



Date May 21, 2018

ABATEMENT OF PUBLIC NUISANCES AT 1322 E 28<sup>th</sup> STREET

WHEREAS, the property located at 1322 E 28<sup>th</sup> Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure and accessory structure in their present condition constitutes not only a menace to health and safety but are also public nuisances; and

WHEREAS, the Titleholders, Wayne E Welcher and Phyllis A Welcher, were notified more than thirty days ago to repair or demolish the main structure and accessory structure and as of this date have failed to abate the nuisances.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

The main structure and accessory structure on the real estate legally described as Lot 1, Block 2 in FAIRVIEW, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1322 E 28<sup>th</sup> Street, have previously been declared public nuisances;

The City Legal Department is hereby authorized to file an action in district court to obtain a decree ordering the abatement of the public nuisances, and should the owner(s) fail to abate the nuisances, as ordered, that the matter may be referred to the Department of Engineering which will take all necessary action to demolish and remove said structures.

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				

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.

MOTION CARRIED APPROVED

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

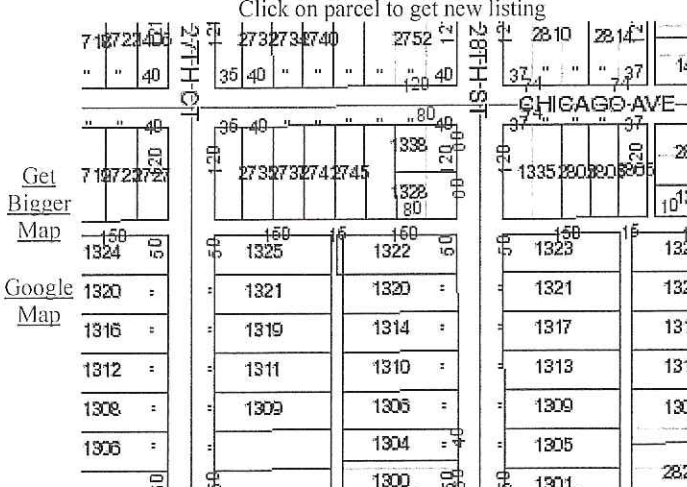
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*Polk County Assessor* 

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<b>District/Parcel</b>	<b>GeoParcel</b>	<b>Map</b>	<b>Nbhd</b>	<b>Jurisdiction</b>	<b>Status</b>
060/03536-000-000	7923-31-477-017	0320	DM14/Z	DES MOINES	ACTIVE
<b>School District</b>	<b>Tax Increment Finance District</b>	<b>Bond/Fire/Sewer/Cemetery</b>			
1/Des Moines	3/Des Moines Accent UR				
<b>Street Address</b>			<b>City State Zipcode</b>		
1322 E 28TH ST			DES MOINES IA 50317-8304		

Click on parcel to get new listing



Get Bigger Map

Google Map



Approximate date of photo 02/08/2012

<b>Mailing Address</b>
WAYNE E WELCHER 1322 E 28TH ST DES MOINES, IA 50317-8304

<b>Legal Description</b>
LOT 1 BLK 2 FAIRVIEW

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	WELCHER, WAYNE E	1989-08-14	6135/878	
Title Holder #2	WELCHER, PHYLLIS A			

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	17,000	16,000	0	33,000

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

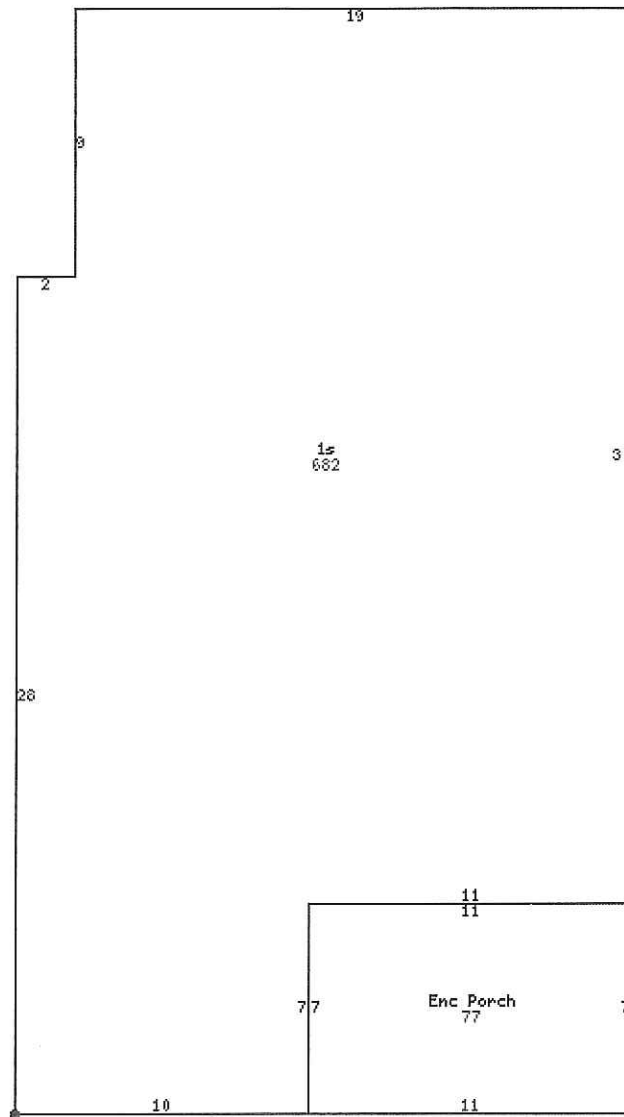
Taxable Value Credit	Name	Number	Info
Homestead	WELCHER, WAYNE E	31948	
Military	WELCHER, WAYNE E	31949	Korean

Zoning	Description	SF	Assessor Zoning
R1-60	One Family, Low Density Residential District		Residential
<p><b>Source:</b> City of Des Moines Community Development <b>Published:</b> 2012-03-20 <b>Contact:</b> Planning and Urban Design 515 283-4182</p>			

Land					
<b>SQUARE FEET</b>	7,500	<b>FRONTAGE</b>	50.0	<b>DEPTH</b>	150.0
<b>ACRES</b>	0.172	<b>SHAPE</b>	RC/Rectangle	<b>TOPOGRAPHY</b>	N/Normal

Residence # 1					
<b>OCCUPANCY</b>	SF/Single Family	<b>RESID TYPE</b>	S1/1 Story	<b>BLDG STYLE</b>	BG/Bungalow
<b>YEAR BUILT</b>	1912	<b># FAMILIES</b>	1	<b>GRADE</b>	5
<b>GRADE ADJUST</b>	+00	<b>CONDITION</b>	PR/Poor	<b>TSFLA</b>	682
<b>MAIN LV AREA</b>	682	<b>ENCL PORCH</b>	77	<b>FOUNDATION</b>	M/Masonry
<b>EXT WALL TYP</b>	MF/Mixed Frame	<b>ROOF TYPE</b>	GB/Gable	<b>ROOF MATERL</b>	A/Asphalt Shingle
<b>HEATING</b>	A/Gas Forced Air	<b>AIR COND</b>	0	<b>BATHROOMS</b>	1
<b>BEDROOMS</b>	2	<b>ROOMS</b>	4		

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<b>Detached # 101</b>					
<b>OCCUPANCY</b>	GAR/Garage	<b>CONSTR TYPE</b>	FR/Frame	<b>MEASCODE</b>	D/Dimensions
<b>MEASURE1</b>	18	<b>MEASURE2</b>	20	<b>GRADE</b>	6
<b>YEAR BUILT</b>	1930	<b>CONDITION</b>	VP/Very Poor		

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2017	Assessment Roll	Residential	Full	17,000	16,000	0	33,000
2015	Assessment Roll	Residential	Full	16,100	15,200	0	31,300
2013	Assessment Roll	Residential	Full	15,300	14,600	0	29,900
2011	Assessment Roll	Residential	Full	15,300	14,400	0	29,700
2009	Assessment Roll	Residential	Full	16,100	14,800	0	30,900
2007	Assessment Roll	Residential	Full	16,100	14,800	0	30,900
2005	Assessment Roll	Residential	Full	15,000	14,400	0	29,400
2003	Assessment Roll	Residential	Full	12,860	12,300	0	25,160

2001	Assessment Roll	Residential	Full	10,610	9,500	0	20,110
1999	Assessment Roll	Residential	Full	5,050	16,310	0	21,360
1997	Assessment Roll	Residential	Full	4,570	14,770	0	19,340
1995	Assessment Roll	Residential	Full	4,160	13,440	0	17,600
1993	Assessment Roll	Residential	Full	3,590	11,600	0	15,190
1991	Assessment Roll	Residential	Full	3,590	9,940	0	13,530
1991	Was Prior Year	Residential	Full	3,590	8,470	0	12,060

[email this page](#)

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



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

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**DATE OF NOTICE: March 27, 2018**

**DATE OF INSPECTION: December 07, 2017**

**CASE NUMBER: COD2017-07958**

**PROPERTY ADDRESS: 1322 E 28TH ST**

**LEGAL DESCRIPTION: LOT 1 BLK 2 FAIRVIEW**

WAYNE E WELCHER & PHYLLIS A WELCHER  
Title Holder  
3720 E DOUGLAS AVE #C203  
DES MOINES IA 50317

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: 3/27/2018

MAILED BY: JDH

**Areas that need attention:** 1322 E 28TH ST

<b>Component:</b>	Accessory Buildings	<b>Defect:</b>	Deteriorated
<b>Requirement:</b>	Permit Required	<b>Location:</b>	Shed
<b>Comments:</b>			
<b>Component:</b>	Foundation	<b>Defect:</b>	Cracked/Broken
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Main Structure
<b>Comments:</b>	Throughout structure.		
<b>Component:</b>	Exterior Walls	<b>Defect:</b>	Deteriorated
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Main Structure
<b>Comments:</b>	Throughout.		
<b>Component:</b>	Roof	<b>Defect:</b>	Deteriorated
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Main Structure
<b>Comments:</b>	Leaks and in disrepair.		
<b>Component:</b>	Brick Chimney	<b>Defect:</b>	Cracked/Broken
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Main Structure
<b>Comments:</b>	In disrepair.		
<b>Component:</b>	Mechanical System	<b>Defect:</b>	In poor repair
<b>Requirement:</b>	Mechanical Permit	<b>Location:</b>	Main Structure
<b>Comments:</b>	Throughout.		
<b>Component:</b>	Interior Walls /Ceiling	<b>Defect:</b>	In poor repair
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Main Structure
<b>Comments:</b>	Throughout.		
<b>Component:</b>	Electrical System	<b>Defect:</b>	See Comments
<b>Requirement:</b>	Compliance with National Electrical Code	<b>Location:</b>	Main Structure
<b>Comments:</b>	Throughout.		



<b><u>Component:</u></b>	Plumbing System	<b><u>Defect:</u></b>	See Comments
<b><u>Requirement:</u></b>	Compliance with Uniform Plumbing Code	<b><u>Location:</u></b>	Main Structure
<b><u>Comments:</u></b>	Throughout.		

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1322 E. 28<sup>th</sup> St



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1322 E 28th St



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