



Roll Call Number

Agenda Item Number

49 G

Date October 3, 2022

ABATEMENT OF PUBLIC NUISANCES AT 1108 BURNHAM AVENUE

WHEREAS, the property located at 1108 Burnham Avenue, 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, Blue Heeler Properties, LLC, 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 Lots 18, 19 and 20 in Block 9 in RODGERS PLACE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1108 Burnham Avenue, 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

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include 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

496



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

Case Number: NUIS-2022-000096	
<b>Notice of Violation</b>	Case Type: Public Nuisance
	Case Opened: 04/18/2022
	Date of Notice: 07/26/2022
	Date of Inspection: 07/18/2022

BLUE HEELER PROPERTIES LLC AKA BLUE HEELER PROPERTIES LC  
CHRISTOPHER S TALCOTT, REG. AGENT  
215 10TH ST #1300  
DES MOINES IA 50309

Address of Property: 1108 BURNHAM AVE, DES MOINES IA 50315  
Parcel Number: 782433176008  
Legal Description: LOTS 18-19-20 BLK 9 RODGERS 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.	06/01/2022

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

DETACHED GARAGE THROUGH  
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.

06/01/2022

\*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.

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

MAIN STRUCTURE THROUGHOUT  
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.

06/01/2022

THE GAS METER IS LOCKED  
WATER AND DRAIN LINES NEED TO BE  
INSPECTED BY A LICENSED CONTRACTOR  
STONE/ROCK TO RETAINING WALL IS A  
SAFETY CONCERN AS PORTIONS ARE  
FALLING/SETTLING

\*HAVE A LICENSED MECHANICAL  
CONTRACTOR INSPECT THE ENTIRE  
MECHANICAL SYSTEM AND PROVIDE A  
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MECHANICAL SYSTEM THROUGHOUT THE  
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CONTRACTOR.

\*HAVE A LICENSED PLUMBING  
CONTRACTOR INSPECT THE ENTIRE  
PLUMBING SYSTEM AND PROVIDE A COPY  
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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.

496

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

DETACHED GARAGE

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.

\*DOORS ARE BOARDED UP AND SECURE, WILL NEED REPAIRS OR REPLACING

\*OBTAIN AND FINALIZE PERMITS IF CHANGING OPENINGS

06/01/2022

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.

\*FRONT AND BACK DOORS ARE BOARDED UP, REPAIRS OR REPLACING IS NEEDED

\*OBTAIN AND FINALIZE PERMITS IF CHANGING OPENINGS

06/01/2022

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

DETACHED GARAGE THROUGHOUT

06/01/2022

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.

\*LOOSE, MISSING, DAMAGED SIDING

\*SAGGING GARAGE ROOF

\*WINDOWS BOARDED UP

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

\*REPAIR AND REPLACE ANY AND ALL DAMAGED FLOORING THROUGHOUT THE STRUCTURE.

\*REPAIR OR REPLACE ALL DAMAGED OR MISSING DOORS AND OR JAMS AS NEEDED. REPAIR OR REPLACE ALL DAMAGED OR MISSING WINDOWS AS NEEDED. PERMIT REQUIRED IF CHANGING OPENING SIZE.

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

REPLACE ALL DAMAGED ROOFING COMPONENTS

BUILDING PERMIT REQUIRED IF REPLACING SHEETING.

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

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

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

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

06/01/2022

MAIN STRUCTURE 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.

- \*ROOF IS DAMAGED AND DETERIORATING
- \*DAMAGED, MISSING, LOOSE SIDING THROUGHOUT
- \*DAMAGED, MISSING, LOOSE TRIM THROUGHOUT
- \*BROKEN AND DAMAGED WINDOW AT SOUTH WALL

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

\*REPAIR AND REPLACE ANY AND ALL DAMAGED FLOORING THROUGHOUT THE STRUCTURE.

\*REPAIR OR REPLACE ALL DAMAGED OR MISSING DOORS AND OR JAMS AS NEEDED. REPAIR OR REPLACE ALL DAMAGED OR MISSING WINDOWS AS NEEDED. PERMIT REQUIRED IF CHANGING OPENING SIZE.

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

60-192(4) - Dangerous Structure or Premise - Insufficient Strength or Stability	DETACHED GARAGE THROUGHOUT 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. *DETERIORATING SOFFIT/FASCIA	06/01/2022
60-192(4) - Dangerous Structure or Premise - Insufficient Strength or Stability	MAIN STRUCTURE THROUGHOUT 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. *DETERIORATING SOFFIT/FASCIA	06/01/2022
60-192(5) - Dangerous Structure or Premise - Dilapidated or Deteriorated	MAIN STRUCTURE THROUGHOUT 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. *WEST FOUNDATION IS DETERIORATING AND THIS WILL REQUIRE AN ENGINEERS REPORT FOR NECESSARY CORRECTIONS AND OBTAINING AND FINALIZING OF PERMITS.	06/01/2022
60-192(8) - Dangerous Structure or Premise - Substantial Risk	DETACHED GARAGE 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. WEST WALL IS BOWING SOFFIT IS DETERIORATING	06/01/2022

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,



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>	1108 BURNHAM AVE				
<b>City</b>	DES MOINES	<b>Zip</b>	50315	<b>Jurisdiction</b>	Des Moines
<b>District/Parcel</b>	120/04250-000-000	<b>Geoparcels</b>	7824-33-176-008	<b>Status</b>	<a href="#">Active</a>
<b>School</b>	Des Moines	<b>Nbhd/Pocket</b>	DM43/Z	<b>Tax Authority Group</b>	DEM-C-DEM-77131
<b>Submarket</b>	South Des Moines	<b>Appraiser</b>	Andrew Rand 515-286-3368		

## 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 2016-07-07 a**

## Historical Photos

## Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	BLUE HEELER PROPERTIES LLC		

## Legal Description and Mailing Address

LOTS 18-19-20 BLK 9 RODGERS PLACE	BLUE HEELER PROPERTIES LLC 4725 MERLE HAY RD STE 200 DES MOINES, IA 50322-1983
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## Current Values

Type	Class	Kind	Land	Bldg	Total
2022 Value	Residential	Full	\$22,300	\$37,400	\$59,700

## Market Adjusted Cost Report

## Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
N3B	N3b Neighborhood District		Residential

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

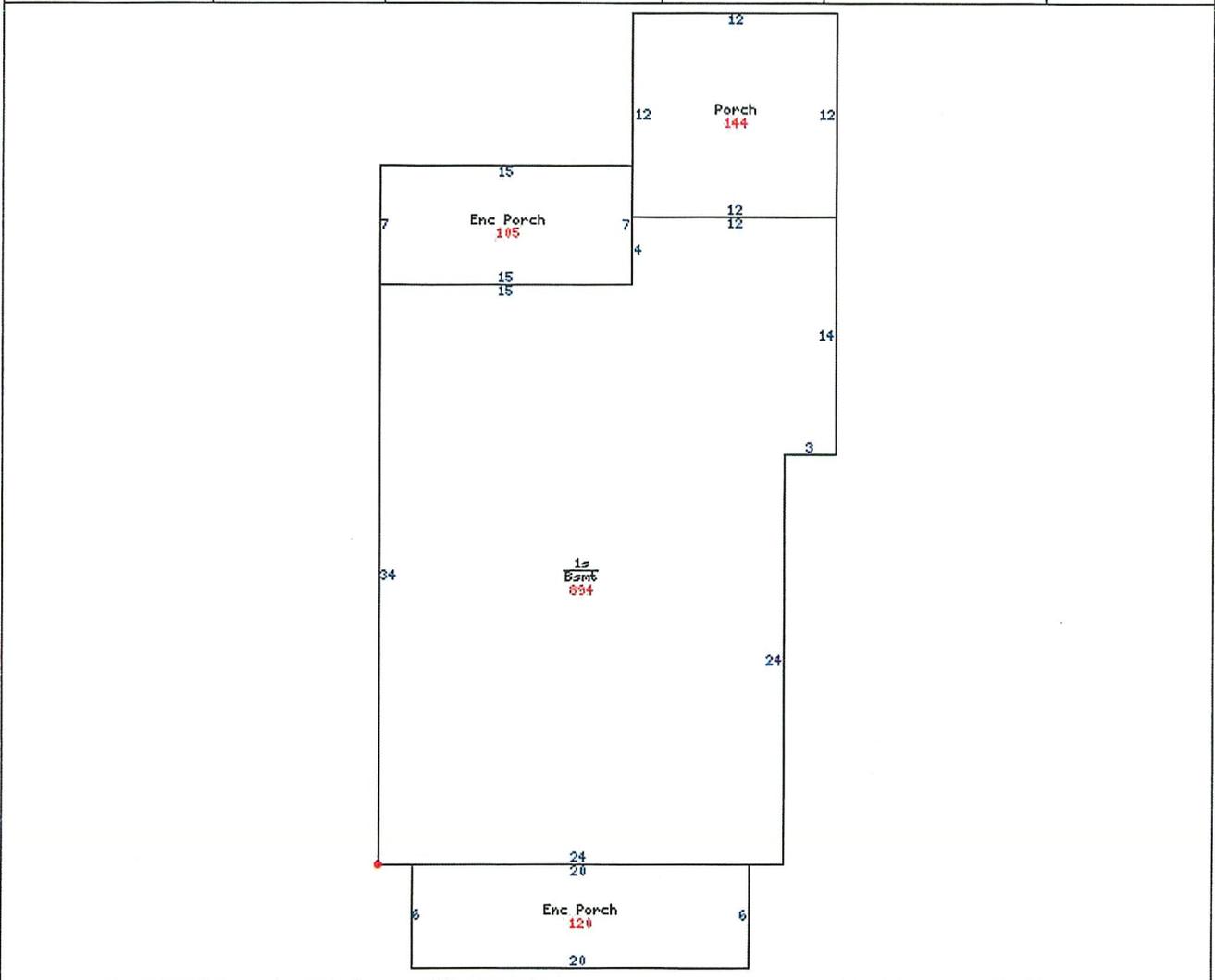
**Land**

<b>Square Feet</b>	10,200	<b>Acres</b>	0.234	<b>Frontage</b>	75.0
<b>Depth</b>	136.0	<b>Topography</b>	Normal	<b>Shape</b>	Rectangle
<b>Vacancy</b>	No	<b>Unbuildable</b>	No		

**Residences - 1 Record**

**Residence #1**

<b>Occupancy</b>	Single Family	<b>Residence Type</b>	1 Story	<b>Building Style</b>	Bungalow
<b>Year Built</b>	1920	<b>Number Families</b>	1	<b>Grade</b>	5+10
<b>Condition</b>	Poor	<b>Total Square Foot Living Area</b>	894	<b>Main Living Area</b>	894
<b>Basement Area</b>	894	<b>Open Porch Area</b>	144	<b>Enclosed Porch Area</b>	225
<b>Foundation</b>	Poured Concrete	<b>Exterior Wall Type</b>	Metal 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>Bedrooms</b>	3	<b>Rooms</b>	5



**Detached Structures - 1 Record**

Detached Structure #101					
Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	17	Measure 2	22	Story Height	1
Grade	4	Year Built	1940	Condition	Below Normal
Comment	AGE ESTIMATED				

## Sales - 1 Record

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
HAZEL M SCHAMERHORN TRUST	BLUE HEELER PROPERTIES LC	<a href="#">2022-06-09</a>	\$22,000	Deed	<a href="#">19164/211</a>

## Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
HAZEL M SCHAMERHORN TRUST KUTZNER, LARRY	BLUE HEELER PROPERTIES LC	2022-06-09	2022-06-22	Court Officer Deed	<a href="#">19164/211</a>

## Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2021	<a href="#">Assessment Roll</a>	Residential	Full	\$22,300	\$37,400	\$59,700
2019	<a href="#">Assessment Roll</a>	Residential	Full	\$19,200	\$31,800	\$51,000
2017	<a href="#">Assessment Roll</a>	Residential	Full	\$17,100	\$48,900	\$66,000
2015	<a href="#">Assessment Roll</a>	Residential	Full	\$16,200	\$46,600	\$62,800
2013	<a href="#">Assessment Roll</a>	Residential	Full	\$16,200	\$47,500	\$63,700
2011	<a href="#">Assessment Roll</a>	Residential	Full	\$16,200	\$47,000	\$63,200
2009	<a href="#">Assessment Roll</a>	Residential	Full	\$17,500	\$50,300	\$67,800
2007	<a href="#">Assessment Roll</a>	Residential	Full	\$17,100	\$54,100	\$71,200
2005	<a href="#">Assessment Roll</a>	Residential	Full	\$14,300	\$48,300	\$62,600
2003	<a href="#">Assessment Roll</a>	Residential	Full	\$12,940	\$44,350	\$57,290
2001	<a href="#">Assessment Roll</a>	Residential	Full	\$11,470	\$33,350	\$44,820
1999	Assessment Roll	Residential	Full	\$7,440	\$31,350	\$38,790
1997	Assessment Roll	Residential	Full	\$6,910	\$29,110	\$36,020
1995	Assessment Roll	Residential	Full	\$6,100	\$25,680	\$31,780
1993	Assessment Roll	Residential	Full	\$5,260	\$22,140	\$27,400
1991	Assessment Roll	Residential	Full	\$5,260	\$21,290	\$26,550
1991	Was Prior Year	Residential	Full	\$5,260	\$13,160	\$18,420

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496



1108 Burnham Ave



06-01-2023 11:35 AM

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