



Roll Call Number

Agenda Item Number

42E

Date March 23, 2020

ABATEMENT OF PUBLIC NUISANCE AT 1500 E FLEMING AVENUE

WHEREAS, the property located at 1500 E Fleming 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 Titleholder, Dixie Rice d/b/a Capitol City Erectors, Inc., was notified more than thirty days ago to repair or demolish the garage 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 garage structure on the real estate legally described as Lot 38 in MADISON PLACE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1500 E Fleming 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.

FORM APPROVED:

Megan Norberg
Megan Norberg, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

CERTIFICATE

I, P. Kay Cmelik, 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

Polk County Assessor

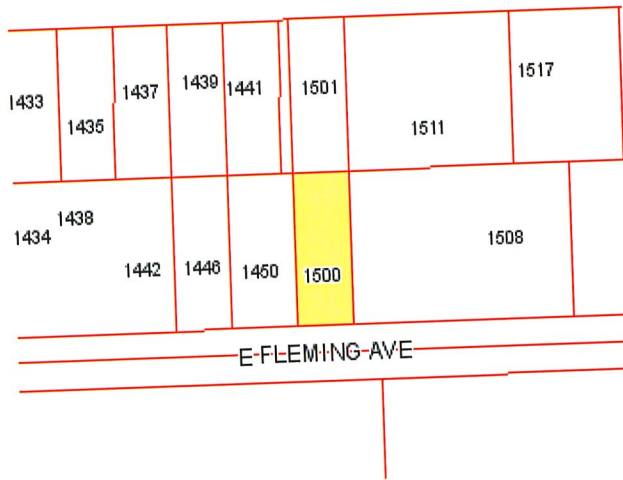
111 Court Avenue #195
Des Moines, IA 50309-0904

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

Location					
Address	1500 E FLEMING AVE				
City	DES MOINES	Zip	50313	Jurisdiction	Des Moines
District/Parcel	110/03898-000-000	Geoparcels	7924-24-351-033	Status	Active
School	Des Moines	Nbhd/Pocket	DM06/Z	Tax Authority Group	DEM-C-DEM-77274
TIF	103/Des Moines NE Gateway 2 UR	Submarket	Northeast Des Moines	Appraiser	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](#)



Historical Photos

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	CAPITOL CITY ERECTORS INC	1999-03-04	8155/979

Legal Description and Mailing Address

LOT 38 MADISON PLACE	CAPITOL CITY ERECTORS INC POB 94 REASNOR, IA 50232
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Current Values

Type	Class	Kind	Land	Bldg	Total
2019 Value	Residential	Full	\$6,100	\$36,400	\$42,500

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

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
M-1	Light Industrial District		Industrial Light

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

42E

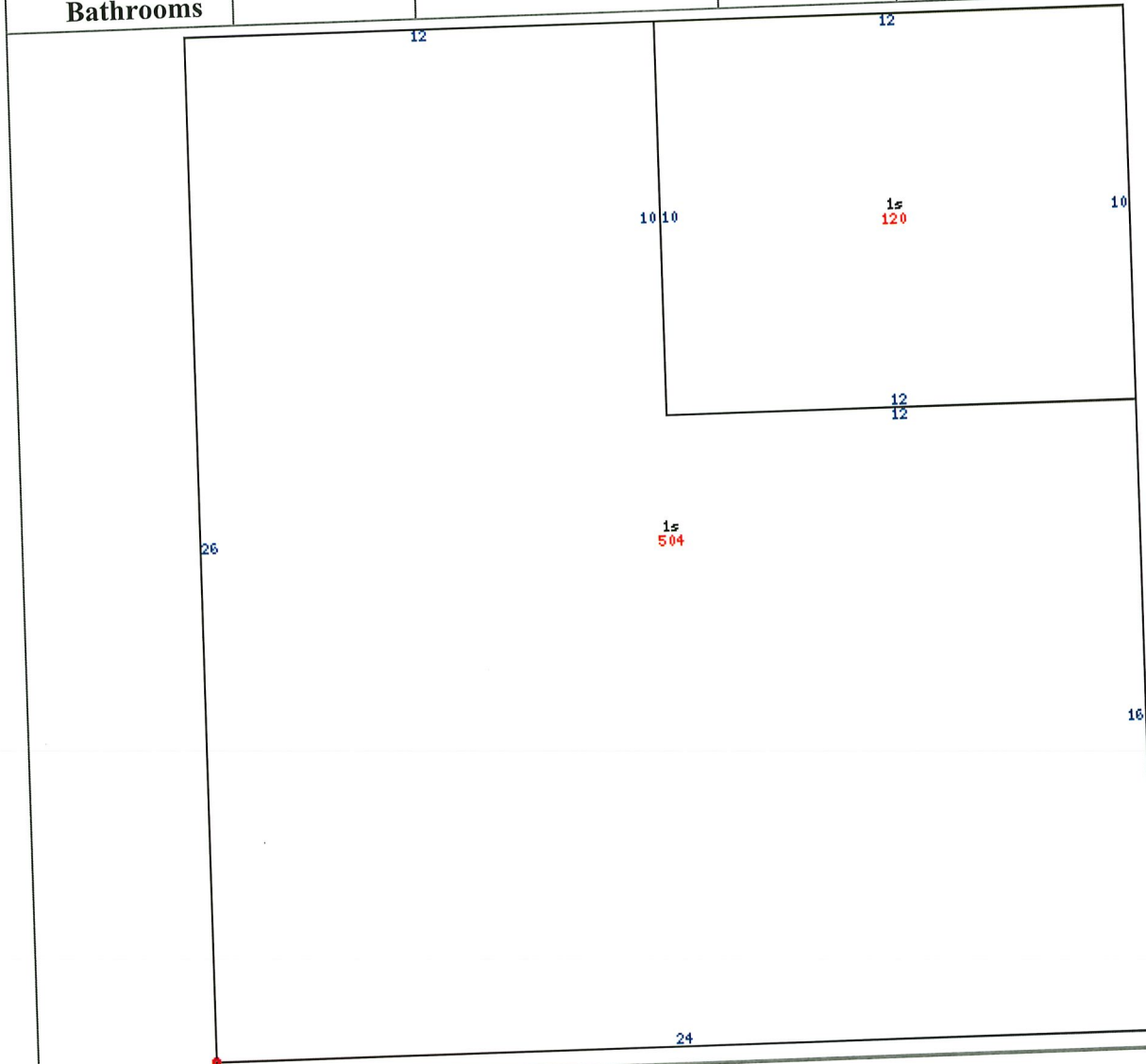
Land

Square Feet	6,900	Acres	0.158	Frontage	50.0
Depth	138.0	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	1948	Number Families	1	Grade	5-05
Condition	Below Normal	Total Square Foot Living Area	624	Main Living Area	624
Foundation	Concrete Block	Exterior Wall Type	Asbestos	Roof Type	Gable
Roof Material	Asphalt Shingle	Heating	Gas Forced Air	Air Conditioning	100
Number Bathrooms	1	Bedrooms	1	Rooms	3



Detached Structures - 1 Record

Detached Structure #101

3/12/2020

Occupancy	Garage	Measurement Code	Dimensions	Measure 1	24
Measure 2	30	Grade	4	Year Built	1999
Condition	Below Normal				

Sales - 2 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
CAPITOL CITY ERECTORS INC	ARMEL, DENISE	2012-10-01	\$35,000	Contract	14994/175
JEROME, HARRY W ESTATE	CAPITAL CITY ERECTORS INC	1998-04-30	\$10,000	Deed	8155/979

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
ARMEL, DENISE	CAPITAL CITY ERECTORS INC	2019-09-09	2019-10-17	Forfeiture of Contract	17546/900
CAPITAL CITY ERECTORS INC	ARMEL, DENISE	2013-10-11	2013-10-15	Contract	14994/175

Permits - 7 Records

Year	Type	Permit Status	Application	Description
2004	Permit	Cancel	1999-09-02	addition/room (120 sf)
2003	Permit	Pass	1999-09-02	addition/room (120 sf)
2002	Permit	Pass	1999-09-02	addition/room (120 sf)
2001	Permit	Pass	1999-09-02	addition/room (120 sf)
2000	Permit	Complete	1999-09-02	construction/garage (720 sf) (cost \$12,268)
2000	Permit	Pass	1999-09-02	addition/room (120 sf) (cost \$6,974)
2000	Permit	No Add	1999-09-02	addition/fence (cost \$300)

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2019	Assessment Roll	Residential	Full	\$6,100	\$36,400	\$42,500
2017	Assessment Roll	Residential	Full	\$5,300	\$33,200	\$38,500
2015	Assessment Roll	Residential	Full	\$5,100	\$33,200	\$38,300
2013	Assessment Roll	Residential	Full	\$4,900	\$32,900	\$37,800
2011	Assessment Roll	Residential	Full	\$5,900	\$39,300	\$45,200
2010	Assessment Roll	Residential	Full	\$5,800	\$38,200	\$44,000
2009	Assessment Roll	Residential	Full	\$5,800	\$38,200	\$44,000
			Adj	\$5,800	\$27,400	\$33,200
2007	Assessment Roll	Residential	Full	\$5,800	\$38,200	\$44,000
			Adj	\$5,800	\$27,400	\$33,200
2005	Assessment Roll	Residential	Full	\$5,000	\$30,700	\$35,700
			Adj	\$5,000	\$19,900	\$24,900
2003	Assessment Roll	Residential	Full	\$4,280	\$26,470	\$30,750
			Adj	\$4,280	\$15,670	\$19,950

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Yr	Type	Class	Kind	Land	Bldg	Total
2001	Assessment Roll	Residential	Full	\$4,440	\$19,050	\$23,490
			Adj	\$4,440	\$8,250	\$12,690
2000	Assessment Roll	Residential	Full	\$4,200	\$17,120	\$21,320
			Adj	\$4,200	\$6,320	\$10,520
1999	Assessment Roll	Residential	Full	\$4,200	\$7,730	\$11,930
1989	Assessment Roll	Residential	Full	\$3,800	\$7,000	\$10,800

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

42E

DATE OF NOTICE: January 14, 2020

DATE OF INSPECTION: November 01, 2019

CASE NUMBER: COD2019-07289

PROPERTY ADDRESS: 1500 E FLEMING AVE

LEGAL DESCRIPTION: LOT 38 MADISON PLACE

DIXIE RICE DBA CAPITOL CITY ERECTORS INC
Title Holder
320 BROAD ST
REASNOR IA 50232

CHARLES S RICE DBA CAPITOL CITY ERECTORS INC
Title Holder
DECEASED

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 60-192 and 60-191 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. The violations noted must be corrected within 30 days from date of notice. Failure to correct these violations will result in a request to the City Council 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 (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 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 (515) 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 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.

Kevin Pyles

(515) 283-4122



Nid Inspector

DATE MAILED: 1/14/2020

MAILED BY: JDH

Areas that need attention: 1500 E FLEMING AVE

Component:	Electrical System	Defect:	Fire damaged
Requirement:	Electrical Permit	Location:	Garage Throughout
Comments:	Damage repair or replace		
Component:	Exterior Doors/Jams	Defect:	Fire damaged
Requirement:	Compliance, International Property Maintenance Code	Location:	Garage Throughout
Comments:	Repair/replace exterior doors damaged in the fire.		
Component:	Exterior Walls	Defect:	Fire damaged
Requirement:	Compliance, International Property Maintenance Code	Location:	Garage Throughout
Comments:	Repair/replace siding damaged in fire.		
Component:	Interior Walls /Ceiling	Defect:	Fire damaged
Requirement:	Building Permit	Location:	Garage Throughout
Comments:	Hire licensed contractor to repair/replace fire damaged wall and ceiling. Any structural repairs requires a permit.		
Component:	Soffit/Facia/Trim	Defect:	Fire damaged
Requirement:	Compliance, International Property Maintenance Code	Location:	Garage Throughout
Comments:	Repair/replace any fire damaged material and paint to match.		
Component:	Shingles Flashing	Defect:	Holes or major defect
Requirement:	Compliance, International Property Maintenance Code	Location:	Garage Throughout
Comments:	Fix holes in roof and reshingle to match. Any structural repairs would require a permit.		
Component:	Trusses	Defect:	Fire damaged
Requirement:	Building Permit	Location:	Garage Throughout
Comments:	Hire licensed contractor to repair/replace fire damaged trusses. Building permit required.		
Component:	Mechanical System	Defect:	Fire damaged
Requirement:	Mechanical Permit	Location:	Garage Throughout
Comments:	Hire licensed contractor to repair/replace any damaged parts of the mechanical system.		

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1500 E. Fleming Ave



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Tyvek
HomeWrap