



Roll Call Number

Agenda Item Number

23 B

Date January 23, 2023

ABATEMENT OF PUBLIC NUISANCE AT 6309 SOUTH UNION STREET

WHEREAS, the property located at 6309 South Union 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 Titleholders, Gary G. Miles and Kimmie B. Miles, were notified more than thirty days ago to repair or demolish the main structure and as of this date have 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 The North 48 feet of the South 96 feet of Lots 266 and 267, except the West 5 feet of Lot 266 in CUMMINSFORD, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 6309 South Union 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:

Molly E. Tracy, Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, SHEUMAKER, MANDELBAUM, VOSS, WESTERGAARD, TOTAL, MOTION CARRIED, APPROVED, Mayor.

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.

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	6309 SOUTH UNION ST				
City	DES MOINES	Zip	50315	Jurisdiction	Des Moines
District/Parcel	120/00833-002-000	Geoparcels	7824-27-353-003	Status	Active
School	Des Moines	Nbhd/Pocket	DM41/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	South 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](#)

Photo Processed on 2017-10-23 a

[Historical Photos](#)

Ownership - 2 Records

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	MILES, GARY G	1988-01-15	5814/761
Title Holder	2	MILES, KIMMIE B		

Legal Description and Mailing Address

-EX W 5F- N 48F S 96F LTS 266 & 267 CUMMINSFORD	GARY G MILES 6309 S UNION ST DES MOINES, IA 50315-5865
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Current Values

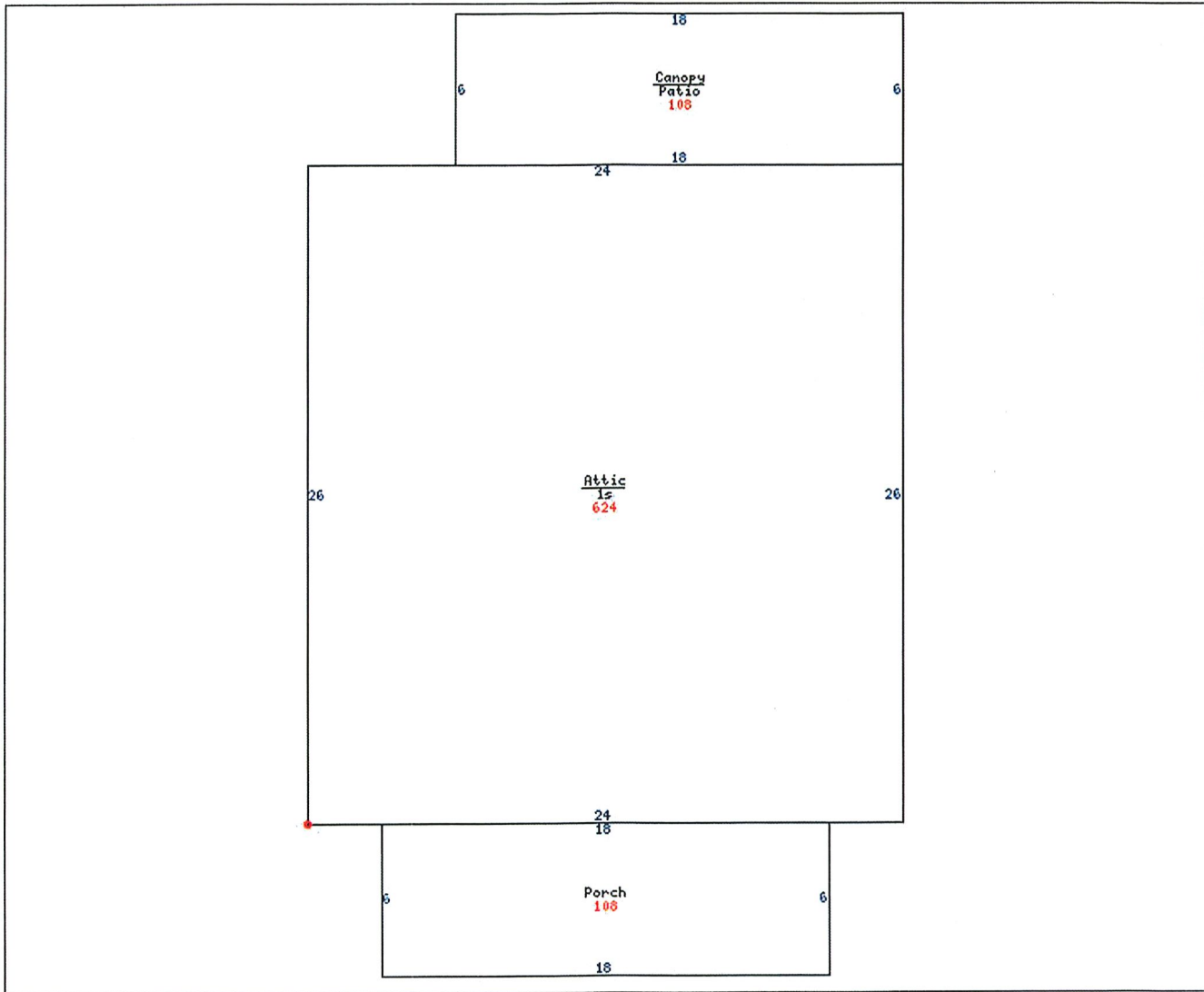
Type	Class	Kind	Land	Bldg	Total
2022 Value	Residential	Full	\$18,400	\$22,900	\$41,300

[Market Adjusted Cost Report](#)

Auditor Adjustments to Value

Category	Name	Information
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Category		Name	Information		
2022 Homestead Credit		MILES, KIMMIE B	Application #63097		
2022 Military Exemption		MILES, GARY G	Desert Storm Application #50026		
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	5,520	Acres	0.127	Frontage	48.0
Depth	115.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		
Residences - 1 Record					
Residence #1					
Occupancy	Single Family	Residence Type	1 Story Finished Attic	Building Style	Early 20s
Year Built	1915	Number Families	1	Grade	4-10
Condition	Poor	Total Square Foot Living Area	967	Main Living Area	624
Attic Finished Area	343	Open Porch Area	108	Patio Area	108
Canopy Square Foot	108	Foundation	Poured Concrete	Exterior Wall Type	Hardboard
Roof Type	Gable	Roof Material	Asphalt Shingle	Heating	Gas Forced Air
Air Conditioning	0	Number Bathrooms	1	Bedrooms	3
Rooms	6				



Sales - 1 Record

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
RICHARDSON, VIRGINIA M.	MILES, GARY G.	1988-01-07	\$25,500	Deed	5814/761

Permits - 1 Record

Year	Type	Permit Status	Application	Reason	Reason1
2005	Pickup	Complete	2004-09-30	Correct Data	SIDING

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2021	Assessment Roll	Residential	Full	\$18,400	\$22,900	\$41,300
2019	Assessment Roll	Residential	Full	\$16,100	\$20,000	\$36,100
2017	Assessment Roll	Residential	Full	\$14,200	\$17,600	\$31,800
2015	Assessment Roll	Residential	Full	\$12,900	\$16,300	\$29,200
2013	Assessment Roll	Residential	Full	\$12,600	\$15,900	\$28,500
2011	Assessment Roll	Residential	Full	\$13,200	\$16,600	\$29,800
2009	Assessment Roll	Residential	Full	\$13,200	\$15,900	\$29,100
2007	Assessment Roll	Residential	Full	\$14,200	\$17,100	\$31,300
2005	Assessment Roll	Residential	Full	\$10,400	\$16,200	\$26,600

Yr	Type	Class	Kind	Land	Bldg	Total
2003	Assessment Roll	Residential	Full	\$9,130	\$24,950	\$34,080
2001	Assessment Roll	Residential	Full	\$7,520	\$25,390	\$32,910
1999	Assessment Roll	Residential	Full	\$7,020	\$22,920	\$29,940
1997	Assessment Roll	Residential	Full	\$6,520	\$21,300	\$27,820
1995	Assessment Roll	Residential	Full	\$5,740	\$18,740	\$24,480
1993	Assessment Roll	Residential	Full	\$4,990	\$16,290	\$21,280
1991	Assessment Roll	Residential	Full	\$4,990	\$15,470	\$20,460
1991	Was Prior Year	Residential	Full	\$4,990	\$8,630	\$13,620

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

23B



12-08-2022 10:55 AM



12-08-2027 10:56 AM

23B



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

Case Number: NUIS-2022-000191	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 09/06/2022
	Date of Notice: 09/14/2022
	Date of Inspection: 09/07/2022

KIMMIE B MILES
6309 SOUTH UNION ST
DES MOINES IA 50315

Address of Property: 6309 SOUTH UNION ST, DES MOINES IA 50315
Parcel Number: 782427353003
Legal Description: -EX W 5F- N 48F S 96F LTS 266 & 267 CUMMINSFORD

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
135-2 C - Outbuilding and Detached Garage A fully enclosed building on a lot that is detached from the principal structure on the same lot. A principal structure is required, unless otherwise stated.	Remove the outbuilding and/or detached garage should the primary structure be removed.	10/18/2022

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. 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.

Vacate the structure until nuisance has been abated and is no longer declared a public nuisance.

10/18/2022

60-192(1) - Dangerous Structure or Premise - Door, Stairway, Exit

For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance:

(1) Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the approved building or fire code of the jurisdiction as related to the requirements for existing buildings.

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.

10/18/2022

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

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

** Front porch and Rear patio roof

UNABLE TO GAIN ACCESS INTO STRUCTURE, POSSIBLE MORE VIOLATIONS.

60-192(10) - Dangerous Structure or Premise - Lack of Sufficient Construction

For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance:

(10) Any building or structure, because of lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the administrator to be a threat to life or health.

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.

*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. OBTAIN FINAL ON ELECTRICAL PERMIT.

**Throughout main structure and especially the mast on the front of the residence that feeds electricity to the residence.

10/18/2022

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

For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance:

(3) 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.

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.

**Replace all gutters and soffits throughout main structure.

10/18/2022

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

For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance:

(4) 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.

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.

10/18/2022

* 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.

**Front porch and back patio roof

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

**Throughout outside of main structure.

60-194 - Defacing and Removing Placard

No person shall deface or remove the placard, except as authorized by the administrator.

Replace or restore defaced or removed placard.

10/18/2022

60-195 - Emergency Measures to Vacate

If one or more of the following exists, the administrator is hereby authorized and empowered to order and require the owner(s) and/or occupant(s) to vacate the premises immediately:

(1) There is imminent danger of failure of collapse of a building or structure that endangers life;

(2) Any structure or part of a structure has fallen and life is endangered by occupation of the structure; or

(3) There is actual or potential danger to the building occupants or those in proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment.

Immediately vacate the building or structure.

10/18/2022

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,



Scott Clauson
Neighborhood Inspector
Neighborhood Services
602 Robert D. Ray Drive, Des Moines, IA 50309
SAclauson@dmgov.org

23B



City of Des Moines
400 Robert D. Ray Drive
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Thank you for your help,

Respectfully,



Scott Clauson
Neighborhood Inspector
Neighborhood Services
602 Robert D. Ray Drive, Des Moines, IA 50309
SAClauson@dmgov.org