



Roll Call Number

Agenda Item Number

50B

Date May 22, 2023

ABATEMENT OF PUBLIC NUISANCE AT 503 E WATROUS AVENUE

WHEREAS, the property located at 503 E Watrous Avenue, 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 Titleholders, Paulete R. Fields and All Known and Unknown Heirs of Dorothy J. Bussanmas, were notified more than thirty days ago to repair or demolish the garage structure and as of this date have 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 37 in YODER ACRES (except the West 12.8 feet), an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 503 E Watrous 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 garage structure.

Moved by _____ to adopt.
Second by _____

FORM APPROVED:

Molly E. Tracy, 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, Mayor.

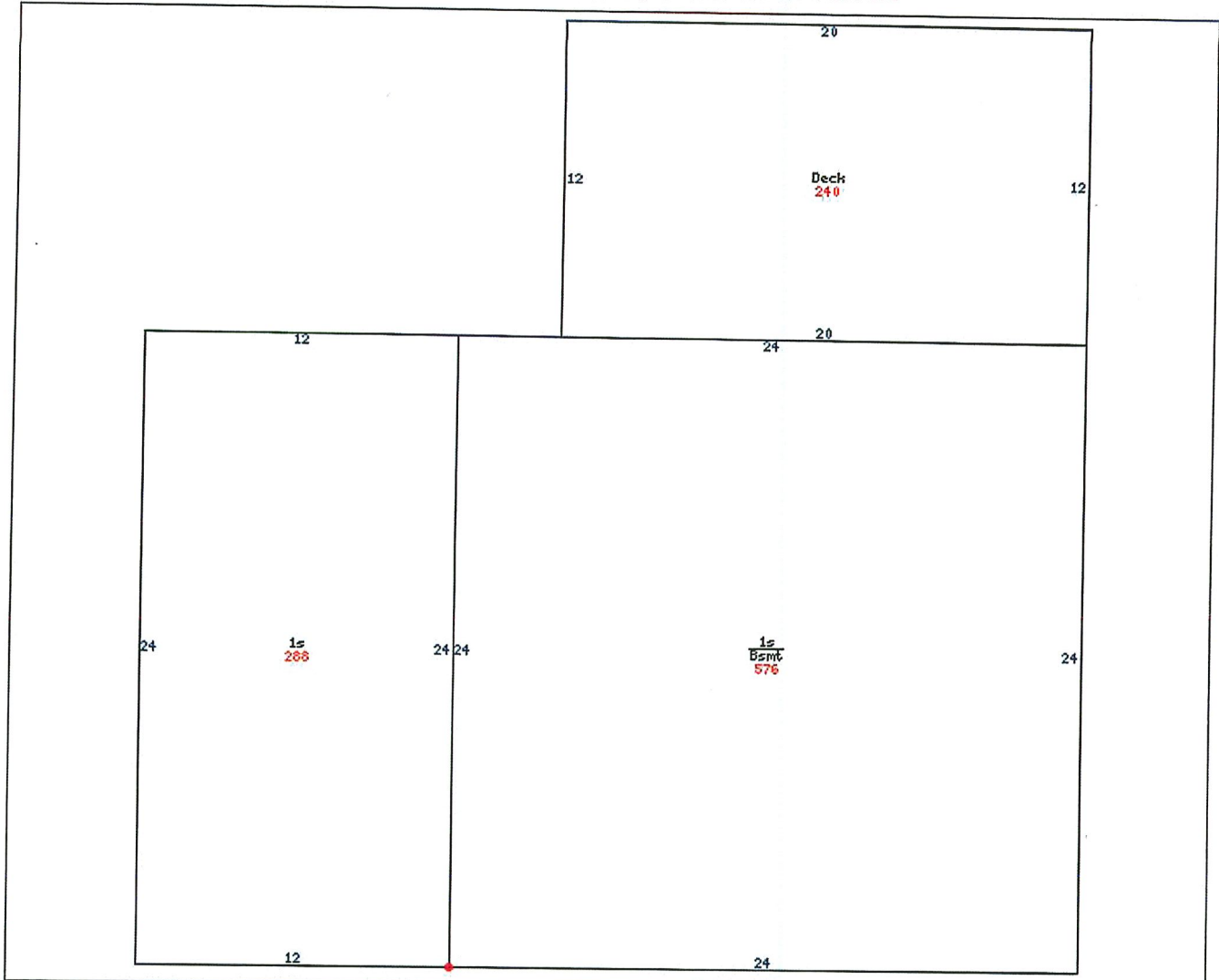
CERTIFICATE
I, Laura Baumgartner, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.
City Clerk



SDB



Category	Name		Information		
2022 Homestead Credit	BUSSANMAS, DOROTHY J		Application #51434		
2022 Military Exemption	BUSSANMAS, PAUL L		Korean Application #21512		
Zoning - 1 Record					
Zoning	Description		SF	Assessor Zoning	
N3A	N3a Neighborhood District			Residential	
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>					
Land					
Square Feet	36,170	Acres	0.830	Frontage	80.0
Depth	451.0	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	5+10
Condition	Normal	Total Square Foot Living Area	864	Main Living Area	864
Basement Area	576	Deck Area	240	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	4		



Detached Structures - 1 Record

Detached Structure #101

Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	20	Measure 2	30	Story Height	1
Grade	4	Year Built	1980	Condition	Normal
Comment	EST. YR. BUILT				

Permits - 1 Record

Year	Type	Permit Status	Application	Reason	Reason1
1996	Permit	Complete	1995-06-15	Addition	DECK (240 sf) (Cost \$2,037)

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2021	Assessment Roll	Residential	Full	\$27,900	\$82,000	\$109,900
2019	Assessment Roll	Residential	Full	\$25,300	\$75,000	\$100,300
2017	Assessment Roll	Residential	Full	\$21,000	\$64,500	\$85,500
2015	Assessment Roll	Residential	Full	\$19,600	\$61,400	\$81,000
2013	Assessment Roll	Residential	Full	\$19,800	\$63,900	\$83,700
2011	Assessment Roll	Residential	Full	\$19,800	\$63,700	\$83,500
2009	Assessment Roll	Residential	Full	\$20,200	\$64,400	\$84,600

Yr	Type	Class	Kind	Land	Bldg	Total
2007	Assessment Roll	Residential	Full	\$21,400	\$67,000	\$88,400
2005	Assessment Roll	Residential	Full	\$18,800	\$57,200	\$76,000
2003	Assessment Roll	Residential	Full	\$16,720	\$50,770	\$67,490
2001	Assessment Roll	Residential	Full	\$15,950	\$42,400	\$58,350
1999	Assessment Roll	Residential	Full	\$12,640	\$25,730	\$38,370
1997	Assessment Roll	Residential	Full	\$11,480	\$23,370	\$34,850
1996	Assessment Roll	Residential	Full	\$10,490	\$21,360	\$31,850
1995	Assessment Roll	Residential	Full	\$10,490	\$19,360	\$29,850
1991	Assessment Roll	Residential	Full	\$9,540	\$17,600	\$27,140
1991	Was Prior Year	Residential	Full	\$9,540	\$15,450	\$24,990

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

50B



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

Case Number: NUIS-2023-000042	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 02/13/2023
	Date of Notice: 02/16/2023
	Date of Inspection: 02/14/2023

PAULETE R FIELDS
503 E WATROUS AVE
DES MOINES IA 50315

Address of Property: **503 E WATROUS AVE, DES MOINES IA 50315**
Parcel Number: **782422401001**

Legal Description: **-EX W 12.8F- LT 37 YODER ACRES**

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
------------------	--------------------------	----------------------------

Violation	Corrective Action	Compliance Due Date
<p>60-191 - Vacation and Abatement Any structure, dwelling, mobile home, equipment, or premise declared to be a public nuisance and unfit for human habitation or use, and so designated by the administrator, shall immediately be vacated and the nuisance shall be abated by repair, rehabilitation, demolition, or any other City-approved corrective action. The owner(s) shall be responsible for the vacation and abatement of the nuisance at such owner's expense. If not complied by such owner(s), then the nuisance may be abated by the city at the owner's expense. As indicated by section 60-19, the owner of land upon which a mobile home sits is a responsible owner in the event that mobile home is declared to be a public nuisance. Both the owner of the mobile home and the owner of the land upon which the mobile home sits shall be responsible for vacation and abatement of the public nuisance.</p>	<p>Vacate the structure.</p>	<p>03/28/2023</p>
<p>60-192(1) - Unsafe and Dangerous Structure or Premise 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.</p>	<p>Repair or replace any door, aisle, passageway, stairway, exit, or other means of egress that does not conform to the approved building or fire code. GARAGE THROUGHOUT *REPAIR OR REPLACE ALL DAMAGED WALL COMPONENTS, INCLUDING: FRAMING, SHEETING, AND COVERINGS. PERMIT REQUIRED FOR REPLACEMENT OF ALL STRUCTURAL COMPONENTS.</p>	<p>03/28/2023</p>

Violation	Corrective Action	Compliance Due Date
<p>60-192(17) - Unsafe and Dangerous Structure or Premise Roof or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is fatigued or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects.</p>	<p>Repair or replace to eliminate conditions that create a nuisance or a violation in a workmanlike manner with permits as required.</p> <p>Garage Only</p> <p>*REPLACE ANY DAMAGED ROOFING MATERIAL. PER CITY CODE SHINGLES LIMITED TO ONE LAYER. ANY STRUCTURAL REPAIRS WILL REQUIRE A PERMIT</p> <p>*REPLACE ALL DAMAGED ROOFING COMPONENTS BY BUILDING PERMIT REQUIRED IF REPLACING SHEETING.</p>	<p>03/28/2023</p>
<p>60-194 - Defacing and Removing Placard No person shall deface or remove the placard, except as authorized by the administrator.</p>	<p>Replace or restore defaced or removed placard.</p>	<p>03/28/2023</p>
<p>60-195 - Emergency Measures to Vacate If one or more of the following exists, the administrator is hereby authorized and empowered to order and require the owner(s) and/or occupant(s) to vacate the premises immediately:</p> <p>(1) There is imminent danger of failure of collapse of a building or structure that endangers life;</p> <p>(2) Any structure or part of a structure has fallen and life is endangered by occupation of the structure; or</p> <p>(3) There is actual or potential danger to the building occupants or those in proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment.</p>	<p>Immediately vacate the building or structure.</p>	<p>03/28/2023</p>

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
(515) 669-8231
SAClauson@dmgov.org



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

Case Number: NUIS-2023-000042	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 02/13/2023
	Date of Notice: 02/17/2023
	Date of Inspection: 02/14/2023

DOROTHY J BUSSANMAS - DECEASED
 503 E WATROUS AVE
 DES MOINES IA 50315

Address of Property: **503 E WATROUS AVE, DES MOINES IA 50315**
 Parcel Number: **782422401001**

Legal Description: **-EX W 12.8F- LT 37 YODER ACRES**

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
------------------	--------------------------	----------------------------

Violation	Corrective Action	Compliance Due Date
<p>60-191 - Vacation and Abatement Any structure, dwelling, mobile home, equipment, or premise declared to be a public nuisance and unfit for human habitation or use, and so designated by the administrator, shall immediately be vacated and the nuisance shall be abated by repair, rehabilitation, demolition, or any other City-approved corrective action. The owner(s) shall be responsible for the vacation and abatement of the nuisance at such owner's expense. If not complied by such owner(s), then the nuisance may be abated by the city at the owner's expense. As indicated by section 60-19, the owner of land upon which a mobile home sits is a responsible owner in the event that mobile home is declared to be a public nuisance. Both the owner of the mobile home and the owner of the land upon which the mobile home sits shall be responsible for vacation and abatement of the public nuisance.</p>	<p>Vacate the structure.</p>	<p>03/28/2023</p>
<p>60-192(1) - Unsafe and Dangerous Structure or Premise 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.</p>	<p>Repair or replace any door, aisle, passageway, stairway, exit, or other means of egress that does not conform to the approved building or fire code. GARAGE THROUGHOUT *REPAIR OR REPLACE ALL DAMAGED WALL COMPONENTS, INCLUDING: FRAMING, SHEETING, AND COVERINGS. PERMIT REQUIRED FOR REPLACEMENT OF ALL STRUCTURAL COMPONENTS.</p>	<p>03/28/2023</p>

Violation	Corrective Action	Compliance Due Date
<p>60-192(17) - Unsafe and Dangerous Structure or Premise Roof or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is fatigued or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects.</p>	<p>Repair or replace to eliminate conditions that create a nuisance or a violation in a workmanlike manner with permits as required.</p> <p>Garage Only</p> <p>*REPLACE ANY DAMAGED ROOFING MATERIAL. PER CITY CODE SHINGLES LIMITED TO ONE LAYER. ANY STRUCTURAL REPAIRS WILL REQUIRE A PERMIT</p> <p>*REPLACE ALL DAMAGED ROOFING COMPONENTS BY BUILDING PERMIT REQUIRED IF REPLACING SHEETING.</p>	03/28/2023
<p>60-194 - Defacing and Removing Placard No person shall deface or remove the placard, except as authorized by the administrator.</p>	<p>Replace or restore defaced or removed placard.</p>	03/28/2023
<p>60-195 - Emergency Measures to Vacate If one or more of the following exists, the administrator is hereby authorized and empowered to order and require the owner(s) and/or occupant(s) to vacate the premises immediately:</p> <p>(1) There is imminent danger of failure of collapse of a building or structure that endangers life;</p> <p>(2) Any structure or part of a structure has fallen and life is endangered by occupation of the structure; or</p> <p>(3) There is actual or potential danger to the building occupants or those in proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment.</p>	<p>Immediately vacate the building or structure.</p>	03/28/2023

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
(515) 669-8231
SAClauson@dmgov.org