



Roll Call Number

Agenda Item Number

52A

Date March 21, 2022

ABATEMENT OF PUBLIC NUISANCE AT 3004 COLUMBIA STREET

WHEREAS, the property located at 3004 Columbia Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholder, Daniel R. Martinez, was notified more than thirty days ago to repair or demolish the main 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 main structure on the real estate legally described as Lot 12 in Block 24 in Plat One of 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 3004 Columbia 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 structure.

Moved by _____ to adopt.
Second by _____

FORM APPROVED:



Judy K. Parks-Kruse, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
SHEUMAKER				
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



City of Des Moines
 400 Robert D. Ray Drive
 Des Moines, IA 50309

Case Number: NUIS-2021-000048	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 10/29/2021
	Date of Notice: 12/14/2021
	Date of Inspection: 06/11/2021

DANIEL R MARTINEZ
 3105 30TH ST APT 4
 DES MOINES IA 50310

Address of Property: 3004 COLUMBIA ST, DES MOINES IA 50313
 Parcel Number: 792426180025
 Legal Description: LOT 12 BLK 24 AUBURN HEIGHTS PLT 1

Upon inspection of the property located at and locally known as the Address of Property shown above, located in Des Moines, Iowa, ("Property"), there was/were found to be violation(s) of the Municipal Code of the City of Des Moines, Iowa. It has been determined from that inspection that the dwelling currently constitutes a danger to health and safety to the public and is a public nuisance.

We are notifying you that you have the time set out in this notice (below under "Compliance Due Date") to abate the following violation(s) and complete the required remedial action.

VIOLATION(S)

Violation	Corrective Action	Compliance Due Date
60-191 - Vacation and Abatement	Vacate the structure until nuisance has been abated and is no longer declared a public nuisance.	01/11/2022
60-192(12) - Dangerous Structure or Premise - Abandoned	Demolish the abandoned structure or premises, OR, repair, replace, or renovate the abandoned building or structure to a state such that it is no longer a nuisance or hazard to the public.	01/11/2022
60-192(13) - Unsafe or dangerous structure	Repair or replace the building or structure that is in a condition that it presents either a substantial risk of fire, building collapse, or any other threat to life and safety, OR, demolish the structure.	01/11/2022
60-192(15) - Unsafe or dangerous structure	Repair or replace the unsafe or unlawful structure OR demolish the structure.	01/11/2022

60-192(3) - Dangerous Structure or Premise
- Damaged

Repair or replace any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.

01/11/2022

HIRE ELECTRICAL CONTRACTOR TO VERIFY SAFETY OF SYSTEM AND ALL VIOLATIONS CORRECTED PRIOR TO SERVICE BEING RESTORED. PERMIT REQUIRED.

HIRE LICENSED CONTRACTOR TO CORRECT ALL PLUMBING VIOLATIONS PRIOR TO SERVICE BEING RESTORED. PERMIT REQUIRED.

GAS SERVICE HAS BEEN SHUT OFF NEED LICENSED MECHANICAL CONTRACTOR TO VERIFY SAFETY OF MECHANICAL SYSTEMS AND CORRECT ANY VIOLATIONS PRIOR TO SERVICE BEING RESTORED. PERMIT REQUIRED.

REPAIR/REPLACE ANY MISSING, ROTTED OR DAMAGED WINDOWS/WINDOW FRAMES. ANY REPAIRS TO THE STRUCTURE WILL REQUIRE A BUILDING PERMIT.

SCRAPE LOOSE PAINT, REPAIR WHERE NEEDED AND PAINT TO MATCH.

REPAIR/REPLACE ANY BROKEN, MISSING, DAMAGED OR ROTTED DRYWALL/PANELING/WALL COVERING. ANY REPAIRS TO THE STRUCTURE WILL REQUIRE A BUILDING PERMIT.

60-192(5) - Dangerous Structure or Premise
- Dilapidated or Deteriorated

Repair or replace the building or structure, or part of a structure which is likely to partially or completely collapse because of dilapidation, deterioration, decay, faulty construction, the removal of movement of some portion of the ground necessary for the support, or for any other reason, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.

01/11/2022

60-192(6) - Dangerous Structure or Premise - Unsafe	Vacate and secure any structure that is clearly unsafe for its use and occupancy, OR, demolish the structure after obtaining required permit, OR repair or replace the building or structure, or any portion thereof, that is clearly unsafe for its use and occupancy.	01/11/2022
60-192(7) - Dangerous Structure or Premise - Attractive Nuisance, Harbor for Vagrants	Vacate and secure the structure, OR, repair or replace the building or structure that is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.	01/11/2022
60-192(9) - Dangerous Structure or Premise - Unsanitary, Unfit for Habitation	Vacate and secure the structure or premises, OR, repair, replace, and/or sanitize any building or structure determined to be unsanitary, unfit for human habitation, or in such a condition that it is likely to cause sickness or disease.	01/11/2022
60-194 - Defacing and Removing Placard	Replace or restore defaced or removed placard.	01/11/2022

If not occupied, the structure is to remain vacant and unoccupied until occupancy is authorized by this office.

If the structure 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 may seek a court order directing you to vacate the structure, pursuant to Section 60-191 and 60-192 of the Municipal Code of the City of Des Moines, Iowa.

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. Should you have any 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 over a year, there may be zoning issues, which may affect the renovation plans. Please contact the Development Zoning Division at (515) 283-4207 to determine if there is anything you should be aware of.

If you decide to demolish the building or take the structure down, you will need a demolition permit.

If you cannot renovate or demolish the structure, contact me to discuss allowing the City to remove the structure. There will be costs billed out to you and possibly a judgment. It may be cheaper for you to remove the structure yourself.

If you no longer own this property, please let us know.

Unpaid costs may be collected by personal judgment, collection, or assessment to be collected as a property tax.

Should you have any questions, feel free to call. I can usually be reached between 8:00 a.m. and 9:00 a.m., Monday through Friday.

Thank you for your help,

Respectfully,



Kevin Pyles

Neighborhood Inspector

Neighborhood Services

602 Robert D. Ray Drive, Des Moines, IA 50309

(515) 283-4122

KEPyles@dmgov.org



2022/02/28
13:55:10



2022/02/28

13:55:16





2022/02/28
13:55:49





06/11/2021 11:40



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

Location					
Address	3004 COLUMBIA ST				
City	DES MOINES	Zip	50313	Jurisdiction	Des Moines
District/Parcel	070/00548-000-000	Geoparcels	7924-26-180-025	Status	Active
School	Des Moines	Nbhd/Pocket	DM86/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northeast Des Moines	Appraiser	Andrew Rand 515-286-3368		

Map and Current Photos - 1 Record

Click on parcel to get a new listing

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



[Historical Photos](#)

Ownership - 2 Records

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	MARTINEZ, DANIEL R	1974-07-17	4461/379
Title Holder	2	MARTINEZ, BARBARA L		

Legal Description and Mailing Address

LOT 12 BLK 24 AUBURN HEIGHTS PLT 1	DANIEL R MARTINEZ 3105 30TH ST APT 4 DES MOINES, IA 50310-5716
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Current Values

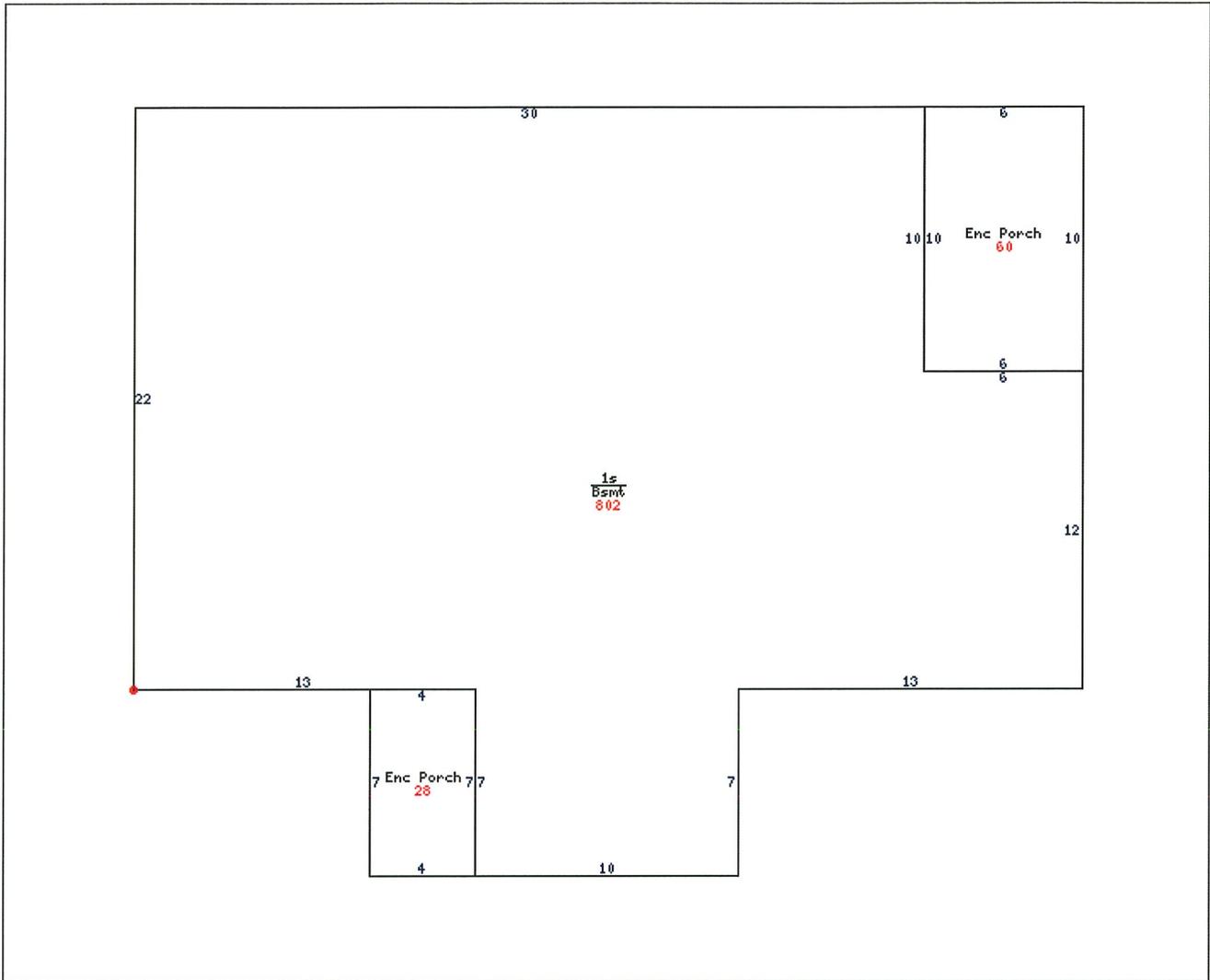
Type	Class	Kind	Land	Bldg	Total
2021 Value	Residential	Full	\$20,500	\$30,800	\$51,300

[Assessment Roll Notice](#) [Market Adjusted Cost Report](#)

Auditor Adjustments to Value

Category	Name	Information
2021 Homestead Credit	MARTINEZ, DANIEL R	Application #106986

Category		Name		Information	
2021 Military Exemption		MARTINEZ, DANIEL R		Korean Application #101756	
Zoning - 1 Record					
Zoning	Description			SF	Assessor Zoning
N5	N5 Neighborhood District				Residential
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>					
Land					
Square Feet	6,650	Acres	0.153	Frontage	50.0
Depth	133.0	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	1925	Number Families	1	Grade	5+10
Condition	Poor	Total Square Foot Living Area	802	Main Living Area	802
Basement Area	802	Finished Basement Area 1	400	Finished Basement Quality 1	Low
Total Basement Finish	400	Enclosed Porch Area	88	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	16	Story Height	1
Grade	5	Year Built	1937	Condition	Poor

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2021	Assessment Roll	Residential	Full	\$20,500	\$30,800	\$51,300
2019	Assessment Roll	Residential	Full	\$18,100	\$26,900	\$45,000
2017	Assessment Roll	Residential	Full	\$16,000	\$42,600	\$58,600
2015	Assessment Roll	Residential	Full	\$14,600	\$39,000	\$53,600
2013	Assessment Roll	Residential	Full	\$14,900	\$40,400	\$55,300
2011	Assessment Roll	Residential	Full	\$15,500	\$42,700	\$58,200
2009	Assessment Roll	Residential	Full	\$16,900	\$47,300	\$64,200
2007	Assessment Roll	Residential	Full	\$16,100	\$45,000	\$61,100
2005	Assessment Roll	Residential	Full	\$14,600	\$49,000	\$63,600
2003	Assessment Roll	Residential	Full	\$13,280	\$45,420	\$58,700
2001	Assessment Roll	Residential	Full	\$12,240	\$40,720	\$52,960
1999	Assessment Roll	Residential	Full	\$9,300	\$37,820	\$47,120
1997	Assessment Roll	Residential	Full	\$8,350	\$33,950	\$42,300

Yr	Type	Class	Kind	Land	Bldg	Total
1995	Assessment Roll	Residential	Full	\$7,410	\$30,110	\$37,520
1993	Assessment Roll	Residential	Full	\$6,280	\$25,530	\$31,810
1990	Assessment Roll	Residential	Full	\$6,280	\$24,220	\$30,500

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