



## Roll Call Number

Agenda Item Number

42C

Date November 4, 2019

### ABATEMENT OF PUBLIC NUISANCE AT 1323 E 19<sup>th</sup> STREET

WHEREAS, the property located at 1323 E 19<sup>th</sup> 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, Greater Des Moines Habitat for Humanity, was notified by personal service 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 29, Except the South 20 feet and all of Lot 30 Block 6 in FOUNDRY ADDITION TO CAPITAL PARK, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1323 E 19<sup>th</sup> 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:

  
Megan Norberg, Assistant City Attorney

### CERTIFICATE

I, P. Kay Cmelik, 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.

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

MOTION CARRIED

APPROVED

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
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](mailto:polkweb@assess.co.polk.ia.us)

Location					
Address	1323 E 19TH ST				
City	DES MOINES	Zip	50316	Jurisdiction	Des Moines
District/Parcel	110/02619-001-000	Geoparcel	7924-36-477-024	Status	Active
School	Des Moines	Nbhd/Pocket	DM08/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northeast Des Moines	Appraiser	Andrew Rand 515-286-3368		

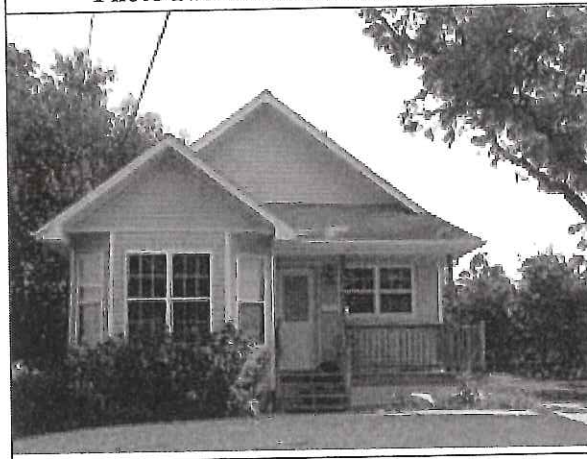
## Map and Current Photos - 1 Record

Click on parcel to get a new listing

1338	E 19TH ST	1339	1330
		1337	
		1335	
		1323	
1328		1319	
1320		1315	

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

Photo Processed on 2015-09-17 a



## Historical Photos

## Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	GREATER DES MOINES HABITAT FOR HUMANITY	2014-10-30	15368/583

## Legal Description and Mailing Address

PARCEL B BK 9931 PG 518 LT 30 & -EX S 20F- LT 29 BLK 6 FOUNDRY ADD	GREATER DES MOINES HABITAT FOR HUMANITY POB 716 DES MOINES, IA 50303-0716
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## Current Values

Type	Class	Kind	Land	Bldg	Total
2019 Value	Residential Exempt	Full	\$11,100	\$76,500	\$87,600
		Adj	\$0	\$0	\$0

## Assessor Adjustments to Value

Charitable Others	Residential Exempt	2015	-\$ 11,100	-\$ 76,500	-\$ 87,600
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## Assessment Roll Notice Market Adjusted Cost Report

## Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
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Zoning	Description	SF	Assessor Zoning
R-2A	General Residential District		Multi-Family Residential
City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)			

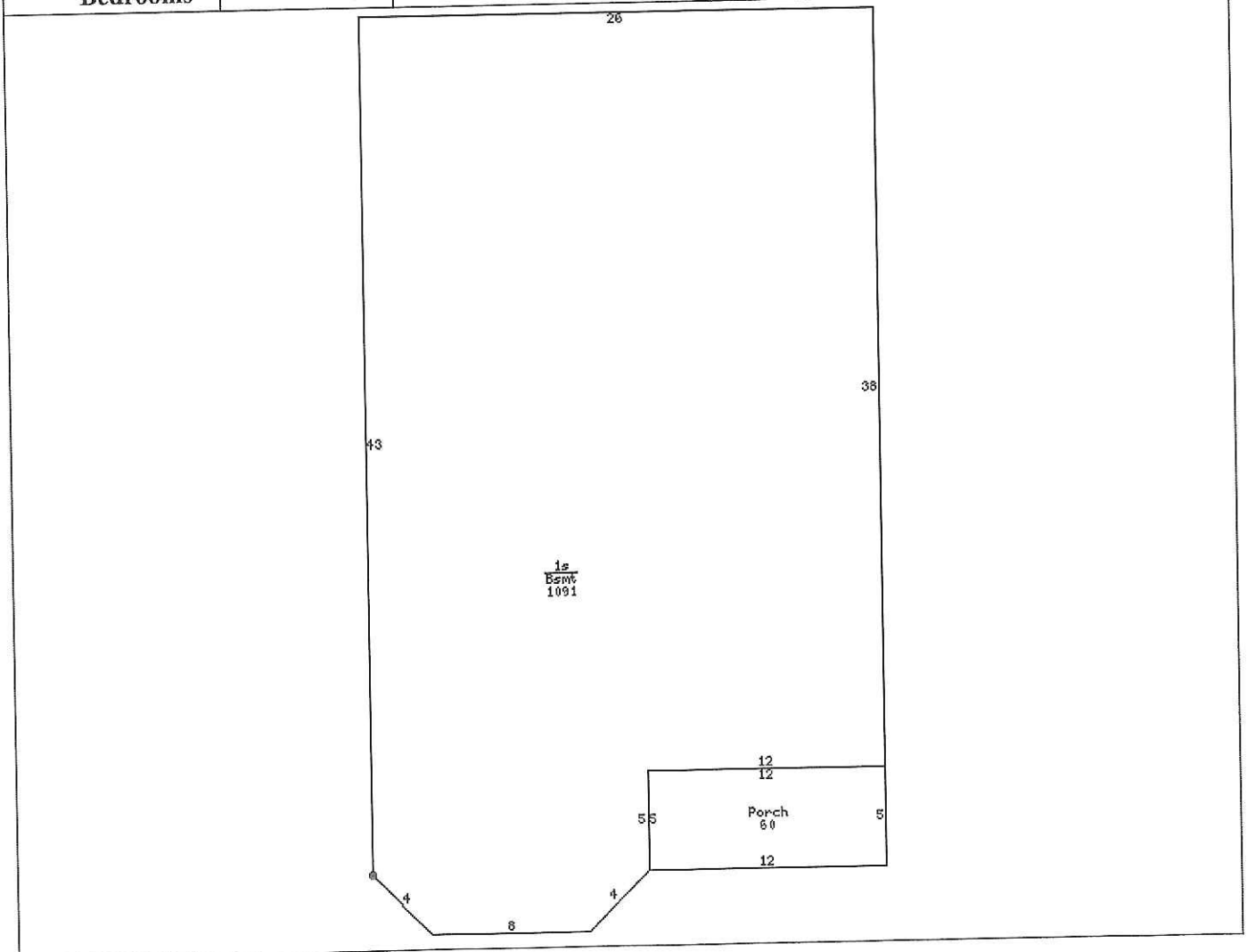
## Land

Square Feet	7,498	Acres	0.172	Frontage	60.1
Depth	125.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		

## Residences - 1 Record

## Residence #1

Occupancy	Single Family	Residence Type	1 Story	Building Style	Bungalow
Year Built	2003	Number Families	1	Grade	4+00
Condition	Below Normal	Total Square Foot Living Area	1091	Main Living Area	1091
Basement Area	1091	Open Porch Area	60	Foundation	Poured Concrete
Exterior Wall Type	Vinyl Siding	Roof Type	Gable	Roof Material	Asphalt Shingle
Heating	Gas Forced Air	Air Conditioning	100	Number Bathrooms	1
Bedrooms	3	Rooms	5		



## Sales - 1 Record

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
DM HABITAT HUMANITY	SHUEY, STACIE LYNN	<u>2004-03-10</u>	\$77,500	Deed	<u>10433/546</u>

## Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
MCCARTHY, BILL (Sheriff)  SHUEY, STACIE LYNN (Defendant)	GREATER DES MOINES HABITAT FOR HUMANITY	2014-10-21	2014-10-30	Sheriffs Deed	<u>15368/583</u>

## Permits - 5 Records

Year	Type	Permit Status	Application	Description
2017	Pickup	Cancel	2015-02-17	review value/check condition
2016	Pickup	Pass	2015-02-17	review value/check condition
2015	Pickup	Partial	2015-02-17	review value/check condition
2005	Permit	Complete	2003-06-27	construction/single family (1105 sf)
2004	Permit	Partial	2003-06-27	construction/single family (1105 sf)

## Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2019	<u>Assessment Roll</u>	Residential Exempt	Full	\$11,100	\$76,500	\$87,600
			Adj	\$0	\$0	\$0
2017	<u>Assessment Roll</u>	Residential Exempt	Full	\$10,100	\$70,900	\$81,000
			Adj	\$0	\$0	\$0
2015	<u>Assessment Roll</u>	Residential Exempt	Full	\$9,200	\$65,800	\$75,000
			Adj	\$0	\$0	\$0
2014	<u>Assessment Roll</u>	Residential	Full	\$8,400	\$81,800	\$90,200
			Adj	\$6,380	\$55,860	\$62,240
2013	<u>Assessment Roll</u>	Residential	Full	\$8,400	\$81,800	\$90,200
			Adj	\$6,380	\$0	\$6,380
2011	<u>Assessment Roll</u>	Residential	Full	\$9,500	\$92,900	\$102,400
			Adj	\$7,480	\$4,320	\$11,800
2009	<u>Assessment Roll</u>	Residential	Full	\$10,500	\$96,600	\$107,100
			Adj	\$8,480	\$8,020	\$16,500
2007	<u>Assessment Roll</u>	Residential	Full	\$10,500	\$96,600	\$107,100
			Adj	\$8,480	\$8,020	\$16,500
2005	<u>Assessment Roll</u>	Residential	Full	\$10,100	\$85,600	\$95,700
			Adj	\$8,080	\$0	\$8,080
2004	<u>Assessment Roll</u>	Residential	Full	\$6,930	\$55,860	\$62,790
			Adj	\$6,930	\$0	\$6,930
2003	<u>Assessment Roll</u>	Residential	Full	\$5,140	\$0	\$5,140





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

**DATE OF NOTICE:** September 5, 2019

**DATE OF INSPECTION:** August 26, 2019

**CASE NUMBER:** COD2019-05245

**PROPERTY ADDRESS:** 1323 E 19TH ST

**LEGAL DESCRIPTION:** PARCEL B BK 9931 PG 518 LT 30 & -EX S 20F- LT 29 BLK 6 FOUNDRY ADD

GREATER DES MOINES HABITAT FOR HUMANITY  
Title Holder  
LANCE HENNING, REG. AGENT  
2200 E EUCLID AVE  
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 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.

  
Kevin Pyles

(515) 283-4122

Nid Inspector

DATE MAILED: 9/5/2019

MAILED BY: JDH

**Areas that need attention:** 1323 E 19TH ST

<b><u>Component:</u></b>	Electrical System	<b><u>Defect:</u></b>	Fire damaged
<b><u>Requirement:</u></b>	Compliance with National Electrical Code	<b><u>Location:</u></b>	Main Structure Throughout
<b><u>Comments:</u></b>	Licensed contractor to verify safety of system. Repair with permit as needed		
<b><u>Component:</u></b>	Exterior Doors/Jams	<b><u>Defect:</u></b>	Fire damaged
<b><u>Requirement:</u></b>	Compliance with Int Residential Code	<b><u>Location:</u></b>	Main Structure Throughout
<b><u>Comments:</u></b>	Remediate fire/smoke damage, paint to match		
<b><u>Component:</u></b>	Exterior Walls	<b><u>Defect:</u></b>	Fire damaged
<b><u>Requirement:</u></b>	Compliance with Int Residential Code	<b><u>Location:</u></b>	Main Structure Throughout
<b><u>Comments:</u></b>	Replace damaged siding, soffets and fascia, paint to match.		
<b><u>Component:</u></b>	Interior Walls /Ceiling	<b><u>Defect:</u></b>	Fire damaged.
<b><u>Requirement:</u></b>	Compliance with Int Residential Code	<b><u>Location:</u></b>	Main Structure Throughout
<b><u>Comments:</u></b>	Repair damaged walls and ceiling, paint and texture to match		
<b><u>Component:</u></b>	Furnace	<b><u>Defect:</u></b>	Smoke Damage
<b><u>Requirement:</u></b>	Compliance, Uniform Mechanics Code	<b><u>Location:</u></b>	Main Structure Throughout
<b><u>Comments:</u></b>	Licensed contractor to verify safety of furnace.		
<b><u>Component:</u></b>	Ductwork	<b><u>Defect:</u></b>	Smoke Damage
<b><u>Requirement:</u></b>	Compliance, Uniform Mechanics Code	<b><u>Location:</u></b>	Main Structure Throughout
<b><u>Comments:</u></b>	Clean all duct work, replace as needed.		
<b><u>Component:</u></b>	Plumbing System	<b><u>Defect:</u></b>	Fire damaged.
<b><u>Requirement:</u></b>	Compliance with Uniform Plumbing Code	<b><u>Location:</u></b>	Main Structure Throughout
<b><u>Comments:</u></b>	Licensed contractor to verify safety of system and repair with permits as needed		
<b><u>Component:</u></b>	Roof	<b><u>Defect:</u></b>	Fire damaged
<b><u>Requirement:</u></b>	Compliance with Int Residential Code	<b><u>Location:</u></b>	Main Structure Throughout
<b><u>Comments:</u></b>	Licensed contractor to repair fire damage with required permits		



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<b><u>Component:</u></b>	Smoke Detectors	<b><u>Defect:</u></b>	Fire damaged
<b><u>Requirement:</u></b>	Compliance with Int Residential Code	<b><u>Location:</u></b>	Main Structure Throughout
<b><u>Comments:</u></b>	Replace all smoke detectors		
<b><u>Component:</u></b>	Flooring	<b><u>Defect:</u></b>	Fire damaged
<b><u>Requirement:</u></b>	Compliance with Int Residential Code	<b><u>Location:</u></b>	Main Structure Throughout
<b><u>Comments:</u></b>	Replace all damaged flooring		
<b><u>Component:</u></b>	Windows/Window Frames	<b><u>Defect:</u></b>	Flood Damage
<b><u>Requirement:</u></b>	Compliance with Int Residential Code	<b><u>Location:</u></b>	Main Structure Throughout
<b><u>Comments:</u></b>	Replace, repair all damaged windows, paint and texture to match.		



top

1323 E 19<sup>th</sup> St



10/29/2019 12:41



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1323 E 19<sup>th</sup> St



10/29/2019 12:42



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1323 E 19<sup>th</sup> St 42C



10/29/2019 12:42