



**Roll Call Number**

**Agenda Item Number**

25F

**Date** April 20, 2020

**ABATEMENT OF PUBLIC NUISANCES AT 954 CUMMINS PARKWAY**

WHEREAS, the property located at 954 Cummins Parkway, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main residential structure and garage structure in their present condition constitutes not only a menace to health and safety but are also public nuisances; and

WHEREAS, the Titleholder, St. Mary Coptic Orthodox Church, and Mortgage Holder, Midwest Heritage Bank, FSB, were notified more than thirty days ago to repair or demolish the main residential structure and garage structure and as of this date have failed to abate the nuisances.

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

The main residential structure and garage structure on the real estate legally described as Lot 60 in BROOKLINE HEIGHTS, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 954 Cummins Parkway, have previously been declared public nuisances;

The City Legal Department is hereby authorized to file an action in district court to obtain a decree ordering the abatement of the public nuisances, and should the owner(s) fail to abate the nuisances, as ordered, that the matter may be referred to the Department of Engineering which will take all necessary action to demolish and remove said structures.

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				
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

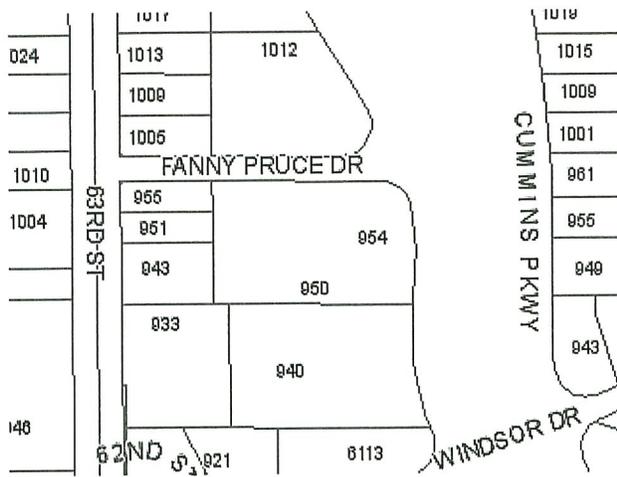
111 Court Avenue #195  
Des Moines, IA 50309-0904

(515) 286-3014 Fax (515) 286-3386  
[polkweb@assess.co.polk.ia.us](mailto:polkweb@assess.co.polk.ia.us)

Location					
<b>Address</b>	954 CUMMINS PKWY				
<b>City</b>	DES MOINES	<b>Zip</b>	50312	<b>Jurisdiction</b>	Des Moines
<b>District/Parcel</b>	090/00501-000-000	<b>Geoparcels</b>	7825-02-251-007	<b>Status</b>	Active
<b>School</b>	Des Moines	<b>Nbhd/Pocket</b>	DM52/Z	<b>Tax Authority Group</b>	DEM-C-DEM-77131
<b>Submarket</b>	Northwest Des Moines	<b>Appraiser</b>	Vic Renda, ICA 515-286-3359		

## Map and Current Photos - 3 Records

Click on parcel to get a new listing



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

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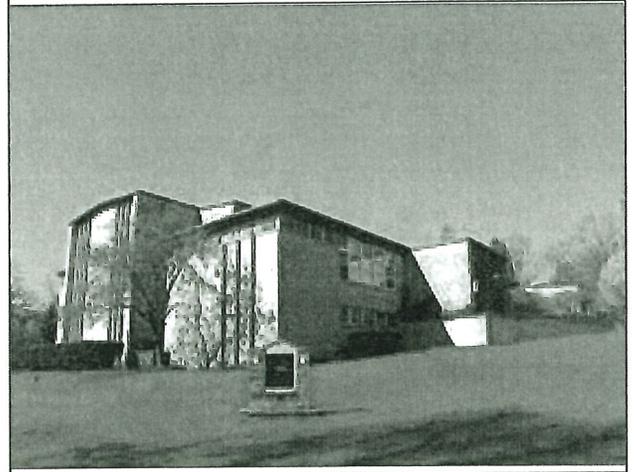


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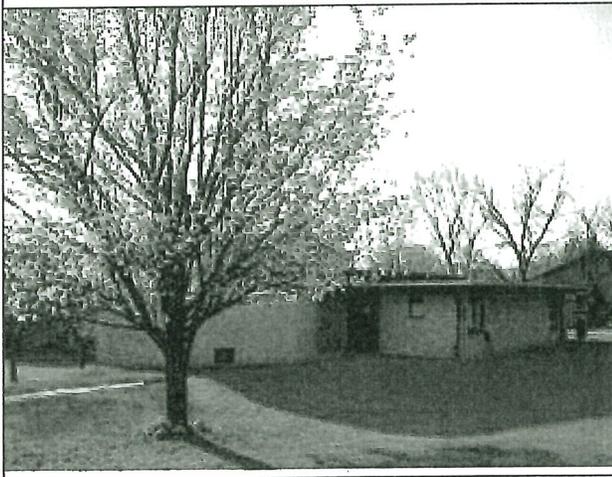


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## Historical Photos

## Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	ST MARY COPTIC ORTHODOX CHURCH	2017-02-07	16369/781

**Legal Description and Mailing Address**

LOT 60 BROOKLINE HTS	ST MARY COPTIC ORTHODOX CHURCH POB 3735 URBANDALE, IA 50323-0735
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**Current Values**

Type	Class	Kind	Land	Bldg	Total
2019 Value	Commercial Exempt	Full	\$208,000	\$2,432,000	\$2,640,000
		Adj	\$0	\$0	\$0

**Assessor Adjustments to Value**

<u>Religious Churches</u>	Commercial Exempt	2017	-\$ 208,000	-\$ 2,432,000	-\$ 2,640,000
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**Unadjusted Cost Report****Zoning - 1 Record**

Zoning	Description	SF	Assessor Zoning
R1-80	One Family Residential District		Residential

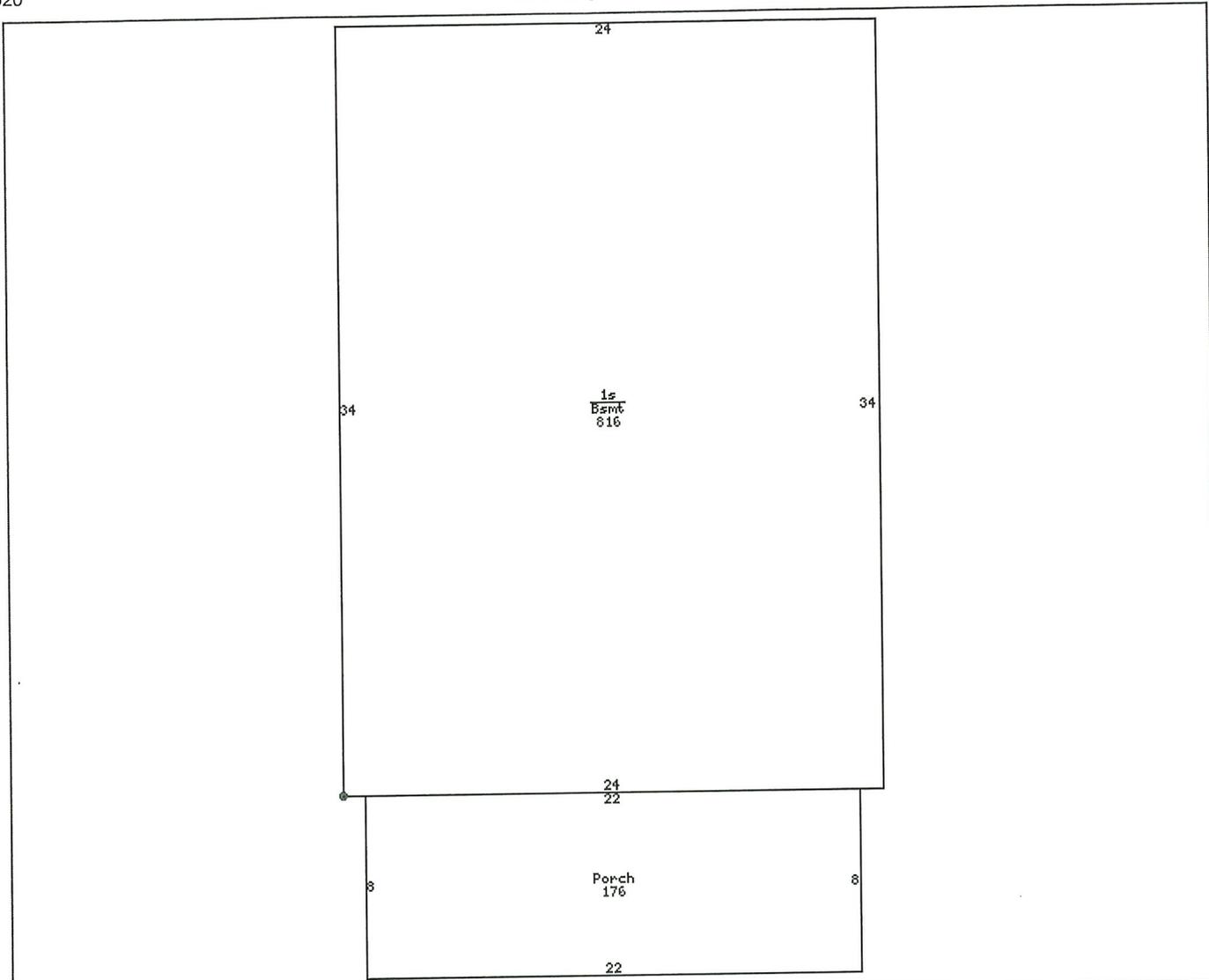
*City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)*

**Land**

Square Feet	64,600	Acres	1.483	Frontage	200.0
Depth	323.0	Topography	Blank	Shape	Rectangle
Vacancy	Blank	Unbuildable	Blank		

**Residences - 1 Record****Residence #1**

<b>Occupancy</b>	Single Family	<b>Residence Type</b>	1 Story	<b>Year Built</b>	1920
<b>Number Families</b>	1	<b>Grade</b>	5+10	<b>Condition</b>	Below Normal
<b>Total Square Foot Living Area</b>	816	<b>Main Living Area</b>	816	<b>Basement Area</b>	816
<b>Open Porch Area</b>	176	<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</b>	100
<b>Number Bathrooms</b>	1	<b>Bedrooms</b>	2	<b>Rooms</b>	5



**Commercial Summary**

<b>Occupancy</b>	Church	<b>Age, Weighted</b>	1955	<b>Total Story Height</b>	1
<b>Land Area</b>	64,600	<b>Gross Area</b>	15,290	<b>Finished Area</b>	15,290
<b>Unfinished Bsmnt Area</b>	15,290	<b>Finished Bsmnt Area</b>	3,600	<b>Number of Units</b>	1
<b>Primary Group</b>	Church	<b>Percent Primary Group</b>	35.56	<b>Secondary Group</b>	Common Area
<b>Percent Secondary Group</b>	11.77	<b>Grade, Weighted</b>	3/Grade 3	<b>Bldg Class, Weighted</b>	3/Brick Veneer
<b>Condition, Weighted</b>	NM/Normal	<b>Ground Floor Area</b>	15,290	<b>Perimeter</b>	657

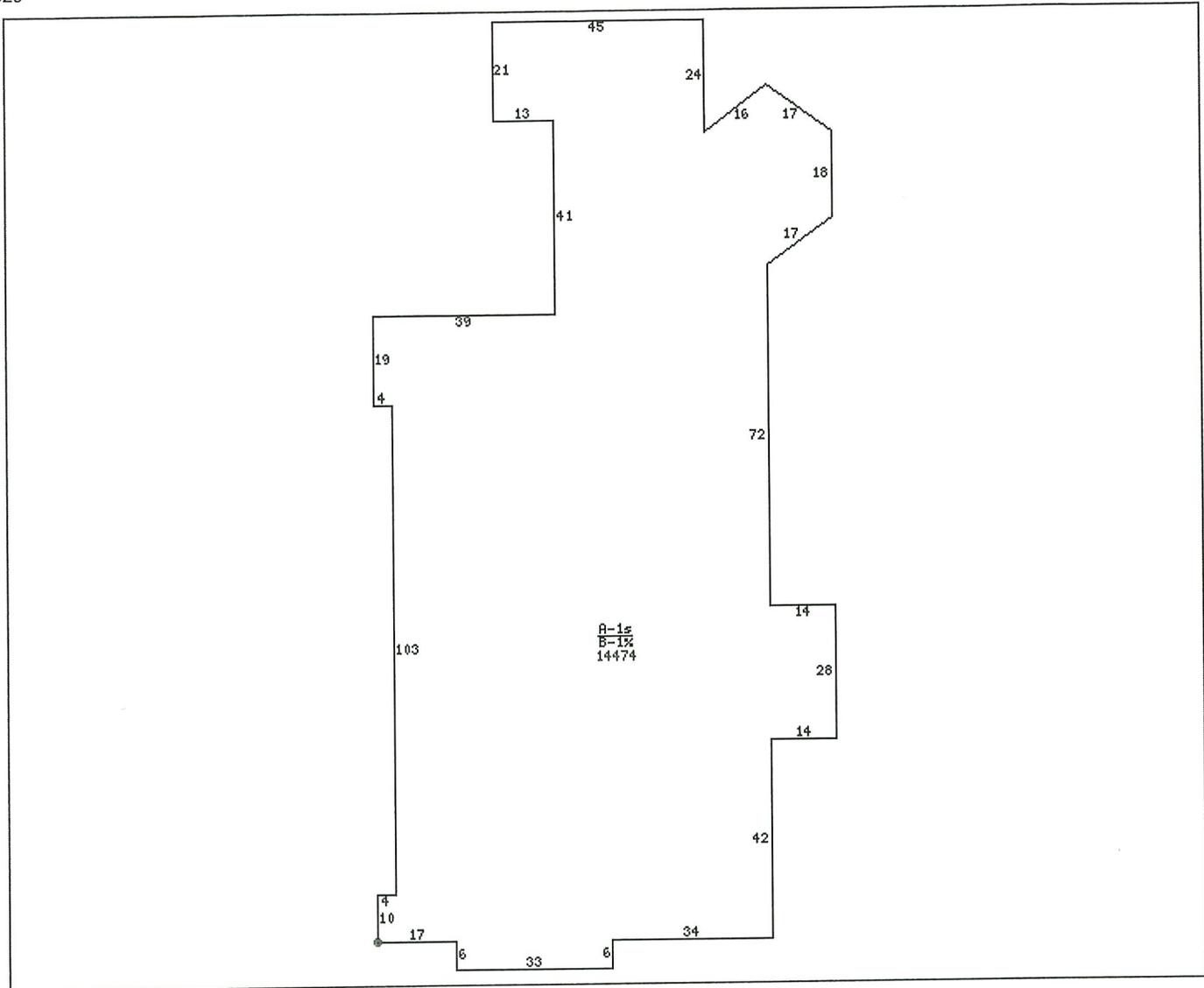
**Commercial Sections - 1 Record**

**Commercial Section #101**

<b>Occupant</b>	BETH EL JACOB SYNAGOGUE				
<b>Section Multiplier</b>	1	<b>Occupancy</b>	Church	<b>Foundation</b>	Concrete
<b>Exterior Wall</b>	Brick on Masonry	<b>Roof</b>	Flat	<b>Roof Material</b>	Built-up

<b>Wiring</b>	Adequate	<b>Plumbing</b>	Adequate	<b>Total Story Height</b>	1
<b>Frame Type</b>	Steel	<b>Fireproof Construction</b>	No	<b>Bldg Class</b>	Brick or Masonry
<b>Total Section Area</b>	28,948	<b>Ground Floor Area</b>	14,474	<b>Perimeter</b>	657
<b>Grade</b>	3+00	<b>Year Built</b>	1957	<b>Condition</b>	Normal

<b>Commercial Groups - 4 Records</b>					
<b>Commercial Group #101 1</b>					
<b>Use Code</b>	Church	<b>Base Story</b>	1	<b>Number Stories</b>	1
<b>Total Group Area</b>	10,874	<b>Base Floor Area</b>	10,874	<b>Wall Height</b>	28
<b>Heating</b>	Central	<b>Air Conditioning</b>	Yes	<b>Exhaust System</b>	No
<b>Commercial Group #101 2</b>					
<b>Use Code</b>	Basement Entire	<b>Number Stories</b>	1	<b>Total Group Area</b>	14,474
<b>Base Floor Area</b>	14,474	<b>Heating</b>	None	<b>Air Conditioning</b>	None
<b>Exhaust System</b>	No				
<b>Commercial Group #101 3</b>					
<b>Use Code</b>	Basement Finished	<b>Number Stories</b>	1	<b>Total Group Area</b>	3,600
<b>Base Floor Area</b>	3,600	<b>Heating</b>	Central	<b>Air Conditioning</b>	Yes
<b>Exhaust System</b>	No				
<b>Commercial Group #101 4</b>					
<b>Use Code</b>	Common Area	<b>Base Story</b>	1	<b>Number Stories</b>	1
<b>Total Group Area</b>	3,600	<b>Base Floor Area</b>	3,600	<b>Wall Height</b>	18
<b>Heating</b>	Central	<b>Air Conditioning</b>	Yes	<b>Night Deposit</b>	No
<b>Auto Bank System</b>	No	<b>Security System</b>	No	<b>Exhaust System</b>	No



**Sales - 2 Records**

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
THE STAINED GLASS STORE, INC.	ST MARY COPTIC ORTHODOX CHURCH	<u>2017-01-27</u>	\$625,000	Deed	<u>16369/781</u> Multiple Parcels
BETH EL JACOB SYNAGOGUE	THE STAINED GLASS STORE, INC.	<u>2017-01-27</u>	\$625,000	Deed	<u>16369/777</u> Multiple Parcels

**Recent Ownership Transfers**

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
THE STAINED GLASS STORE INC	ST MARY COPTIC ORTHODOX CHURCH	2017-01-27	2017-02-07	Warranty Deed	<u>16369/781</u>
BETH EL JACOB SYNAGOGUE	THE STAINED GLASS STORE INC	2017-01-27	2017-02-07	Warranty Deed	<u>16369/777</u>

**Permits - 1 Record**

Year	Type	Permit Status	Application	Description
2015	Pickup	No Add	2014-09-17	review/dual class

## Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2019	<u>Assessment Roll</u>	Commercial Exempt	Full	\$208,000	\$2,432,000	\$2,640,000
			Adj	\$0	\$0	\$0
2017	<u>Assessment Roll</u>	Commercial Exempt	Full	\$207,900	\$2,262,600	\$2,470,500
			Adj	\$0	\$0	\$0
2015	<u>Assessment Roll</u>	<b>Total Value</b>	Full	\$177,050	\$2,102,950	\$2,280,000
			Adj	\$7,510	\$38,090	\$45,600
		Commercial Exempt	Full	\$169,540	\$2,064,860	\$2,234,400
			Adj	\$0	\$0	\$0
		Multi-Residential	Full	\$7,510	\$38,090	\$45,600
2013	<u>Assessment Roll</u>	Commercial	Full	\$173,000	\$1,967,000	\$2,140,000
			Adj	\$7,510	\$30,230	\$37,740
2011	<u>Assessment Roll</u>	Commercial	Full	\$173,000	\$1,967,000	\$2,140,000
			Adj	\$7,510	\$30,230	\$37,740
2009	<u>Assessment Roll</u>	Commercial	Full	\$173,000	\$2,083,000	\$2,256,000
			Adj	\$7,510	\$32,010	\$39,520
2007	<u>Assessment Roll</u>	Commercial	Full	\$173,000	\$2,083,000	\$2,256,000
			Adj	\$7,510	\$32,010	\$39,520
2005	<u>Assessment Roll</u>	Commercial	Full	\$158,000	\$2,022,000	\$2,180,000
			Adj	\$6,860	\$31,070	\$37,930
2003	<u>Assessment Roll</u>	Commercial	Full	\$137,000	\$1,890,000	\$2,027,000
			Adj	\$5,950	\$29,040	\$34,990
2001	<u>Assessment Roll</u>	Commercial	Full	\$129,200	\$1,783,000	\$1,912,200
			Adj	\$5,610	\$27,400	\$33,010
1999	Assessment Roll	Commercial	Full	\$55,000	\$1,783,000	\$1,838,000
			Adj	\$2,390	\$27,400	\$29,790
1995	Assessment Roll	Commercial	Full	\$53,000	\$1,731,000	\$1,784,000
			Adj	\$2,300	\$26,600	\$28,900
1993	Board Action	Residential	Full	\$50,580	\$1,648,420	\$1,699,000
			Adj	\$2,180	\$25,320	\$27,500
1993	Assessment Roll	Residential	Full	\$54,940	\$1,794,780	\$1,849,720
			Adj	\$6,540	\$171,390	\$177,930

<b>Yr</b>	<b>Type</b>	<b>Class</b>	<b>Kind</b>	<b>Land</b>	<b>Bldg</b>	<b>Total</b>
1991	Assessment Roll	Residential	Full	\$50,400	\$1,646,590	\$1,696,990
			Adj	\$2,000	\$23,200	\$25,200
1991	Was Prior Year	Residential	Full	\$50,400	\$1,644,070	\$1,694,470
			Adj	\$2,000	\$20,680	\$22,680

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

25F

**DATE OF NOTICE:** February 6, 2020

**DATE OF INSPECTION:** December 17, 2019

**CASE NUMBER:** COD2019-08327

**PROPERTY ADDRESS:** 954 CUMMINS PKWY

**LEGAL DESCRIPTION:** LOT 60 BROOKLINE HTS

ST MARY COPTIC ORTHODOX CHURCH  
Title Holder - NEVEEN KODOS, REG AGENT  
954 CUMMINS PKWY  
DES MOINES IA 50312

MIDWEST HERITAGE BANK FSB  
Mortgage Holder - TORY KASKA, PRESIDENT  
3580 EP TRUE PKWY STE 100  
WEST DES MOINES IA 50265

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.**

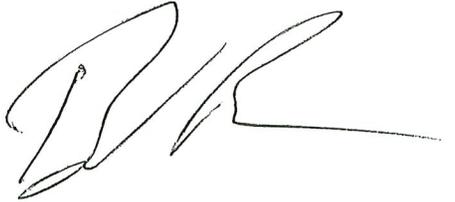
Appropriate building permits may be required for those violations noted in the "Special Requirements" section on the notice. Should you have questions regarding permits, contact the Permit and Development Center at (515) 283-4200. All work performed by a contractor or you must be completed in a workmanlike 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: 2/6/2020

MAILED BY: KMD

**Areas that need attention:** 954 CUMMINS PKWY

<p><b>Component:</b> Accessory Buildings  <b>Requirement:</b> Building Permit  <b>Comments:</b> Have licensed contractor repair or replace all damaged components. Including framing, sheeting, and coverings. Permit required for replacement of all structural components.</p>	<p><b>Defect:</b> Deteriorated  <b>Location:</b> Garage Throughout</p>
<p><b>Component:</b> Electrical System  <b>Requirement:</b> Electrical Permit  <b>Comments:</b> Have licensed contractor repair or replace electrical system. Bring any and all components up to code.</p>	<p><b>Defect:</b> In poor repair  <b>Location:</b> Main Structure Throughout</p>
<p><b>Component:</b> Exterior Walls  <b>Requirement:</b> Building Permit  <b>Comments:</b> Have licensed contractor repair or replace all damaged wall components, including framing, sheeting, and coverings. Permit required for replacement of all structural components.</p>	<p><b>Defect:</b> Deteriorated  <b>Location:</b> Main Structure Throughout</p>
<p><b>Component:</b> Floor Joists/Beams  <b>Requirement:</b> Complaine with Int Residential Code  <b>Comments:</b> Have checked by licensed contractor. Repair or replace, building permit required for replacement.</p>	<p><b>Defect:</b> Water Damage  <b>Location:</b> Main Structure Throughout</p>
<p><b>Component:</b> Interior Walls /Ceiling  <b>Requirement:</b> Building Permit  <b>Comments:</b> Repair or replace all damaged wall's and ceiling's. Paint or cover and texture to match.</p>	<p><b>Defect:</b> In poor repair  <b>Location:</b> Main Structure Throughout</p>
<p><b>Component:</b> Mechanical System  <b>Requirement:</b> Mechanical Permit  <b>Comments:</b> Have licensed contractor repair or replace mechanical system. Bring any and all components up to code.</p>	<p><b>Defect:</b> In poor repair  <b>Location:</b> Main Structure Throughout</p>
<p><b>Component:</b> Plumbing System  <b>Requirement:</b> Plumbing Permit  <b>Comments:</b> Have licensed contractor repair or replace plumbing system. Bring any and all components up to code.</p>	<p><b>Defect:</b> In poor repair  <b>Location:</b> Main Structure Throughout</p>
<p><b>Component:</b> Roof  <b>Requirement:</b> Complaine with Int Residential Code  <b>Comments:</b> Have checked by licensed contractor. Permit required for repairs other than shingles.</p>	<p><b>Defect:</b> In poor repair  <b>Location:</b> Main Structure Throughout</p>

<b>Component:</b>	Electrical System	<b>Defect:</b>	In disrepair
<b>Requirement:</b>	Electrical Permit	<b>Location:</b>	Garage Throughout
<b>Comments:</b>	Have licensed contractor repair or replace electrical system. Bring any and all components up to code.		
<b>Component:</b>	Sub Floor	<b>Defect:</b>	Water Damage
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Main Structure Throughout
<b>Comments:</b>	Repair or replace. In compliance with international residential building code.		
<b>Component:</b>	Exterior Doors/Jams	<b>Defect:</b>	Cracked/Broken
<b>Requirement:</b>	Compliance with Int Residential Code	<b>Location:</b>	Main Structure Throughout
<b>Comments:</b>	Repair or replace all damaged or missing doors and or jams as needed. Permit required if changing opening size.		
<b>Component:</b>	Windows/Window Frames	<b>Defect:</b>	Cracked/Broken
<b>Requirement:</b>	Compliance with Int Residential Code	<b>Location:</b>	Main Structure Throughout
<b>Comments:</b>	Repair or replace all damaged or missing windows and frames as needed. Permit required if changing opening size.		
<b>Component:</b>	Exterior Doors/Jams	<b>Defect:</b>	Deteriorated
<b>Requirement:</b>	Compliance with Int Residential Code	<b>Location:</b>	Garage Throughout
<b>Comments:</b>	Repair or replace all damaged or missing doors and or jams as needed. Permit required if changing opening size.		
<b>Component:</b>	See Comments	<b>Defect:</b>	See Comments
<b>Requirement:</b>	Unknown	<b>Location:</b>	
<b>Comments:</b>	Main Structure is referring to the residential structure on the property.		

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954 Cummins Pkwy



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