



Roll Call Number

Agenda Item Number

61B

Date August 30, 2022

ABATEMENT OF PUBLIC NUISANCES AT 712 MARION STREET

WHEREAS, the property located at 712 Marion Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure and garage structure in their present condition constitutes not only a menace to health and safety but are also public nuisances; and

WHEREAS, the Titleholder, Judith A. Ballinger, was notified more than thirty days ago to repair or demolish the main structure and garage structure and as of this date has failed to abate the nuisances.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

The main structure and garage structure on the real estate legally described as Lot 62 WATROUS HEIGHTS, PLAT 2, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 712 Marion Street, have previously been declared public nuisances;

The City Legal Department is hereby authorized to file an action in district court to obtain a decree ordering the abatement of the public nuisances, and should the owner(s) fail to abate the nuisances, as ordered, that the matter may be referred to the Department of Engineering which will take all necessary action to demolish and remove said structures.

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	
Mavor				

CERTIFICATE

I, Laura Baumgartner, 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

613



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

Case Number: NUIS-2022-000139	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 06/22/2022
	Date of Notice: 06/23/2022
Date of Inspection: 06/22/2022	

JUDITH A BALLINGER
30 E ROSE AVE
DES MOINES IA 50315

Address of Property: **712 MARION ST, DES MOINES IA 50315**
Parcel Number: **782421402006**
Legal Description: **LOT 62 WATROUS HEIGHTS PLAT 2**

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.	08/05/2022

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

DETACHED GARAGE THROUGHOUT

08/05/2022

Vacate and secure the structure or premises, OR, demolish the structure after obtaining the 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.

*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.

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

MAIN STRUCTURE THROUGHOUT

08/05/2022

Vacate and secure the structure or premises, OR,
demolish the structure after obtaining the 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.

*BATHROOM WIRE CONNECTIONS IN-WALL

*GAS METER IS LOCKED OUT

*WATER HAS BEEN TURNED OFF TO THE PROPERTY

*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.

*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.

*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.

*ALL ELECTRICAL, MECHANICAL, PLUMBING AND STRUCTURAL COMPONENTS THROUGHOUT THE STRUCTURE ARE TO BE BROUGHT TO MINIMUM CODE REQUIREMENTS WITH OBTAINING AND FINALIZING NECESSARY PERMITS AS REQUIRED TO MEET THE CITY CODES.

*GAS SERVICE HAS BEEN SHUT OFF NEEDS A LICENSED MECHANICAL CONTRACTOR TO VERIFY THE SAFETY OF MECHANICAL

SYSTEMS AND CORRECT ANY VIOLATIONS PRIOR TO SERVICE BEING RESTORED. OBTAINING ANF AND FINALIZING OF A PERMIT ARE REQUIRED.

60-192(2) - Dangerous Structure or Premise
- Walking Surface

MAIN STRUCTURE THROUGHOUT

Repair or replace the walking surface of any aisle, passageway, stairway, exit, or other means of egress that is unsafe and does not provide safe and adequate means of egress.

*SOUTH ENTRY DOOR IS DAMAGED

*REPAIR AND REPLACE ANY AND ALL DAMAGED EXTERIOR DOORS AND DOOR JAMS AND MUST BE IN GOOD WORKING ORDER.

08/04/2022

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

DETACHED GARAGE THROUGHOUT

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.

*DETERIORATING/ DAMAGED SIDING AND TRIM

*HOLES IN EAST WALL AT BOTTOM

*DAMAGED OVERHEAD GARAGE DOOR

*OBTAIN FINAL ON PERMIT TO REPAIR OR REPLACE OF ANY DAMAGED OR MISSING EXTERIOR WALLS.

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

*UNABLE TO GAIN ACCESS INTO ALL AREAS OF THE STRUCTURE, IT IS POSSIBLE THAT MORE VIOLATIONS EXIST.

08/04/2022

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

MAIN STRUCTURE THROUGHOUT

08/04/2022

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.

*DETERIORATING SIDING

*DETERIORATING/ DAMAGED SOFFIT

*DETERIORATING WINDOWS AND DOORS

*DETERIORATING TRIM AND PAINT

*OBTAIN FINAL ON PERMIT TO REPAIR OR REPLACE OF ANY DAMAGED OR MISSING EXTERIOR WALLS.

*OBTAIN FINAL ON PERMIT AND HAVE A 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 OBTAINING AND FINALIZING OF PERMIT

*UNABLE TO GAIN ACCESS INTO ALL AREAS OF THE STRUCTURE, IT IS POSSIBLE THAT MORE VIOLATIONS EXIST.

*REPAIR OR REPLACE ALL DAMAGED OR MISSING WINDOWS AS NEEDED. OBTAINING AND FINALIZING OF PERMIT REQUIRED IF CHANGING OPENING SIZE.

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

MAIN STRUCTURE THROUGHOUT

08/04/2022

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.

*FOUNDATION WALL IS DAMAGED AT WEST BY TREE AND SOUTHWEST

*FOUNDATION NEEDS ENGINEERS REPORT. REPAIR PER ENGINEER'S REPORT. A OBTAINING AND FINALIZING OF A BUILDING PERMIT MAY BE REQUIRED.

60-192(6) - Dangerous Structure or Premise
- Unsafe

DETACHED GARAGE

08/04/2022

Vacate and secure any structure that is clearly unsafe for its use and occupancy, OR,
demolishes 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.

*WALLS ARE STARTING TO BOW/ LEAN
REPAIR OR REPLACE ALL DAMAGED OR MISSING DOORS AND OR JAMS AS NEEDED.
OBTAIN FINAL ON PERMIT REQUIRED IF CHANGING OPENING SIZE

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

60-192(6) - Dangerous Structure or Premise
- Unsafe

MAIN STRUCTURE THROUGHOUT

08/05/2022

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.

*BATHROOM CEILING, FLOORING

*KITCHEN CEILING

*SOUTH ENTRY CEILING

*SOUTH ENTRY WALLS, FLOORING, DOOR
REPAIR AND REPLACE ANY AND ALL DAMAGED FLOORING THROUGHOUT THE STRUCTURE.

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

60-194 - Defacing and Removing Placard

DETACHED GARAGE

08/04/2022

Replace or restore defaced or removed placard.

*NORTH WALL

60-194 - Defacing and Removing Placard

MAIN STRUCTURE

08/04/2022

Replace or restore defaced or removed placard.

*NORTH WALL NEXT TO MAIN ENTRY DOOR

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,



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

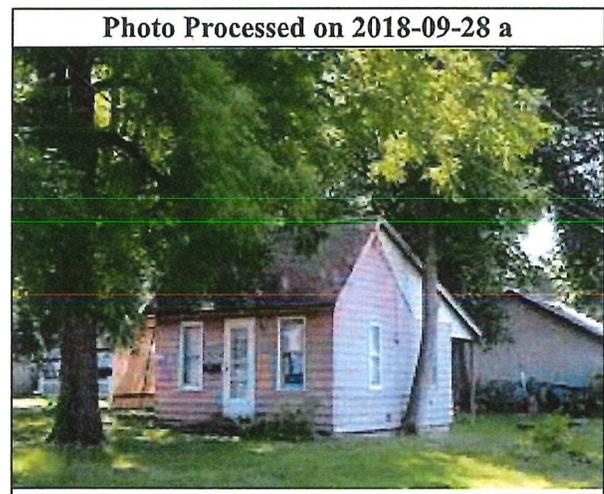
Location					
Address	712 MARION ST				
City	DES MOINES	Zip	50315	Jurisdiction	Des Moines
District/Parcel	120/06595-000-000	Geoparcels	7824-21-402-006	Status	<u>Active</u>
School	Des Moines	Nbhd/Pocket	DM35/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	South Des Moines	Appraiser	Andrew Rand 515-286-3368		

Map and Current Photos - 1 Record

Click on parcel to get a new listing

MARION ST

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



[Historical Photos](#)

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	BALLINGER, JUDITH A	1984-05-21	5354/8

Legal Description and Mailing Address

LOT 62 WATROUS HEIGHTS PLAT 2	JUDITH A BALLINGER 30 E ROSE AVE DES MOINES, IA 50315-7745
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Current Values

Type	Class	Kind	Land	Bldg	Total
2022 Value	Residential	Full	\$23,800	\$22,500	\$46,300

[Market Adjusted Cost Report](#)

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
N5	N5 Neighborhood District		Residential

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

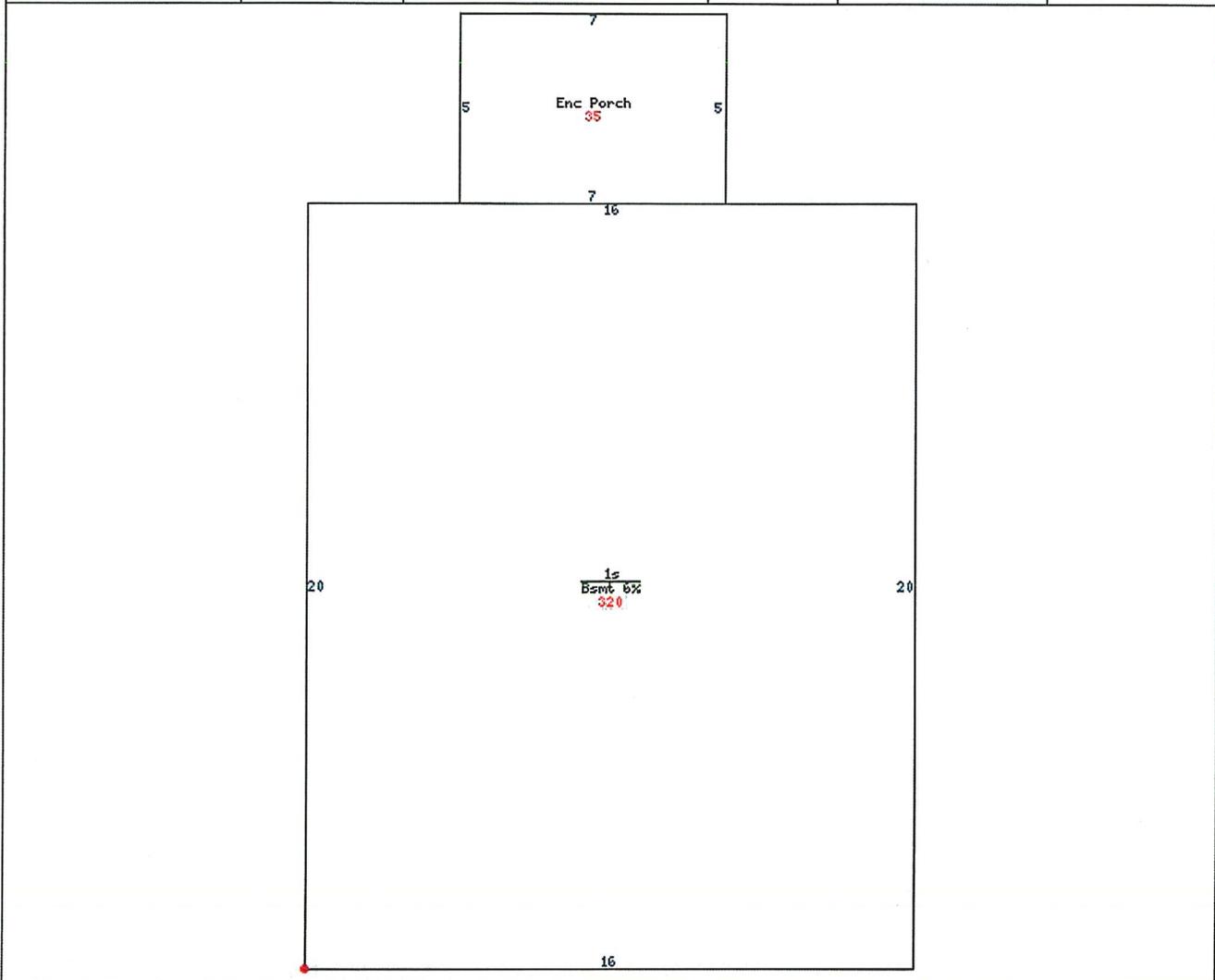
Land

Square Feet	6,912	Acres	0.159	Frontage	48.0
Depth	144.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		

Residences - 1 Record

Residence #1

Occupancy	Single Family	Residence Type	1 Story	Building Style	Bungalow
Year Built	1940	Number Families	1	Grade	6-10
Condition	Below Normal	Total Square Foot Living Area	320	Main Living Area	320
Basement Area	19	Enclosed Porch Area	35	Foundation	Poured Concrete
Exterior Wall Type	Wood Siding	Roof Type	Gable	Roof Material	Asphalt Shingle
Basement Floor Earth	100	Heating	Floor Wall	Air Conditioning	0
Number Bathrooms	1	Bedrooms	1	Rooms	3



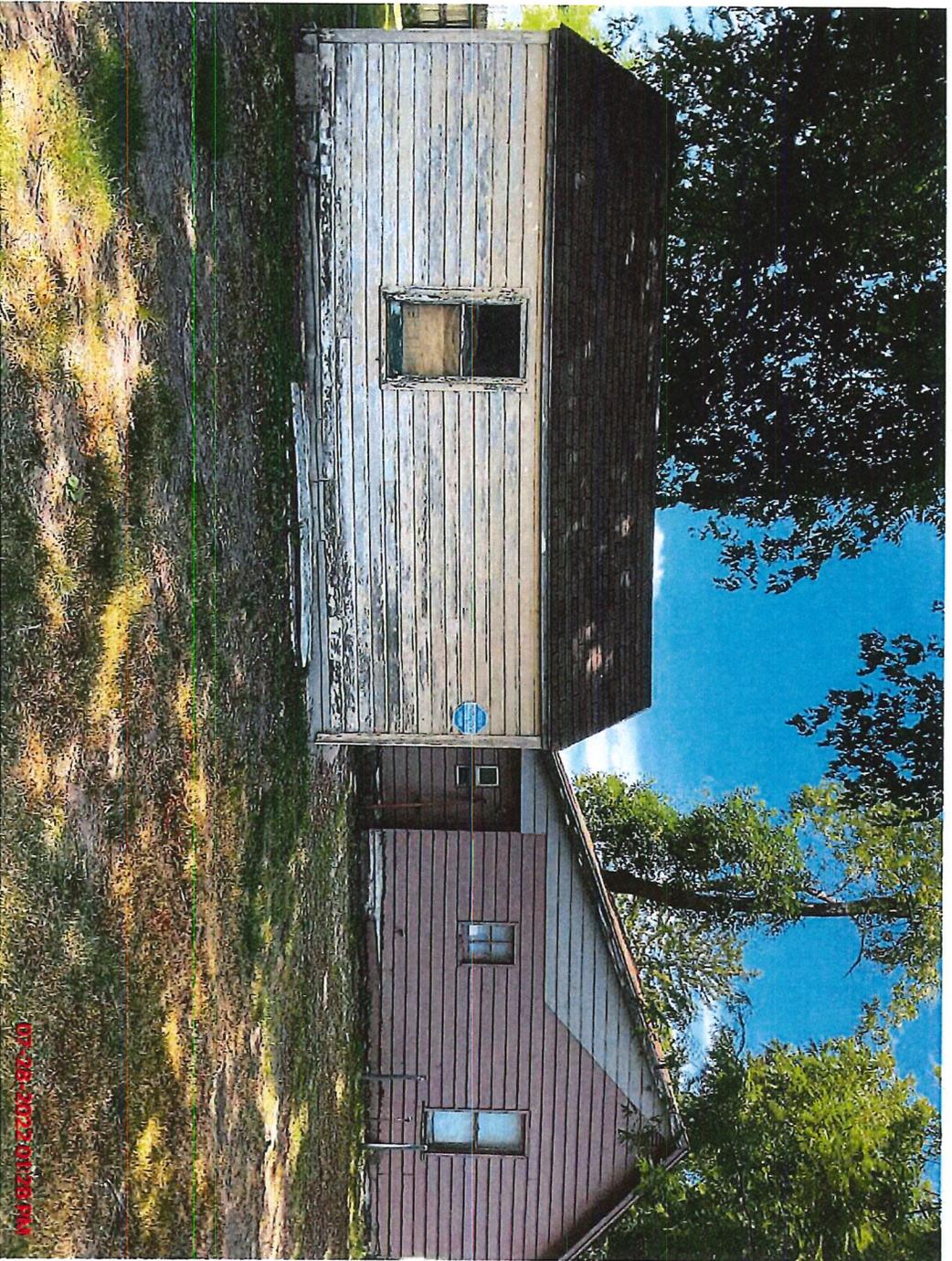
Detached Structures - 1 Record

Detached Structure #101					
Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	12	Measure 2	20	Story Height	1
Grade	5	Year Built	1950	Condition	Below Normal

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2021	Assessment Roll	Residential	Full	\$23,800	\$22,500	\$46,300
2019	Assessment Roll	Residential	Full	\$22,300	\$21,100	\$43,400
2017	Assessment Roll	Residential	Full	\$19,500	\$19,200	\$38,700
2015	Assessment Roll	Residential	Full	\$18,000	\$18,200	\$36,200
2013	Assessment Roll	Residential	Full	\$17,800	\$18,500	\$36,300
2011	Assessment Roll	Residential	Full	\$17,800	\$18,600	\$36,400
2009	Assessment Roll	Residential	Full	\$18,400	\$19,400	\$37,800
2007	Assessment Roll	Residential	Full	\$18,700	\$20,200	\$38,900
2005	Assessment Roll	Residential	Full	\$11,800	\$18,400	\$30,200
2003	Assessment Roll	Residential	Full	\$10,450	\$16,620	\$27,070
2001	Assessment Roll	Residential	Full	\$11,220	\$16,890	\$28,110
1999	Assessment Roll	Residential	Full	\$9,210	\$13,420	\$22,630
1997	Assessment Roll	Residential	Full	\$8,460	\$12,320	\$20,780
1995	Assessment Roll	Residential	Full	\$7,270	\$10,590	\$17,860
1993	Assessment Roll	Residential	Full	\$6,420	\$9,350	\$15,770
1991	Assessment Roll	Residential	Full	\$6,420	\$6,510	\$12,930
1991	Was Prior Year	Residential	Full	\$6,420	\$5,490	\$11,910

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





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