



Roll Call Number

Agenda Item Number

37A

Date June 17, 2024

ABATEMENT OF PUBLIC NUISANCE AT 1100 CLINTON AVE.

WHEREAS, the property located at 1100 Clinton 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 Titleholder, Richard Randolph, 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 1 in Block 12 in OAK PARK, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1100 Clinton 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
BOESEN				
COLEMAN				
GATTO				
MANDELBAUM				
SIMONSON				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED	APPROVED			

CERTIFICATE

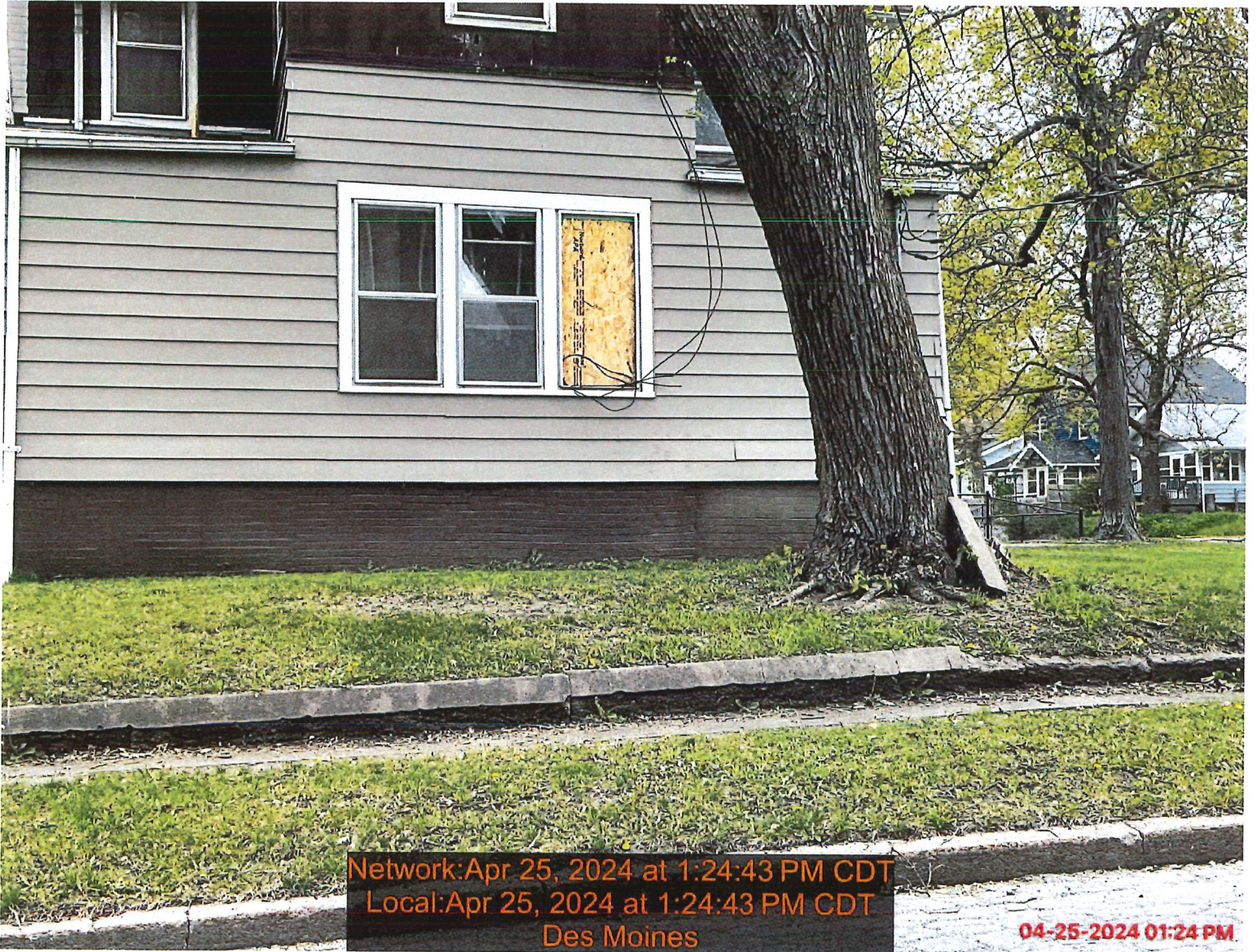
I, LAURA BAUMGARTNER, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Mayor

City Clerk

37A



Network: Apr 25, 2024 at 1:24:43 PM CDT
Local: Apr 25, 2024 at 1:24:43 PM CDT
Des Moines

04-25-2024 01:24 PM



Network: Apr 25, 2024 at 1:26:47 PM CDT
Local: Apr 25, 2024 at 1:26:47 PM CDT
Des Moines

04/25/2024 01:26:47 PM



Network: Apr 25, 2024 at 1:25:01 PM CDT
Local: Apr 25, 2024 at 1:25:01 PM CDT
Des Moines

04-25-2024 01:25 PM

A photograph of a residential street scene. In the foreground, there is a grassy area with a concrete curb. A utility box is mounted on the side of a house with brown horizontal siding. A large tree with green and yellowing leaves is in the middle ground. In the background, there are other houses and a street with parked cars.

Network: Apr 25, 2024 at 1:24:48 PM CDT
Local: Apr 25, 2024 at 1:24:48 PM CDT
Des Moines

04-25-2024 01:24 PM

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	1100 CLINTON AVE				
City	DES MOINES	Zip	50313	Jurisdiction	Des Moines
District/Parcel	070/04252-000-000	Geoparcels	7924-27-127-012	Status	Active
School	Des Moines	Nbhd/Pocket	DM82/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northwest Des Moines	Appraiser	Brett Tierney 515-286-3019		

Map and Current Photos - 1 Record

Click on parcel to get a new listing

125 1123 1115 1113 1107 1105 1023 1019 1015
122 1120 1118 1106 1104 1100 1022 1014 1010
125 1119 1117 1111 1105 1103 3811 1015 1013

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

Photo Processed on 2017-03-09 a

Historical Photos

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	RANDOLPH, RICHARD	1985-01-29	5424/412

Legal Description and Mailing Address

LOT 1 BLK 12 OAK PARK	RICHARD RANDOLPH POB 13405 DES MOINES, IA 50310-0405
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Current Values

Type	Class	Kind	Land	Bldg	Total
2023 Value	Residential	Full	\$26,800	\$134,100	\$160,900

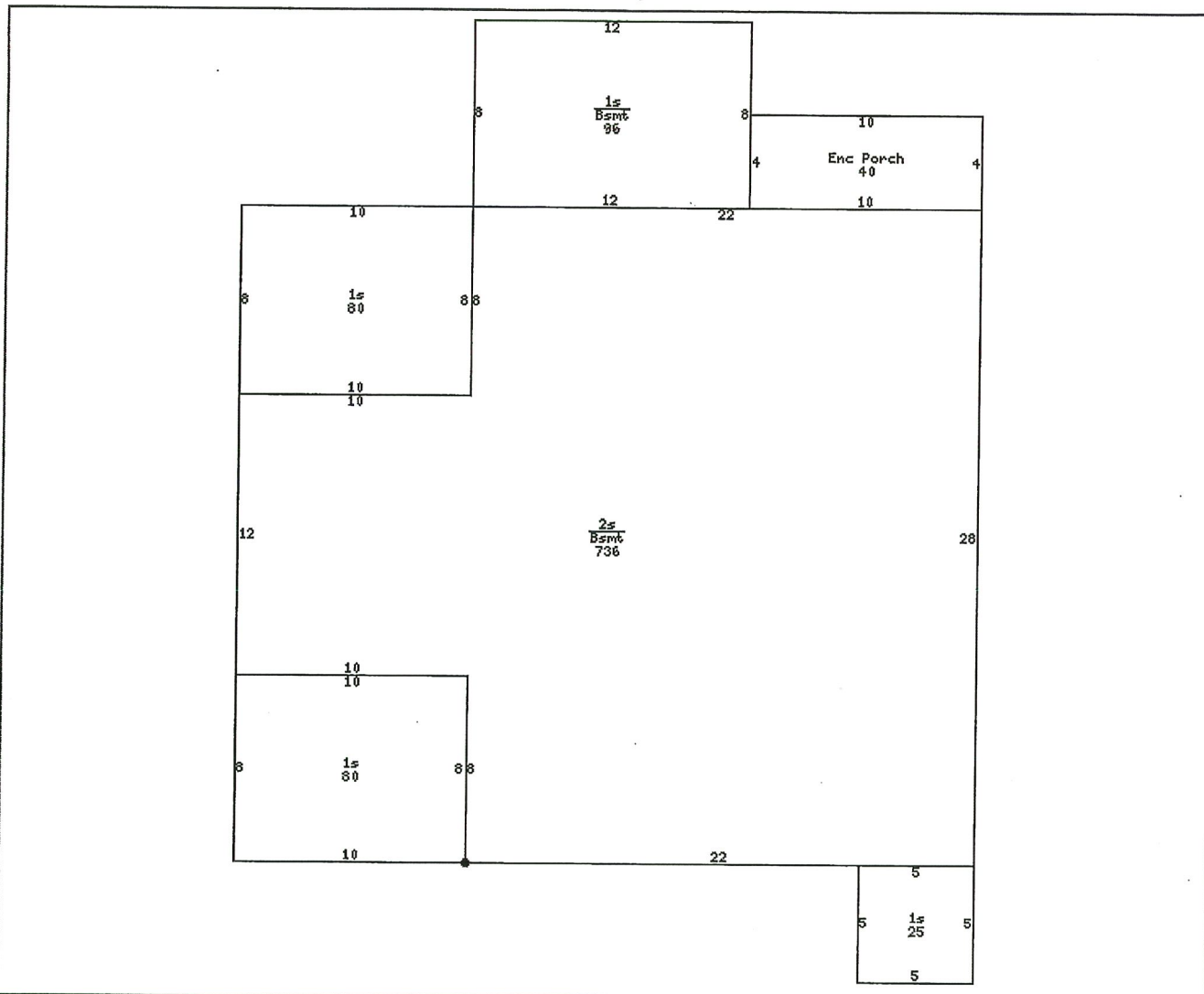
Assessment Roll Notice [Market Adjusted Cost Report](#)

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
N5	N5 Neighborhood District		Residential

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

Land					
Square Feet	7,986	Acres	0.183	Frontage	60.0
Depth	132.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		
Residences - 1 Record					
Residence #1					
Occupancy	Conversion	Residence Type	2 Stories Plus	Building Style	Early 20s
Year Built	1912	Number Families	2	Grade	4+10
Condition	Normal	Total Square Foot Living Area	1753	Main Living Area	1017
Upper Living Area	736	Attic Floor and Stairs Area	258	Basement Area	832
Enclosed Porch Area	40	Foundation	Brick	Exterior Wall Type	Metal Siding
Roof Type	Gable	Roof Material	Asphalt Shingle	Heating	Gas Forced Air
Air Conditioning	0	Number Bathrooms	2	Number Extra Fixtures	1
Bedrooms	5	Rooms	9		



Detached Structures - 1 Record

Detached Structure #101

Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	16	Measure 2	22	Story Height	1
Grade	4	Year Built	1975	Condition	Below Normal

Permits - 4 Records

Year	Type	Permit Status	Application	Reason	Reason1
2017	Pickup	Complete	2014-10-06	Review Value	CHECK CONDITION
2016	Pickup	Pass/Partial	2014-10-06	Review Value	CHECK CONDITION
2015	Pickup	Pass/Partial	2014-10-06	Review Value	CHECK CONDITION
2013	Pickup	Complete	2013-01-14	Review Value	CHECK CONDITION

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2023	<u>Assessment Roll</u>	Residential	Full	\$26,800	\$134,100	\$160,900
2021	<u>Assessment Roll</u>	Residential	Full	\$22,600	\$107,900	\$130,500
2019	<u>Assessment Roll</u>	Residential	Full	\$20,200	\$95,600	\$115,800

Yr	Type	Class	Kind	Land	Bldg	Total
2017	<u>Assessment Roll</u>	Residential	Full	\$18,400	\$88,100	\$106,500
2015	<u>Assessment Roll</u>	Residential	Full	\$16,500	\$71,600	\$88,100
2013	<u>Assessment Roll</u>	Residential	Full	\$16,200	\$70,700	\$86,900
2011	<u>Assessment Roll</u>	Residential	Full	\$16,200	\$78,900	\$95,100
2009	<u>Assessment Roll</u>	Residential	Full	\$17,500	\$80,900	\$98,400
2007	<u>Assessment Roll</u>	Residential	Full	\$17,300	\$79,900	\$97,200
2005	<u>Assessment Roll</u>	Residential	Full	\$22,000	\$67,800	\$89,800
2003	<u>Board Action</u>	Residential	Full	\$20,830	\$63,830	\$84,660
2003	<u>Assessment Roll</u>	Residential	Full	\$20,830	\$63,830	\$84,660
2001	<u>Board Action</u>	Residential	Full	\$17,670	\$52,250	\$69,920
2001	<u>Assessment Roll</u>	Residential	Full	\$17,670	\$52,250	\$69,920
1999	Assessment Roll	Residential	Full	\$12,720	\$32,140	\$44,860
1997	Assessment Roll	Residential	Full	\$11,910	\$32,140	\$44,050
1995	Assessment Roll	Residential	Full	\$10,530	\$28,480	\$39,010
1991	Board Action	Residential	Full	\$9,110	\$25,890	\$35,000
1990	Assessment Roll	Residential	Full	\$9,110	\$28,590	\$37,700

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

37A



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

Case Number: NUIS-2023-000078	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 03/09/2023
	Date of Notice: 03/21/2024
Date of Inspection: 02/21/2024	

RICHARD RANDOLPH
3126 48TH PL
DES MOINES IA 50310

Address of Property: **1100 CLINTON AVE, DES MOINES IA 50313**
Parcel Number: **792427127012**

Legal Description: **LOT 1 BLK 12 OAK PARK**

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>05/02/2024</p>
<p>60-192(1) - Unsafe and Dangerous Structure or Premise 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 building components damaged 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>05/02/2024</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>05/02/2024</p>

Violation	Corrective Action	Compliance Due Date
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.	Repair or replace to eliminate conditions that create a nuisance or a violation in a workmanlike manner with permits as required.	05/02/2024
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.	Repair or replace to eliminate conditions that create a nuisance or a violation in a workmanlike manner with permits as required.	05/02/2024
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.	Repair or replace to eliminate conditions that create a nuisance or a violation in a workmanlike manner with permits as required.	05/02/2024
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.	05/02/2024

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,

A handwritten signature in black ink, appearing to read 'Kevin Pyles', written in a cursive style.

Kevin Pyles
Neighborhood Inspector
Neighborhood Services
602 Robert D. Ray Drive, Des Moines, IA 50309
Desk 515-283-4122 / Mobile 515-681-3129
KEPyles@dmgov.org