



**Roll Call Number**

**Agenda Item Number**

46 J

**Date** August 8, 2022

**ABATEMENT OF PUBLIC NUISANCES AT 2315 HOLCOMB AVE.**

WHEREAS, the property located at 2315 Holcomb Ave., 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 Titleholders, Carlos R. Cluff and Rebecca L. Cluff, and Mortgage Holder, Carrington Mortgage Services, LLC, were 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 22, MURRAY HILL, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, locally known as 2315 Holcomb Ave., 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				
MANDELBAUM				
SHEUMAKER				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED		APPROVED		

**CERTIFICATE**

I, LAURA BAUMGARTNER, 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

46J



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

Case Number: NUIS-2022-000104	
<b>Notice of Violation</b>	Case Type: Public Nuisance
	Case Opened: 04/25/2022
	Date of Notice: 05/09/2022
Date of Inspection: 04/25/2022	

REBECCA L CLUFF  
2626 CAMELOT DR  
URBAN DALE IA 50322

Address of Property: 2315 HOLCOMB AVE, DES MOINES IA 50310  
Parcel Number: 792428379011  
Legal Description:

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 THROUGH OUT Vacate the structure until nuisance has been abated and is no longer declared a public nuisance.	06/16/2022
60-192(1) - Dangerous Structure or Premise - Door, Stairway, Exit	MAIN STRUCTURE 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.	06/16/2022
60-192(2) - Dangerous Structure or Premise - Walking Surface	MAIN STRUCTURE 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.	06/16/2022

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

MAIN STRUCTURE THROUGH OUT

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 STUCTURAL COMPONENTS THROUGHOUT THE STRUCTRETHAT ARE IN NEED OF REPLACEMENT OR REPAIR 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 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

\* REPAIR OR REPLACE ALL DAMAGED OR MISSING WINDOWS AS NEEDED. PERMIT REQUIRED IF CHANGING OPENING SIZE.

\* OBTAIN FINAL ON PERMIT TO REPAIR OR REPLACE OF ANY DAMAGED OR MISSING EXTERIOR WALLS.

REPAIR OR REPLACE. IN COMPLIANCE WITH INTERNATIONAL RESIDENTIAL BUILDING CODE.

\* 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 PROPERLY REMEDIATE ALL MOLD.

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- \* 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
- \* REPLACE ALL DAMAGED ROOFING COMPONENTS BY LICENSED CONTRACTOR. BUILDING PERMIT REQUIRED IF REPLACING SHEETING.
- \* FOUNDATION NEEDS ENGINEERS REPORT. REPAIR PER ENGINEER'S REPORT. BUILDING PERMIT MAY BE REQUIRED.
- \* MISSING MORTAR NEEDS TUCK POINTING THROUGHOUT.
- \* UNSAFE OR UNABLE GAIN ACCESS INTO STRUCTURE, POSSIBLE MORE VIOLATIONS.
- \* WAS UNABLE TO DETERMINE IF MAIN STRUCTURE IS DAMAGED AS WELL. WILL REQUIRE A STRUCTURE INSPECTION ONCE THE GARAGE IS DEMOLISHED OR SAFE TO ENTER.
- \* IF CHOSEN TO DEMOLISH, PERMIT MUST BE PULLED AND FINALIZED.
- \* REPAIR/REPLACE ANY MISSING, ROTTED OR DAMAGED WINDOWS/WINDOW FRAMES. ANY REPAIRS TO THE STRUCTURE WILL REQUIRE A BUILDING PERMIT.
- \* 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.

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

MAIN STRUCTURE 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.

06/16/2022

60-192(5) - Dangerous Structure or Premise - Dilapidated or Deteriorated	MAIN STRUCTURE 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 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.	06/16/2022
60-192(7) - Dangerous Structure or Premise - Attractive Nuisance, Harbor for Vagrants	MAIN STRUCTURE 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.	06/16/2022
60-192(9) - Dangerous Structure or Premise - Unsanitary, Unfit for Habitation	MAIN STRUCTURE THROUGH OUT 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.	06/16/2022
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.

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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  
Neighborhood Inspector  
Neighborhood Services  
602 Robert D. Ray Drive, Des Moines, IA 50309  
(515) 283-4143  
CWMcClaran@dmgov.org

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Thank you for your help,

Respectfully,



Charles McClaran  
Neighborhood Inspector  
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463



City of Des Moines  
400 Robert D. Ray Drive  
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Case Number: NUIS-2022-000104	
<b>Notice of Violation</b>	Case Type: Public Nuisance
	Case Opened: 04/25/2022
	Date of Notice: 06/15/2022
Date of Inspection: 04/25/2022	

CARRINGTON MORTGAGE SERVICES LLC  
C/O CT CORP SYSTEM, REG. AGENT  
400 E COURT AVE  
DES MOINES IA 50309

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# Polk County Assessor

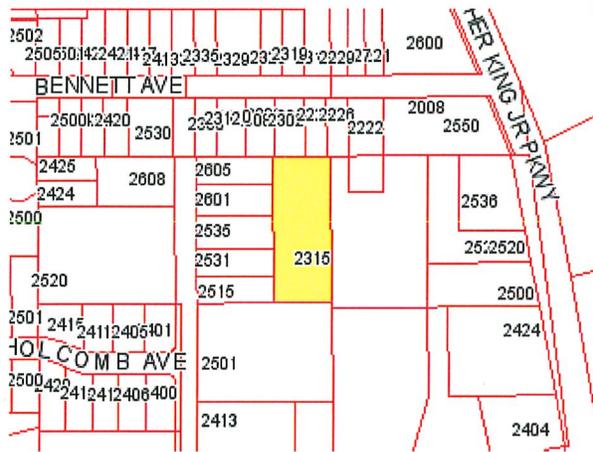
111 Court Avenue #195  
Des Moines, IA 50309-0904

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

Location					
<b>Address</b>	2315 HOLCOMB AVE				
<b>City</b>	DES MOINES	<b>Zip</b>	50310	<b>Jurisdiction</b>	Des Moines
<b>District/Parcel</b>	080/04543-000-000	<b>Geoparcels</b>	7924-28-379-011	<b>Status</b>	<a href="#">Active</a>
<b>School</b>	Des Moines	<b>Nbhd/Pocket</b>	DM65/Z	<b>Tax Authority Group</b>	DEM-C-DEM-77131
<b>Submarket</b>	Northwest Des Moines	<b>Appraiser</b>	Joseph Peterson 515-286-3011		

### 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 2006-06-05 a



### [Historical Photos](#)

### Ownership - 2 Records

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	CLUFF, CARLOS R	2005-03-01	<a href="#">10953/536</a>
Title Holder	2	CLUFF, REBECCA L	2005-03-01	<a href="#">10953/536</a>

### Legal Description and Mailing Address

LOT 22 MURRAY HILL

CARLOS R CLUFF  
2315 HOLCOMB AVE  
DES MOINES, IA 50310-5522

### Current Values

Type	Class	Kind	Land	Bldg	Total
2022 Value	Residential	Full	\$56,300	\$24,300	\$80,600

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

### Auditor Adjustments to Value

Category	Name	Information
<a href="#">2021 Homestead Credit</a>	CLUFF, CARLOS R	Application <a href="#">#164197</a>

**Zoning - 1 Record**

<b>Zoning</b>	<b>Description</b>	<b>SF</b>	<b>Assessor Zoning</b>
N3A	N3a Neighborhood District		Residential
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>			

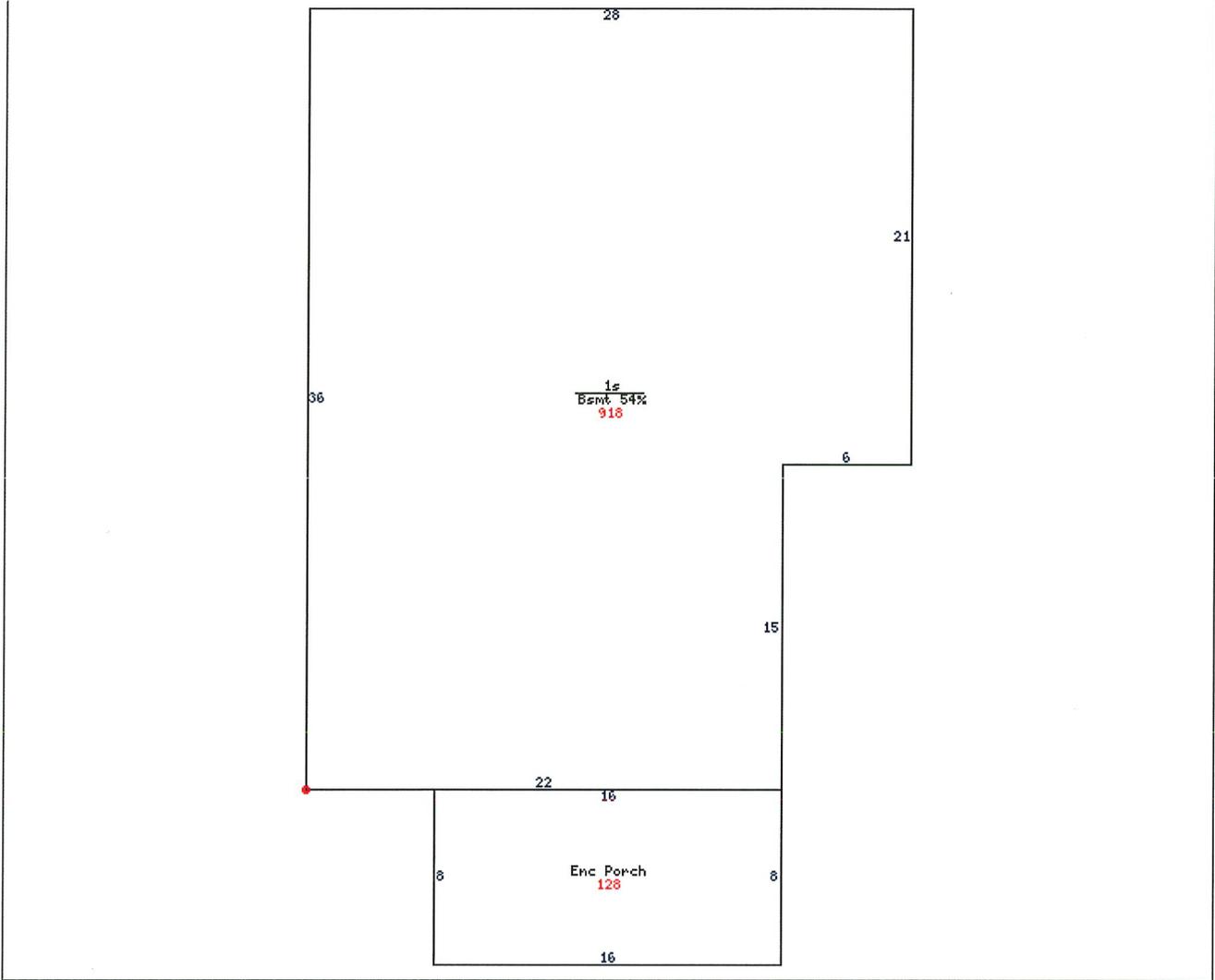
**Land**

<b>Square Feet</b>	43,624	<b>Acres</b>	1.001	<b>Frontage</b>	328.0
<b>Depth</b>	133.0	<b>Topography</b>	Normal	<b>Shape</b>	Rectangle
<b>Vacancy</b>	No	<b>Unbuildable</b>	No		

**Residences - 1 Record**

**Residence #1**

<b>Occupancy</b>	Single Family	<b>Residence Type</b>	1 Story	<b>Building Style</b>	Bungalow
<b>Year Built</b>	1900	<b>Number Families</b>	1	<b>Grade</b>	5-10
<b>Condition</b>	Poor	<b>Total Square Foot Living Area</b>	918	<b>Main Living Area</b>	918
<b>Basement Area</b>	496	<b>Enclosed Porch Area</b>	128	<b>Foundation</b>	Brick
<b>Exterior Wall Type</b>	Frame plus Brick	<b>Brick%</b>	50	<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>	1	<b>Rooms</b>	5



**Detached Structures - 1 Record**

**Detached Structure #101**

Occupancy	Garage	Construction Type	Masonry	Measurement Code	Dimensions
Measure 1	14	Measure 2	20	Story Height	1
Grade	5	Year Built	1956	Condition	Very Poor
Comment	Earth Floor				

**Sales - 1 Record**

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
FULLER, LELA ESTATE	CLUFF, CARLOS	<a href="#">2004-06-24</a>	\$57,500	Deed	<a href="#">10953/536</a>

**Historical Values**

Yr	Type	Class	Kind	Land	Bldg	Total
2021	<a href="#">Assessment Roll</a>	Residential	Full	\$56,300	\$24,300	\$80,600
2019	<a href="#">Assessment Roll</a>	Residential	Full	\$49,700	\$21,300	\$71,000
2017	<a href="#">Assessment Roll</a>	Residential	Full	\$42,100	\$20,700	\$62,800
2015	<a href="#">Assessment Roll</a>	Residential	Full	\$36,700	\$18,200	\$54,900
2013	<a href="#">Assessment Roll</a>	Residential	Full	\$32,600	\$16,100	\$48,700
2011	<a href="#">Assessment Roll</a>	Residential	Full	\$37,500	\$18,500	\$56,000

Yr	Type	Class	Kind	Land	Bldg	Total
2009	<a href="#">Assessment Roll</a>	Residential	Full	\$40,400	\$19,300	\$59,700
2007	<a href="#">Board Action</a>	Residential	Full	\$39,900	\$19,100	\$59,000
2007	<a href="#">Assessment Roll</a>	Residential	Full	\$39,900	\$46,100	\$86,000
2005	<a href="#">Assessment Roll</a>	Residential	Full	\$30,500	\$41,600	\$72,100
2003	<a href="#">Assessment Roll</a>	Residential	Full	\$29,070	\$39,070	\$68,140
2001	<a href="#">Assessment Roll</a>	Residential	Full	\$24,720	\$32,000	\$56,720
1999	Assessment Roll	Residential	Full	\$6,890	\$26,380	\$33,270
1997	Assessment Roll	Residential	Full	\$6,490	\$24,840	\$31,330
1995	Assessment Roll	Residential	Full	\$5,550	\$21,250	\$26,800
1993	Assessment Roll	Residential	Full	\$5,290	\$20,240	\$25,530
1991	Assessment Roll	Residential	Full	\$5,290	\$18,390	\$23,680
1991	Was Prior Year	Residential	Full	\$5,290	\$15,810	\$21,100

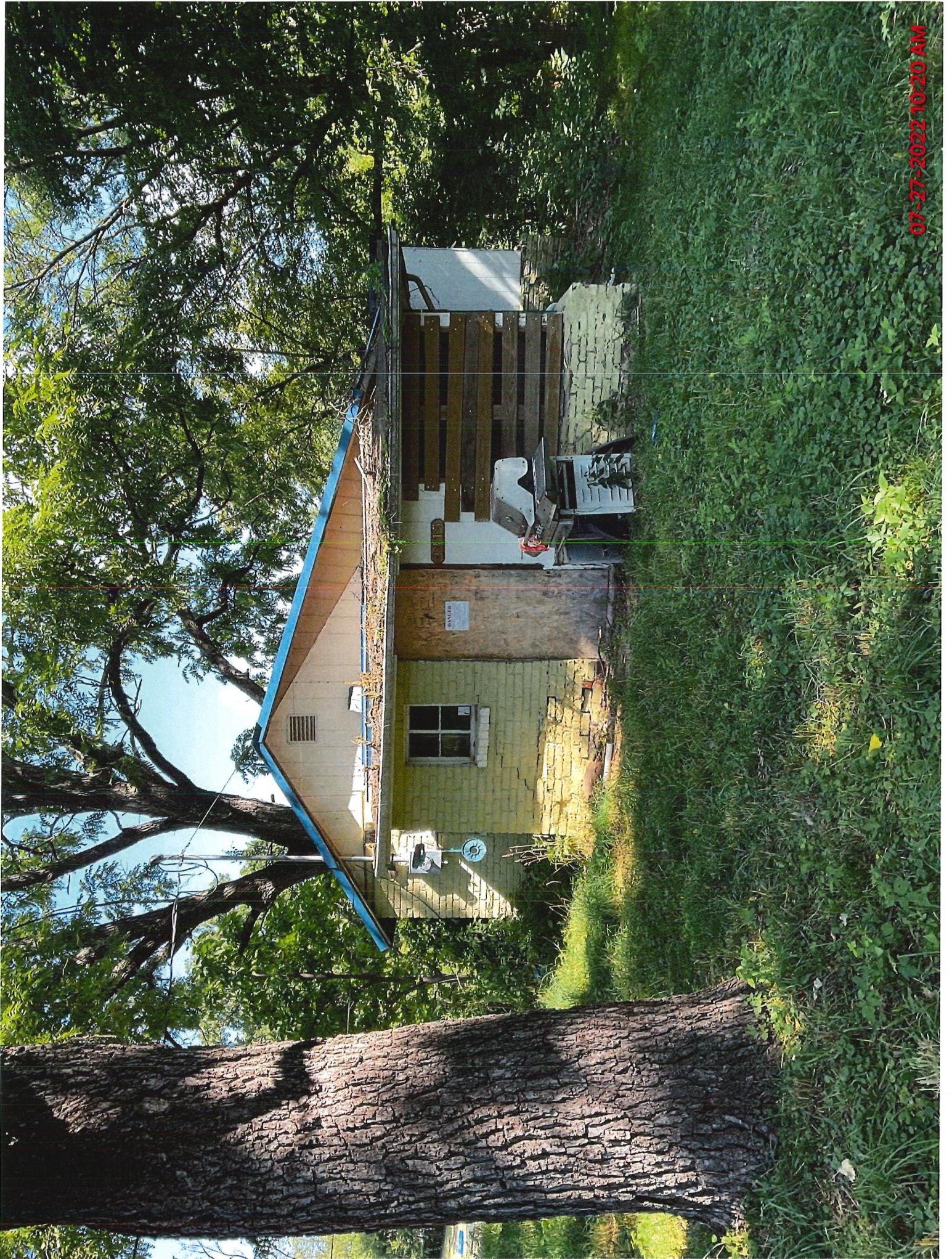
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