



Date March 9, 2020

ABATEMENT OF PUBLIC NUISANCE AT 1329 E OAK PARK AVENUE

WHEREAS, the property located at 1329 E Oak Park Avenue, 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, Jo Ella L. Graham, 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 28 in MANN'S SECOND ADDITION TO HIGHLAND PARK, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1329 E Oak Park Avenue, 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 (handwritten signature)

Megan Norberg, Assistant City Attorney

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

MOTION CARRIED APPROVED

Mayor

CERTIFICATE

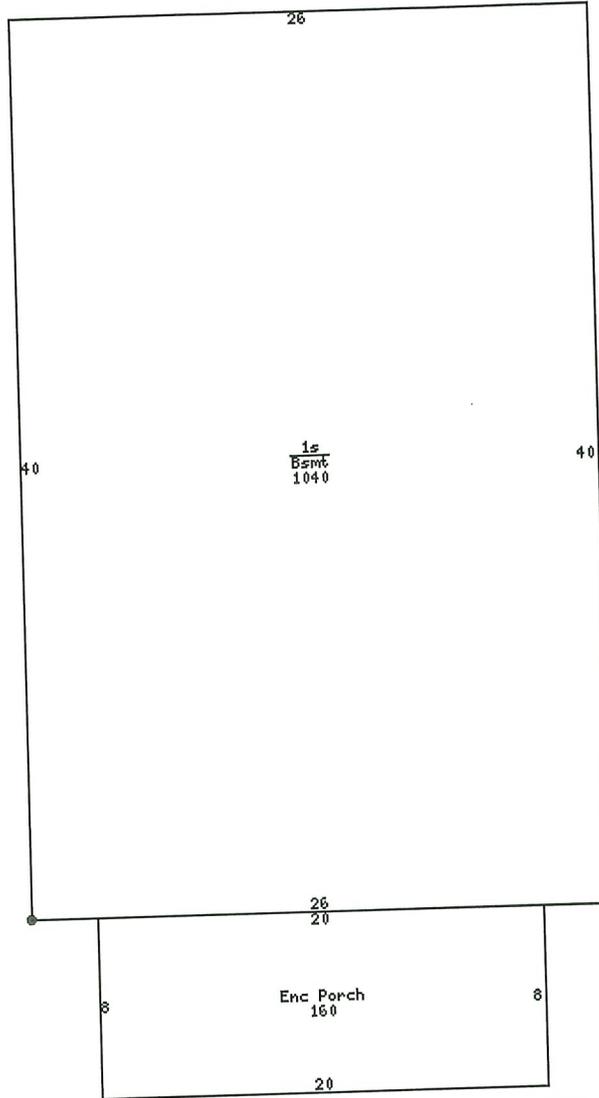
I, P. Kay Cmelik, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk

Zoning	Description			SF	Assessor Zoning
R1-60	One Family, Low Density Residential District				Residential
Conditional Zoning					
Docket no <u>14361</u>					
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>					
Land					
Square Feet	6,600	Acres	0.152	Frontage	50.0
Depth	132.0	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	1922	Number Families	1	Grade	4-05
Condition	Normal	Total Square Foot Living Area	1040	Main Living Area	1040
Basement Area	1040	Enclosed Porch Area	160	Foundation	Brick
Exterior Wall Type	Metal Siding	Roof Type	Gable	Roof Material	Asphalt Shingle
Heating	Gas Forced Air	Air Conditioning	100	Number Bathrooms	1
Bedrooms	3	Rooms	5		

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Detached Structures - 1 Record

Detached Structure #101

Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	14	Measure 2	20	Story Height	1
Grade	5	Year Built	1953	Condition	Very Poor

Sales - 2 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
HOME, INC	GRAHAM, JO ELLA L	<u>1993-06-17</u>	\$37,700	Deed	<u>6802/469</u>
COLE, LETA	HOME, INC	<u>1991-06-27</u>	\$34,000	Deed	<u>6396/540</u>

Permits - 1 Record

Year	Type	Permit Status	Application	Description
1998	Pickup	Complete	1998-03-16	review value/abatement filed

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2019	<u>Assessment Roll</u>	Residential	Full	\$19,000	\$51,900	\$70,900
2017	<u>Assessment Roll</u>	Residential	Full	\$16,900	\$46,500	\$63,400

Yr	Type	Class	Kind	Land	Bldg	Total
2015	<u>Board Action</u>	Residential	Full	\$15,200	\$41,400	\$56,600
2015	<u>Assessment Roll</u>	Residential	Full	\$15,200	\$41,400	\$56,600
2013	<u>Assessment Roll</u>	Residential	Full	\$14,600	\$40,200	\$54,800
2011	<u>Assessment Roll</u>	Residential	Full	\$17,900	\$48,600	\$66,500
2009	<u>Board Action</u>	Residential	Full	\$19,300	\$57,900	\$77,200
2009	<u>Assessment Roll</u>	Residential	Full	\$19,300	\$66,100	\$85,400
2008	<u>Assessment Roll</u>	Residential	Full	\$18,200	\$62,400	\$80,600
2007	<u>Assessment Roll</u>	Residential	Full	\$18,200	\$62,400	\$80,600
			Adj	\$18,200	\$53,760	\$71,960
2005	<u>Assessment Roll</u>	Residential	Full	\$15,500	\$60,100	\$75,600
			Adj	\$15,500	\$51,460	\$66,960
2003	<u>Board Action</u>	Residential	Full	\$13,910	\$54,280	\$68,190
			Adj	\$13,910	\$45,640	\$59,550
2003	<u>Assessment Roll</u>	Residential	Full	\$13,910	\$54,280	\$68,190
			Adj	\$13,910	\$45,640	\$59,550
2001	<u>Assessment Roll</u>	Residential	Full	\$10,510	\$40,910	\$51,420
			Adj	\$10,510	\$35,160	\$45,670
1999	Assessment Roll	Residential	Full	\$10,050	\$48,090	\$58,140
			Adj	\$10,050	\$39,450	\$49,500
1998	Assessment Roll	Residential	Full	\$9,020	\$43,800	\$52,820
			Adj	\$9,020	\$35,160	\$44,180
1997	Assessment Roll	Residential	Full	\$9,020	\$36,290	\$45,310
1995	Assessment Roll	Residential	Full	\$8,000	\$32,190	\$40,190
1993	Assessment Roll	Residential	Full	\$6,780	\$30,220	\$37,000
1990	Assessment Roll	Residential	Full	\$6,780	\$30,220	\$37,000

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

DATE OF NOTICE: December 10, 2019

DATE OF INSPECTION: October 10, 2019

CASE NUMBER: COD2019-06587

PROPERTY ADDRESS: 1329 E OAK PARK AVE

LEGAL DESCRIPTION: LOT 28 MANNS 2ND ADD HIGHLAND PARK

JO ELLA L GRAHAM
Title Holder
1329 E OAK PARK AVE
DES MOINES IA 50316-1260

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.

Kevin Pyles

(515) 283-4122



N/d Inspector

DATE MAILED: 12/10/2019

MAILED BY: JDH

Areas that need attention: 1329 E OAK PARK AVE

Component: Exterior Doors/Jams Requirement: Building Permit Comments: repair/replace deteriorated doors, any structural changes requires a permit.	Defect: Deteriorated Location: Garage Throughout
Component: Exterior Walls Requirement: Compliance, International Property Maintenance Code Comments: repair/replace, scrape loose paint and paint to match.	Defect: Deteriorated Location: Garage Throughout
Component: Roof Requirement: Building Permit Comments: Fix holes in the roof and the cover to match.	Defect: Holes or major defect Location: Garage Throughout
Component: Soffit/Facia/Trim Requirement: Building Permit Comments: permit required to fix any structural defects	Defect: Holes or major defect Location: Garage Throughout
Component: Shingles Flashing Requirement: Compliance, International Property Maintenance Code Comments: Reshingle garage roof one layer per code.	Defect: In poor repair Location: Garage
Component: Exterior Doors/Jams Requirement: Compliance, International Property Maintenance Code Comments: Repair or replace	Defect: In poor repair Location: Garage

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