>	Normal	<b>Total Square Foot Living Area</b>	682	<b>Main Living Area</b>	682
<b>Basement Area</b>	682	<b>Enclosed Porch Area</b>	96	<b>Foundation</b>	Brick
<b>Exterior Wall Type</b>	Wood Siding	<b>Roof Type</b>	Gable	<b>Roof Material</b>	Asphalt Shingle
<b>Heating</b>	Gas Forced Air	<b>Air Conditioning</b>	0	<b>Number Bathrooms</b>	1
<b>Number Extra Fixtures</b>	1	<b>Bedrooms</b>	2	<b>Rooms</b>	4



**Detached Structures - 1 Record**

**Detached Structure #101**

<b>Occupancy</b>	Garage	<b>Construction Type</b>	Frame	<b>Measurement Code</b>	Dimensions
<b>Measure 1</b>	20	<b>Measure 2</b>	20	<b>Story Height</b>	1
<b>Grade</b>	4	<b>Year Built</b>	1940	<b>Condition</b>	Below Normal

**Historical Values**

Yr	Type	Class	Kind	Land	Bldg	Total
2021	<a href="#">Assessment Roll</a>	Residential	Full	\$20,400	\$54,500	\$74,900
2019	<a href="#">Assessment Roll</a>	Residential	Full	\$17,800	\$47,300	\$65,100
2017	<a href="#">Assessment Roll</a>	Residential	Full	\$16,000	\$43,200	\$59,200
2015	<a href="#">Assessment Roll</a>	Residential	Full	\$14,600	\$39,300	\$53,900
2013	<a href="#">Assessment Roll</a>	Residential	Full	\$14,800	\$40,500	\$55,300
2011	<a href="#">Assessment Roll</a>	Residential	Full	\$14,800	\$40,100	\$54,900
2009	<a href="#">Assessment Roll</a>	Residential	Full	\$15,500	\$41,400	\$56,900
2007	<a href="#">Assessment Roll</a>	Residential	Full	\$15,300	\$46,800	\$62,100
2005	<a href="#">Assessment Roll</a>	Residential	Full	\$17,100	\$40,800	\$57,900
2003	<a href="#">Assessment Roll</a>	Residential	Full	\$15,680	\$37,310	\$52,990
2001	<a href="#">Assessment Roll</a>	Residential	Full	\$14,250	\$31,990	\$46,240

<b>Yr</b>	<b>Type</b>	<b>Class</b>	<b>Kind</b>	<b>Land</b>	<b>Bldg</b>	<b>Total</b>
1999	Assessment Roll	Residential	Full	\$11,390	\$18,480	\$29,870
1997	Board Action	Residential	Full	\$10,140	\$16,460	\$26,600
1997	Assessment Roll	Residential	Full	\$10,140	\$18,110	\$28,250
1997	Was Prior Year	Residential	Full	\$9,220	\$16,460	\$25,680

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