



Roll Call Number

Agenda Item Number

40 E

Date April 9, 2018

ABATEMENT OF PUBLIC NUISANCE AT 1340 E 19th STREET

WHEREAS, the property located at 1340 E 19th 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, Gary Oeth, 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 Lot 5 in Block 5 in FOUNDRY ADDITION, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1340 E 19th 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.

FORM APPROVED:


Jessica D. Spoden, Assistant City Attorney

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

MOTION CARRIED APPROVED

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.

_____ Mayor

_____ City Clerk

40E

1340 E 19th St

top



03/30/2018

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1340 E 19th St

top



03/30/2018

40E

top

1340 E 19th St



03/30/2018

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

40E

DATE OF NOTICE: January 10, 2018

DATE OF INSPECTION: December 13, 2017

CASE NUMBER: COD2017-08035

PROPERTY ADDRESS: 1340 E 19TH ST

LEGAL DESCRIPTION: LOT 5 BLK 5 FOUNDRY ADD

GARY OETH
Title Holder
2245 CAPITOL AVE
DES MOINES IA 50317-2233

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, 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.

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.

Neighborhood Inspection Division

(515) 283-4208

Nid Inspector



DATE MAILED: 1/10/2018

MAILED BY: JDH

Areas that need attention: 1340 E 19TH ST

Component: Accessory Buildings **Defect:** Deteriorated
Requirement: Permit Required **Location:** Shed
Comments: Structure not safe. Needs torn down.

Component: Floor Joists/Beams **Defect:** Flame/Smoke Spread
Requirement: Building Permit **Location:** Kitchen
Comments: Joists found cut. Will need a structer permit

Component: Floor Joists/Beams **Defect:** Flame/Smoke Spread
Requirement: Building Permit **Location:** Den/Family Room
Comments: Joists exposed

Component: Interior Walls /Ceiling **Defect:** Cracked/Broken
Requirement: **Location:** Main Structure
Comments: Holes throughout in drywall. Needs repair, and paint to match.

Component: Plumbing System **Defect:** Inadequate
Requirement: Compliance with Uniform Plumbing Code **Location:** Unknown
Comments: Plumbing throughout.


Component: Electrical System **Defect:** Inadequate
Requirement: Compliance with National Electrical Code **Location:** Unknown
Comments: Electrical throughout

Component: Mechanical System **Defect:** Inadequate
Requirement: Compliance, Uniform Mechanics Code **Location:** Unknown
Comments: Found Mechanicals throughout in disrepair

Component: Mechanical System **Defect:** Flame/Smoke Spread
Requirement: Licensed Contractor Certification **Location:** Unknown
Comments: All ductwork cleaned with proper paperwork

<u>Requirement:</u>	SEE COMMENTS Licensed Contractor Certification	<u>Defect:</u>	See Comments
<u>Comments:</u>	Unsanitary for pests and bugs.	<u>Location:</u>	Unknown
<u>Component:</u>	Exterior Walls	<u>Defect:</u>	Cracked/Broken
<u>Requirement:</u>		<u>Location:</u>	Main Structure
<u>Comments:</u>	Repair siding to match structure		
<u>Component:</u>	Exterior Walls	<u>Defect:</u>	Cracked/Broken
<u>Requirement:</u>		<u>Location:</u>	Main Structure
<u>Comments:</u>	Repair soffit to match		
<u>Component:</u>	Smoke Detectors	<u>Defect:</u>	Inadequate
<u>Requirement:</u>		<u>Location:</u>	Unknown
<u>Comments:</u>	Need to have smoke detectors throughout to meet code		

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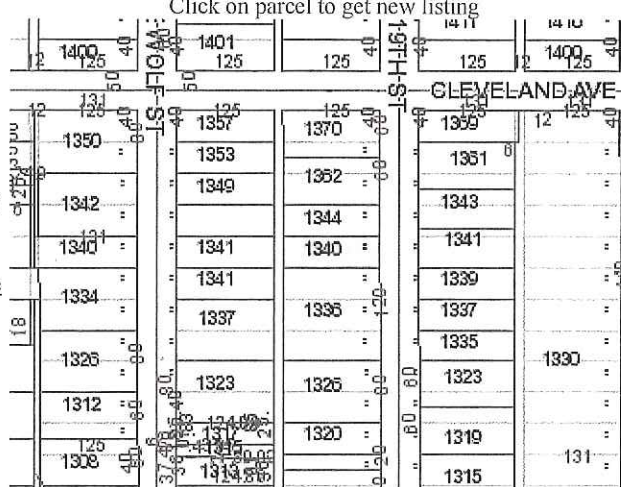
Polk County Assessor 
IOWA

[Home] [General Query] [Legal Query] [HomeOwner Query] [Book/Page Query] [Commercial Query] [Res Sales Query]
[Comm Sales Query] [Help]

District/Parcel	GeoParcel	Map	Nbhd	Jurisdiction	Status
110/02578-000-000	7924-36-476-026	0298	DM08/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address			City State Zipcode		
1340 E 19TH ST			DES MOINES IA 50316		

Click on parcel to get new listing

Get Bigger Map
Google Map




Approximate date of photo 09/15/2015

Mailing Address
GARY OETH 2245 CAPITOL AVE DES MOINES, IA 50317-2233

Legal Description
LOT 5 BLK 5 FOUNDRY ADD

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	OETH, GARY	2008-07-22	12726/57	25.60

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	6,800	29,800	0	36,600

[Assessment Roll Notice](#) [Estimate Taxes](#) [Polk County Treasurer Tax Information](#) [Pay Taxes](#)

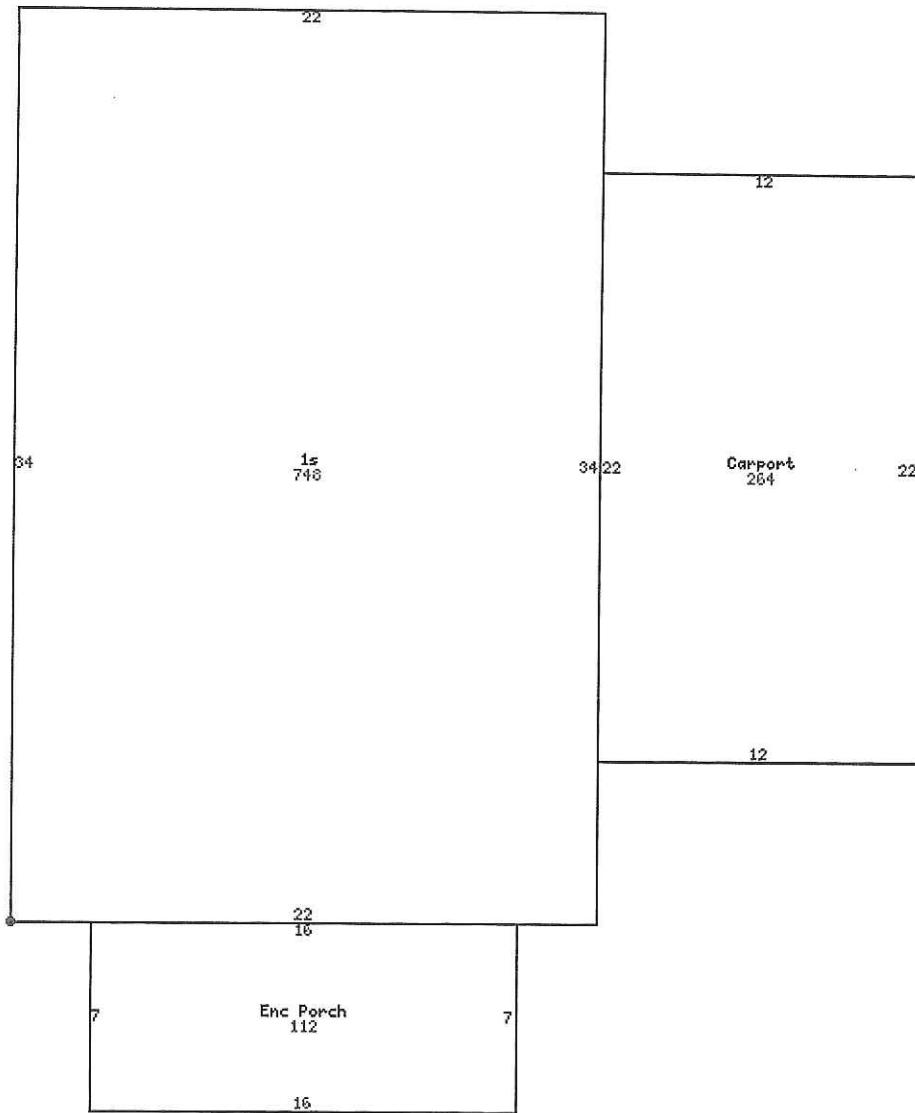
Zoning	Description	SF	Assessor Zoning
R-2A	General Residential District		Multi-Family Residential

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

Land					
SQUARE FEET	5,000	FRONTAGE	40.0	DEPTH	125.0
ACRES	0.115	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1					
OCCUPANCY	SF/Single Family	RESID TYPE	S1/1 Story	BLDG STYLE	BG/Bungalow
YEAR BUILT	1913	YEAR REMODEL	1965	# FAMILIES	1
GRADE	5	GRADE ADJUST	+05	CONDITION	BN/Below Normal
TSFLA	748	MAIN LV AREA	748	ENCL PORCH	112
CARPORT AREA	264	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	100	BATHROOMS	1	BEDROOMS	2
ROOMS	5				

40E



Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
INGRAM, CHRISTOPHER L	OETH, GARY	2008-07-15	16,500	D/Deed	12726/57 Multiple Parcels

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2017	Assessment Roll	Residential	Full	6,800	29,800	0	36,600
2015	Assessment Roll	Residential	Full	6,100	27,100	0	33,200
2013	Assessment Roll	Residential	Full	5,600	25,000	0	30,600
2011	Assessment Roll	Residential	Full	6,300	28,200	0	34,500
2009	Assessment Roll	Residential	Full	6,600	27,900	0	34,500
2007	Assessment Roll	Residential	Full	6,600	27,900	0	34,500
2005	Assessment Roll	Residential	Full	4,900	26,600	0	31,500
2003	Assessment Roll	Residential	Full	4,150	22,300	0	26,450
2001	Assessment Roll	Residential	Full	4,590	18,150	0	22,740

40E

1999	Assessment Roll	Residential	Full	2,000	19,810	0	21,810
1997	Assessment Roll	Residential	Full	1,810	17,940	0	19,750
1996	Assessment Roll	Residential	Full	1,630	16,120	0	17,750
1995	Assessment Roll	Residential	Full	1,630	16,120	0	17,750
			Adj	1,630	8,610	0	10,240
1993	Assessment Roll	Residential	Full	1,480	14,670	0	16,150
			Adj	1,480	7,720	0	9,200
1989	Assessment Roll	Residential	Full	1,480	14,120	0	15,600
			Adj	1,480	7,720	0	9,200

email this page

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polkweb@assess.co.polk.ia.us