



Roll Call Number

Agenda Item Number
BDH 1(B)

Date August 10, 2015

WHEREAS, the property located at 1405 Idaho Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the fire-damaged 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, Stephen Lipovac dba LAS 2004 Rev Trust and Stephen Lipovac dba LRR 2004 Rev Trust; Contract Buyer, Paula J Rochon; and Mortgage Holder, West Bank, were notified via personal service more than thirty days ago to repair or demolish the fire-damaged 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, AND SITTING AS THE LOCAL BOARD OF HEALTH:

The fire-damaged main structure on the real estate legally described as Lots 182 and 183 in ASHBROOK, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa and locally known as 1405 Idaho 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 structure.

Moved by _____ to adopt.

FORM APPROVED:



Vicky Long Hill, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
MOORE				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

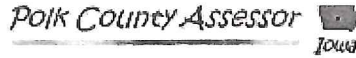
CERTIFICATE

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

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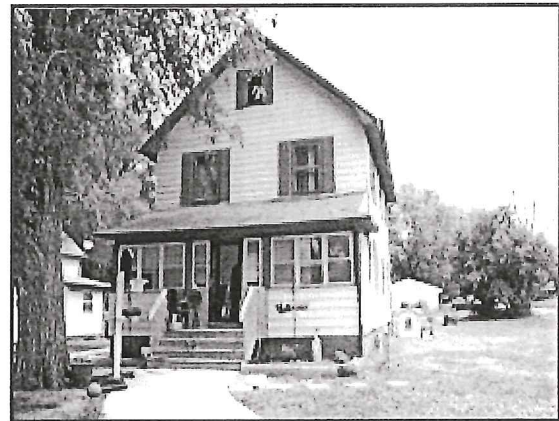
District/Parcel	GeoParcel	Map	Nbhd	Jurisdiction	Status
110/00290-001-000	7924-36-302-035	1258	DM08/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address			City State Zipcode		
1405 IDAHO ST			DES MOINES IA 50316-2423		

Click on parcel to get new listing

[Get Bigger Map](#)

[Google Map](#)

1422	1421	1420	1421
1418	1419	1418	1419
1414	1415	1412	1413
1410	1411	1410	1409
1409	1405	1406	1403
1402	1401	1401	1401
1372	1373	1370	1371
1357	1354	1357	1357
1351	1350	1355	1355



Approximate date of photo 07/02/2008
Click on photo to see all 2 photos

Mailing Address
PAULA J ROCHON 1405 IDAHO ST DES MOINES, IA 50316-2423

Legal Description
LOTS 182 & 183 ASHBROOK

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	LAS 2004 REV TRUST	2007-06-14	12238/501	
Title Holder #2	LRR 2004 REV TRUST			
Contract Buyer #1	ROCHON, PAULA J	2007-04-24	12161/204	

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	10,800	74,400	0	85,200
		Adj	10,800	49,900	0	60,700

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Abatement	J/Urban Revitalization	added value 24,500	Plan 4A	0	24,500	2006-2015
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[Market Adjusted Cost Report](#)
[Assessment Roll Notice](#)
[Estimate Taxes](#)
[Polk County Treasurer](#)
[Tax Information](#)
[Pay Taxes](#)

Taxable Value Credit	Name	Number	Info
Homestead	ROCHON, PAULA J	222314	

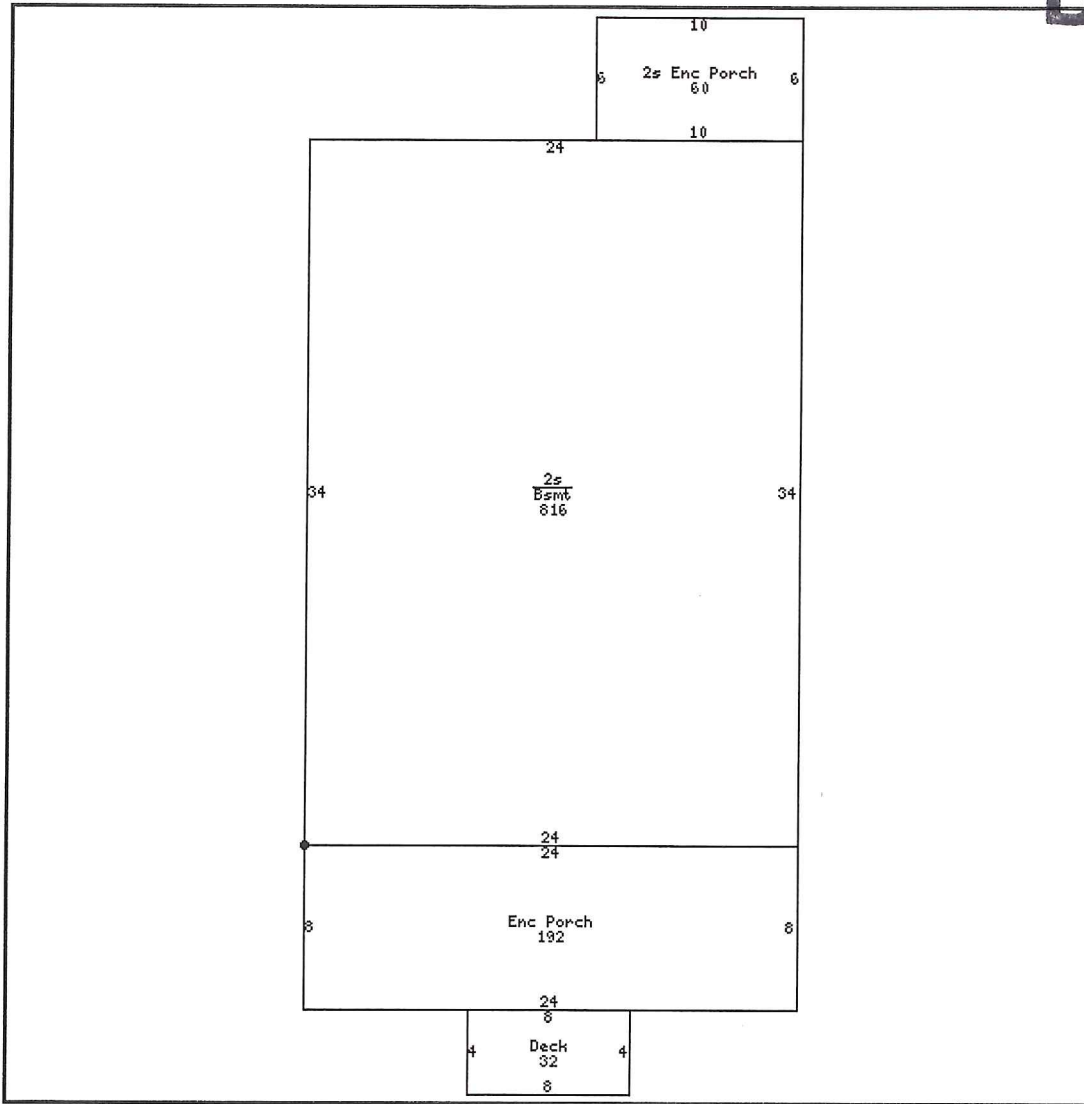
Zoning	Description	SF	Assessor Zoning
R-2A	General Residential District		Multi-Family Residential

Source: City of Des Moines Community Development **Published:** 2012-03-20 **Contact:** Planning and Urban Design 515 283-4182

<u>Land</u>					
SQUARE FEET	12,000	FRONTAGE	75.0	DEPTH	160.0
ACRES	0.275	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

<u>Residence # 1</u>					
OCCUPANCY	SF/Single Family	RESID TYPE	SP/Over 2 Stories	BLDG STYLE	CV/Conventional
YEAR BUILT	1903	YEAR REMODEL	2005	# FAMILIES	1
GRADE	4	GRADE ADJUST	-05	CONDITION	AN/Above Normal
TSFLA	1,632	MAIN LV AREA	816	UPPR LV AREA	816
ATTIC UNFIN	286	BSMT AREA	816	ENCL PORCH	312
DECK AREA	32	FOUNDATION	B/Brick	EXT WALL TYP	MT/Metal Siding
ROOF TYPE	GB/Gable	ROOF MATERL	A/Asphalt Shingle	HEATING	A/Gas Forced Air
AIR COND	0	BATHROOMS	2	BEDROOMS	4
ROOMS	8				

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Year	Type	Status	Application	Permit/Pickup Description
Current	U/Pickup	TW/To Work	2015-07-07	RD/Fix Damage FIRE

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2015	Assessment Roll	Residential	Full	10,800	74,400		85,200
			Adj	10,800	49,900		60,700
2013	Assessment Roll	Residential	Full	10,700	74,400	0	85,100
			Adj	10,700	49,900	0	60,600

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Room 195, 111 Court Avenue, Des Moines, IA 50309
 Phone 515 286-3140 / Fax 515 286-3386
polkweb@assess.co.polk.ia.us



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

BDH 1(B)

DATE OF NOTICE: May 28, 2015

DATE OF INSPECTION: April 16, 2015

CASE NUMBER: COD2015-00679

PROPERTY ADDRESS: 1405 IDAHO ST

LEGAL DESCRIPTION: LOTS 182 & 183 ASHBROOK

PAULA J ROCHON
 Contract Buyer
 752 KNOLLS CT
 WEST DES MOINES IA 50265

WEST BANK
 Mortgage Holder
 ATTN: JOHN F MCKINNEY III, RA
 1601 22ND ST
 WEST DES MOINES IA 50265

STEPHEN LIPOVAC D/B/A LAS 2004 REV TRUST
 Title Holder
 328 5TH ST
 WEST DES MOINES IA 50265

STEPHEN LIPOVAC D/B/A LRR 2004 REV TRUST
 Title Holder
 328 5TH ST
 WEST DES MOINES IA 50265

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. The violations noted must be corrected within 30 days from data of 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.

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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.


Tim O'Brien

(515) 283-4011

Nid Inspector

DATE MAILED: 5/28/2015

MAILED BY: JDH

Areas that need attention: 1405 IDAHO ST

<p><u>Component:</u> Exterior Walls <u>Requirement:</u> Building Permit <u>Comments:</u></p>	<p><u>Defect:</u> Fire damaged <u>Location:</u></p>
<p><u>Component:</u> Electrical System <u>Requirement:</u> Electrical Permit <u>Comments:</u></p>	<p><u>Defect:</u> Fire damaged <u>Location:</u></p>
<p><u>Component:</u> Exterior Doors/Jams <u>Requirement:</u> Building Permit <u>Comments:</u></p>	<p><u>Defect:</u> Fire damaged <u>Location:</u></p>
<p><u>Component:</u> <u>Requirement:</u> <u>Comments:</u></p>	<p><u>Defect:</u> <u>Location:</u></p>
<p><u>Component:</u> Floor Joists/Beams <u>Requirement:</u> Building Permit <u>Comments:</u></p>	<p><u>Defect:</u> Fire damaged <u>Location:</u></p>
<p><u>Component:</u> Flooring <u>Requirement:</u> Building Permit <u>Comments:</u></p>	<p><u>Defect:</u> Fire damaged <u>Location:</u></p>
<p><u>Component:</u> Interior Stairway <u>Requirement:</u> Building Permit <u>Comments:</u></p>	<p><u>Defect:</u> Flame/Smoke Spread <u>Location:</u></p>
<p><u>Component:</u> Plumbing System <u>Requirement:</u> Plumbing Permit <u>Comments:</u></p>	<p><u>Defect:</u> Fire damaged <u>Location:</u></p>

Component:	Interior Walls / Ceiling	Defect:	Fire damaged
Requirement:	Building Permit	Location:	
Comments:			

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

Component:	Roof	Defect:	Fire damaged
Requirement:	Building Permit	Location:	
Comments:			

Component:	Windows/Window Frames	Defect:	Fire damaged
Requirement:	Building Permit	Location:	
Comments:			

Component:		Defect:	
Requirement:		Location:	
Comments:			

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top



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2015/02/12