



Roll Call Number

Agenda Item Number

536

Date October 23, 2023

ABATEMENT OF PUBLIC NUISANCE AT 817 E 27th STREET

WHEREAS, the property located at 817 E 27th Street, 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, AMY, LLC, 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.

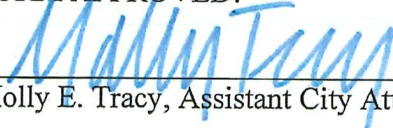
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

The main structure on the real estate legally described as Lot 11 in Block 3 in FARWELL PLACE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 817 E 27th Street, 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:


Molly E. Tracy, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
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



Network: Sep 25, 2023 at 9:43:22 AM CDT
Local: Sep 25, 2023 at 9:43:22 AM CDT
Des Moines

09-25-2023 09:43 AM

536



Network: Sep 25, 2023 at 9:43:30 AM CDT
Local: Sep 25, 2023 at 9:43:30 AM CDT

Des Moines

09-25-2023 09:43 AM

Polk County Assessor

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

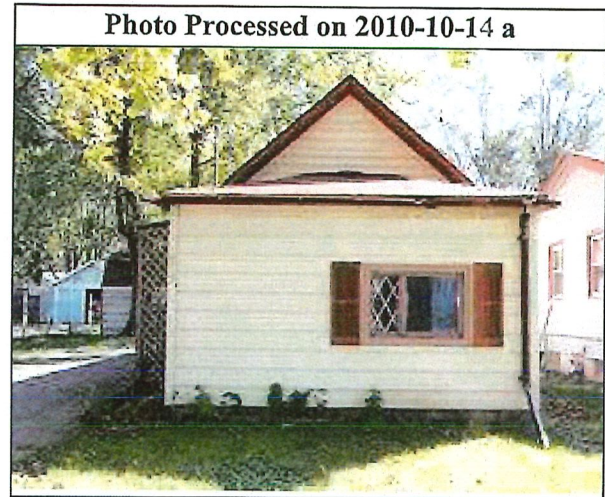
(515) 286-3014 Fax (515) 286-3386
polkweb@assess.co.polk.ia.us

Location					
Address	817 E 27TH ST				
City	DES MOINES	Zip	50317	Jurisdiction	Des Moines
District/Parcel	050/01246-000-000	Geoparcels	7824-01-203-009	Status	<u>Active</u>
School	Des Moines	Nbhd/Pocket	DM16/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northeast Des Moines	Appraiser	Brett Tierney 515-286-3019		

Map and Current Photos - 1 Record

Click on parcel to get a new listing

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



Historical Photos

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	AMY LLC	2013-10-10	<u>14988/460</u>

Legal Description and Mailing Address

LOT 11 BLK 3 FARWELL PLACE	BASIM BAKRI AMY LLC 230 7TH ST WEST DES MOINES, IA 50265-4513
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Current Values

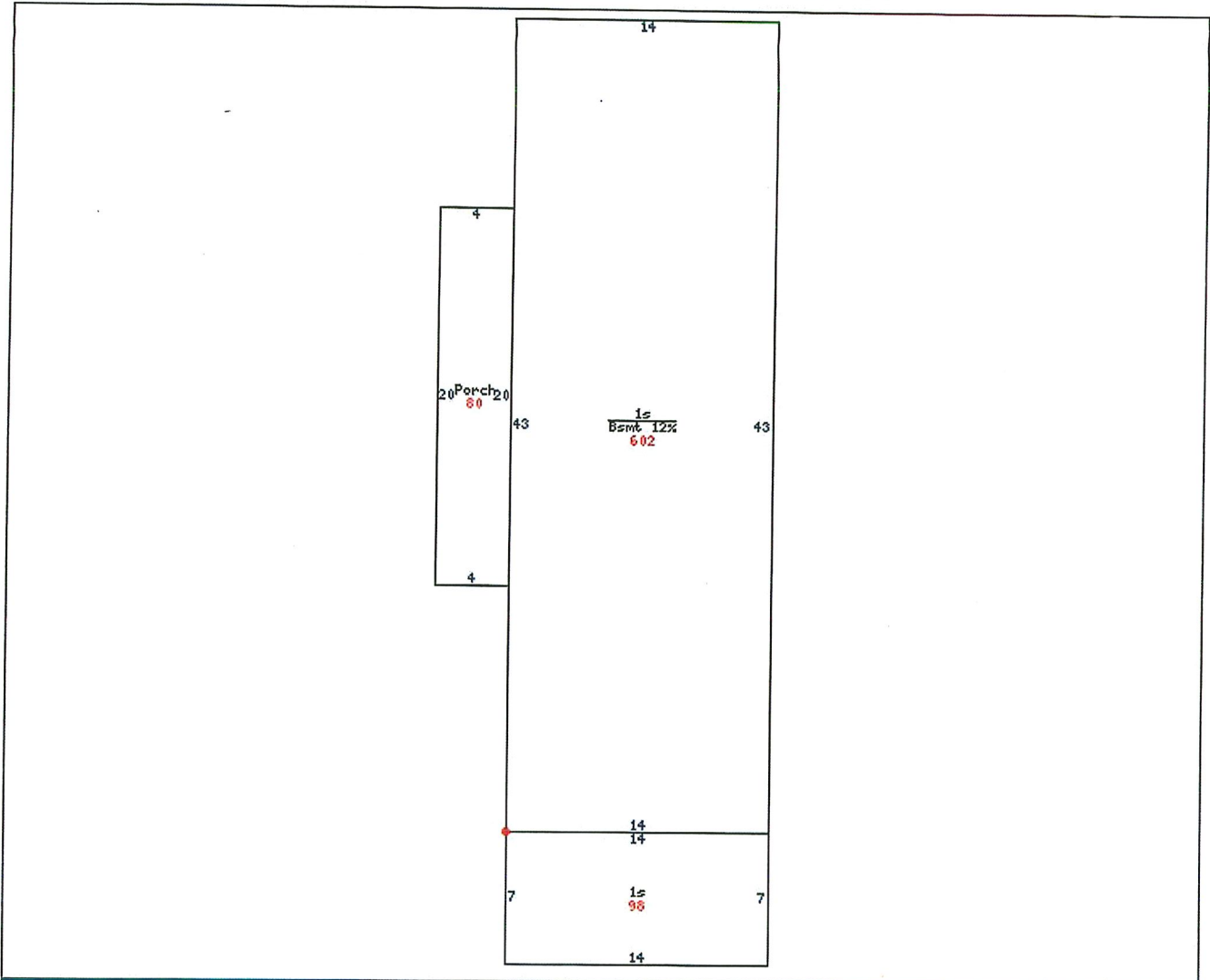
Type	Class	Kind	Land	Bldg	Total
2023 Value	Residential	Full	\$22,900	\$48,700	\$71,600

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

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning

Zoning	Description			SF	Assessor Zoning
N3C	N3c Neighborhood District				Residential
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>					
Land					
Square Feet	6,700	Acres	0.154	Frontage	50.0
Depth	134.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		
Residences - 1 Record					
Residence #1					
Occupancy	Single Family	Residence Type	1 Story	Building Style	Bungalow
Year Built	1910	Number Families	1	Grade	5+00
Condition	Normal	Total Square Foot Living Area	700	Main Living Area	700
Basement Area	72	Open Porch Area	80	Foundation	Brick
Exterior Wall Type	Metal Siding	Roof Type	Gable	Roof Material	Asphalt Shingle
Heating	Gas Forced Air	Air Conditioning	0	Number Bathrooms	1
Bedrooms	2	Rooms	3		



Detached Structures - 1 Record

Detached Structure #101

Occupancy	Concrete Patio	Construction Type	Masonry	Measurement Code	Dimensions
Measure 1	20	Measure 2	24	Grade	4
Year Built	2011	Condition	Normal		

Sales - 4 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
JOHNSON, JEREMIAH E., ESTATE	AMY LLC	2013-09-26	\$14,000	Deed	14988/460
BENTLEY, KENNETH, ESTATE	SARPPO, VICKY	2011-05-16	\$9,000	Deed	13924/720
HAYES, SCOTT	BENTLEY, KENNETH	1997-03-11	\$36,000	Deed	7591/871
MARTIN, SHELLEY R	HAYES, SCOTT	1994-04-28	\$9,000	Deed	7009/589

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
JOHNSON, JEREMIAH E <hr/> JOHNSON, DUAYNE E (Administrator)	AMY LLC	2013-09-26	2013-10-10	Court Officer Deed	14988/460

Permits - 5 Records

Year	Type	Permit Status	Application	Reason	Reason1
2012	Permit	No Add	2011-10-11	Addition	FENCE
2012	Permit	Complete	2011-10-11	Construction	MISC (480 sf)
2011	Pickup	No Add	2010-09-22	Correct Data	BEDROOMS
1995	Permit	No Add	1994-05-02		Demolish Garage
1995	Pickup	Cancel	1994-01-09		Check sale

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2023	Assessment Roll	Residential	Full	\$22,900	\$48,700	\$71,600
2021	Assessment Roll	Residential	Full	\$18,700	\$38,800	\$57,500
2019	Assessment Roll	Residential	Full	\$16,500	\$33,700	\$50,200
2017	Assessment Roll	Residential	Full	\$14,200	\$29,300	\$43,500
2015	Assessment Roll	Residential	Full	\$13,200	\$27,500	\$40,700
2013	Assessment Roll	Residential	Full	\$13,100	\$27,600	\$40,700
2012	Assessment Roll	Residential	Full	\$14,900	\$31,300	\$46,200
2011	Assessment Roll	Residential	Full	\$14,900	\$29,700	\$44,600
2009	Assessment Roll	Residential	Full	\$15,900	\$30,800	\$46,700
2007	Assessment Roll	Residential	Full	\$15,700	\$30,400	\$46,100
2005	Assessment Roll	Residential	Full	\$14,000	\$27,700	\$41,700
2003	Assessment Roll	Residential	Full	\$12,460	\$24,500	\$36,960
2001	Assessment Roll	Residential	Full	\$11,680	\$23,100	\$34,780
1999	Assessment Roll	Residential	Full	\$7,540	\$27,460	\$35,000
1997	Assessment Roll	Residential	Full	\$6,830	\$11,600	\$18,430
1995	Assessment Roll	Residential	Full	\$5,950	\$10,100	\$16,050
1993	Assessment Roll	Residential	Full	\$5,280	\$10,770	\$16,050
1990	Board Action	Residential	Full	\$5,280	\$8,820	\$14,100
1990	Assessment Roll	Residential	Full	\$5,280	\$10,020	\$15,300

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

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

Case Number: NUIS-2023-000055	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 02/21/2023
	Date of Notice: 08/07/2023
Date of Inspection: 07/28/2023	

AMY LLC
BASIM AL-BAKRI, REG. AGENT
230 7TH ST
WEST DES MOINES IA 50265

Address of Property: 817 E 27TH ST, DES MOINES IA 50317
Parcel Number: 782401203009

Legal Description: LOT 11 BLK 3 FARWELL 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
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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 by repair, rehabilitation, demolition, or any other City-approved corrective action. 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>Vacate the structure.</p>	<p>09/19/2023</p>
<p>60-192(2) - Unsafe and Dangerous Structure or Premise The building or structure, or part of a structure, 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, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.</p>	<p>Repair or replace all building components deteriorated to the point to effectively create a nuisance or a violation. All work must be done in a workmanlike manner with all required permits.</p>	<p>09/19/2023</p>
<p>60-192(22) - Unsafe and Dangerous Structure or Premise Surfaces, including windows and doors, shall be maintained in good clean and sanitary conditions. Peeling chipping flaking or abraded paint shall be repaired, removed, or covered. Cracked or loose plaster, decayed wood or other defective surface conditions shall be corrected.</p>	<p>Repair or replace to eliminate conditions that create a nuisance or a violation in a workmanlike manner with permits as required.</p>	<p>09/19/2023</p>

Violation	Corrective Action	Compliance Due Date
<p>60-192(23) - Unsafe and Dangerous Structure or Premise Flooring and flooring components with defects that affect serviceability or flooring components that show signs of deterioration or fatigue, are not properly anchored or incapable of supports all nominal loads and resisting all load effects.</p>	<p>Repair or replace to eliminate conditions that create a nuisance or a violation in a workmanlike manner with permits as required.</p>	09/19/2023
<p>60-192(3) - Unsafe and Dangerous Structure or Premise The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.</p>	<p>Repair or replace to eliminate conditions that create a nuisance or a violation in a workmanlike manner with permits as required.</p>	09/19/2023
<p>60-192(4) - Unsafe and Dangerous Structure or Premise The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, 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.</p>	<p>Properly secure structure and keep the structure secured against entry.</p>	09/19/2023
<p>60-192(6) - Unsafe and Dangerous Structure or Premise Whenever the condition or maintenance of the premise creates a nuisance that endangers the health and safety of the residents or public.</p>	<p>Repair or replace to eliminate conditions that create a nuisance or a violation in a workmanlike manner with permits as required.</p>	09/19/2023

Violation	Corrective Action	Compliance Due Date
<p>60-192(7) - Unsafe and Dangerous Structure or Premise 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>Repair structure to a safe, sanitary condition. Provide all required elements of light, ventilation and essential equipment. All work must be done in a workmanlike manner with all required permits.</p>	09/19/2023
<p>60-192(8) - Unsafe and Dangerous Structure or Premise A building, structure or any portion thereof, because of inadequate maintenance, dilapidation, decay, damage, mold, faulty construction or arrangement, inadequate light, ventilation, 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 or disease.</p>	<p>Repair or replace to eliminate conditions that create a nuisance or a violation in a workmanlike manner with permits as required.</p>	09/19/2023
<p>60-194 - Defacing and Removing Placard No person shall deface or remove the placard, except as authorized by the administrator.</p>	<p>Replace or restore defaced or removed placard.</p>	09/19/2023

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.

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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