



**Roll Call Number**

**Agenda Item Number**

25A

**Date** April 20, 2020

**ABATEMENT OF PUBLIC NUISANCE AT 1819 OAKLAND AVENUE**

WHEREAS, the property located at 1819 Oakland 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, Steven L. Austin, and Mortgage Holder, Nationstar Mortgage, LLC, were notified 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 The North ¼ of Lot 33 and the South ½ of Lot 34, of OAKLAND, a Subdivision of the Southeast Quarter of the Northeast Quarter an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1819 Oakland 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:

/s/ Megan Norberg  
Megan Norberg, Assistant City Attorney

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

**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.

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)

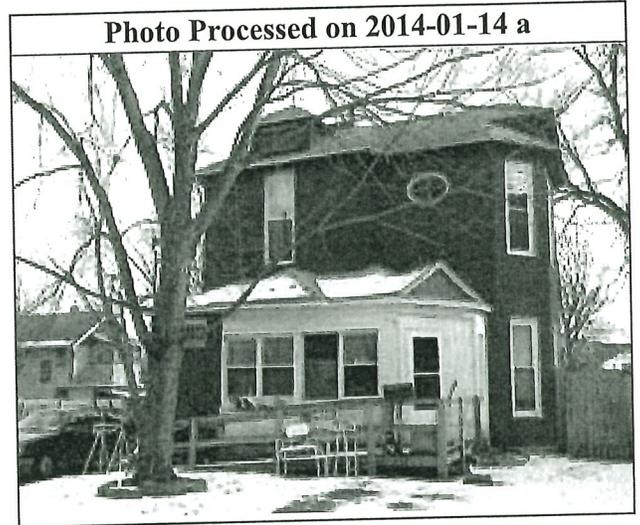
Location					
<b>Address</b>	1819 OAKLAND AVE				
<b>City</b>	DES MOINES	<b>Zip</b>	50314	<b>Jurisdiction</b>	Des Moines
<b>District/Parcel</b>	080/05026-004-000	<b>Geoparcels</b>	7924-34-276-043	<b>Status</b>	Active
<b>School</b>	Des Moines	<b>Nbhd/Pocket</b>	DM78/Z	<b>Tax Authority Group</b>	DEM-C-DEM-77131
<b>Submarket</b>	Northwest Des Moines	<b>Appraiser</b>	Andrew Rand 515-286-3368		

## Map and Current Photos - 1 Record

Click on parcel to get a new listing

OAKLAND AVE	FRANKLIN AVE		ARLINGTON	
	400 1826 1824 1822 1820	1825 312		300 1820
		1823		1818
		1819		1814
		1815		1810
	1811	1808		

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



## Historical Photos

## Ownership - 2 Records

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	AUSTIN, STEVEN L	2000-12-04	8654/149
Title Holder	2	AUSTIN, LINDA L	1983-11-04	5302/68

## Legal Description and Mailing Address

8F E & ADJ & S 1/2 LT 35 & N 3/4 LT 33 & ALL LT 34 OAKLAND	STEVEN L AUSTIN 1819 OAKLAND AVE DES MOINES, IA 50314-3330
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## Current Values

Type	Class	Kind	Land	Bldg	Total
2019 Value	Residential	Full	\$13,800	\$46,100	\$59,900

## Market Adjusted Cost Report

## Auditor Adjustments to Value

Category	Name	Information
2019 Homestead Credit	AUSTIN, LINDA L	Application #88383

**Zoning - 1 Record**

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

**Conditional Zoning**

Docket\_no 14361

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

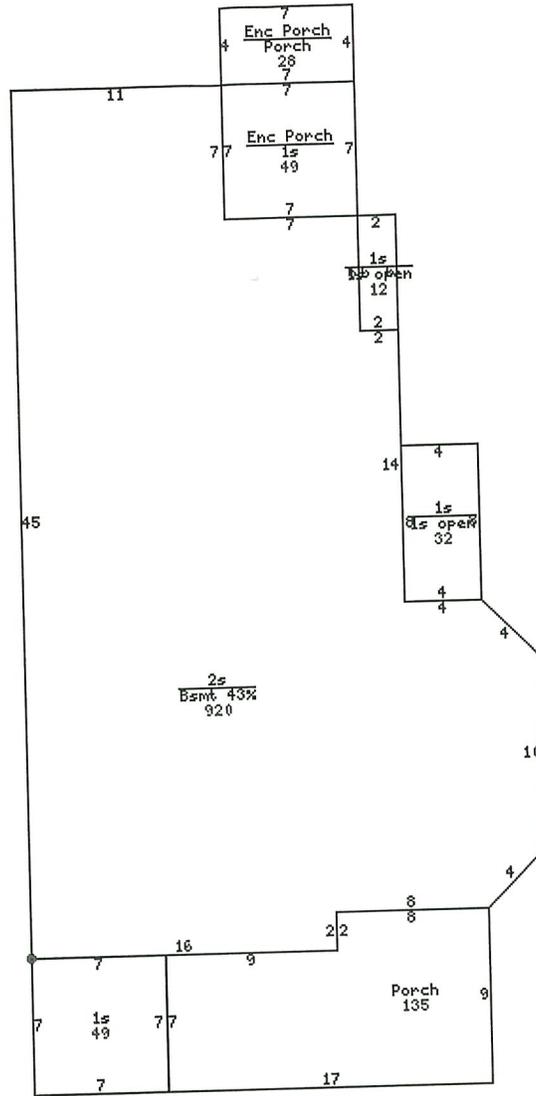
**Land**

Square Feet	17,762	Acres	0.408	Frontage	112.5
Depth	158.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		

**Residences - 1 Record**

**Residence #1**

Occupancy	Single Family	Residence Type	2 Stories	Building Style	Conventional
Year Built	1891	Number Families	1	Grade	3-10
Condition	Poor	Total Square Foot Living Area	1982	Main Living Area	1018
Upper Living Area	964	Basement Area	396	Open Porch Area	163
Enclosed Porch Area	77	Foundation	Brick	Exterior Wall Type	Composition
Roof Type	Gable	Roof Material	Asphalt Shingle	Number Fireplaces	1
Heating	Gas Forced Air	Air Conditioning	0	Number Bathrooms	1
Bedrooms	4	Rooms	8		



**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>	20	<b>Measure 2</b>	20	<b>Story Height</b>	1
<b>Grade</b>	5	<b>Year Built</b>	1935	<b>Condition</b>	Poor

**Permits - 1 Record**

<b>Year</b>	<b>Type</b>	<b>Permit Status</b>	<b>Application</b>	<b>Description</b>
2017	Pickup	Cancel	2016-12-02	correct data/measurements

**Historical Values**

Yr	Type	Class	Kind	Land	Bldg	Total
2019	<u>Assessment Roll</u>	Residential	Full	\$13,800	\$46,100	\$59,900
2017	<u>Assessment Roll</u>	Residential	Full	\$12,400	\$42,600	\$55,000
2015	<u>Assessment Roll</u>	Residential	Full	\$11,600	\$40,300	\$51,900
2013	<u>Assessment Roll</u>	Residential	Full	\$11,300	\$38,600	\$49,900
2011	<u>Assessment Roll</u>	Residential	Full	\$11,300	\$38,900	\$50,200
2009	<u>Assessment Roll</u>	Residential	Full	\$11,000	\$35,300	\$46,300



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

25A

**DATE OF NOTICE: January 15, 2020**

**DATE OF INSPECTION: October 18, 2019**

**CASE NUMBER:** COD2019-05898

**PROPERTY ADDRESS:** 1819 OAKLAND AVE

**LEGAL DESCRIPTION:** 8F E & ADJ & S 1/2 LT 35 & N 3/4 LT 33 & ALL LT 34 OAKLAND

STEVEN L AUSTIN  
Title Holder  
1819 OAKLAND AVE  
DES MOINES IA 50314-3330

NATIONSTAR MORTGAGE LLC  
Mortgage Holder - CORPORATION SERV. CO., R.A.  
505 5TH AVE SUITE 729  
DES MOINES IA 50309

LINDA L AUSTIN- DECEASED  
Title Holder

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.

Brad Rissman  
(515) 283-4754



Nid Inspector

DATE MAILED: 1/15/2020

MAILED BY: BJR

**Areas that need attention:** 1819 OAKLAND AVE

<b>Component:</b>	Windows/Window Frames	<b>Defect:</b>	Cracked/Broken
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Garage Throughout
<b>Comments:</b>	Repair or replace all damaged or missing windows and window frames as needed. In compliance with international residential building code.		
<b>Component:</b>	Exterior Walls	<b>Defect:</b>	Deteriorated
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Garage Throughout
<b>Comments:</b>	Repair or replace all damaged exterior walls as needed. In compliance with international residential building code.		
<b>Component:</b>	Exterior Doors/Jams	<b>Defect:</b>	Deteriorated
<b>Requirement:</b>	Compliance with International Building Code	<b>Location:</b>	Garage Throughout
<b>Comments:</b>	Repair or replace all damaged or missing doors and or jams as needed. In compliance with international residential building code.		
<b>Component:</b>	Soffit/Facia/Trim	<b>Defect:</b>	Deteriorated
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Garage Throughout
<b>Comments:</b>	Repair or replace. In compliance with international residential building code.		
<b>Component:</b>	Roof	<b>Defect:</b>	In disrepair
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Garage Throughout
<b>Comments:</b>	Repair or replace. In compliance with international residential building code.		
<b>Component:</b>	Electrical System	<b>Defect:</b>	In poor repair
<b>Requirement:</b>	Compliance with International Building Code	<b>Location:</b>	Garage Throughout
<b>Comments:</b>	Electrical Permit Required		
<b>Component:</b>	See Comments	<b>Defect:</b>	See Comments
<b>Requirement:</b>	Compliance with International Building Code	<b>Location:</b>	Garage Throughout
<b>Comments:</b>	Unable to gain access into the structure. Possibly more violations.		

top

1819 Oakland Ave



04/07/2020 10:40

top

1819 Oakland Ave

