



Roll Call Number

Agenda Item Number

43 A

Date June 27, 2022

ABATEMENT OF PUBLIC NUISANCE AT 4153 56th STREET

WHEREAS, the property located at 4153 56th Street, 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, Dana M. Kauzlarich, 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 Lots 84, 85 and 86 in Block "F" in AVIATION PARK, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 4153 56th 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(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:



Judy K. Parks-Kruse, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
SHEUMAKER				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED		APPROVED		

CERTIFICATE

I, Laura Baumgartner, acting 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



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

Case Number: NUIS-2022-000045	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 02/09/2022
	Date of Notice: 03/18/2022
	Date of Inspection: 02/09/2022

DANA KAUZLARICH
4153 56TH ST
DES MOINES IA 50310

Address of Property: 4153 56TH ST, DES MOINES IA 50310
Parcel Number: 792419303001
Legal Description:

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
60-191 - Vacation and Abatement	MAIN STRUCTURE THOUGHOUT Vacate the structure until nuisance has been abated and is no longer declared a public nuisance.	04/15/2022
60-192(1) - Dangerous Structure or Premise - Door, Stairway, Exit	MAIN STRUCTURE THOUGHOUT 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.	04/15/2022
60-192(10) - Dangerous Structure or Premise - Lack of Sufficient Construction	MAIN STRUCTURE THOUGHOUT Vacate and secure the structure or premises, OR, demolish the structure after obtaining required demolition permit, OR, repair or replace insufficient construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause that is a threat to life or health.	04/15/2022

60-192(12) - Dangerous Structure or Premise - Abandoned	MAIN STRUCTURE THOUGHOUT Demolish the abandoned structure or premises, OR, repair, replace, or renovate the abandoned building or structure to a state such that it is no longer a nuisance or hazard to the public.	04/15/2022
60-192(13) - Unsafe or dangerous structure	MAIN STRUCTURE THOUGHOUT Repair or replace the building or structure that is in a condition that it presents either a substantial risk of fire, building collapse, or any other threat to life and safety, OR, demolish the structure.	04/15/2022
60-192(14) - Unsafe or dangerous structure	MAIN STRUCTURE THOUGHOUT Repair or replace the unsafe equipment OR demolish the structure.	04/15/2022
60-192(15) - Unsafe or dangerous structure	MAIN STRUCTURE THOUGHOUT Repair or replace the unsafe or unlawful structure OR demolish the structure.	04/15/2022
60-192(2) - Dangerous Structure or Premise - Walking Surface	MAIN STRUCTURE THOUGHOUT Repair or replace walking surface of any aisle, passageway, stairway, exit, or other means of egress that is unsafe and does not provide safe and adequate means of egress.	04/15/2022

60-192(3) - Dangerous Structure or Premise
- Damaged

MAIN STRUCTURE THOUGHOUT

04/15/2022

Repair or replace 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.

*HAVE A LICENSED MECHANICAL CONTRACTOR INSPECT THE ENTIRE MECHANICAL SYSTEM AND PROVIDE A COPY OF THE FINDING. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE MECHANICAL SYSTEM THROUGHOUT THE ENTIRE STRUCTURE. WORK MUST BE DONE BY A LICENSED MECHANICAL CONTRACTOR.

*HAVE A LICENSED PLUMBING CONTRACTOR INSPECT THE ENTIRE PLUMBING SYSTEM AND PROVIDE A COPY OF THE FINDINGS. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE PLUMBING SYSTEM THROUGHOUT THE ENTIRE STRUCTURE. WORK MUST BE DONE BY A LICENSED PLUMBING CONTRACTOR.

*HAVE A LICENSED ELECTRICAL CONTRACTOR INSPECT THE ENTIRE ELECTRICAL SYSTEM AND PROVIDE A COPY OF THE FINDINGS. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE ELECTRICAL SYSTEM THROUGHOUT THE ENTIRE STRUCTURE. WORK MUST BE DONE BY A LICENSED ELECTRICAL CONTRACTOR.

*REPAIR AND REPLACE ANY AND ALL DAMAGED EXTERIOR DOORS AND DOOR JAMS AND MUST BE IN GOOD WORKING ORDER.

*REPAIR AND REPLACE ANY AND ALL DAMAGED FLOORING THROUGHOUT THE STRUCTURE.

*REPAIR OR REPLACE ALL DAMAGED OR MISSING DOORS AND OR JAMS AS NEEDED. OBTAIN FINAL ON PERMIT REQUIRED IF CHANGING OPENING SIZE

*REPAIR OR REPLACE ALL DAMAGED OR MISSING WINDOWS AS NEEDED. PERMIT REQUIRED IF CHANGING OPENING SIZE.

*OBTAIN FINAL ON PERMIT TO REPAIR OR REPLACE OF ANY DAMAGED OR MISSING EXTERIOR WALLS.

*OBTAIN FINAL ON PERMIT AND HAVE LICENSED CONTRACTOR REPAIR OR

REPLACE DAMAGE DECKING, RAILING, JOIST, BEAMS, HANDRAIL, AND STAIRS. PERMIT REQUIRED FOR REPLACEMENT OF ALL STRUCTURAL COMPONENTS.

*OBTAIN FINAL ON PERMIT AND HAVE LICENSED CONTRACTOR PROPERLY REMEDIATE ALL MOLD. PROVIDE COPY OF INVOICE.

*OBTAIN FINAL ON PERMIT AND HAVE LICENSED CONTRACTOR REPAIR OR REPLACE ALL DAMAGED WALL COMPONENTS, INCLUDING: FRAMING, SHEETING, AND COVERINGS. PERMIT REQUIRED FOR REPLACEMENT OF ALL STRUCTURAL COMPONENTS.

*HAVE LICENSED CONTRACTOR CHECK AND OBTAIN FINAL ON PERMIT REPLACE ALL DAMAGE AND DETERIORATED TRUSSES.

*REPLACE ANY DAMAGED ROOFING MATERIAL. PER CITY CODE SHINGLES LIMITED TO ONE LAYER. ANY STRUCTURAL REPAIRS WILL REQUIRE A PERMIT

*REPLACE ALL DAMAGED ROOFING COMPONENTS BY LICENSED CONTRACTOR. BUILDING PERMIT REQUIRED IF REPLACING SHEETING.

*REPAIR/REPLACE ANY BROKEN, MISSING, DAMAGED OR ROTTED SIDING. ANY REPAIRS TO THE STRUCTURE WILL REQUIRE A BUILDING PERMIT.

*FOUNDATION NEEDS ENGINEERS REPORT. REPAIR PER ENGINEER'S REPORT. BUILDING PERMIT MAY BE REQUIRED.

UNABLE TO GAIN ACCESS INTO STRUCTURE, POSSIBLE MORE VIOLATIONS.

MECHANICAL

OBTAIN FINAL ON MECHANICAL PERMIT OR PROVIDE RECEIPT FROM LICENSED CONTRACTOR.

REPLACE FURNACE BY LICENSED MECHANICAL CONTRACTOR, OBTAIN FINAL ON MECHANICAL PERMIT OR PROVIDE RECEIPT FROM LICENSED CONTRACTOR.

REPLACE MECHANICAL SYSTEM BY LICENSED MECHANICAL CONTRACTOR, OBTAIN FINAL ON MECHANICAL PERMIT OR PROVIDE RECEIPT FROM LICENSED CONTRACTOR.

REPLACE/REPAIR DUCTWORK BY LICENSED MECHANICAL CONTRACTOR, OBTAIN FINAL ON MECHANICAL PERMIT OR PROVIDE RECEIPT FROM LICENSED CONTRACTOR

PLUMBING

REPLACE WATER HEATER BY LICENSED PLUMBING CONTRACTOR, OBTAIN FINAL ON PLUMBING PERMIT OR PROVIDE RECEIPT FROM LICENSED CONTRACTOR.

REPLACE GAS LINES BY LICENSED PLUMBING CONTRACTOR, OBTAIN FINAL ON PLUMBING PERMIT OR PROVIDE RECEIPT FROM LICENSED CONTRACTOR.

REPLACE PLUMBING AND PLUMBING FIXTURES BY LICENSED PLUMBING CONTRACTOR, OBTAIN FINAL ON PLUMBING PERMIT OR PROVIDE RECEIPT FROM LICENSED CONTRACTOR.

ELECTRICAL

REPLACE ELECTRICAL SERVICE BY LICENSED ELECTRICAL CONTRACTOR, OBTAIN FINAL ON ELECTRICAL PERMIT.

REPLACE ELECTRICAL RECEPTACLES BY LICENSED ELECTRICAL CONTRACTOR, OBTAIN FINAL ON ELECTRICAL PERMIT

REPLACE ELECTRICAL WIRES BY LICENSED ELECTRICAL CONTRACTOR, OBTAIN FINAL ON ELECTRICAL PERMIT

IF CHOSEN TO DEMOLISH, PERMIT MUST BE PULLED AND FINALIZED.

60-192(4) - Dangerous Structure or Premise
- Insufficient Strength or Stability

MAIN STRUCTURE THOUGHOUT

Repair or replace any portion of a building, or any member, appurtenance, or ornamentation on the exterior of the structure that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.

04/15/2022

60-192(5) - Dangerous Structure or Premise
- Dilapidated or Deteriorated

MAIN STRUCTURE THOUGHOUT

Repair or replace the building or structure, or part of a structure which is likely to partially or completely collapse 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, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.

04/15/2022

60-192(6) - Dangerous Structure or Premise - Unsafe	MAIN STRUCTURE THOUGHOUT Vacate and secure any structure that is clearly unsafe for its use and occupancy, OR, demolish the structure after obtaining required permit, OR repair or replace the building or structure, or any portion thereof, that is clearly unsafe for its use and occupancy.	04/15/2022
60-192(7) - Dangerous Structure or Premise - Attractive Nuisance, Harbor for Vagrants	MAIN STRUCTURE THOUGHOUT Vacate and secure the structure, OR, repair or replace the building or structure that is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children, 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.	04/15/2022
60-192(8) - Dangerous Structure or Premise - Substantial Risk	MAIN STRUCTURE THOUGHOUT Repair or replace any portion of the building or structure that is in a condition that it presents either a substantial risk of fire, building collapse, or any other threat to life and safety, OR, demolish the structure.	04/15/2022
60-192(9) - Dangerous Structure or Premise - Unsanitary, Unfit for Habitation	MAIN STRUCTURE THOUGHOUT Vacate and secure the structure or premises, OR, repair, replace, and/or sanitize any building or structure determined to be unsanitary, unfit for human habitation, or in such a condition that it is likely to cause sickness or disease.	04/15/2022
60-194 - Defacing and Removing Placard	Replace or restore defaced or removed placard.	04/15/2022

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,



Charles McClaran
Vehicle Impound Clerk
Neighborhood Services
602 Robert D. Ray Drive, Des Moines, IA 50309
(515) 283-4722
CWMcClaran@dmgov.org

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	4153 56TH ST				
City	DES MOINES	Zip	50310	Jurisdiction	Des Moines
District/Parcel	100/00653-000-000	Geoparcel	7924-19-303-001	Status	Active
School	Des Moines	Nbhd/Pocket	DM64/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northwest Des Moines	Appraiser	Braxton Peats 515-286-3839		

Map and Current Photos - 1 Record

Click on parcel to get a new listing

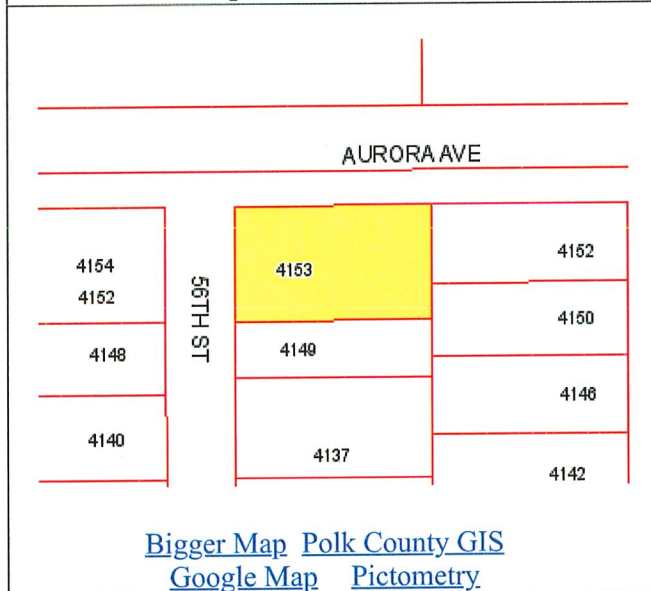


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[Historical Photos](#)

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	KAUZLARICH, DANA M	1984-12-28	5416/217

Legal Description and Mailing Address

LTS 84, 85, 86 BLK F AVIATION PARK	DANA M KAUZLARICH 4153 56TH ST DES MOINES, IA 50310-1866
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Current Values

Type	Class	Kind	Land	Bldg	Total
2021 Value	Residential	Full	\$37,200	\$52,100	\$89,300

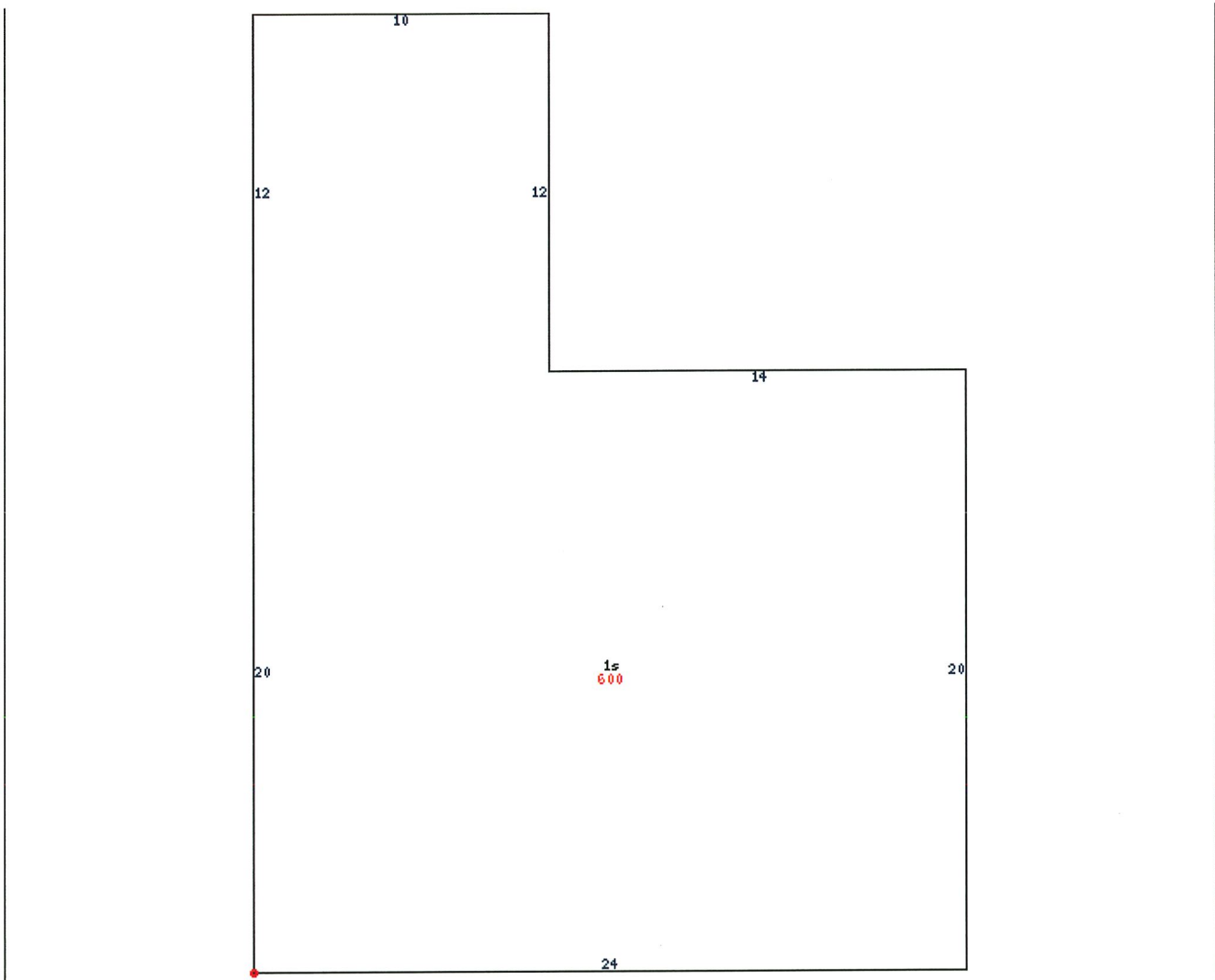
[Market Adjusted Cost Report](#)

Auditor Adjustments to Value

Category	Name	Information
2021 Homestead Credit	KAUZLARICH, DANA M	Application #79861

Zoning - 1 Record

Zoning	Description			SF	Assessor Zoning
N3B	N3b Neighborhood District				Residential
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>					
Land					
Square Feet	11,423	Acres	0.262	Frontage	81.0
Depth	140.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		
Residences - 1 Record					
Residence #1					
Occupancy	Single Family	Residence Type	1 Story	Building Style	Ranch
Year Built	1949	Number Families	1	Grade	5+10
Condition	Poor	Total Square Foot Living Area	600	Main Living Area	600
Foundation	Concrete Block	Exterior Wall Type	Metal Siding	Roof Type	Gable
Roof Material	Asphalt Shingle	Heating	Gas Forced Air	Air Conditioning	0
Number Bathrooms	1	Bedrooms	1	Rooms	4



Detached Structures - 1 Record

Detached Structure #101

Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	30	Measure 2	50	Story Height	1
Grade	4	Year Built	1985	Condition	Normal

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2021	Assessment Roll	Residential	Full	\$37,200	\$52,100	\$89,300
2019	Assessment Roll	Residential	Full	\$34,700	\$49,700	\$84,400
2017	Assessment Roll	Residential	Full	\$30,400	\$64,500	\$94,900
2015	Assessment Roll	Residential	Full	\$27,200	\$59,100	\$86,300
2013	Assessment Roll	Residential	Full	\$24,200	\$54,000	\$78,200
2011	Assessment Roll	Residential	Full	\$24,200	\$54,800	\$79,000
2009	Assessment Roll	Residential	Full	\$27,600	\$60,900	\$88,500
2007	Assessment Roll	Residential	Full	\$25,700	\$56,600	\$82,300
2005	Assessment Roll	Residential	Full	\$20,500	\$54,100	\$74,600
2003	Assessment Roll	Residential	Full	\$19,600	\$52,050	\$71,650
2001	Assessment Roll	Residential	Full	\$17,880	\$44,320	\$62,200
1999	Assessment Roll	Residential	Full	\$17,800	\$43,920	\$61,720
1997	Assessment Roll	Residential	Full	\$16,170	\$39,890	\$56,060

Yr	Type	Class	Kind	Land	Bldg	Total
1995	Assessment Roll	Residential	Full	\$14,580	\$35,960	\$50,540
1993	Board Action	Residential	Full	\$13,250	\$32,690	\$45,940
1993	Assessment Roll	Residential	Full	\$13,250	\$36,500	\$49,750
1991	Assessment Roll	Residential	Full	\$13,250	\$32,690	\$45,940
1991	Was Prior Year	Residential	Full	\$13,250	\$28,600	\$41,850

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