



Date January 27, 2020

ABATEMENT OF PUBLIC NUISANCE AT 909 E 28<sup>th</sup> STREET

WHEREAS, the property located at 909 E 28<sup>th</sup> 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 Titleholder, Estate of Michael D. Petty, was notified more than thirty days ago to repair or demolish the garage 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 garage structure on the real estate legally described as Lot 5 in Block 5 in FARWELL PLACE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 909 E 28<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 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 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					
<b>Address</b>	909 E 28TH ST				
<b>City</b>	DES MOINES	<b>Zip</b>	50317	<b>Jurisdiction</b>	Des Moines
<b>District/Parcel</b>	050/01299-000-000	<b>Geoparcel</b>	7824-01-226-005	<b>Status</b>	Active
<b>School</b>	Des Moines	<b>Nbhd/Pocket</b>	DM16/Z	<b>Tax Authority Group</b>	DEM-C-DEM-77131
<b>Submarket</b>	Northeast Des Moines	<b>Appraiser</b>	Joe Tursi 515-286-3151		

## Map and Current Photos - 1 Record

<p style="text-align: center;"><b>Click on parcel to get a new listing</b></p> <p style="text-align: center;"> <a href="#">Bigger Map</a> <a href="#">Polk County GIS</a>  <a href="#">Google Map</a> <a href="#">Pictometry</a> </p>	<p style="text-align: center;"><b>Photo Processed on 2010-10-15 a</b></p>
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## Historical Photos

## Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	PETTY, MICHAEL D	1999-11-10	8366/40

## Legal Description and Mailing Address

LOT 5 BLK 5 FARWELL PLACE	MICHAEL D PETTY 909 E 28TH ST DES MOINES, IA 50317-8211
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## Current Values

Type	Class	Kind	Land	Bldg	Total
2019 Value	Residential	Full	\$14,500	\$73,900	\$88,400

## Assessment Roll Notice Market Adjusted Cost Report

## Auditor Adjustments to Value

Category	Name	Information
<u>2019 Homestead Credit</u>	PETTY, MICHAEL D	Application #53692
<u>2019 Military Exemption</u>	PETTY, MICHAEL D	Vietnam Application #36402



**Zoning - 1 Record**

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

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

**Land**

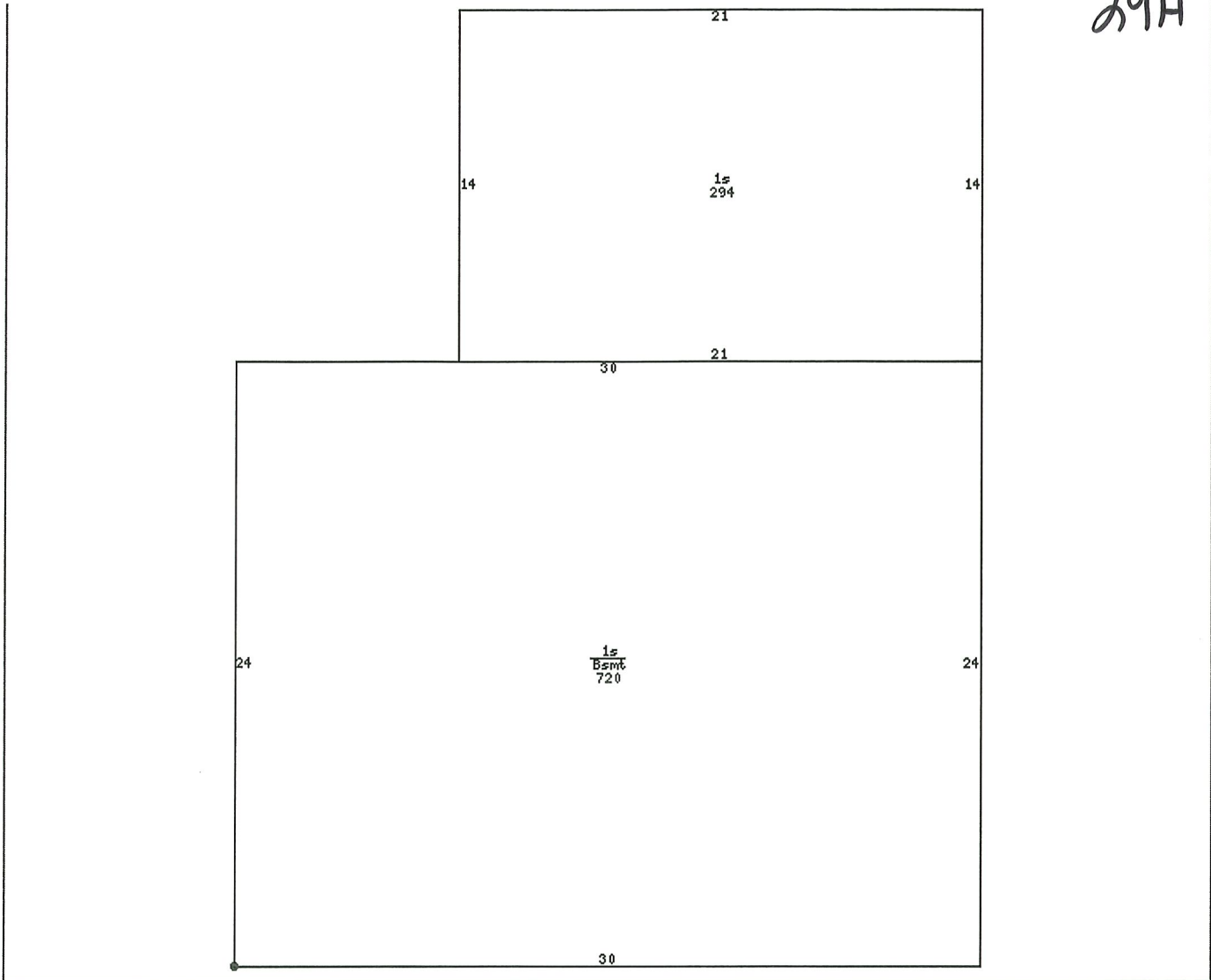
<b>Square Feet</b>	5,900	<b>Acres</b>	0.135	<b>Frontage</b>	50.0
<b>Depth</b>	118.0	<b>Topography</b>	Normal	<b>Shape</b>	Rectangle
<b>Vacancy</b>	No	<b>Unbuildable</b>	No		

**Residences - 1 Record**

**Residence #1**

<b>Occupancy</b>	Single Family	<b>Residence Type</b>	1 Story	<b>Building Style</b>	Ranch
<b>Year Built</b>	1948	<b>Number Families</b>	1	<b>Grade</b>	4-10
<b>Condition</b>	Normal	<b>Total Square Foot Living Area</b>	1014	<b>Main Living Area</b>	1014
<b>Basement Area</b>	720	<b>Foundation</b>	Concrete Block	<b>Exterior Wall Type</b>	Metal Siding
<b>Roof Type</b>	Gable	<b>Roof Material</b>	Asphalt Shingle	<b>Heating</b>	Gas Forced Air
<b>Air Conditioning Rooms</b>	100	<b>Number Bathrooms</b>	1	<b>Bedrooms</b>	3

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**Detached Structures - 1 Record**

**Detached Structure #101**

<b>Occupancy</b>	Garage	<b>Construction Type</b>	Frame	<b>Measurement Code</b>	Dimensions
<b>Measure 1</b>	24	<b>Measure 2</b>	30	<b>Story Height</b>	1
<b>Grade</b>	4	<b>Year Built</b>	1970	<b>Condition</b>	Normal

**Permits - 1 Record**

<b>Year</b>	<b>Type</b>	<b>Permit Status</b>	<b>Application</b>	<b>Description</b>
2004	Pickup	Complete	2003-08-20	review value/reinspect

**Historical Values**

Yr	Type	Class	Kind	Land	Bldg	Total
2019	<u>Assessment Roll</u>	Residential	Full	\$14,500	\$73,900	\$88,400
2017	<u>Assessment Roll</u>	Residential	Full	\$12,500	\$64,700	\$77,200
2015	<u>Assessment Roll</u>	Residential	Full	\$11,600	\$62,100	\$73,700
2013	<u>Assessment Roll</u>	Residential	Full	\$11,300	\$61,600	\$72,900
2011	<u>Assessment Roll</u>	Residential	Full	\$12,800	\$70,900	\$83,700
2009	<u>Assessment Roll</u>	Residential	Full	\$14,300	\$78,100	\$92,400
2007	<u>Assessment Roll</u>	Residential	Full	\$14,100	\$77,100	\$91,200
2005	<u>Assessment Roll</u>	Residential	Full	\$10,400	\$57,100	\$67,500
2004	<u>Assessment Roll</u>	Residential	Full	\$9,520	\$53,090	\$62,610

<b>Yr</b>	<b>Type</b>	<b>Class</b>	<b>Kind</b>	<b>Land</b>	<b>Bldg</b>	<b>Total</b>
2003	<u>Board Action</u>	Residential	Full	\$9,520	\$60,520	\$70,040
2003	<u>Assessment Roll</u>	Residential	Full	\$9,520	\$60,520	\$70,040
2001	<u>Assessment Roll</u>	Residential	Full	\$7,380	\$46,220	\$53,600
1999	Assessment Roll	Residential	Full	\$7,320	\$48,010	\$55,330
1997	Assessment Roll	Residential	Full	\$6,630	\$43,490	\$50,120
1995	Assessment Roll	Residential	Full	\$5,770	\$37,860	\$43,630
1993	Assessment Roll	Residential	Full	\$5,120	\$33,570	\$38,690
1990	Assessment Roll	Residential	Full	\$5,120	\$28,880	\$34,000

This template was last modified on Sat Mar 4 12:31:48 2017 .





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

29H

**DATE OF NOTICE: May 24, 2019**

**DATE OF INSPECTION: April 03, 2019**

**CASE NUMBER:** COD2019-01465

**PROPERTY ADDRESS:** 909 E 28TH ST

**LEGAL DESCRIPTION:** LOT 5 BLK 5 FARWELL PLACE

MELISSA L PETTY  
Administrator - ESTATE OF MICHAEL D PETTY  
909 E 28TH ST  
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.**

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.

Chris Reindl

(515) 283-4797



Nid Inspector

DATE MAILED: 5/24/2019

MAILED BY: JDH

**Areas that need attention:** 909 E 28TH ST

<b><u>Component:</u></b>	Accessory Buildings	<b><u>Defect:</u></b>	Deteriorated
<b><u>Requirement:</u></b>	Building Permit	<b><u>Location:</u></b>	Garage Throughout
<b><u>Comments:</u></b>			
<b><u>Component:</u></b>	Exterior Walls	<b><u>Defect:</u></b>	Deteriorated
<b><u>Requirement:</u></b>	Building Permit	<b><u>Location:</u></b>	Garage Throughout
<b><u>Comments:</u></b>			
<b><u>Component:</u></b>	Exterior Doors/Jams	<b><u>Defect:</u></b>	Deteriorated
<b><u>Requirement:</u></b>	Building Permit	<b><u>Location:</u></b>	Garage Throughout
<b><u>Comments:</u></b>			
<b><u>Component:</u></b>	Roof	<b><u>Defect:</u></b>	Collapsed
<b><u>Requirement:</u></b>	Building Permit	<b><u>Location:</u></b>	Garage Throughout
<b><u>Comments:</u></b>			



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909 E 28th St

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