



Roll Call Number

Agenda Item Number

49 B

Date December 12, 2022

ABATEMENT OF PUBLIC NUISANCE AT 1220 E AURORA AVENUE

WHEREAS, the property located at 1220 E Aurora Avenue, 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, Robert B. Hopkins, 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 6 in PAGLIAI PLACE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1220 E Aurora Avenue, 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
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, 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.

_____ City Clerk

Timestamp
Camera ENT

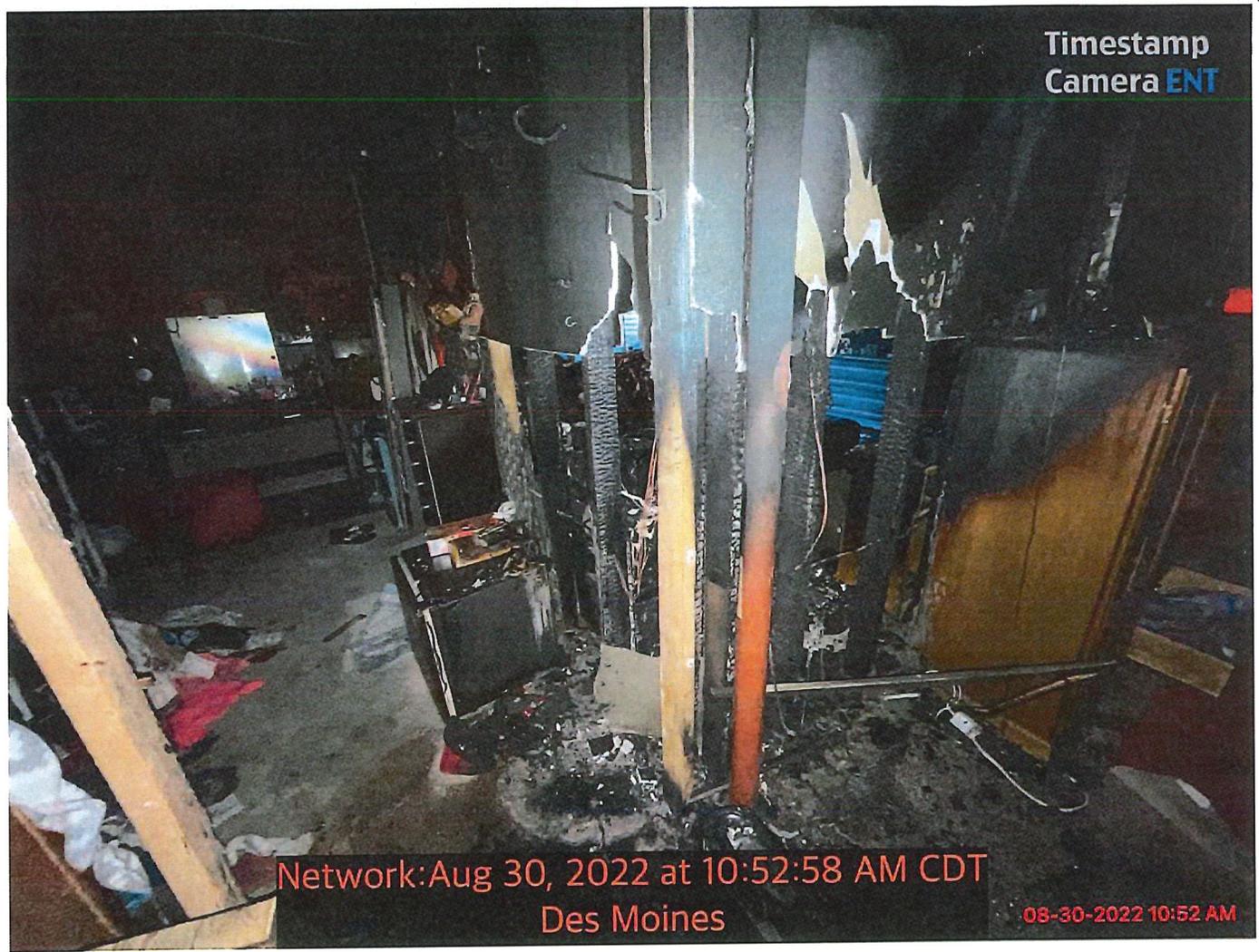


Network: Nov 8, 2022 at 10:33:53 AM CST
Des Moines

11-08-2022 10:33 AM

49B

Timestamp
Camera ENT



Network: Aug 30, 2022 at 10:52:58 AM CDT
Des Moines

08-30-2022 10:52 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

Location					
Address	1220 E AURORA AVE				
City	DES MOINES	Zip	50313	Jurisdiction	Des Moines
District/Parcel	110/04173-006-000	Geoparcels	7924-23-277-034	Status	Active
School	Saydel	Nbhd/Pocket	DM85/A	Tax Authority Group	DEM-C-SAY-77139
TIF	104/Des Moines NE Gateway 1 UR	Submarket	Northeast Des Moines	Appraiser	Joseph Peterson 515-286-3011

Map and Current Photos - 1 Record

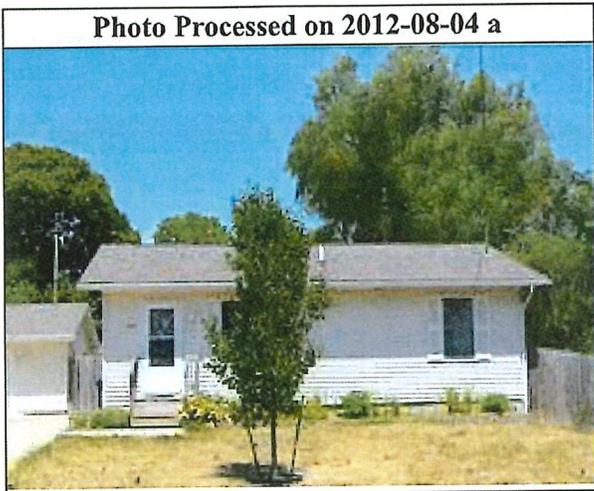
Click on parcel to get a new listing

1160 1200 1210 1220 1240 1280

E AURORA AVE

1215 1219 1221

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



[Historical Photos](#)

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	HOPKINS, ROBERT B	2011-02-22	13776/996

Legal Description and Mailing Address

LOT 6 PAGLIAI PLACE	ROBERT B HOPKINS POB 276 NORWALK, IA 50211-0276
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Current Values

Type	Class	Kind	Land	Bldg	Total
2022 Value	Residential	Full	\$27,600	\$146,300	\$173,900

[Market Adjusted Cost Report](#)

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
N3A	N3a Neighborhood District		Residential

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

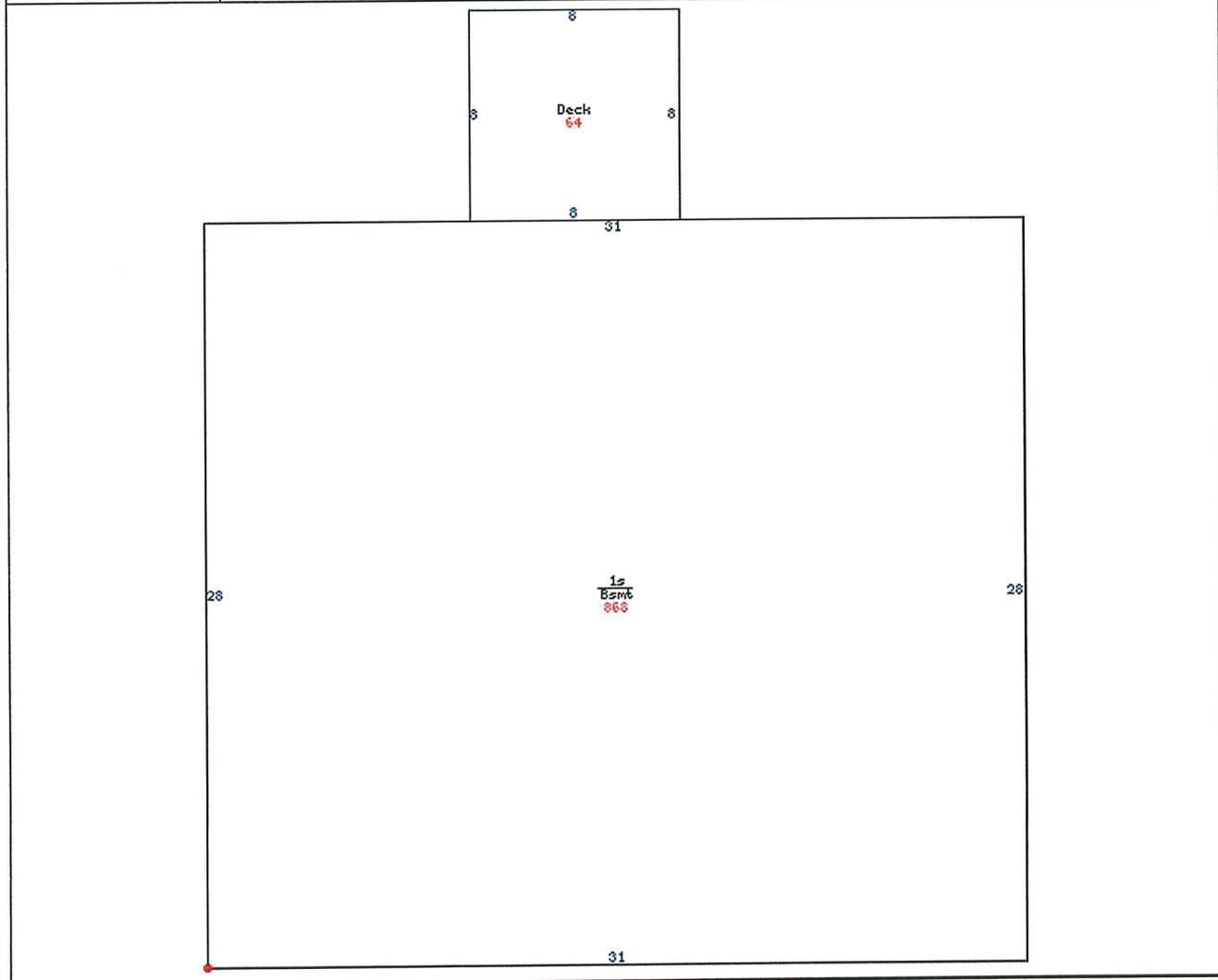
Land

Square Feet	11,310	Acres	0.260	Frontage	87.0
Depth	130.0	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	2004	Number Families	1	Grade	4+10
Condition	Normal	Total Square Foot Living Area	868	Main Living Area	868
Basement Area	868	Deck Area	64	Foundation	Poured Concrete
Exterior Wall Type	Vinyl Siding	Roof Type	Gable	Roof Material	Asphalt Shingle
Heating	Gas Forced Air	Air Conditioning	100	Number Bathrooms	1
Bedrooms	3	Rooms	5		



Detached Structures - 1 Record

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Detached Structure #101					
Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	24	Measure 2	24	Grade	4
Year Built	2006	Condition	Normal		

Sales - 5 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
FEDERAL NATIONAL MORTGAGE ASSOC	HOPKINS, ROBERT B	2011-02-17	\$75,100	Deed	13776/996
NATIONWIDE ADVANTAGE MORTGAGE COMPANY	FEDERAL NATIONAL MORTGAGE ASSOCIATION	2010-06-24	\$150,810	Deed	13501/514
HAWS, MIKE	WEESE, MICHAEL J.	2005-04-28	\$140,000	Deed	11061/948
WESLEY INVESTMENTS, INC	HAWS, MIKE	2002-05-21	\$32,000	Deed	9155/592 Multiple Parcels
PAGLIAI, EDWIN R	WESLEY INVESTMENTS INC	1991-09-27	\$8,270	Deed	6488/779 Multiple Parcels

Permits - 3 Records

Year	Type	Permit Status	Application	Reason	Reason1
2007	Permit	Complete	2006-08-15	Construction	GARAGE (576 sf)
2006	Permit	Complete	2004-05-05	Construction	SINGLE FAMILY (1008 sf)
2005	Permit	Partial	2004-05-05	Construction	SINGLE FAMILY (1008 sf)

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2021	Assessment Roll	Residential	Full	\$27,600	\$146,300	\$173,900
2019	Assessment Roll	Residential	Full	\$24,400	\$129,200	\$153,600
2018	Assessment Roll	Residential	Full	\$21,900	\$119,100	\$141,000
2017	Assessment Roll	Residential	Full	\$21,900	\$119,100	\$141,000
			Adj	\$21,900	\$98,940	\$120,840
2015	Assessment Roll	Residential	Full	\$20,700	\$115,300	\$136,000
			Adj	\$20,700	\$95,140	\$115,840
2013	Assessment Roll	Residential	Full	\$18,000	\$102,300	\$120,300
			Adj	\$18,000	\$90,270	\$108,270
2011	Board Action	Residential	Full	\$19,300	\$109,900	\$129,200
			Adj	\$19,300	\$90,270	\$109,570
2011	Assessment Roll	Residential	Full	\$19,300	\$109,900	\$129,200
			Adj	\$19,300	\$90,270	\$109,570
2010	Assessment Roll	Residential	Full	\$21,900	\$121,400	\$143,300
			Adj	\$18,000	\$96,640	\$114,640
2009	Assessment Roll	Residential	Full	\$21,900	\$121,400	\$143,300
			Adj	\$18,000	\$8,340	\$26,340
2008	Assessment Roll	Residential	Full	\$20,600	\$114,100	\$134,700

Yr	Type	Class	Kind	Land	Bldg	Total
			Adj	\$16,700	\$8,890	\$25,590
2007	Assessment Roll	Residential	Full	\$20,600	\$114,100	\$134,700
			Adj	\$16,700	\$21,200	\$37,900
2006	Assessment Roll	Residential	Full	\$19,500	\$92,900	\$112,400
			Adj	\$15,600	\$0	\$15,600
2005	Assessment Roll	Residential	Full	\$15,600	\$88,300	\$103,900
			Adj	\$15,600	\$0	\$15,600
2003	Assessment Roll	Residential	Full	\$14,860	\$0	\$14,860
2001	Assessment Roll	Residential	Full	\$13,300	\$0	\$13,300
1999	Assessment Roll	Residential	Full	\$6,100	\$0	\$6,100
1997	Assessment Roll	Residential	Full	\$5,790	\$0	\$5,790
1995	Board Action	Residential	Full	\$5,240	\$0	\$5,240
1995	Assessment Roll	Residential	Full	\$6,240	\$0	\$6,240
1993	Board Action	Residential	Full	\$5,240	\$0	\$5,240
1989	Board Action	Residential	Full	\$5,240	\$0	\$5,240

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



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

Case Number: NUIS-2022-000198	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 09/14/2022
	Date of Notice: 09/29/2022
	Date of Inspection: 08/10/2022

ROBERT B HOPKINS
 8083 BUCHANAN TRL
 NORWALK IA 50211

Address of Property: **1220 E AURORA AVE, DES MOINES IA 50313**
 Parcel Number: **792423277034**

Legal Description: **LOT 6 PAGLIAI PLACE**

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
135-2 C - Outbuilding and Detached Garage A fully enclosed building on a lot that is detached from the principal structure on the same lot. A principal structure is required, unless otherwise stated.	Remove the outbuilding and/or detached garage should the primary structure be removed.	11/10/2022

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Violation	Corrective Action	Compliance Due Date
<p>60-191 - Vacation and Abatement Any structure, dwelling, mobile home, equipment, or premise declared to be a public nuisance and unfit for human habitation or use, and so designated by the administrator, shall immediately be vacated and the nuisance shall be abated. The owner(s) shall be responsible for the vacation and abatement of the nuisance at such owner's expense. If not complied by such owner(s), then the nuisance may be abated by the city at the owner's expense. As indicated by section 60-19, the owner of land upon which a mobile home sits is a responsible owner in the event that mobile home is declared to be a public nuisance. Both the owner of the mobile home and the owner of the land upon which the mobile home sits shall be responsible for vacation and abatement of the public nuisance.</p>	<p>MAIN STRUCTURE THROUGHOUT</p> <p>Vacate the structure until nuisance has been abated and is no longer declared a public nuisance.</p> <p>*ALL ELECTRICAL, MECHANICAL, PLUMBING AND STUCTURAL COMPONENTS THROUGHOUT THE STRUCTURE ARE TO BE BROUGHT TO MINIMUM CODE REQUIREMENTS WITH NECESSARY PERMITS AS REQUIRED TO MEET THE CITY CODES.</p>	11/10/2022
<p>60-192(10) - Dangerous Structure or Premise - Lack of Sufficient Construction For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance: (10) Any building or structure, because of lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the administrator to be a threat to life or health.</p>	<p>MAIN STRUCTURE THROUGHOUT</p> <p>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.</p> <p>*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.</p>	11/10/2022

Violation	Corrective Action	Compliance Due Date
<p>60-192(15) - Unsafe or dangerous structure Any structure that the administrator determines is unfit for human occupancy meaning that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.</p>	<p>MAIN STRUCTURE THROUGHOUT</p> <p>Repair or replace the unsafe or unlawful structure OR demolish the structure.</p> <p>*CLEAN SMOKE DAMAGE FROM WALLS AND THEN PAINT TO MATCH.</p> <p>*SEVERE SMOKE AND FIRE DAMAGE. REPLACE ALL THAT IS DAMAGED. BUILDING PERMIT REQUIRED.</p> <p>*ANY UNSANITARY CONDITIONS SHOULD BE CORRECTED AND STRUCTURE CLEANED TO ENSURE HEALTH AND SAFETY OF OCCUPANTS BEFORE STRUCTURE IS REOCCUPIED.</p> <p>*DUCTWORK SHOULD BE INSPECTED AND CLEANED TO REMOVE ANY SMOKE/FIRE DAMAGE.</p>	11/10/2022

Violation	Corrective Action	Compliance Due Date
<p>60-192(3) - Dangerous Structure or Premise - Damaged</p> <p>For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance:</p> <p>(3) 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.</p>	<p>MAIN STRUCTURE THROUGHOUT</p> <p>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.</p> <p>*REPAIR OR REPLACE ALL DAMAGED WALL COMPONENTS, INCLUDING: FRAMING, SHEETING, AND COVERINGS. PERMIT REQUIRED FOR REPLACEMENT OF ALL STRUCTURAL COMPONENTS.</p> <p>*REPAIR/REPLACE ANY MISSING, ROTTED OR DAMAGED WINDOWS/WINDOW FRAMES. ANY REPAIRS TO THE STRUCTURE WILL REQUIRE A BUILDING PERMIT.</p> <p>*SCRAPE LOOSE PAINT, REPAIR WHERE NEEDED AND PAINT TO MATCH.</p> <p>*REPAIR/REPLACE ANY BROKEN, MISSING, DAMAGED OR ROTTED DRYWALL/PANELING/WALL COVERING. ANY REPAIRS TO THE STRUCTURE WILL REQUIRE A BUILDING PERMIT.</p> <p>*REPLACE ALL SMOKE DETECTORS PER CODE AFTER FIRE.</p> <p>*REPAIR AND REPLACE ANY AND ALL DAMAGED FLOORING THROUGHOUT THE STRUCTURE.</p> <p>*REPAIR OR REPLACE ALL DAMAGED OR MISSING DOORS AND OR JAMS AS NEEDED. OBTAIN FINAL ON PERMIT REQUIRED IF CHANGING OPENING SIZE</p>	11/10/2022

Violation	Corrective Action	Compliance Due Date
<p>60-192(6) - Dangerous Structure or Premise - Unsafe</p> <p>For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance:</p> <p>(6) The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.</p>	<p>MAIN STRUCTURE THROUGHOUT</p> <p>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.</p>	11/10/2022
<p>60-192(9) - Dangerous Structure or Premise - Unsanitary, Unfit for Habitation</p> <p>For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance:</p> <p>(9) A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise is determined by the administrator to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness of disease.</p>	<p>MAIN STRUCTURE THROUGHOUT</p> <p>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.</p> <p>*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.</p> <p>*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.</p>	11/10/2022
<p>60-194 - Defacing and Removing Placard</p> <p>No person shall deface or remove the placard, except as authorized by the administrator.</p>	<p>Replace or restore defaced or removed placard.</p>	11/10/2022

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

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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