



Roll Call Number

Agenda Item Number

37 A

Date May 20, 2024

ABATEMENT OF PUBLIC NUISANCE AT 2705 E RAILROAD AVENUE

WHEREAS, the property located at 2705 E Railroad 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, Eugene A. Peek, 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 Lots 29, 30, 31, 32, 33 and 34 in LARISON PLACE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 2705 E Railroad 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:


Molly E. Tracy, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
SIMONSON				
VOSS				
COLEMAN				
WESTERGAARD				
MANDELBAUM				
GATTO				
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



37A



04-03-2024 11:29 AM



04-03-2024 11:29 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	2705 E RAILROAD AVE				
City	DES MOINES	Zip	50317	Jurisdiction	Des Moines
District/Parcel	050/02804-005-000	Geoparcel	7824-12-258-004	Status	Active
School	Des Moines	Nbhd/Pocket	DM20/Z	Tax Authority Group	DEM-C-DEM-770131
TIF	52/DES MOINES SE AGRI BUSINESS PARK UR	Submarket	Northeast Des Moines	Appraiser	Brett Tierney 515-286-3019

Map and Current Photos - 1 Record

Use Cyclomedia Panorama -

Click on parcel to get a new listing

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

Photo Processed on photodate=2006-12-18 label=a

[Historical Photos](#)

Ownership - 1 Record				
Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	PEEK, EUGENE A	1987-01-02	5669/544
Legal Links For Subdivisions, Condominiums, and Plats of Survey				
LARISON PLACE				
Legal Description and Mailing Address				
LTS 29 THRU 34 BLK 14 LARISON PLACE			EUGENE A PEEK 2705 E RAILROAD AVE DES MOINES, IA 50317-7454	

Current Values

Type	Class	Kind	Land	Bldg	Total
2023 Value	Residential	Full	\$12,500	\$189,600	\$202,100

[Market Adjusted Cost Report](#)

Auditor Adjustments to Value

Category	Name	Information
2023 Homestead Credit	PEEK, EUGENE A	Application #56695

Zoning - 1 Record			
Zoning	Description	SF	Assessor Zoning
I1	I1 Industrial District		Industrial Light

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

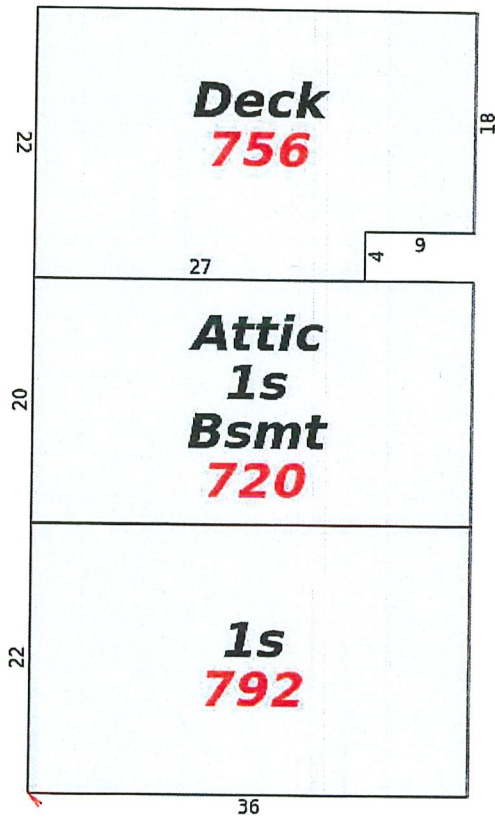
Land

Square Feet	21,054	Acres	0.483	Frontage	132
Depth	159.5	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		

Residences - 1 Record

Residence #id=1

Occupancy	Single Family	Residence Type	1 Story Finished Attic	Building Style	Conventional
Year Built	1956	Year Remodel	1991	Number Families	1
Grade	4-05	Condition	Normal	Total Square Foot Living Area	1836
Main Living Area	1512	Attic Finished Area	324	Basement Area	720
Deck Area	756	Foundation	Poured Concrete	Exterior Wall Type	Metal Siding
Roof Type	Gable	Roof Material	Asphalt Shingle	Number Fireplaces	1
Heating	Gas Forced Air	Air Conditioning	0	Number Bathrooms	1
Number Extra Fixtures	1	Bedrooms	3	Rooms	5



Detached Structures - 2 Records

Detached Structure #id=101

Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	30	Measure 2	24	Story Height	1
Grade	4	Year Built	2000	Condition	Normal

Detached Structure #id=201

Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	12	Measure 2	16	Grade	5
Year Built	2002	Condition	Below Normal		
Permits - 1 Record					
Year	Type	Permit Status	Application	Reason	Reason1
2007	Pickup	Complete	2006-11-02	Review Value	REVIEW PROPERTY

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2023	Assessment Roll	Residential	Full	\$12,500	\$189,600	\$202,100
2021	Assessment Roll	Residential	Full	\$10,900	\$155,200	\$166,100
2019	Assessment Roll	Residential	Full	\$9,600	\$138,100	\$147,700
2017	Assessment Roll	Residential	Full	\$8,200	\$120,300	\$128,500
2015	Assessment Roll	Residential	Full	\$7,800	\$117,800	\$125,600
2013	Assessment Roll	Residential	Full	\$7,600	\$117,400	\$125,000
2011	Assessment Roll	Residential	Full	\$7,600	\$117,800	\$125,400
2009	Assessment Roll	Residential	Full	\$7,900	\$121,000	\$128,900
2007	Assessment Roll	Residential	Full	\$7,800	\$119,600	\$127,400
2005	Assessment Roll	Residential	Full	\$6,700	\$95,900	\$102,600
2004	Assessment Roll	Residential	Full	\$5,510	\$79,510	\$85,020

31A



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

Case Number: NUIS-2024-000010	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 01/11/2024
	Date of Notice: 01/23/2024
Date of Inspection: 01/11/2024	

EUGENE PEEK
2705 E RAILROAD AVE
DES MOINES IA 50317

Address of Property: **2705 E RAILROAD AVE, DES MOINES IA 50317**
Parcel Number: **782412258004**

Legal Description: **LTS 29 THRU 34 BLK 14 LARISON 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>02/28/2024</p>
<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> <p>Throughout main structure.</p>	<p>02/28/2024</p>
<p>60-192(13) - Unsafe and Dangerous Structure or Premise Structural members that have evidence of deterioration or that are not capable of safely supporting all nominal loads and load affects.</p>	<p>Repair or replace all structural members, floors, walls, partitions, projections, and appurtenances to be properly anchored, plumb, and of sound construction. All work must be done in a workmanlike manner with all required permits.</p> <p>Throughout main structure.</p>	<p>02/28/2024</p>

Violation	Corrective Action	Compliance Due Date
<p>60-192(17) - Unsafe and Dangerous Structure or Premise Roof or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is fatigued or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects.</p>	<p>Repair or replace all deficient roof components to provide a sound, weathertight condition that provides positive drainage. All work must be done in a workmanlike manner with all required permits.</p> <p>Throughout main structure.</p>	02/28/2024
<p>60-192(21) - Unsafe and Dangerous Structure or Premise Stairs, decks, porches, balconies, walking systems, landings, and all similar appurtenances attached thereto, including guards and handrails are not structurally sound, not properly anchored or that anchored with connections not capable of supporting all nominal loads and resisting all load effects.</p>	<p>Repair or replace all stairs, decks, porches, landings and similar elements of building egress, including guards and handrails to a sound and properly anchored condition. All work must be done in a workmanlike manner with all required permits.</p> <p>Throughout main structure.</p>	02/28/2024
<p>60-192(24) - Unsafe and Dangerous Structure or Premise Mechanical equipment, appliances, fireplaces, boilers, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition and shall be capable of performing the intended function.</p>	<p>Provide an inspection report from a licensed mechanical contractor for all mechanical systems and appliances. Repair or replace all deficient elements and equipment. All work must be done in a workmanlike manner with all required permits.</p>	02/28/2024
<p>60-192(25) - Unsafe and Dangerous Structure or Premise Where it is found that a plumbing system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service inadequate venting, cross connection, back siphonage, improper installation, deterioration or damage or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.</p>	<p>Provide an inspection report from a licensed plumbing contractor for the entire plumbing system. Repair or replace all deficient elements and equipment. All work must be done in a workmanlike manner with all required permits.</p>	02/28/2024

Violation	Corrective Action	Compliance Due Date
60-192(26) - Unsafe and Dangerous Structure or Premise	Provide an inspection report from a licensed electrical contractor for all electrical systems and devices. Repair or replace all deficient elements and equipment. All work must be done in a workmanlike manner with all required permits.	02/28/2024
60-194 - Defacing and Removing Placard No person shall deface or remove the placard, except as authorized by the administrator.	Replace or restore defaced or removed placard.	02/28/2024

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,



Scott Clauson
Neighborhood Inspector
Neighborhood Services
602 Robert D. Ray Drive, Des Moines, IA 50309
(515) 669-8231
SAClauson@dmgov.org