



Roll Call Number

Agenda Item Number
BDH 1(B)

Date March 8, 2010

WHEREAS, the property located at 2929 Lyon Street, 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 Janet Smith 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, AND SITTING AS THE LOCAL BOARD OF HEALTH:

The garage structure on the real estate legally described as LOT 23 BLK 2 ELLIOTT'S ADDITION, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 2929 Lyon Street, 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 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.

FORM APPROVED:

Vicky Long Hill, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				
NOTION CARRIED			APPROVED	
_____ Mayor				

CERTIFICATE

I, DIANE RAUH, 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

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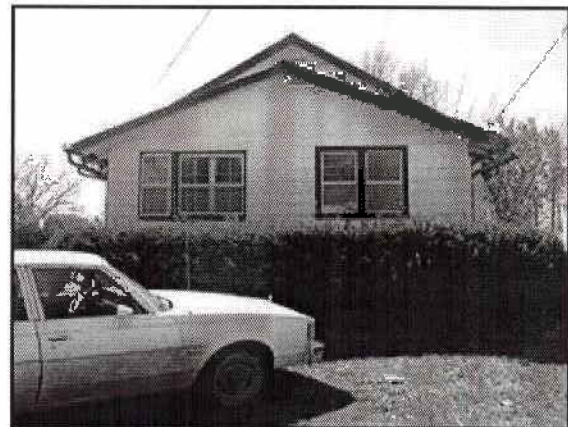
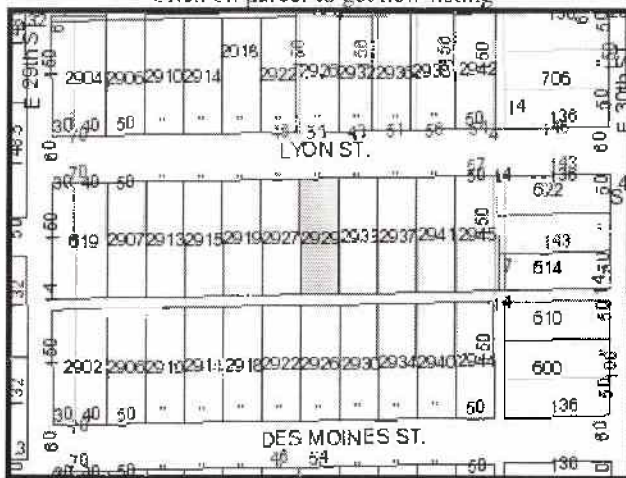


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District/Parcel	GeoParcel	Map	Nbhd	Jurisdiction	Status
050/00956-000-000	7824-01-234-007	0437	DM16/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
I/Des Moines					
Street Address			City State Zipcode		
2929 LYON ST			DES MOINES IA 50317-8225		

Click on parcel to get new listing

Get Bigger Map



Approximate date of photo 05/01/1996

Mailing Address

JANET SMITH
2929 LYON ST
DES MOINES, IA 50317-8225

Legal Description

LOT 23 BLK 2 ELLIOTT'S ADDITION

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	SMITH, JANET	1992-03-27	6528/958	

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	17,500	74,000	0	91,500

[Market Adjusted Cost Report](#) [Assessment Roll Notice](#) [Estimate Taxes](#) [Polk County Treasurer Tax Information](#) [Pay Taxes](#)

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Taxable Value Credit	Name	Number	Info
Homestead	SMITH, JANET	29292	

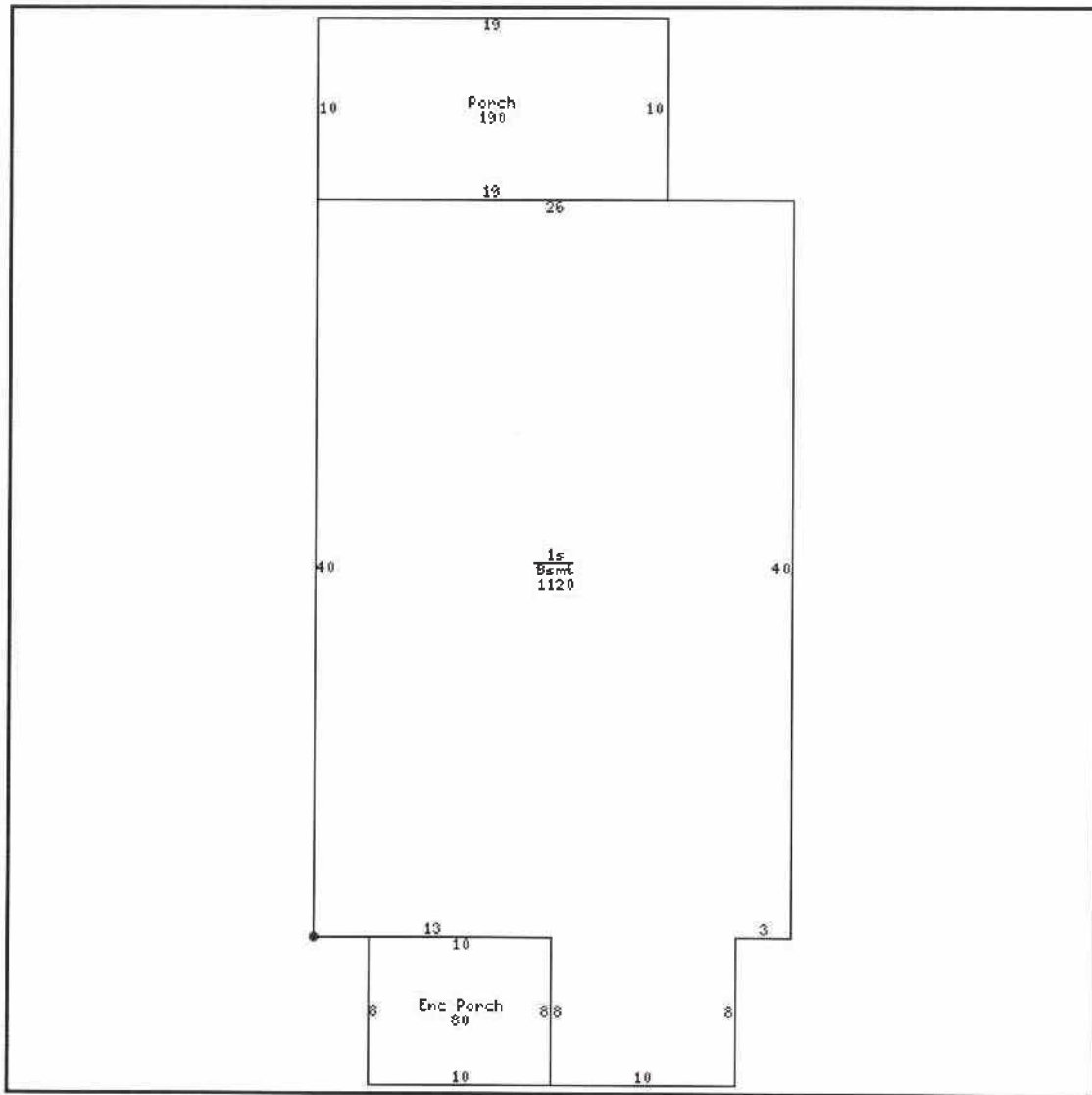
Zoning	Description	SF	Assessor Zoning
R1-60	One Family, Low Density Residential District	7500	Residential

Source: City of Des Moines Community Development Published: 2009-06-15 Contact: Planning and Urban Design 515 283-4200

Land					
SQUARE FEET	7,500	FRONTAGE	50.0	DEPTH	150.0
ACRES	0.172	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1					
OCCUPANCY	SF/Single Family	RESID TYPE	S1/1 Story	BLDG STYLE	BG/Bungalow
YEAR BUILT	1922	# FAMILIES	1	GRADE	4
GRADE ADJUST	-05	CONDITION	NM/Normal	TSFLA	1,120
MAIN LV AREA	1,120	BSMT AREA	1,120	FIN BMT AREA	400
FIN BMT QUAL	LO/Low	OPEN PORCH	190	ENCL PORCH	80
FOUNDATION	B/Brick	EXT WALL TYP	MT/Metal Siding	ROOF TYPE	GB/Gable
ROOF MATERL	A/Asphalt Shingle	HEATING	A/Gas Forced Air	AIR COND	0
BATHROOMS	1	BEDROOMS	2	ROOMS	5

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Detached # 101									
OCCUPANCY	GAR/Garage	CONSTR TYPE		FR/Frame		MEASCODE		D/Dimensions	
MEASURE1	22	MEASURE2	26	STORY HEIGHT				1	
GRADE	4	YEAR BUILT	1960	CONDITION				BN/Below Normal	

Year	Type	Class	Kind	Land	Bldg	AgBd	Totl
2009	Assessment Roll	Residential	Full	17,500	74,000	0	91,500
2007	Assessment Roll	Residential	Full	17,300	73,100	0	90,400
2005	Assessment Roll	Residential	Full	16,000	56,300	0	72,300
2003	Assessment Roll	Residential	Full	13,220	46,660	0	59,880

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2001	Assessment Roll	Residential	Full	11,920	39,650	0	51,570
1999	Assessment Roll	Residential	Full	7,840	42,220	0	50,060
1997	Assessment Roll	Residential	Full	7,100	38,240	0	45,340
1995	Board Action	Residential	Full	6,180	33,290	0	39,470
1995	Assessment Roll	Residential	Full	6,180	33,290	0	39,470
1993	Board Action	Residential	Full	5,480	29,520	0	35,000
1993	Assessment Roll	Residential	Full	5,480	34,350	0	39,830
1991	Board Action	Residential	Full	5,480	29,520	0	35,000
1990	Board Action	Residential	Full	5,480	29,520	0	35,000
1990	Assessment Roll	Residential	Full	5,480	32,520	0	38,000

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Room 195, 111 Court Avenue, Des Moines, IA 50309
 Phone 515 286-3140 / Fax 515 286-3386
polkweb@assess.co.polk.ia.us



**PUBLIC NUISANCE
NOTICE OF INSPECTION
NEIGHBORHOOD INSPECTION DIVISION
COMMUNITY DEVELOPMENT DEPARTMENT
CITY OF DES MOINES, IOWA**

BDH 1(B)

DATE OF NOTICE: November 16, 2009

DATE OF INSPECTION: November 10, 2009

CASE NUMBER: COD2009-08311

PROPERTY ADDRESS: 2929 LYON ST

LEGAL DESCRIPTION: LOT 23 BLK 2 ELLIOTTS ADDITION

JANET SMITH
Title Holder
2929 LYON ST
DES MOINES IA 50317

An inspection of the referenced property was conducted for its conformance to the Municipal Code of the City of Des Moines. It has been determined from that inspection that the dwelling currently constitutes not only a menace to health and safety, but is also a public nuisance. Accordingly, the dwelling will be placarded as unfit for human habitation pursuant to the Municipal Code of the City of Des Moines and the Code of Iowa.

If not occupied at the present time, the dwelling is to remain vacant and unoccupied until occupancy is authorized by this office. If the dwelling 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 will issue a Municipal Infraction in accordance with Section 60-304 and 60-306 pursuant to the Municipal code of the City of Des Moines. Additionally, if the property had a Certificate of Inspection, it is hereby revoked.

Attached is a listing of the violations existing on the date of the inspection and a recommendation as to the remedial action required to correct such violations. Failure to correct these violations will result in legal action. The violations noted must be corrected within 30 days from the date of this notice. Failure to correct these violations will result in a request to the City Council, sitting as the board of Health, to approve legal action. As a result of this public nuisance action there will be costs incurred by the City. Costs will be billed out when the nuisance has been abated. Failure to pay the costs will result in collection by assessment to the property or personal judgment.

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.

Appropriate building permits may be required for those violations noted in the "Special Requirements" section on the notice. Should you have questions regarding permits, contact the Permit and Development Center at 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 a period in excess of one year, there may be zoning issues, which will affect the proposed use of the structure and/or real estate. Please contact the Development Zoning Division at 283-4207 to determine what the legal use for the structure and/or the real estate is prior to commencement of any renovation.

If you believe the building is beyond repair and decide to remove it, all debris must be removed from the property and the basement excavation if any, filled in the manner required by the City. You are encouraged to arrange for this demolition yourself; however a demolition permit must be obtained from the Building Department. In the event you are unable to arrange for demolition, you may sign a waiver voluntarily authorizing the City to do so. However, the city may take a personal judgment against you for the costs of removal.

If you no longer own the property, notify us in writing of the name, address, and telephone number of the new owner. A copy of the real estate contract or deed, if it has not been recorded at the Polk county Recorder's Office, shall likewise be furnished to the Neighborhood Inspection Division,

Should you have any questions, feel free to call. I can usually be reached between 8:00am and 9:00am, Monday through Friday.

Dennis Rule

(515) 283-4114



Nid Inspector

DATE MAILED: 11/16/2009

MAILED BY: JDH

Areas that need attention: 2929 LYON ST

Component:	Electrical System	Defect:	Deteriorated
Requirement:	Electrical Permit	Location:	Garage
Comments:			
Component:	Exterior Walls	Defect:	Excessive rot
Requirement:	Building Permit	Location:	Garage
Comments:			
Component:	Furnace	Defect:	Deteriorated
Requirement:	Compliance, Uniform Mechanics Code	Location:	Garage
Comments:			
Component:	Interior Walls /Ceiling	Defect:	Excessive rot
Requirement:	Building Permit	Location:	Garage
Comments:			
Component:	Exterior Doors/Jams	Defect:	Deteriorated
Requirement:	Building Permit	Location:	Garage
Comments:			
Component:	Mechanical System	Defect:	Deteriorated
Requirement:	Compliance, Uniform Mechanics Code	Location:	Garage
Comments:			
Component:	Roof	Defect:	Excessive rot
Requirement:	Building Permit	Location:	Garage
Comments:			
Component:	Windows/Window Frames	Defect:	Excessive rot
Requirement:	Building Permit	Location:	Garage
Comments:			