



Roll Call Number

Agenda Item Number

35C

Date April 15, 2024

ABATEMENT OF PUBLIC NUISANCE AT 312 SE 25TH CT.

WHEREAS, the property located at 312 SE 25th Ct., 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, La Vern R. Baysinger, 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 Lot 22 in LAKESIDE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 312 SE 25th Ct., has previously been declared a public nuisance;

The City Legal Department, through Special Counsel Ahlers & Cooney, P.C., 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:

Kristine Stone, Special Counsel
Ahlers & Cooney, P.C.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
COLEMAN				
GATTO				
MANDELBAUM				
VOSS				
WESTERGAARD				
SIMONSON				
TOTAL				

MOTION CARRIED

APPROVED

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.

Mayor

City Clerk

35C



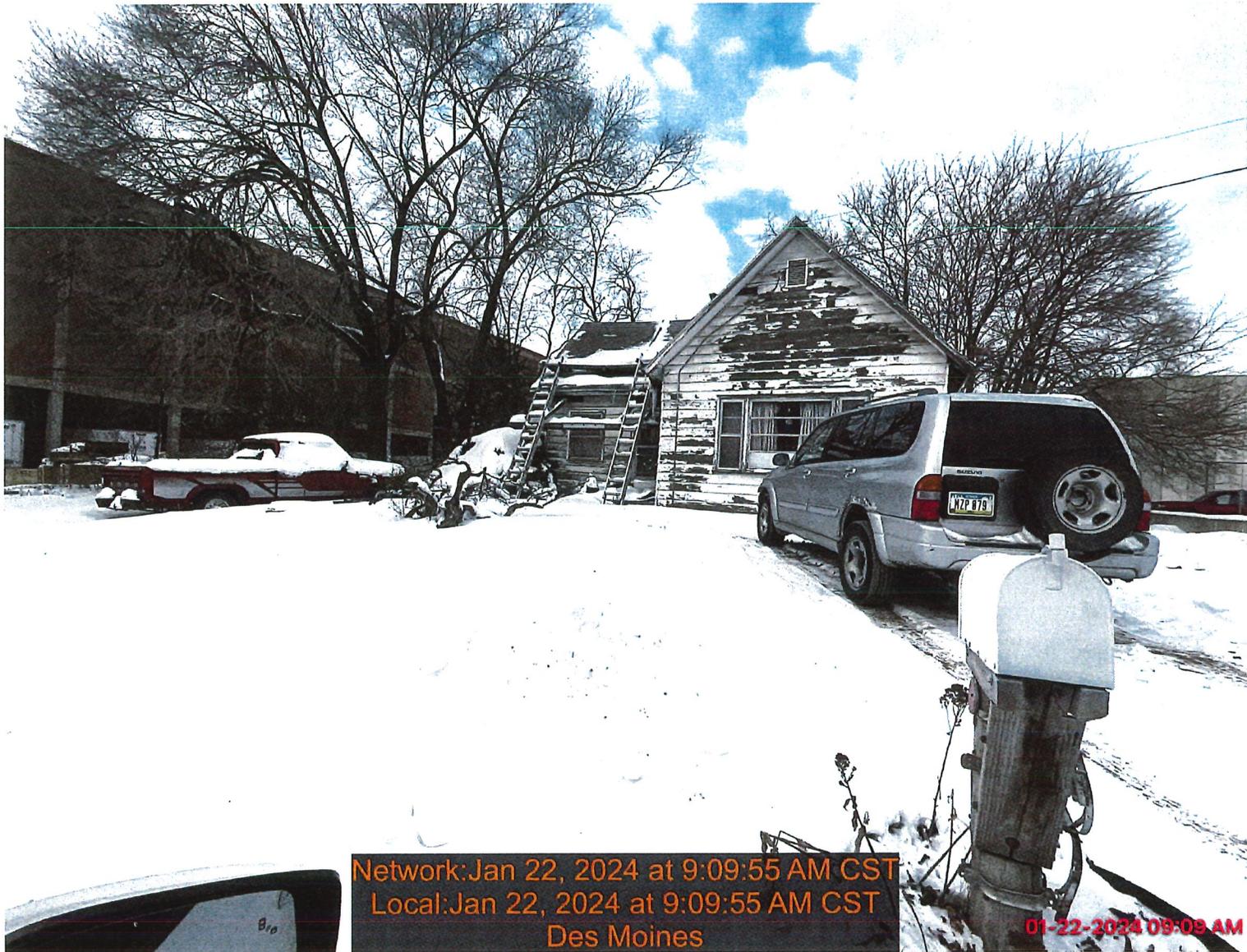
Network: Jan 22, 2024 at 9:09:46 AM CST
Local: Jan 22, 2024 at 9:09:46 AM CST
Des Moines

01-22-2024 09:09 AM



Network: Jan 22, 2024 at 9:09:25 AM CST
Local: Jan 22, 2024 at 9:09:25 AM CST
Des Moines

01-22-2024 09:09 AM



Network: Jan 22, 2024 at 9:09:55 AM CST
Local: Jan 22, 2024 at 9:09:55 AM CST
Des Moines

01-22-2024 09:09 AM

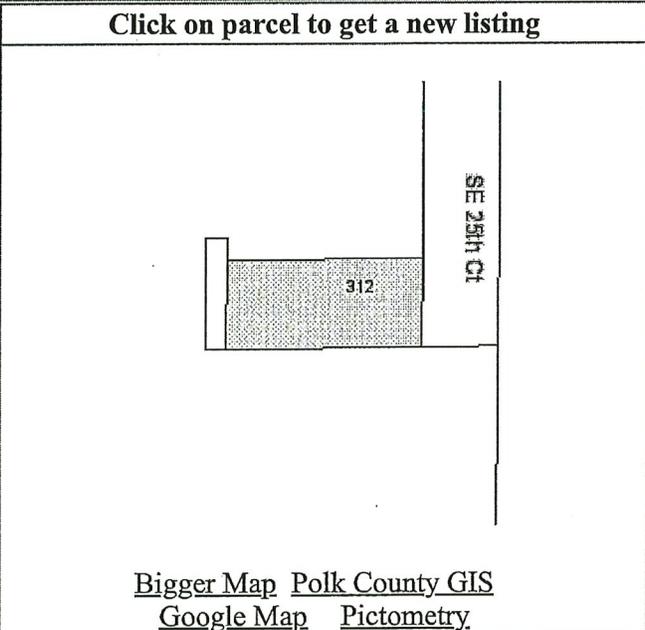
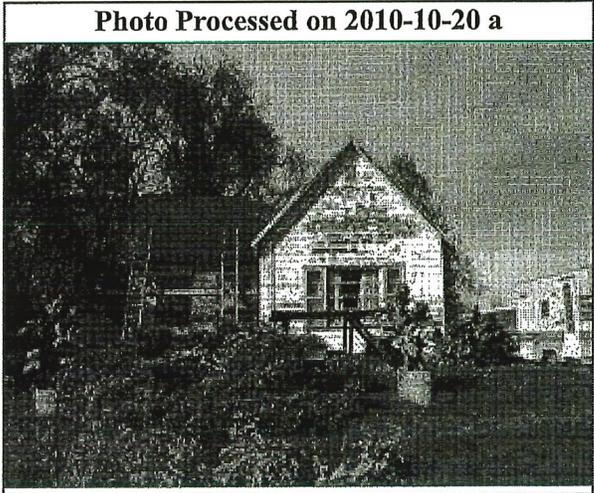
Polk County Assessor

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

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

Location					
Address	312 SE 25TH CT				
City	DES MOINES	Zip	50317	Jurisdiction	Des Moines
District/Parcel	050/02461-000-000	Geoparcel	7824-01-378-003	Status	Active
School	Des Moines	Nbhd/Pocket	DM20/Z	Tax Authority Group	DEM-C-DEM-77131
TIF	52/Des Moines SE Agri Business Park UR	Submarket	Northeast Des Moines	Appraiser	Brett Tierney 515-286-3019

Map and Current Photos - 1 Record

<p>Click on parcel to get a new listing</p>  <p>Bigger Map Polk County GIS Google Map Pictometry</p>	<p>Photo Processed on 2010-10-20 a</p> 
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Historical Photos

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	BAYSINGER, LA VERN R	2001-11-02	9055/869

Legal Description and Mailing Address

LOT 22 LAKESIDE	LA VERN R BAYSINGER 312 SE 25TH CT DES MOINES, IA 50317-1262
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Current Values

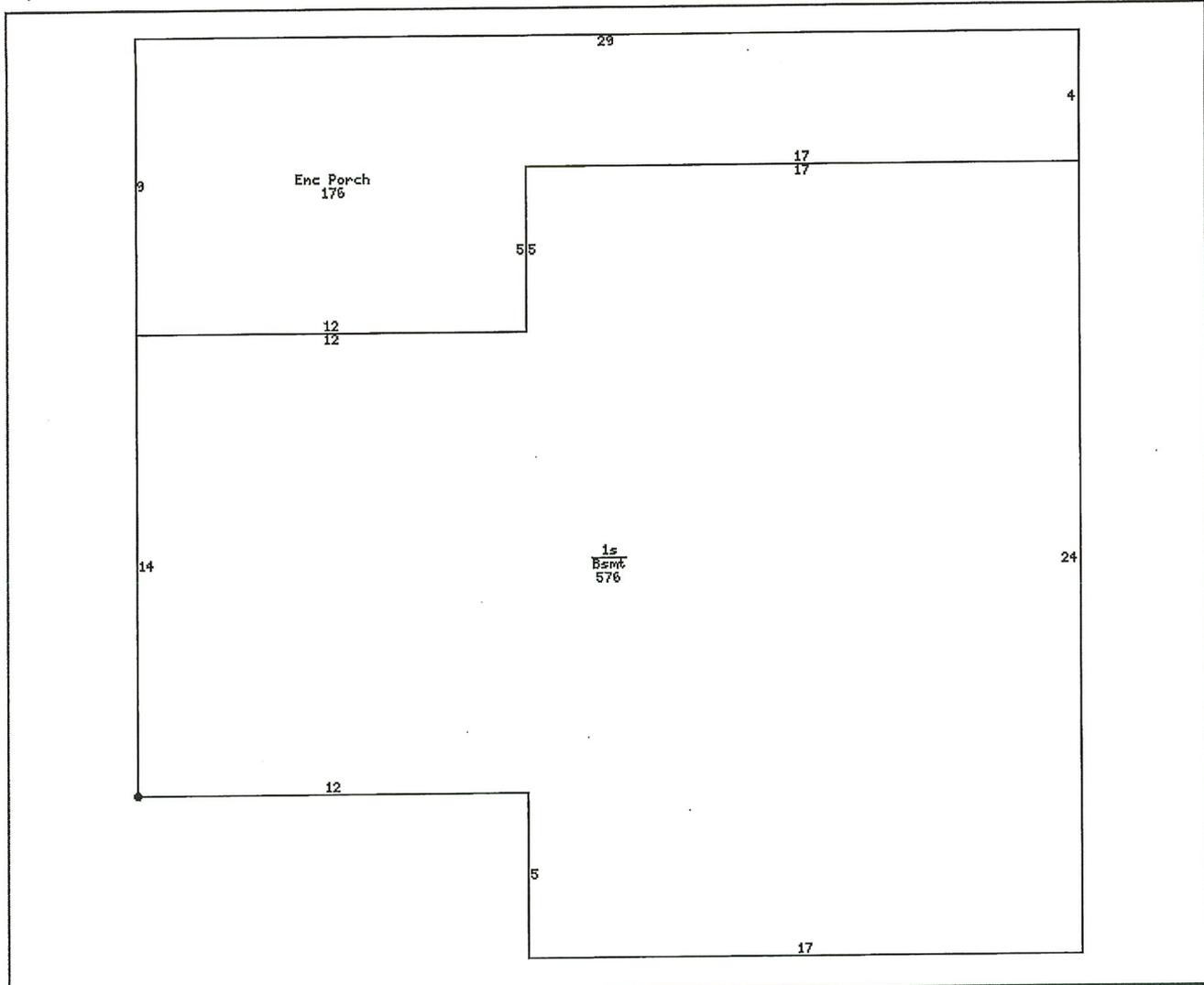
Type	Class	Kind	Land	Bldg	Total
2023 Value	Residential	Full	\$9,000	\$24,900	\$33,900

[Assessment Roll Notice](#) [Market Adjusted Cost Report](#)

Auditor Adjustments to Value

Category	Name	Information
2023 Homestead Credit	BAYSINGER, LA VERN R	Application #182496

Zoning - 1 Record					
Zoning	Description		SF	Assessor Zoning	
I2	I2 Industrial District			Industrial Heavy	
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>					
Land					
Square Feet	7,125	Acres	0.164	Frontage	57.0
Depth	125.0	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	1883	Number Families	1	Grade	5-05
Condition	Poor	Total Square Foot Living Area	576	Main Living Area	576
Basement Area	576	Enclosed Porch Area	176	Foundation	Poured Concrete
Exterior Wall Type	Wood Siding	Roof Type	Gable	Roof Material	Composition
Heating	Gas Forced Air	Air Conditioning	0	Number Bathrooms	1
Bedrooms	2	Rooms	4		



Detached Structures - 1 Record

Detached Structure #101

Occupancy	Shed	Construction Type	Frame	Measurement Code	Square Feet
Story Height	1	Grade	4	Condition	Normal

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2023	<u>Assessment Roll</u>	Residential	Full	\$9,000	\$24,900	\$33,900
2021	<u>Assessment Roll</u>	Residential	Full	\$7,900	\$21,300	\$29,200
2019	<u>Assessment Roll</u>	Residential	Full	\$7,000	\$18,600	\$25,600
2017	<u>Assessment Roll</u>	Residential	Full	\$6,000	\$15,900	\$21,900
2015	<u>Assessment Roll</u>	Residential	Full	\$5,700	\$15,400	\$21,100
2013	<u>Assessment Roll</u>	Residential	Full	\$5,500	\$15,000	\$20,500
2011	<u>Assessment Roll</u>	Residential	Full	\$5,500	\$14,900	\$20,400
2009	<u>Assessment Roll</u>	Residential	Full	\$5,800	\$15,800	\$21,600
2007	<u>Assessment Roll</u>	Residential	Full	\$5,800	\$15,600	\$21,400
2005	<u>Assessment Roll</u>	Residential	Full	\$4,100	\$25,100	\$29,200
2003	<u>Assessment Roll</u>	Residential	Full	\$3,440	\$20,910	\$24,350
2001	<u>Assessment Roll</u>	Residential	Full	\$3,510	\$12,640	\$16,150
1999	<u>Assessment Roll</u>	Residential	Full	\$3,310	\$7,770	\$11,080

Yr	Type	Class	Kind	Land	Bldg	Total
1995	Assessment Roll	Residential	Full	\$2,870	\$6,740	\$9,610
1993	Assessment Roll	Residential	Full	\$2,680	\$6,300	\$8,980
1993	Was Prior Year	Residential	Full	\$2,680	\$5,870	\$8,550

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

350



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

Case Number: NUIS-2023-000157	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 06/02/2023
	Date of Notice: 12/15/2023
	Date of Inspection: 12/14/2023

LA VERN R BAYSINGER
312 SE 25TH CT
DES MOINES IA 50317

Address of Property: 312 SE 25TH CT, DES MOINES IA 50317
Parcel Number: 782401378003

Legal Description: LOT 22 LAKESIDE

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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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>	Vacate the structure.	01/29/2024
<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>	Repair or replace all deficient roof components to provide a sound, weathertight condition that provides positive drainage. All work must be done in a workmanlike manner with all required permits.	01/29/2024
<p>60-192(2) - Unsafe and Dangerous Structure or Premise The building or structure, or part of a structure, 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, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.</p>	Repair or replace all building components deteriorated to the point to effectively create a nuisance or a violation. All work must be done in a workmanlike manner with all required permits.	01/29/2024

Violation	Corrective Action	Compliance Due Date
<p>60-192(3) - Unsafe and Dangerous Structure or Premise The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.</p>	<p>Repair or replace to eliminate conditions that create a nuisance or a violation in a workmanlike manner with permits as required.</p>	01/29/2024
<p>60-192(4) - Unsafe and Dangerous Structure or Premise The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.</p>	<p>Properly secure structure and keep the structure secured against entry.</p>	01/29/2024
<p>60-192(6) - Unsafe and Dangerous Structure or Premise Whenever the condition or maintenance of the premise creates a nuisance that endangers the health and safety of the residents or public.</p>	<p>Repair or replace to eliminate conditions that create a nuisance or a violation in a workmanlike manner with permits as required.</p>	01/29/2024
<p>60-192(7) - Unsafe and Dangerous Structure or Premise Any structure that the administrator determines is unfit for human occupancy meaning that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.</p>	<p>Repair structure to a safe, sanitary condition. Provide all required elements of light, ventilation and essential equipment. All work must be done in a workmanlike manner with all required permits.</p>	01/29/2024
<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>	01/29/2024

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,



Kevin Pyles
Neighborhood Inspector
Neighborhood Services
602 Robert D. Ray Drive, Des Moines, IA 50309
(515) 283-4122
KEPyles@dmgov.org