

**Date** May 23, 2022

**ABATEMENT OF PUBLIC NUISANCE AT 1130 GARDEN**

WHEREAS, the property located at 1130 Garden, 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 public nuisance; and

WHEREAS, the Titleholder, Darren Doriean, 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 Twenty-four (24) in PETERSONS ADDITION TO OAK PARK, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa and locally known as 1130 Garden, has previously been declared a public nuisance;

The City Legal Department, through Special Counsel Ahlers & Cooney, P.C., 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:

  
 \_\_\_\_\_  
 Kristine Stone, Special Counsel  
 Ahlers & Cooney, P.C.

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

**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.

\_\_\_\_\_ Mayor

\_\_\_\_\_ City Clerk

29E



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

Case Number: NUIS-2021-000041	
<b>Notice of Violation</b>	Case Type: Public Nuisance
	Case Opened: 10/25/2021
	Date of Notice: 04/01/2022
Date of Inspection: 10/25/2021	

DARREN DORIEAN  
3910 12TH ST  
DES MOINES IA 50313

Address of Property: 1130 GARDEN AVE, DES MOINES IA 50313  
Parcel Number: 792422381005  
Legal Description: LOT 24 PETERSONS ADD

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	GARAGE THROUGH OUT Vacate the structure until nuisance has been abated and is no longer declared a public nuisance.	05/13/2022
60-192(1) - Dangerous Structure or Premise - Door, Stairway, Exit	GARAGE THROUGH OUT Repair or replace any door, aisle, passageway, stairway, exit, or other means of egress that does not conform to the approved building or fire code.	05/13/2022
60-192(10) - Dangerous Structure or Premise - Lack of Sufficient Construction	GARAGE THROUGH OUT Vacate and secure the structure or premises, OR, demolish the structure after obtaining required demolition permit, OR, repair or replace insufficient construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause that is a threat to life or health.	05/13/2022

60-192(12) - Dangerous Structure or Premise - Abandoned	GARAGE THROUGH OUT 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.	05/13/2022
60-192(13) - Unsafe or dangerous structure	GARAGE THROUGH OUT 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.	05/13/2022
60-192(14) - Unsafe or dangerous structure	GARAGE THROUGH OUT Repair or replace the unsafe equipment OR demolish the structure.	05/13/2022
60-192(2) - Dangerous Structure or Premise - Walking Surface	GARAGE THROUGH OUT Repair or replace walking surface of any aisle, passageway, stairway, exit, or other means of egress that is unsafe and does not provide safe and adequate means of egress.	05/13/2022

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

05/13/2022

#### GARAGE THROUGH OUT

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.

\*IF CHOSEN TO DEMOLISH, PERMIT MUST BE PULLED AND FINALIZED.

\*OBTAIN FINAL ON PERMIT AND HAVE LICENSED CONTRACTOR REPAIR OR REPLACE ALL DAMAGED WALL COMPONENTS, INCLUDING: FRAMING, SHEETING, AND COVERINGS. PERMIT REQUIRED FOR REPLACEMENT OF ALL STRUCTURAL COMPONENTS. REPLACE ELECTRICAL SERVICE BY LICENSED ELECTRICAL CONTRACTOR, OBTAIN FINAL ON ELECTRICAL PERMIT. OVIDE RECEIPT FROM LICENSED CONTRACTOR\*REPAIR AND REPLACE ANY AND ALL DAMAGED EXTERIOR DOORS AND DOOR JAMS AND MUST BE IN GOOD WORKING ORDER.

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

\*REPAIR OR REPLACE ALL DAMAGED OR MISSING DOORS AND OR JAMS AS NEEDED. OBTAIN FINAL ON PERMIT REQUIRED IF CHANGING OPENING SIZE

\*OBTAIN FINAL ON PERMIT AND HAVE LICENSED CONTRACTOR REPAIR OR REPLACE ALL DAMAGED WALL COMPONENTS, INCLUDING: FRAMING, SHEETING, AND COVERINGS. PERMIT REQUIRED FOR REPLACEMENT OF ALL STRUCTURAL COMPONENTS.

\*HAVE LICENSED CONTRACTOR CHECK AND OBTAIN FINAL ON PERMIT REPLACE ALL DAMAGE AND DETERIORATED TRUSSES.

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

\*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.

\*OBTAIN FINAL ON PERMIT AND HAVE

LICENSED CONTRACTOR REPAIR OR REPLACE ALL DAMAGED WALL COMPONENTS, INCLUDING: FRAMING, SHEETING, AND COVERINGS. PERMIT REQUIRED FOR REPLACEMENT OF ALL STRUCTURAL COMPONENTS.

\*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.

\*HAVE LICENSED CONTRACTOR CHECK AND OBTAIN FINAL ON PERMIT REPLACE ALL DAMAGE AND DETERIORATED TRUSSES.

60-192(4) - Dangerous Structure or Premise  
- Insufficient Strength or Stability

GARAGE THROUGH OUT

Repair or replace any portion of a building, or any member, appurtenance, or ornamentation on the exterior of the structure that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.

05/13/2022

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

GARAGE THROUGH OUT

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 or 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.

05/13/2022

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.

Repair and replace any and all damaged exterior doors and door jams and must be in good working order

Repair or replace all damaged or missing windows as needed permit required if changing opening size

Obtain final on permit and have licensed contractor repair or replace all damaged wall components including framing cheating and covering permit required for all replacement of all structural components

If demo is determined as a best option than permit is required And final

05/13/2022

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

GARAGE THROUGH OUT

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.

05/13/2022

60-192(7) - Dangerous Structure or Premise  
- Attractive Nuisance, Harbor for Vagrants

GARAGE THROUGH OUT

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.

05/13/2022

60-192(8) - Dangerous Structure or Premise  
- Substantial Risk

**GARAGE THROUGH OUT**

05/13/2022

Repair or replace any portion of 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.

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.

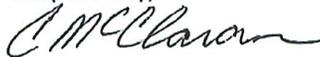
If you no longer own this property, please let us know.

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,



Charles McClaran  
Vehicle Impound Clerk  
Neighborhood Services  
602 Robert D. Ray Drive, Des Moines, IA 50309  
(515) 283-4722  
CWMcClaran@dmgov.org



05-03-2022 09:49 AM

Mr



05-03-2022 09:51 AM

# 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>	1130 GARDEN AVE				
<b>City</b>	DES MOINES	<b>Zip</b>	50313	<b>Jurisdiction</b>	Des Moines
<b>District/Parcel</b>	070/04668-000-000	<b>Geoparcels</b>	7924-22-381-005	<b>Status</b>	<a href="#">Active</a>
<b>School</b>	Des Moines	<b>Nbhd/Pocket</b>	DM82/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**

GARDEN AVE

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

**Photo Processed on 2014-01-14 a**

### [Historical Photos](#)

### Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	DORIEAN, DARREN	2010-12-30	<a href="#">13723/752</a>

### Legal Description and Mailing Address

LOT 24 PETERSONS ADD	DARREN DORIEAN PO BOX 157 AUSTRALIA,
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### Current Values

Type	Class	Kind	Land	Bldg	Total
2021 Value	Residential	Full	\$21,900	\$80,600	\$102,500

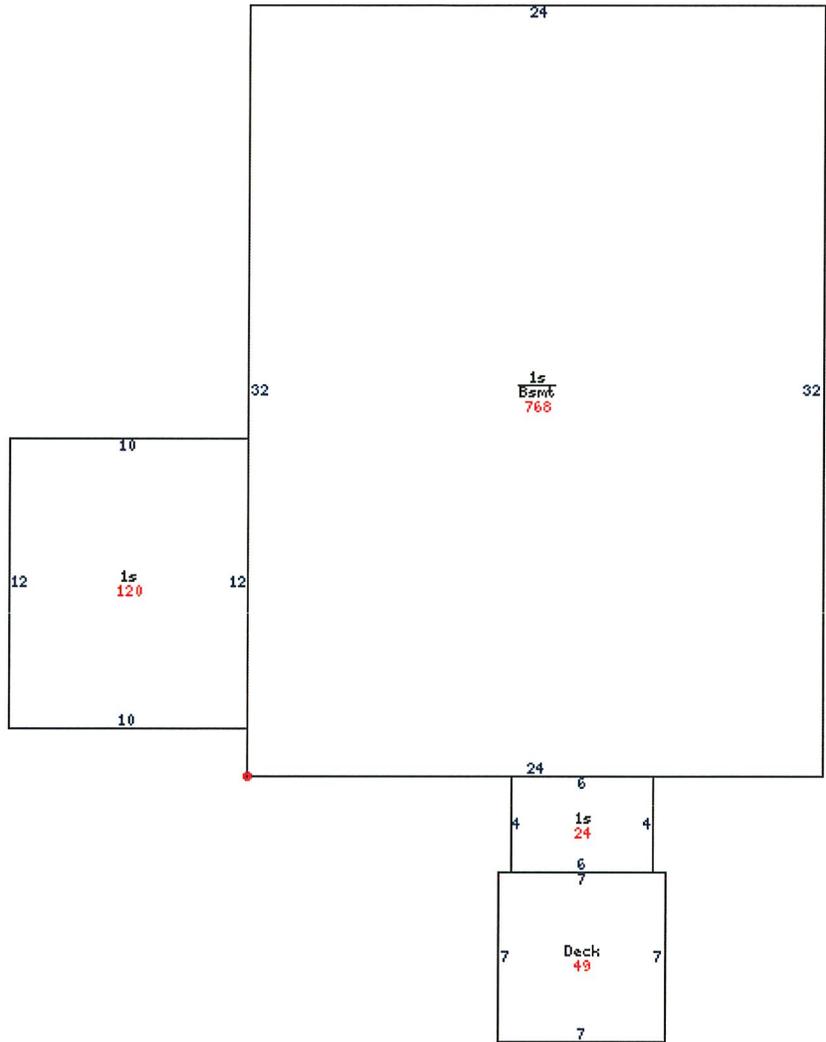
### [Market Adjusted Cost Report](#)

### Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
N5	N5 Neighborhood District		Residential

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

<b>Land</b>					
<b>Square Feet</b>	7,150	<b>Acres</b>	0.164	<b>Frontage</b>	50.0
<b>Depth</b>	143.0	<b>Topography</b>	Normal	<b>Shape</b>	Rectangle
<b>Vacancy</b>	No	<b>Unbuildable</b>	No		
<b>Residences - 1 Record</b>					
<b>Residence #1</b>					
<b>Occupancy</b>	Single Family	<b>Residence Type</b>	1 Story	<b>Building Style</b>	Early 20s
<b>Year Built</b>	1922	<b>Number Families</b>	1	<b>Grade</b>	4-10
<b>Condition</b>	Above Normal	<b>Total Square Foot Living Area</b>	912	<b>Main Living Area</b>	912
<b>Basement Area</b>	768	<b>Finished Basement Area 1</b>	250	<b>Finished Basement Quality 1</b>	Average
<b>Total Basement Finish</b>	250	<b>Deck Area</b>	49	<b>Foundation</b>	Brick
<b>Exterior Wall Type</b>	Vinyl Siding	<b>Roof Type</b>	Gable	<b>Roof Material</b>	Asphalt Shingle
<b>Heating</b>	Gravity Hot Air	<b>Air Conditioning</b>	100	<b>Number Bathrooms</b>	1
<b>Bedrooms</b>	2	<b>Rooms</b>	5		



**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	1958	Condition	Normal

**Sales - 6 Records**

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
1130 GARDEN AVE TRUST	DORIEAN, DARREN	<a href="#">2010-12-22</a>	\$59,900	Deed	<a href="#">13723/752</a>
STROUD, ROBERT D	1130 GARDEN AVE TRUST	<a href="#">2010-12-21</a>	\$25,000	Deed	<a href="#">13723/747</a>
CHADWICK, BRIAN K	STROUD, ROBERT	<a href="#">1999-05-17</a>	\$73,900	Deed	<a href="#">8220/543</a>
TINKER, GEOFFRY A	CHADWICK, BRIAN	<a href="#">1996-12-13</a>	\$61,500	Deed	<a href="#">7545/255</a>
ROBERTS, LAURA L	BOYD, GEOFFRY A	<a href="#">1995-07-10</a>	\$59,000	Deed	<a href="#">7225/152</a>
WILLSON, PARKER	SMITH, LAURA L.	<a href="#">1989-01-23</a>	\$31,000	Deed	<a href="#">6044/429</a>

**Permits - 1 Record**

Year	Type	Permit Status	Application	Reason	Reason1
2009	Permit	Complete	2008-12-11	Fix Damage	BASEMENT

#### Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2021	<a href="#">Assessment Roll</a>	Residential	Full	\$21,900	\$80,600	\$102,500
2019	<a href="#">Assessment Roll</a>	Residential	Full	\$19,600	\$71,300	\$90,900
2017	<a href="#">Assessment Roll</a>	Residential	Full	\$17,800	\$65,000	\$82,800
2015	<a href="#">Assessment Roll</a>	Residential	Full	\$16,000	\$59,400	\$75,400
2013	<a href="#">Assessment Roll</a>	Residential	Full	\$15,700	\$58,500	\$74,200
2011	<a href="#">Assessment Roll</a>	Residential	Full	\$15,700	\$58,000	\$73,700
2009	<a href="#">Assessment Roll</a>	Residential	Full	\$16,900	\$62,300	\$79,200
2007	<a href="#">Assessment Roll</a>	Residential	Full	\$16,700	\$57,600	\$74,300
2005	<a href="#">Assessment Roll</a>	Residential	Full	\$18,200	\$51,600	\$69,800
2003	<a href="#">Assessment Roll</a>	Residential	Full	\$16,890	\$48,010	\$64,900
2001	<a href="#">Assessment Roll</a>	Residential	Full	\$17,250	\$48,130	\$65,380
1999	Assessment Roll	Residential	Full	\$11,180	\$53,090	\$64,270
1997	Assessment Roll	Residential	Full	\$10,470	\$49,710	\$60,180
1995	Assessment Roll	Residential	Full	\$9,250	\$29,710	\$38,960
1993	Assessment Roll	Residential	Full	\$8,000	\$25,710	\$33,710
1990	Assessment Roll	Residential	Full	\$8,000	\$22,100	\$30,100

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