



**Roll Call Number**

Agenda Item Number  
**SDH 1(A)**

**Date** July 28, 2008

WHEREAS, the property located at 1710 7<sup>th</sup> Street, was inspected by representatives of the City of Des Moines who determined that the fire-damaged structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the titleholder, Daniel Estevez, was notified by personal service more than thirty days ago to repair or demolish the fire-damaged 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, SITTING AS THE LOCAL BOARD OF HEALTH:

The fire-damaged structure on the real estate legally described as LOT 6 & S 1/2 LOT 5 BLK 11 POLK COUNTY HOMESTEAD & TRUST CO ADD now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1710 7<sup>th</sup> 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 fire-damaged structure.

Moved by \_\_\_\_\_ to adopt.

FORM APPROVED:

Vicky Long Hill, Assistant City Attorney

COUNCIL ACTION	YEAN	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIRKMAN				
MAHAFFEY				
MRYER				
VLASSIS				
TOTAL				

MOTION 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

**BDH** (A)

**Polk County Assessor** 

[ Home ] [ General Query ] [ Legal Query ] [ HomeOwner Query ] [ Book/Page Query ] [ Commercial Query ] [ Res Sales Query ] [ Comm Sales Query ] [ Help ]

District/Parcel	GeoParcel	Map	Nbhd	Jurisdiction	Status
080/05264-000-000	7924-34-255-013	0703	DM79/7	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
I/Des Moines					
Street Address			City State Zipcode		
1710 7TH ST			DES MOINES IA 50314		

Click on parcel to get new listing

[Get Bigger Map](#)



Approximate date of photo 04/13/2006

**Mailing Address**

DANIEL A ESTEVEZ  
 11427 SANDERMEYER DR  
 RICHMOND, TX 77469-3629

**Legal Description**

LOT 6 & S 1/2 LOT 5 BLK 11 POLK COUNTY HOMESTEAD & TRUST CO ADD

Ownership	Name	Transfer	Book/Page	RevStamps
Title Holder #1	ESTEVEZ, DANIEL A	09/07/2005	11270/631	99.20

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Multiple	Full	6,600	54,600	0	61,200

[Estimate Taxes](#) [Polk County Treasurer Tax Information](#) [Pay Taxes](#)

Zoning	Description	SF	Assessor Zoning

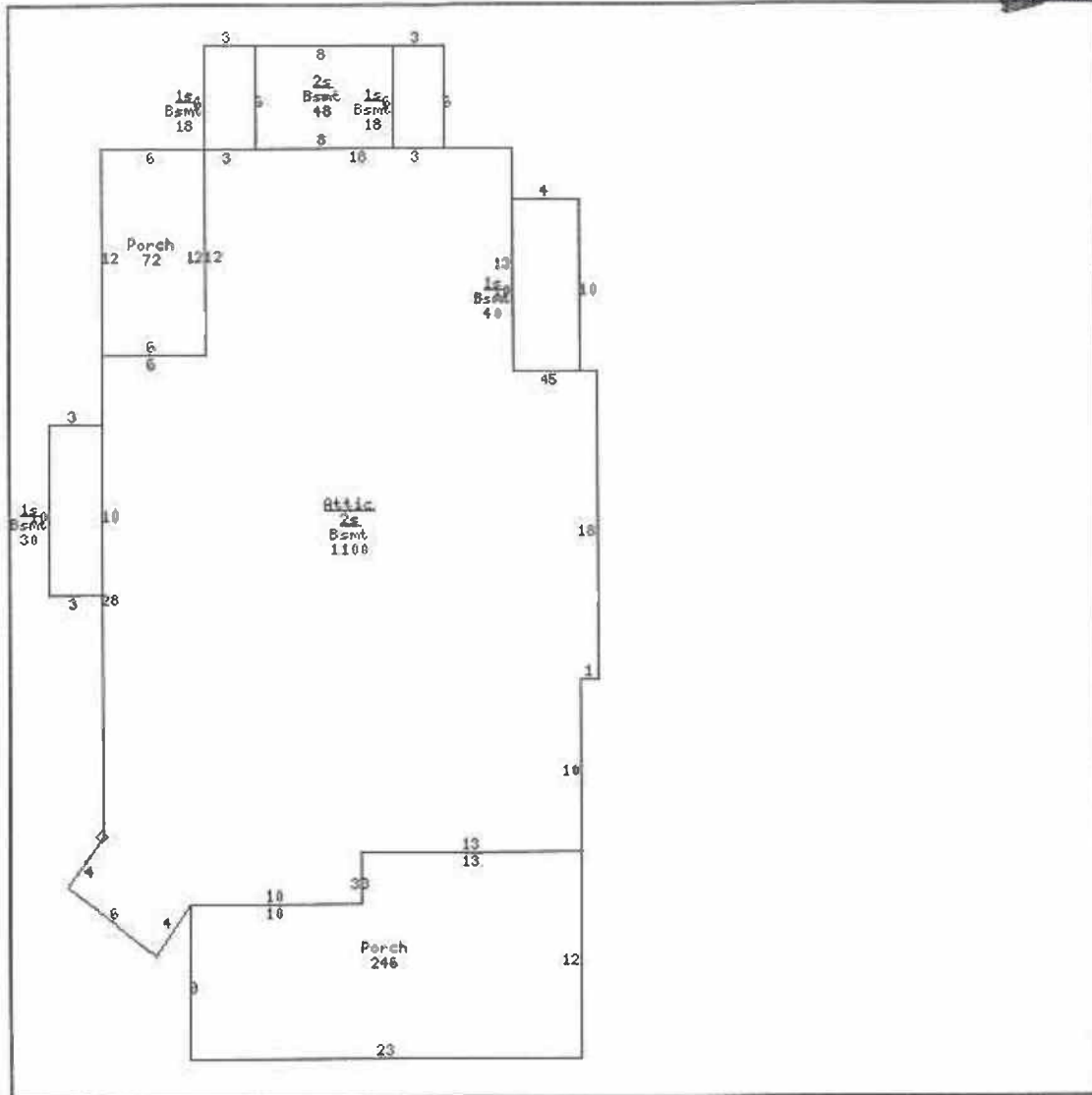
R-3	Multiple Family Residential District	9900	Multi-Family Residential
*Condition	Docket_no 14361		
Source: City of Des Moines Community Development Published: 02/14/2008 Contact: Planning and Urban Design 515 283-4200			

<b>Land</b>					
<b>SQUARE FEET</b>	9,900	<b>FRONTAGE</b>	75	<b>DEPTH</b>	132
<b>ACRES</b>	0.2270	<b>SHAPE</b>	RC/Rectangle	<b>TOPOGRAPHY</b>	B/Blank

<b>Commercial Summary</b>					
<b>OCCUPANCY</b>	1B/Apartment Conversion	<b>WEIGHTED AGE</b>	1882	<b>STORY HEIGHT</b>	3
<b>LAND AREA</b>	9,900	<b>GROSS AREA</b>	3,007	<b>FINISH AREA</b>	3,007
<b>BSMT UNFIN</b>	1.254	<b>BSMT FINISH</b>	0	<b>NUMBER UNITS</b>	7

<b>Residence.# 1</b>					
<b>OCCUPANCY</b>	CV/Conversion	<b>RESID TYPE</b>	SP/Over 2 Stories	<b>YEAR BUILT</b>	1882
<b># FAMILIES</b>	7	<b>GRADE</b>	4	<b>GRADE ADJUST</b>	+00
<b>CONDITION</b>	BN/Below Normal	<b>TSFLA</b>	3,007	<b>MAIN LV AREA</b>	1,254
<b>UPPR LV AREA</b>	1,148	<b>ATTIC FINISH</b>	605	<b>BSMT AREA</b>	1,254
<b>OPEN PORCH</b>	318	<b>FOUNDATION</b>	B/Brick	<b>EXT WALL TYP</b>	WS/Wood Siding
<b>ROOF TYPE</b>	1E/Tip	<b>ROOF MATERI.</b>	A/Asphalt Shingle	<b>HEATING</b>	W/Steam Heated Water
<b>AIR COND</b>	0	<b>BATHROOMS</b>	7		

**BDH 1(A)**



Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
ROTTLER, STEVEN P	ESTEVEZ, DANIEL A	09/02/2005	62,500	D/Deed	11270/631
ROTTLER, PHYLLIS L ESTATE	ROTTLER, STEVEN P	07/19/2004	20,000	D/Deed	10672/43
HAZEL LAWS MURPHY & KENNETH APPLGATL	GUY L. ROBERTS	04/12/1988	26,000	D/Deed	5945/438

Year	Type	Status	Application	Permit/Pickup Description
Current	U/Pickup	TW/To Work	02/14/2008	RV/Review Value REVIEW PROPERTY
2008	U/Pickup	PA/Pass	02/14/2008	RV/REVIEW PROPERTY



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

**BDH 1(A)**

**DATE OF NOTICE: May 1, 2008**

**DATE OF INSPECTION: October 11, 2007**

**CASE NUMBER: COD2007-08138**

**PROPERTY ADDRESS: 1710 7TH ST**

**LEGAL DESCRIPTION: LOT 6 & S 1/2 LOT 5 BLK 11 POLK COUNTY HOMESTEAD & TRUST CO ADD**

DANIEL A ESTEVEZ  
Title Holder  
11427 SANDERMEYER DR  
RICHMOND TX 77469

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. 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.**

*0714 5/12/08 10:30 AM*

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.

Richard Bright  
(515) 283-4245



Nid Inspector

DATE MAILED: 5/1/2008

MAILED BY: TSY

**Areas that need attention:** 1710 7TH ST

<b>Component:</b>	Roof	<b>Defect:</b>	Fire damaged
<b>Requirement:</b>	Engineering Report	<b>Location:</b>	Main Structure
<b>Comments:</b>	And building permit		
<b>Component:</b>	Soffit/Facia/Trim	<b>Defect:</b>	Fire damaged
<b>Requirement:</b>	Engineering Report	<b>Location:</b>	Main Structure
<b>Comments:</b>	And building permit		
<b>Component:</b>	Windows/Window Frames	<b>Defect:</b>	Fire damaged
<b>Requirement:</b>	Engineering Report	<b>Location:</b>	Main Structure
<b>Comments:</b>	And building permit		
<b>Component:</b>	Exterior Walls	<b>Defect:</b>	Fire damaged
<b>Requirement:</b>	Engineering Report	<b>Location:</b>	Main Structure
<b>Comments:</b>	And building permit		
<b>Component:</b>	Exterior Doors/Jams	<b>Defect:</b>	Fire damaged
<b>Requirement:</b>	Engineering Report	<b>Location:</b>	Main Structure
<b>Comments:</b>	And building permit		
<b>Component:</b>	Electrical System	<b>Defect:</b>	Fire damaged
<b>Requirement:</b>	Electrical Permit	<b>Location:</b>	Throughout
<b>Comments:</b>			
<b>Component:</b>	Interior Walls /Ceiling	<b>Defect:</b>	Fire damaged
<b>Requirement:</b>	Engineering Report	<b>Location:</b>	Throughout
<b>Comments:</b>	And building permit- entry required to all apt. units for complete inspection		
<b>Component:</b>	Floor Joists/Beams	<b>Defect:</b>	Fire damaged
<b>Requirement:</b>	Engineering Report	<b>Location:</b>	Throughout
<b>Comments:</b>	And building permit- no entry to basement for foundation & complete inspection		

**Component:** Smoke Detectors  
**Requirement:** Electrical Per.  
**Defect:** Fire damaged  
**Location:** Throughout  
**Comments:** Fire extinguisher tags expired

**BDH**

1(A)

**Component:** Mechanical System  
**Requirement:** Mechanical Permit  
**Defect:** Fire damaged  
**Location:** Throughout  
**Comments:**

**Component:** Plumbing System  
**Requirement:** Plumbing Permit  
**Defect:** Fire damaged  
**Location:** Throughout  
**Comments:**



