



Roll Call Number

Agenda Item Number

50 F

Date January 13, 2020

ABATEMENT OF PUBLIC NUISANCE AT 3236 N UNION STREET

WHEREAS, the property located at 3236 N Union Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the garage structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholders, Victor Gomez and Cecilia Gomez, were notified by personal service more than thirty days ago to repair or demolish the garage structure and as of this date have failed to abate the nuisance.

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

The garage structure on the real estate legally described as Lot 3 in Block 20 PLAT 1 AUBURN HEIGHTS, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 3236 N Union 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 garage structure.

Moved by _____ to adopt.

FORM APPROVED:

Megan Norberg, Assistant City Attorney

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

MOTION CARRIED

APPROVED

Mayor

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.

City Clerk

Polk County Assessor111 Court Avenue #195
Des Moines, IA 50309-0904(515) 286-3014 Fax (515) 286-3386
polkweb@assess.co.polk.ia.us

Location					
Address	3236 NORTH UNION ST				
City	DES MOINES	Zip	50316	Jurisdiction	Des Moines
District/Parcel	070/00437-000-000	Geoparcel	7924-26-179-015	Status	Active
School	Des Moines	Nbhd/Pocket	DM86/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northeast Des Moines	Appraiser	Patrick Zaimes, ICA 515-286-3832		

Map and Current Photos - 1 Record

Click on parcel to get a new listing

3323	3322	ON ST	331
3318	3240		331
3313	3236		331
3309	3232		331
3305	3228		331
	3224		331

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

Photo Processed on 2013-02-28 a

**Historical Photos****Ownership - 2 Records**

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	GOMEZ, VICTOR	2003-05-06	9806/723
Title Holder	2	GOMEZ, CECILIA		

Legal Description and Mailing Address

LOT 3 BLK 20 AUBURN HEIGHTS PLT 1	VICTOR GOMEZ 3236 N UNION ST DES MOINES, IA 50316-1126
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Current Values

Type	Class	Kind	Land	Bldg	Total
2019 Value	Residential	Full	\$18,200	\$43,000	\$61,200

[Assessment Roll Notice](#) [Market Adjusted Cost Report](#)**Zoning - 1 Record**

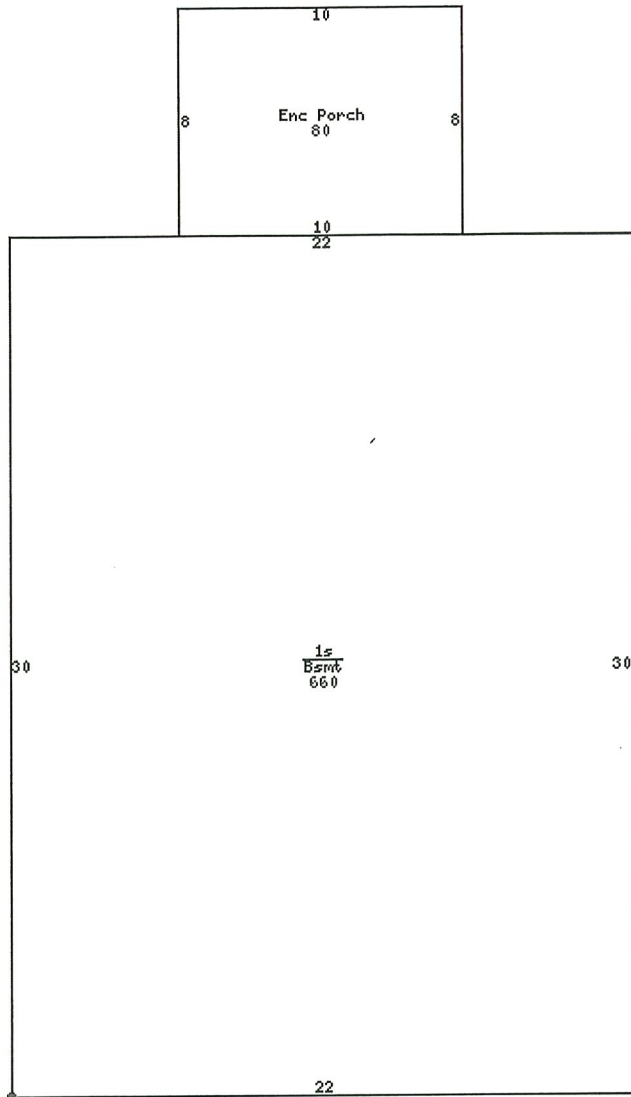
Zoning	Description	SF	Assessor Zoning
R1-60	One Family, Low Density Residential District		Residential

Conditional ZoningDocket_no 14361*City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)***Land**

Square Feet	6,664	Acres	0.153	Frontage	50.0
Depth	133.3	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	1917	Number Families	1	Grade	5+00
Condition	Normal	Total Square Foot Living Area	660	Main Living Area	660
Basement Area	660	Enclosed Porch Area	80	Foundation	Brick
Exterior Wall Type	Wood Siding	Roof Type	Gable	Roof Material	Asphalt Shingle
Heating	Gas Forced Air	Air Conditioning	0	Number Bathrooms	1
Bedrooms	2	Rooms	5		



Detached Structures - 1 Record

Detached Structure #101

Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	12	Measure 2	18	Story Height	1
Grade	5	Year Built	1929	Condition	Normal

Sales - 2 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
SULLIVAN, KAREN S	FISHER, JOHN T	<u>1993-10-25</u>	\$11,000	Deed	<u>6888/353</u>
FISHER, JULIA ESTATE	SULLIVAN, JEFFREY A	<u>1992-05-15</u>	\$9,000	Deed	<u>6559/102</u>

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2019	<u>Assessment Roll</u>	Residential	Full	\$18,200	\$43,000	\$61,200
2017	<u>Assessment Roll</u>	Residential	Full	\$16,100	\$38,400	\$54,500
2015	<u>Assessment Roll</u>	Residential	Full	\$14,700	\$35,200	\$49,900
2013	<u>Assessment Roll</u>	Residential	Full	\$13,700	\$33,300	\$47,000
2011	<u>Assessment Roll</u>	Residential	Full	\$14,300	\$34,500	\$48,800
2009	<u>Assessment Roll</u>	Residential	Full	\$16,700	\$39,800	\$56,500

Yr	Type	Class	Kind	Land	Bldg	Total
2007	<u>Assessment Roll</u>	Residential	Full	\$15,900	\$37,800	\$53,700
2005	<u>Assessment Roll</u>	Residential	Full	\$14,900	\$32,600	\$47,500
2003	<u>Assessment Roll</u>	Residential	Full	\$13,310	\$31,520	\$44,830
2001	<u>Assessment Roll</u>	Residential	Full	\$12,160	\$28,620	\$40,780
1999	Assessment Roll	Residential	Full	\$7,820	\$21,210	\$29,030
1997	Assessment Roll	Residential	Full	\$7,020	\$19,040	\$26,060
1995	Assessment Roll	Residential	Full	\$6,230	\$16,890	\$23,120
1993	Assessment Roll	Residential	Full	\$5,280	\$14,320	\$19,600
1990	Assessment Roll	Residential	Full	\$5,280	\$14,320	\$19,600

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

DATE OF NOTICE: April 30, 2019

DATE OF INSPECTION: April 23, 2019

CASE NUMBER: COD2019-02043

PROPERTY ADDRESS: 3236 N UNION ST

LEGAL DESCRIPTION: LOT 3 BLK 20 AUBURN HEIGHTS PLT 1

VICTOR GOMEZ
Title Holder
3236 N UNION ST
DES MOINES IA 50316-1126

CECILIA GOMEZ
Title Holder
3236 N UNION ST
DES MOINES IA 50316-1126

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.

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.

Mike F Lehman

(515) 283-4299

Nid Inspector

DATE MAILED: 4/30/2019

MAILED BY: JDH

Areas that need attention: 3236 N UNION ST

<u>Component:</u>	Exterior Walls	<u>Defect:</u>	Absence of paint
<u>Requirement:</u>	Compliance, International Property Maintenance Code	<u>Location:</u>	Garage
<u>Comments:</u>			

<u>Component:</u>	Roof	<u>Defect:</u>	Holes or major defect
<u>Requirement:</u>	Building Permit	<u>Location:</u>	Garage
<u>Comments:</u>			

<u>Component:</u>	Shingles Flashing	<u>Defect:</u>	In poor repair
<u>Requirement:</u>	Compliance, International Property Maintenance Code	<u>Location:</u>	Garage
<u>Comments:</u>			

<u>Component:</u>	Windows/Window Frames	<u>Defect:</u>	In poor repair
<u>Requirement:</u>	Compliance, International Property Maintenance Code	<u>Location:</u>	Garage
<u>Comments:</u>			

top

3236 N. Union St



01/03/2020 12:22

top

3236 N. Union St



01/03/2020 12:22