



Roll Call Number

Agenda Item Number

33A

Date March 18, 2024

ABATEMENT OF PUBLIC NUISANCE AT 908 E OVID AVENUE

WHEREAS, the property located at 908 E Ovid Avenue, 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, Baccam Housing LLC, 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 The North 132 feet of the South 157 feet of the West 50 feet of the East 100 feet of Lot 10 (except the South 25 feet for street purposes), in ROCKY PLACE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 908 E Ovid 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 structure.

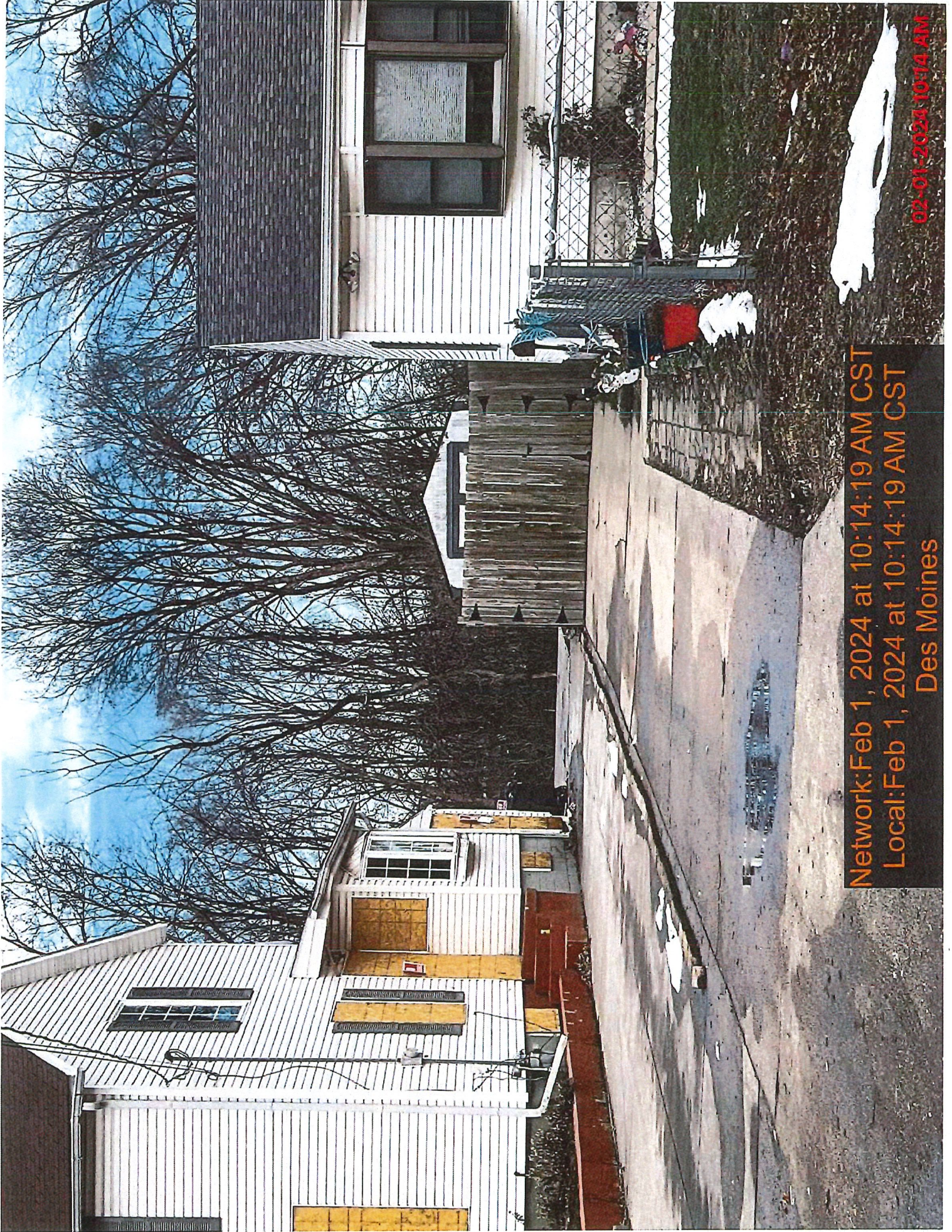
Moved by _____ to adopt.
Second by _____

FORM APPROVED:

Molly E. Tracy, Assistant City Attorney

Table with columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include BOESEN, VOSS, COLEMAN, WESTERGAARD, MANDELBAUM, GATTO, 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



Network: Feb 1, 2024 at 10:14:19 AM CST
Local: Feb 1, 2024 at 10:14:19 AM CST
Des Moines

02-01-2024 10:14 AM



Network:Feb 1, 2024 at 10:14:09 AM CST
Local:Feb 1, 2024 at 10:14:09 AM CST
Des Moines

02-01-2024 10:14 AM

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	908 E OVID AVE				
City	DES MOINES	Zip	50316	Jurisdiction	Des Moines
District/Parcel	110/04598-000-000	Geoparcels	7924-26-208-023	Status	Active
School	Des Moines	Nbhd/Pocket	DM86/A	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northeast Des Moines	Appraiser	Katelyn Evans 515-286-3832		

Map and Current Photos - 1 Record

Click on parcel to get a new listing

[Bigger Map](#) [County GIS](#) [Auditor](#)
[Google Map](#) [Pictometry](#)



[Historical Photos](#)

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	BACCAM HOUSING LLC	2019-11-04	17573/72

Legal Description and Mailing Address

W 50F E 100F N 132F S 157F LOT 10 ROCKY PLACE

BACCAM HOUSING LLC
4005 SW BEECHWOOD ST
ANKENY, IA 50023-9187

Current Values

Type	Class	Kind	Land	Bldg	Total
2023 Value	Residential	Full	\$26,900	\$137,700	\$164,600

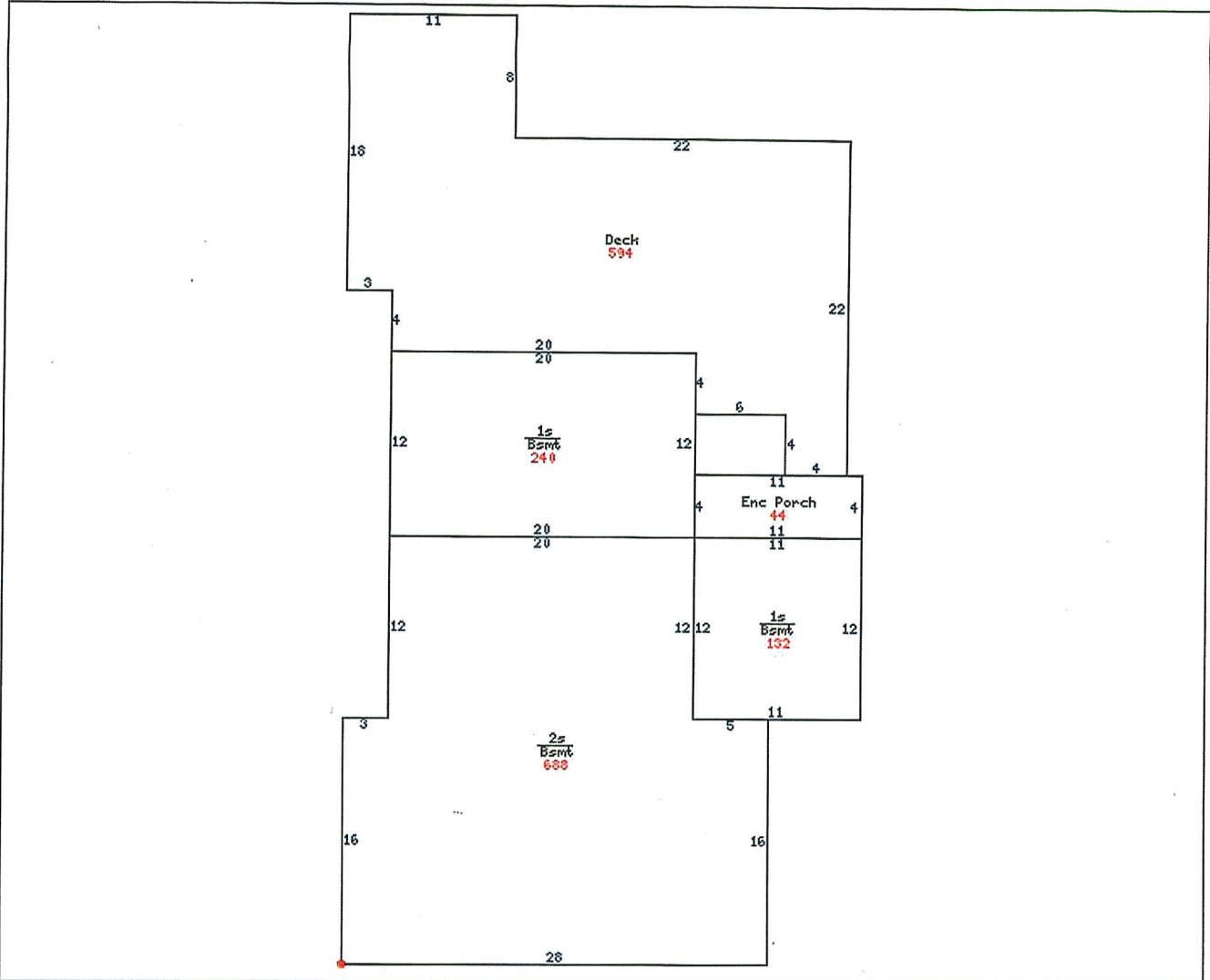
[Assessment Roll Notice](#) [Market Adjusted Cost Report](#)

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
N5	N5 Neighborhood District		Residential

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

Land					
Square Feet	6,600	Acres	0.152	Frontage	50.0
Depth	132.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		
Residences - 1 Record					
Residence #1					
Occupancy	Single Family	Residence Type	2 Stories	Building Style	Early 20s
Year Built	1885	Number Families	1	Grade	4+00
Condition	Normal	Total Square Foot Living Area	1748	Main Living Area	1060
Upper Living Area	688	Basement Area	1060	Enclosed Porch Area	44
Deck Area	594	Foundation	Concrete Block	Exterior Wall Type	Vinyl Siding
Roof Type	Gable	Roof Material	Asphalt Shingle	Heating	Gas Forced Air
Air Conditioning	100	Number Bathrooms	2	Bedrooms	3
Rooms	8				



Detached Structures - 1 Record

Detached Structure #101

Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	22	Measure 2	28	Story Height	1
Grade	4	Year Built	2007	Condition	Normal

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
BACCAM, KHAMPHUY BACCAM, LAVANH	BACCAM HOUSING LLC	2019-10-30	2019-11-04	Quit Claim Deed	17573/72

Permits - 2 Records

Year	Type	Permit Status	Application	Reason	Reason1
2008	Permit	Complete	2007-09-26	Construction	GARAGE (616 sf)
1999	Permit	Complete	1998-04-30	Addition	DECK (448 sf) (Cost \$3,803)

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2023	Assessment Roll	Residential	Full	\$26,900	\$137,700	\$164,600
2021	Assessment Roll	Residential	Full	\$21,700	\$102,900	\$124,600
2019	Assessment Roll	Residential	Full	\$19,000	\$89,800	\$108,800
2017	Assessment Roll	Residential	Full	\$16,900	\$81,100	\$98,000
2015	Assessment Roll	Residential	Full	\$15,200	\$73,400	\$88,600
2013	Assessment Roll	Residential	Full	\$14,900	\$73,300	\$88,200
2011	Assessment Roll	Residential	Full	\$18,200	\$88,900	\$107,100
2009	Board Action	Residential	Full	\$19,700	\$91,600	\$111,300
2009	Assessment Roll	Residential	Full	\$19,700	\$107,300	\$127,000
2008	Board Action	Residential	Full	\$18,600	\$101,100	\$119,700
2008	Assessment Roll	Residential	Full	\$18,600	\$101,100	\$119,700
2007	Assessment Roll	Residential	Full	\$18,600	\$87,100	\$105,700
2005	Board Action	Residential	Full	\$15,900	\$63,700	\$79,600
2005	Assessment Roll	Residential	Full	\$15,900	\$66,300	\$82,200
2003	Assessment Roll	Residential	Full	\$14,420	\$59,510	\$73,930
2001	Assessment Roll	Residential	Full	\$12,670	\$51,140	\$63,810
1999	Assessment Roll	Residential	Full	\$10,050	\$43,370	\$53,420
1997	Assessment Roll	Residential	Full	\$9,020	\$33,750	\$42,770
1995	Assessment Roll	Residential	Full	\$8,000	\$29,910	\$37,910
1990	Assessment Roll	Residential	Full	\$6,780	\$27,190	\$33,970

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33A



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

Case Number: NUIS-2023-000178	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 06/26/2023
	Date of Notice: 12/14/2023
Date of Inspection: 12/11/2023	

BACCAM HOUSING LLC
KHAMPHUY BACCAM, REG. AGENT
4005 SW BEECHWOOD ST
ANKENY IA 50023

Address of Property: 908 E OVID AVE, DES MOINES IA 50316
Parcel Number: 792426208023

Legal Description: W 50F E 100F N 132F S 157F LOT 10 ROCKY PLACE

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
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Violation	Corrective Action	Compliance Due Date
<p>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 by repair, rehabilitation, demolition, or any other City-approved corrective action. 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.</p>	Vacate the structure.	01/29/2024
<p>60-192(1) - Unsafe and Dangerous Structure or Premise 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.</p>	Repair or replace all building components damaged to the point to effectively create a nuisance or a violation. All work must be done in a workmanlike manner with all required permits.	01/29/2024
<p>60-192(17) - Unsafe and Dangerous Structure or Premise Roof or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is fatigued or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects.</p>	Repair or replace all deficient roof components to provide a sound, weathertight condition that provides positive drainage. All work must be done in a workmanlike manner with all required permits.	01/29/2024

Violation	Corrective Action	Compliance Due Date
<p>60-192(21) - Unsafe and Dangerous Structure or Premise Stairs, decks, porches, balconies, walking systems, landings, and all similar appurtenances attached thereto, including guards and handrails are not structurally sound, not properly anchored or that anchored with connections not capable of supporting all nominal loads and resisting all load effects.</p>	<p>Repair or replace all stairs, decks, porches, landings and similar elements of building egress, including guards and handrails to a sound and properly anchored condition. All work must be done in a workmanlike manner with all required permits.</p>	01/29/2024
<p>60-192(3) - Unsafe and Dangerous Structure or Premise The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.</p>	<p>Repair or replace to eliminate conditions that create a nuisance or a violation in a workmanlike manner with permits as required.</p>	01/29/2024
<p>60-192(4) - Unsafe and Dangerous Structure or Premise The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, 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.</p>	<p>Properly secure structure and keep the structure secured against entry.</p>	01/29/2024
<p>60-192(6) - Unsafe and Dangerous Structure or Premise Whenever the condition or maintenance of the premise creates a nuisance that endangers the health and safety of the residents or public.</p>	<p>Repair or replace to eliminate conditions that create a nuisance or a violation in a workmanlike manner with permits as required.</p>	01/29/2024

Violation	Corrective Action	Compliance Due Date
<p>60-192(7) - Unsafe and Dangerous Structure or Premise Any structure that the administrator determines is unfit for human occupancy meaning that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.</p>	<p>Repair structure to a safe, sanitary condition. Provide all required elements of light, ventilation and essential equipment. All work must be done in a workmanlike manner with all required permits.</p>	01/29/2024
<p>60-192(8) - Unsafe and Dangerous Structure or Premise A building, structure or any portion thereof, because of inadequate maintenance, dilapidation, decay, damage, mold, faulty construction or arrangement, inadequate light, ventilation, or otherwise is determined by the administrator to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.</p>	<p>Repair or replace to eliminate conditions that create a nuisance or a violation in a workmanlike manner with permits as required.</p>	01/29/2024
<p>60-194 - Defacing and Removing Placard No person shall deface or remove the placard, except as authorized by the administrator.</p>	<p>Replace or restore defaced or removed placard.</p>	01/29/2024

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,



Kevin Pyles
Neighborhood Inspector
Neighborhood Services
602 Robert D. Ray Drive, Des Moines, IA 50309
(515) 283-4122
KEPyles@dmgov.org