



Roll Call Number

Agenda Item Number

35 B

Date November 18, 2024

ABATEMENT OF PUBLIC NUISANCE AT 3822 E 28th ST.

WHEREAS, the property located at 3822 E 28th St., Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure and garage structure in their present condition constitute not only a menace to health and safety but are also public nuisances; and

WHEREAS, the Titleholders, Louis F. Moore Jr. and Karen L. Ballard, were notified more than thirty days ago to repair or demolish the main structure and garage structure as of this date have failed to abate the nuisances.

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

The main structure and garage structure on the real estate legally described as Lot Two Hundred Seven (207) in DOUGLAS ACRES PLAT TWO, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 3822 E 28th St., have previously been declared public nuisances;

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 nuisances and should the owner(s) fail to abate the nuisances, as ordered, that the matter may be referred to the Department of Engineering which will take all necessary action to demolish and remove said structures.

Moved by _____ to adopt.

Seconded 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

35B





Network: Aug 28, 2024 at 10:03:24 AM CDT
Local: Aug 28, 2024 at 10:03:24 AM CDT
Des Moines

08-28-2024 10:03 AM



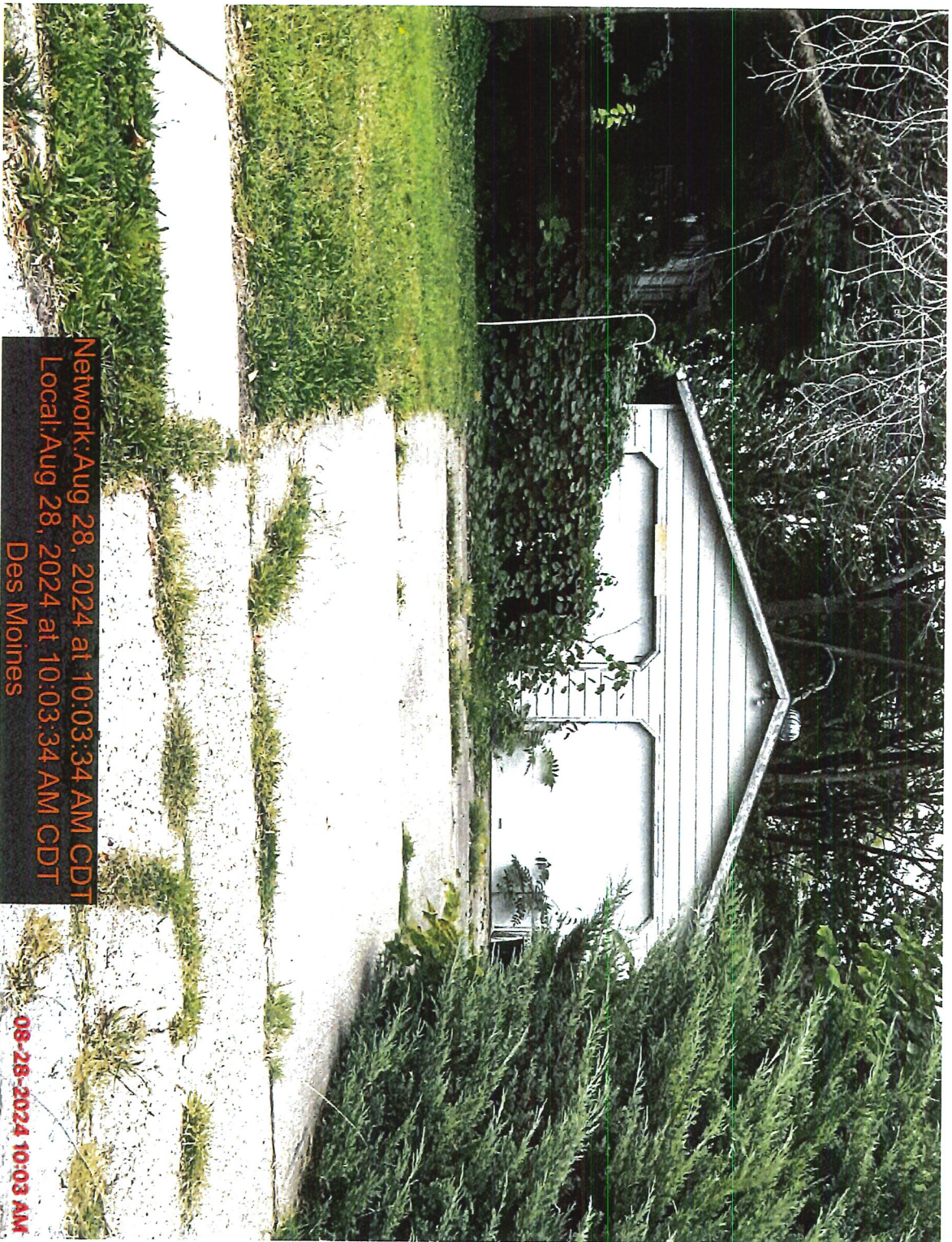
Network: Aug 28, 2024 at 10:03:22 AM CDT
Local: Aug 28, 2024 at 10:03:22 AM CDT
Des Moines

08-28-2024 10:03 AM



Network: Aug 28, 2024 at 10:03:27 AM CDT
Local: Aug 28, 2024 at 10:03:27 AM CDT
Des Moines

08-28-2024 10:03 AM



Network: Aug 28, 2024 at 10:03:34 AM CDT
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Des Moines

08-28-2024 10:03 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

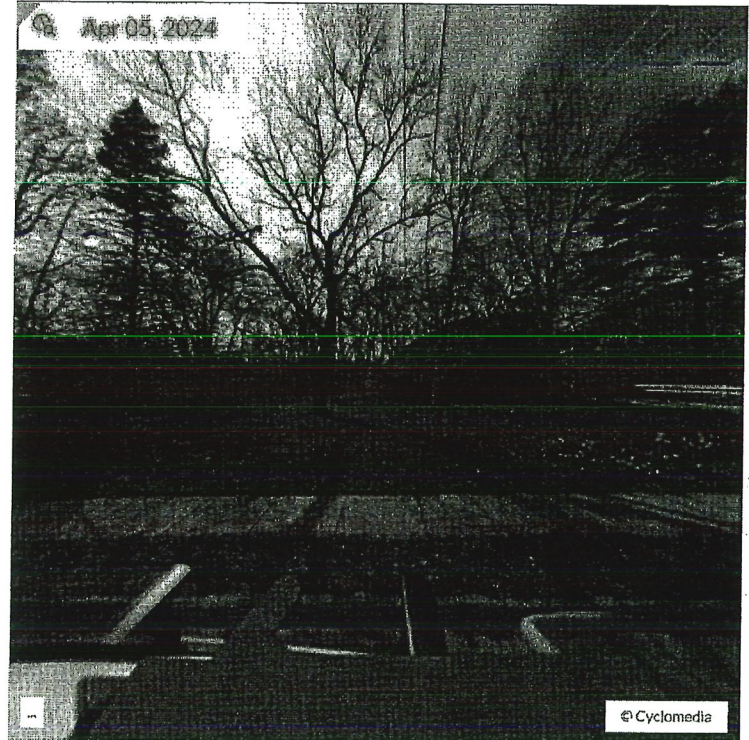
Location					
Address	3822 E 28TH ST				
City	DES MOINES	Zip	50317	Jurisdiction	Des Moines
District/Parcel	060/01612-000-000	Geoparcel	7923-19-476-034	Status	Active
School	Des Moines	Nbhd/Pocket	DM03/Z	Tax Authority Group	DEM-C-DEM-770131
Submarket	Northeast Des Moines	Appraiser	Paul OConnell 515-286-2240		

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



Historical Photos

Ownership - 2 Records

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	MOORE JR, LOUIS F	1999-05-25	8222/930
Title Holder	2	BALLARD, KAREN L		

Legal Links For Subdivisions, Condominiums, and Plats of Survey

DOUGLAS ACRES PLAT 2

Legal Description and Mailing Address

LOT 207 DOUGLAS ACRES PLAT 2

LOUIS MOORE
3822 E 28TH ST
DES MOINES, IA 50317-4224

Current Values

Type	Class	Kind	Land	Bldg	Total
2024 Value	Residential	Full	\$47,500	\$99,600	\$147,100

Market Adjusted Cost Report

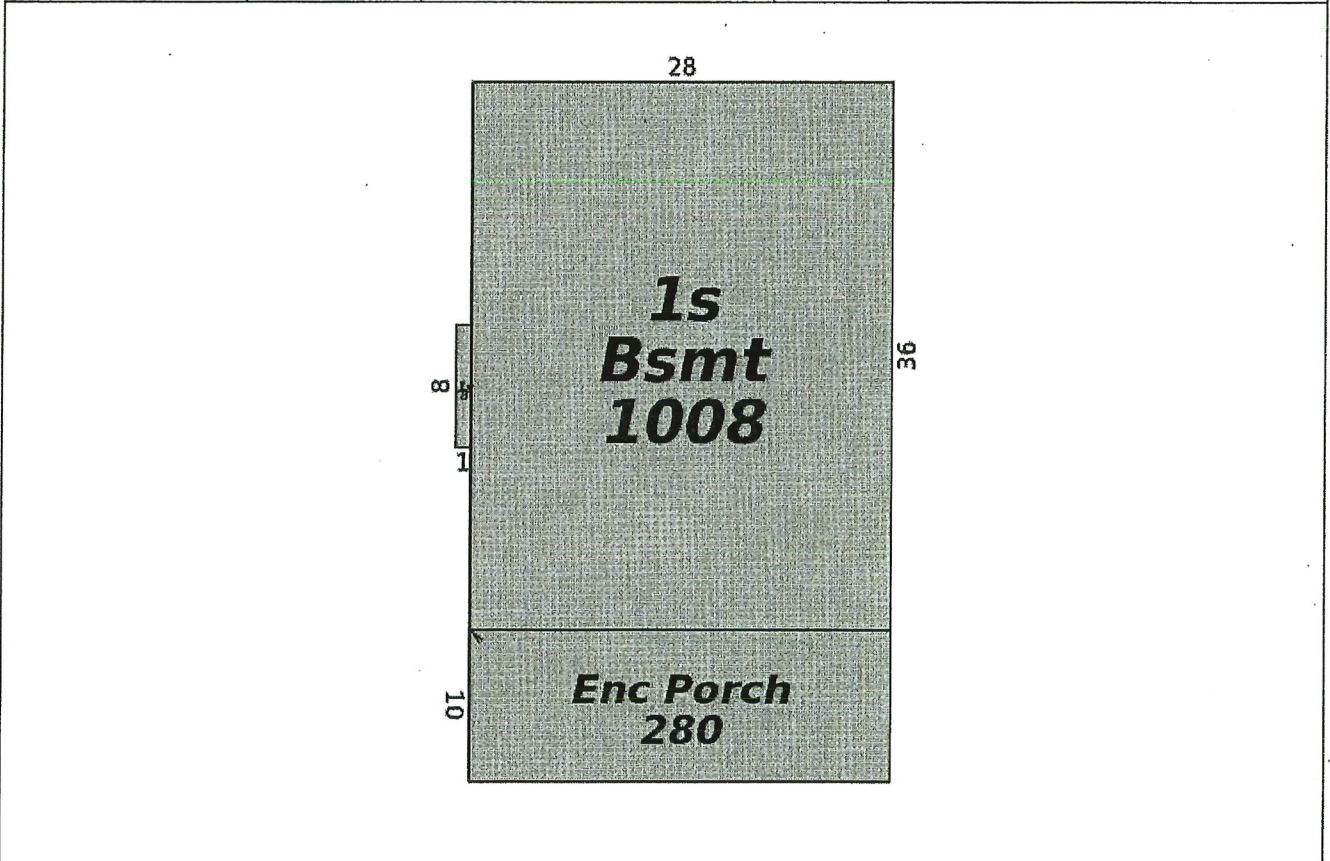
Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
N1B	N1b Neighborhood District		Residential

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

Land					
Square Feet	39,746	Acres	0.912	Frontage	167
Depth	238	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		

Residences - 1 Record					
Residence #id=1					
Occupancy	Single Family	Residence Type	1 Story	Building Style	Bungalow
Year Built	1921	Number Families	1	Grade	4-05
Condition	Normal	Total Square Foot Living Area	1016	Main Living Area	1016
Basement Area	1008	Enclosed Porch Area	280	Foundation	Poured Concrete
Exterior Wall Type	Metal Siding	Roof Type	Gable	Roof Material	Asphalt Shingle
Heating	Gas Forced Air	Air Conditioning	100	Number Bathrooms	1
Bedrooms	2	Rooms	5		



Detached Structures - 1 Record					
Detached Structure #id=101					
Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	24	Measure 2	30	Story Height	1
Grade	4	Year Built	1987	Condition	Normal

Sales - 1 Record					
Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
PRATT, NELLIE G	MOORE, LOUIS F JR	1999-05-24	\$67,000	Deed	8222/930

Permits - 2 Records					
Year	Type	Permit Status	Application	Reason	Reason1
2020	Pickup	No Add	2019-12-20	Review Value	BOARD OF REVIEW

Year	Type	Permit Status	Application	Reason	Reason1
1988	Permit	Complete	1987-09-04		New Garage

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2023	<u>Assessment Roll</u>	Residential	Full	\$47,500	\$99,600	\$147,100
2021	<u>Assessment Roll</u>	Residential	Full	\$41,500	\$81,100	\$122,600
2019	<u>Board Action</u>	Residential	Full	\$39,200	\$76,400	\$115,600
2019	<u>Assessment Roll</u>	Residential	Full	\$39,200	\$79,100	\$118,300
2017	<u>Assessment Roll</u>	Residential	Full	\$32,700	\$66,900	\$99,600
2015	<u>Assessment Roll</u>	Residential	Full	\$31,500	\$65,400	\$96,900
2013	<u>Assessment Roll</u>	Residential	Full	\$29,500	\$62,100	\$91,600
2011	<u>Assessment Roll</u>	Residential	Full	\$29,500	\$61,700	\$91,200
2009	<u>Assessment Roll</u>	Residential	Full	\$31,500	\$68,800	\$100,300
2007	<u>Board Action</u>	Residential	Full	\$31,500	\$68,800	\$100,300
2007	<u>Assessment Roll</u>	Residential	Full	\$31,500	\$75,300	\$106,800
2005	<u>Assessment Roll</u>	Residential	Full	\$28,500	\$61,700	\$90,200
2003	<u>Assessment Roll</u>	Residential	Full	\$25,270	\$55,240	\$80,510
2001	<u>Assessment Roll</u>	Residential	Full	\$23,850	\$46,110	\$69,960
1999	Assessment Roll	Residential	Full	\$21,030	\$39,090	\$60,120
1997	Assessment Roll	Residential	Full	\$18,020	\$33,500	\$51,520
			Adj	\$18,020	\$27,750	\$45,770
1995	Assessment Roll	Residential	Full	\$15,980	\$29,710	\$45,690
			Adj	\$15,980	\$23,960	\$39,940
1991	Assessment Roll	Residential	Full	\$14,560	\$27,070	\$41,630
			Adj	\$14,560	\$21,320	\$35,880
1989	Assessment Roll	Residential	Full	\$14,560	\$22,740	\$37,300
			Adj	\$14,560	\$16,990	\$31,550

35B



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

Case Number: NUIS-2024-000128	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 05/06/2024
	Date of Notice: 05/07/2024
	Date of Inspection: 05/06/2024

KAREN L BALLARD
2800 DES MOINES ST
DES MOINES IA 50317

Address of Property: 3822 E 28TH ST, DES MOINES IA 50317
Parcel Number: 792319476034

Legal Description: LOT 207 DOUGLAS ACRES PLAT 2

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>06/20/2024</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 effects.</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>06/20/2024</p>
<p>60-192(14) - Unsafe and Dangerous Structure or Premise Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.</p>	<p>Repair or replace sections of building foundation to eliminate conditions that create a violation. All work must be done in a workmanlike manner with all required permits.</p>	<p>06/20/2024</p>
<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>06/20/2024</p>

Violation	Corrective Action	Compliance Due Date
<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>06/20/2024</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>06/20/2024</p>
<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>	<p>06/20/2024</p>
<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>	<p>06/20/2024</p>
<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>	<p>06/20/2024</p>

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>	<p>06/20/2024</p>
<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>	<p>06/20/2024</p>
<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>	<p>06/20/2024</p>

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



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

English

If you are not able to read this, translation services are available at 515-283-4207.

Arabic

إذا لم تكن قادراً على قراءة هذا، تتوفر خدمات الترجمة على الرقم 515-283-4207.

Bosnian

Ukoliko niste u mogućnosti da ovo pročitate, usluge prenoćenja su dostupne na 515-283-4207

Cantonese

英文

如果您無法閱讀此內容，請致電515-283-4207供翻譯服務。

French

Si vous n'êtes pas en mesure de le lire, des services de traduction sont disponibles au 515-283-4207.

Lao

ຖ້າທ່ານບໍ່ສາມາດອ່ານນີ້ໄດ້, ບໍລິການແປແປງມີຢູ່ທີ່ 515-283-4207

Nepali

तपाईंले यो पढ्न सक्नुभएन भने अनुवाद सेवाहरू 515-283-4207 मा उपलब्ध छन्।

Pashto

که تاسو د دې لوستلو توان نه لرئ، نو د ژباړې خدمتونه په 515-283-4207 کې شتون لری.

Somali

Haddii aadan awoodin inaad tan akhriso, adeegyada turjumaadda waxaa laga heli karaa 515-283-4207.

Spanish

Si no puede leer esto, los servicios de traducción están disponibles al 515-283-4207.

Swahili

Kiingereza

Ikiwa huwezi kusoma hii, huduma za kutafsiri zinapatikana kwa 515-283-4207.

Tigrinya

ነዚ ኸተንብቦ እንተ ዘይክኢልካ ኣብ 515-283-4207 ኣገልግሎት ትርጉም ክትረክብ ትኽእል ኢኻ።

Vietnamese

Tiếng Anh

Nếu bạn không thể đọc được điều này, các dịch vụ dịch thuật có sẵn theo số 515-283-4207.

35B



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

Case Number: NUIS-2024-000128	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 05/06/2024
	Date of Notice: 05/07/2024
	Date of Inspection: 05/06/2024

LOUIS F MOORE JR
3822 E 28TH ST
DES MOINES IA 50317

Address of Property: **3822 E 28TH ST, DES MOINES IA 50317**
Parcel Number: **792319476034**

Legal Description: **LOT 207 DOUGLAS ACRES PLAT 2**

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<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>	06/20/2024

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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,

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



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

English

If you are not able to read this, translation services are available at 515-283-4207.

Arabic

إذا لم تكن قادراً على قراءة هذا، تتوفر خدمات الترجمة على الرقم 515-283-4207.

Bosnian

Ukoliko niste u mogućnosti da ovo pročitate, usluge prenoćenja su dostupne na 515-283-4207

Cantonese

英文

如果您無法閱讀此內容，請致電515-283-4207供翻譯服務。

French

Si vous n'êtes pas en mesure de le lire, des services de traduction sont disponibles au 515-283-4207.

Lao

ຖ້າທ່ານບໍ່ສາມາດອ່ານນີ້ໄດ້, ບໍລິການແປແລ່ນມີຢູ່ທີ່ 515-283-4207

Nepali

तपाईंले यो पढ्न सक्नुभएन भने अनुवाद सेवाहरू 515-283-4207 मा उपलब्ध छन्।

Pashto

که تاسو د دې لوستلو توان نه لرئ، نو د ژباړې خدمتونه په 515-283-4207 کې شتون لري.

Somali

Haddii aadan awoodin inaad tan akhriso, adeegyada turjumaadda waxaa laga heli karaa 515-283-4207.

Spanish

Si no puede leer esto, los servicios de traducción están disponibles al 515-283-4207.

Swahili

Kiingereza

Ikiwa huwezi kusoma hii, huduma za kutafsiri zinapatikana kwa 515-283-4207.

Tigrinya

ነዚ ኸተንብቦ እንተ ዘይክኢልካ ኣብ 515-283-4207 ኣገልግሎት ትርጉም ክትረክብ ትክእል ኢኻ።

Vietnamese

Tiếng Anh

Nếu bạn không thể đọc được điều này, các dịch vụ dịch thuật có sẵn theo số 515-283-4207.