



**Roll Call Number**

**Agenda Item Number**

41A

**Date** July 18, 2022

**ABATEMENT OF PUBLIC NUISANCE AT 4325 E. 29th ST. LOT 151**

WHEREAS, the property located at 4325 E. 29<sup>th</sup> St., Lot 151., 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, Stover Heights MHC, LLC, Mortgage Holder, Wells Fargo Bank, N.A, and the Lot Tenant, Vicky L. Hofer, were 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 84 LONGACRE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa and locally known as 4325 E. 29<sup>th</sup> St., Lot 151, 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,

Seconded 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, ~~Laura Baumgarth~~ *Arling* 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

41A



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

Case Number: NUIS-2022-000062	
<b>Notice of Violation</b>	Case Type: Public Nuisance
	Case Opened: 03/03/2022
	Date of Notice: 05/26/2022
Date of Inspection: 03/03/2022	

WELLS FARGO BANK NA C/O CORPORATION SERVICE COMPANY  
505 5TH AVE STE 729  
DES MOINES IA 50309

Address of Property: 4325 E 29TH ST 151, DES MOINES IA 50317  
Parcel Number: 792320151008  
Legal Description: LOT 84 LONGACRE

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
60-192(10) - Dangerous Structure or Premise - Lack of Sufficient Construction	GARAGE THROUGHOUT  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.	06/16/2022
60-192(14) - Unsafe or dangerous structure	GARAGE THROUGHOUT  Repair or replace the unsafe equipment OR demolish the structure.	06/16/2022
60-192(15) - Unsafe or dangerous structure	GARAGE THROUGHOUT  Repair or replace the unsafe or unlawful structure OR demolish the structure.	06/16/2022

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

GARAGE THROUGHOUT

06/16/2022

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.

\*ALL ELECTRICAL, MECHANICAL, PLUMBING AND STRUCTURAL COMPONENTS THROUGHOUT THE STRUCTURE ARE TO BE BROUGHT TO MINIMUM CODE REQUIREMENTS WITH NECESSARY PERMITS AS REQUIRED TO MEET THE CITY CODES.

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

\*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.

\*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.

\*SEVERE SMOKE AND FIRE DAMAGE. REPLACE ALL THAT IS DAMAGED. BUILDING PERMIT REQUIRED.

\*CLEAN SMOKE DAMAGE FROM WALLS AND THEN PAINT TO MATCH.

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

GARAGE THROUGHOUT

06/16/2022

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.

60-192(6) - Dangerous Structure or Premise - Unsafe	GARAGE THROUGHOUT	06/16/2022
	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	GARAGE THROUGHOUT	06/16/2022
	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.	06/16/2022

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.

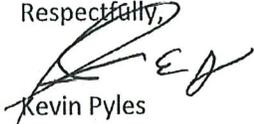
Unpaid costs may be collected by personal judgment, collection, or assessment to be collected as a property tax.

41A

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

41A



City of Des Moines  
400 Robert D. Ray Drive  
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VICKY L HOFER  
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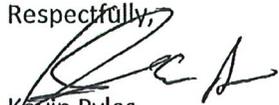
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Kevin Pyles

Neighborhood Inspector

Neighborhood Services

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

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# Polk County Assessor

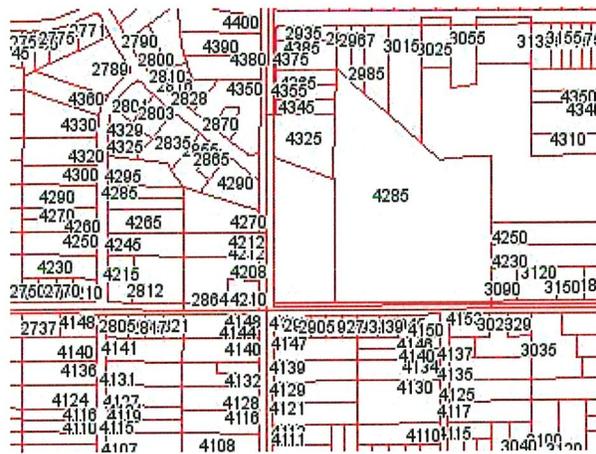
111 Court Avenue #195  
Des Moines, IA 50309-0904

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

Location					
<b>Address</b>	4325 E 29TH ST				
<b>City</b>	DES MOINES	<b>Zip</b>	50317	<b>Jurisdiction</b>	Des Moines
<b>District/Parcel</b>	060/06983-003-151	<b>Geoparcels</b>	7923-20-155-904	<b>Status</b>	<a href="#">Active</a>
<b>School</b>	Saydel	<b>Nbhd/Pocket</b>	DM02/B	<b>Tax Authority Group</b>	DEM-C-SAY-77139
<b>Submarket</b>	Northeast Des Moines	<b>Appraiser</b>	Victor Scaglione 515-286-3898		

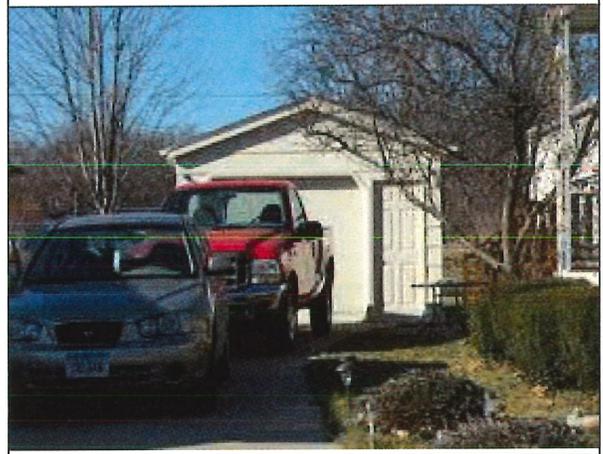
## Map and Current Photos - 1 Record

Click on parcel to get a new listing



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

Photo Processed on 2011-11-28 a



## Historical Photos

## Ownership - 2 Records

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	HOFER, VICKY L	2018-10-23	
Title Holder	2	HOFER, VICKY		

## Legal Description and Mailing Address

GARAGE #151 BLDG ON LEASED GROUND LOT 84 LONGACRE	VICKY LEE HOFER 4325 E 29TH ST LOT 151 DES MOINES, IA 50317-8869
<a href="#">Land Parcel for Bldg on Leased Land</a>	

## Current Values

Type	Class	Kind	Land	Bldg	Total
2022 Value	Residential	Full	\$0	\$7,700	\$7,700

[Market Adjusted Cost Report](#)

## Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
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Zoning		Description		SF	Assessor Zoning	
NM		NM Neighborhood District			Residential	
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>						
Detached Structures - 1 Record						
Detached Structure #101						
Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions	
Measure 1	14	Measure 2	24	Story Height	1	
Grade	4	Year Built	1985	Condition	Normal	

**Historical Values**

Yr	Type	Class	Kind	Land	Bldg	Total
2021	<a href="#">Assessment Roll</a>	Residential	Full	\$0	\$7,700	\$7,700
2019	<a href="#">Assessment Roll</a>	Residential	Full	\$0	\$7,200	\$7,200
2017	<a href="#">Assessment Roll</a>	Residential	Full	\$0	\$6,400	\$6,400
2015	<a href="#">Assessment Roll</a>	Residential	Full	\$0	\$6,000	\$6,000
2013	<a href="#">Assessment Roll</a>	Residential	Full	\$0	\$5,000	\$5,000
2011	<a href="#">Assessment Roll</a>	Residential	Full	\$0	\$5,100	\$5,100
2009	<a href="#">Assessment Roll</a>	Residential	Full	\$0	\$6,200	\$6,200
2007	<a href="#">Assessment Roll</a>	Residential	Full	\$0	\$6,300	\$6,300
2005	<a href="#">Assessment Roll</a>	Residential	Full	\$0	\$5,300	\$5,300
2003	<a href="#">Assessment Roll</a>	Residential	Full	\$0	\$4,710	\$4,710
2001	<a href="#">Assessment Roll</a>	Residential	Full	\$0	\$3,930	\$3,930
2000	<a href="#">Assessment Roll</a>	Residential	Full	\$0	\$4,370	\$4,370

This template was last modified on Thu Jun 3 19:39:49 2021 .



Network: Jun 30, 2022 at 11:00:27 AM CDT  
Des Moines

06-30-2022 11:00 AM

Timestamp  
Camera ENT

35

Network: Jun 30, 2022 at 10:59:35 AM CDT  
Des Moines

06-30-2022 10:59 AM

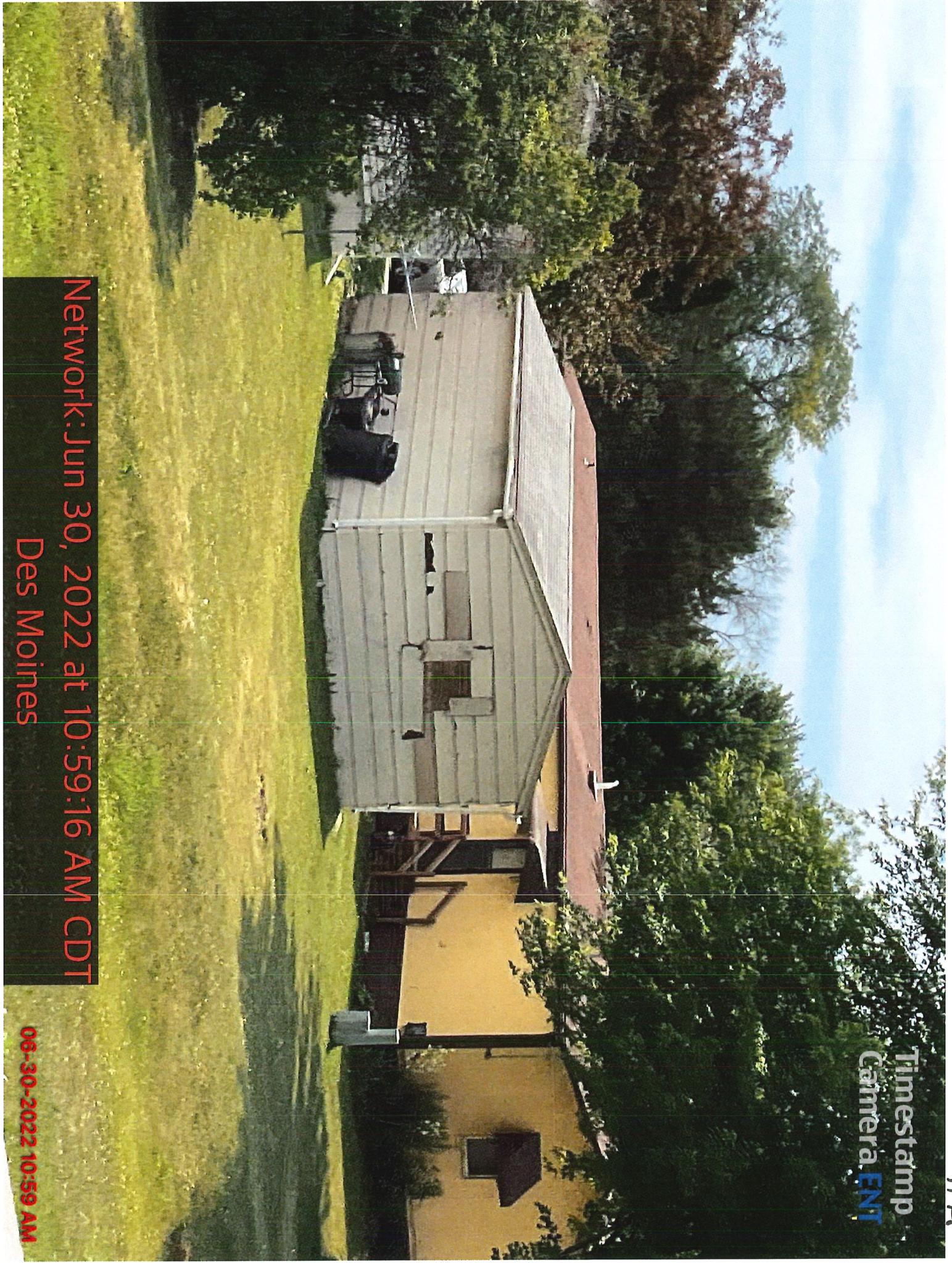
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Network: Jun 30, 2022 at 10:59:27 AM CDT  
Des Moines

06-30-2022 10:59 AM

41 A

Timestamp  
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Network: Jun 30, 2022 at 10:59:16 AM CDT  
Des Moines

06-30-2022 10:59 AM