



Roll Call Number

Agenda Item Number

29 A

Date April 4, 2022

ABATEMENT OF PUBLIC NUISANCES AT 1226 E 37th STREET

WHEREAS, the property located at 1226 E 37th Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main 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, Schaer Financial, Inc., was notified more than thirty days ago to repair or demolish the main structure and garage structure and as of this date has failed to abate the nuisances.

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

The main structure and garage structure on the real estate legally described as Lot 240 in GRAYS WOODS, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1226 E 37th Street, 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.
Second by _____

FORM APPROVED:

Judy K. Parks-Kruse
Judy K. Parks-Kruse, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
SHEUMAKER				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED	APPROVED			
	Mavor			

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

291A

Case Number: NUIS-2021-000010	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 08/04/2021
	Date of Notice: 02/02/2022
Date of Inspection: 03/11/2021	

SCHAER FINANCIAL INC
 JAMES F SCHAER
 3209 INGERSOLL AVE #103
 DES MOINES IA 50312

Address of Property: **1226 E 37TH ST, DES MOINES IA 50317**
 Parcel Number: **792332478041**
 Legal Description: **LOT 240 GRAYS WOODS**

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	MAIN STRUCTURE THROUGHOUT Vacate the structure until nuisance has been abated and is no longer declared a public nuisance.	03/11/2022
60-192(14) - Unsafe or dangerous structure	MAIN STRUCTURE THROUGHOUT Repair or replace the unsafe equipment OR demolish the structure.	03/11/2022

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.

*REPLACE ALL DAMAGED EXTERIOR WALLS AND IT COMPONENTS.

*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.

*REPAIR AND REPLACE ANY AND ALL DAMAGED EXTERIOR DOORS AND WINDOWS.

REPLACE ANY DAMAGED ROOFING MATERIAL. PER CITY CODE SHINGLES LIMITED TO ONE LAYER. ANY STRUCTURAL REPAIRS WILL REQUIRE A PERMIT

REPLACE ALL DAMAGED ROOFING COMPONENTS BY LICENSED CONTRACTOR. BUILDING PERMIT REQUIRED IF REPLACING SHEETING.

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.

*HAVE A LICENSED MECHANICAL CONTRACTOR INSPECT THE ENTIRE MECHANICAL SYSTEM AND PROVIDE A COPY OF THE FINDING. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE MECHANICAL SYSTEM THROUGHOUT THE ENTIRE STRUCTURE. WORK MUST BE DONE BY A LICENSED MECHANICAL CONTRACTOR.

*HAVE A LICENSED PLUMBING CONTRACTOR INSPECT THE ENTIRE PLUMBING SYSTEM AND PROVIDE A COPY OF THE FINDINGS. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE PLUMBING SYSTEM THROUGHOUT THE ENTIRE STRUCTURE. WORK MUST BE DONE BY A LICENSED PLUMBING CONTRACTOR.

*HAVE A LICENSED ELECTRICAL CONTRACTOR INSPECT THE ENTIRE ELECTRICAL SYSTEM AND PROVIDE A COPY OF THE FINDINGS. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE ELECTRICAL SYSTEM THROUGHOUT THE ENTIRE STRUCTURE. WORK MUST BE DONE BY A LICENSED ELECTRICAL CONTRACTOR.

*REPAIR AND REPLACE ANY AND ALL DAMAGED EXTERIOR DOORS AND WINDOWS.

*REPAIR AND REPLACE ANY AND ALL DAMAGED FLOORING THROUGHOUT THE STRUCTURE.

*OBTAIN FINAL ON PERMIT AND HAVE LICENSED CONTRACTOR REPAIR OR REPLACE DAMAGE DECKING, RAILING, JOIST, BEAMS, HANDRAIL, AND STAIRS. PERMIT REQUIRED FOR REPLACEMENT OF ALL STRUCTURAL COMPONENTS.

*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(6) - Dangerous Structure or Premise
- Unsafe

GARAGE THROUGHOUT

03/11/2022

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.

60-192(6) - Dangerous Structure or Premise
- Unsafe

MAIN STRUCTURE THROUGHOUT

03/11/2022

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.

60-192(9) - Dangerous Structure or Premise
- Unsanitary, Unfit for Habitation

MAIN STRUCTURE THROUGHOUT

03/11/2022

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.

60-194 - Defacing and Removing Placard

Replace or restore defaced or removed placard.

03/11/2022

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.

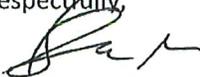
If you no longer own this property, please let us know.

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

29A



03-22-2022 10:18 AM

2014



03-22-2022 10:18 AM

291A

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	1226 E 37TH ST				
City	DES MOINES	Zip	50317	Jurisdiction	Des Moines
District/Parcel	060/05795-000-000	Geoparcels	7923-32-478-041	Status	Active
School	Des Moines	Nbhd/Pocket	DM13/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northeast Des Moines	Appraiser	Victor Scaglione 515-286-3898		

Map and Current Photos - 1 Record

Click on parcel to get a new listing

1239	1240	1239
1235	1234	1235
1231	1230	1231
1227	1226	1227
1223	1222	1223
1219	1218	1219

E 37TH ST

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



[Historical Photos](#)

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	SCHAER FINANCIAL INC	2019-08-27	17466/609

Legal Description and Mailing Address

LOT 240 GRAYS WOODS	SCHAER FINANCIAL INC 3209 INGERSOLL AVE STE 103 DES MOINES, IA 50312-3920
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Current Values

Type	Class	Kind	Land	Bldg	Total
2021 Value	Residential	Full	\$15,900	\$50,600	\$66,500

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

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
N3B	N3b Neighborhood District		Residential

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

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	Ranch
Year Built	1951	Number Families	1	Grade	5+05
Condition	Normal	Total Square Foot Living Area	480	Main Living Area	480
Enclosed Porch Area	72	Foundation	Concrete Block	Exterior Wall Type	Metal Siding
Roof Type	Gable	Roof Material	Asphalt Shingle	Heating	Floor Wall
Air Conditioning	0	Number Bathrooms	1	Bedrooms	2
Rooms	4				

The diagram shows a rectangular lot with a total width of 50.0 units and a depth of 132.0 units. An enclosed porch, labeled 'Enc Porch 72', is located in the upper left portion of the lot. The main living area, labeled '1s 480', is a larger rectangle below and to the right of the porch. Dimensions for the living area are 24 units wide and 20 units high. The porch is 8 units wide and 9 units high. The remaining lot area is 24 units wide and 20 units high.

Detached Structures - 1 Record

Detached Structure #101

Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	18	Measure 2	20	Story Height	1
Grade	4	Year Built	1981	Condition	Normal

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
LACEY, BEN (Agent) <hr/> MALONEY, MARY (Treasurer)	SCHAER FINANCIAL INC	2019-08-23	2019-08-27	Tax Sale Deed	17466/609

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2021	Assessment Roll	Residential	Full	\$15,900	\$50,600	\$66,500
2019	Assessment Roll	Residential	Full	\$14,000	\$44,900	\$58,900
2017	Assessment Roll	Residential	Full	\$12,200	\$40,500	\$52,700
2015	Assessment Roll	Residential	Full	\$11,400	\$38,600	\$50,000
2013	Assessment Roll	Residential	Full	\$10,800	\$37,500	\$48,300
2011	Assessment Roll	Residential	Full	\$10,800	\$37,800	\$48,600
2009	Assessment Roll	Residential	Full	\$11,900	\$41,600	\$53,500
2007	Assessment Roll	Residential	Full	\$11,500	\$40,200	\$51,700
2005	Assessment Roll	Residential	Full	\$9,200	\$33,000	\$42,200
2003	Assessment Roll	Residential	Full	\$8,400	\$30,480	\$38,880
2001	Assessment Roll	Residential	Full	\$7,840	\$24,560	\$32,400
1999	Assessment Roll	Residential	Full	\$5,990	\$22,820	\$28,810
1997	Assessment Roll	Residential	Full	\$5,430	\$20,670	\$26,100
1995	Assessment Roll	Residential	Full	\$4,710	\$17,920	\$22,630
1993	Assessment Roll	Residential	Full	\$4,440	\$16,900	\$21,340
1990	Board Action	Residential	Full	\$4,440	\$14,960	\$19,400
1990	Assessment Roll	Residential	Full	\$4,440	\$17,160	\$21,600

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