



Roll Call Number

Agenda Item Number

30 A

Date February 10, 2025

ABATEMENT OF PUBLIC NUISANCE AT 2153 CAPITOL AVENUE

WHEREAS, the property located at 2153 Capitol 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, Roberta K. Powell, 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:

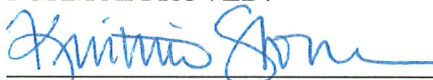
The main structure on the real estate legally described as Lot 36 in TIMMONS PLACE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 2153 Capitol Avenue, has previously been declared a public nuisance;

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.

Seconded by _____

FORM APPROVED:



Kristine Stone, Special Counsel
Ahlers & Cooney, P.C.

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.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
MANDELBAUM				
SHEUMAKER				
VOSS				
WESTERGAARD				
TOTAL				

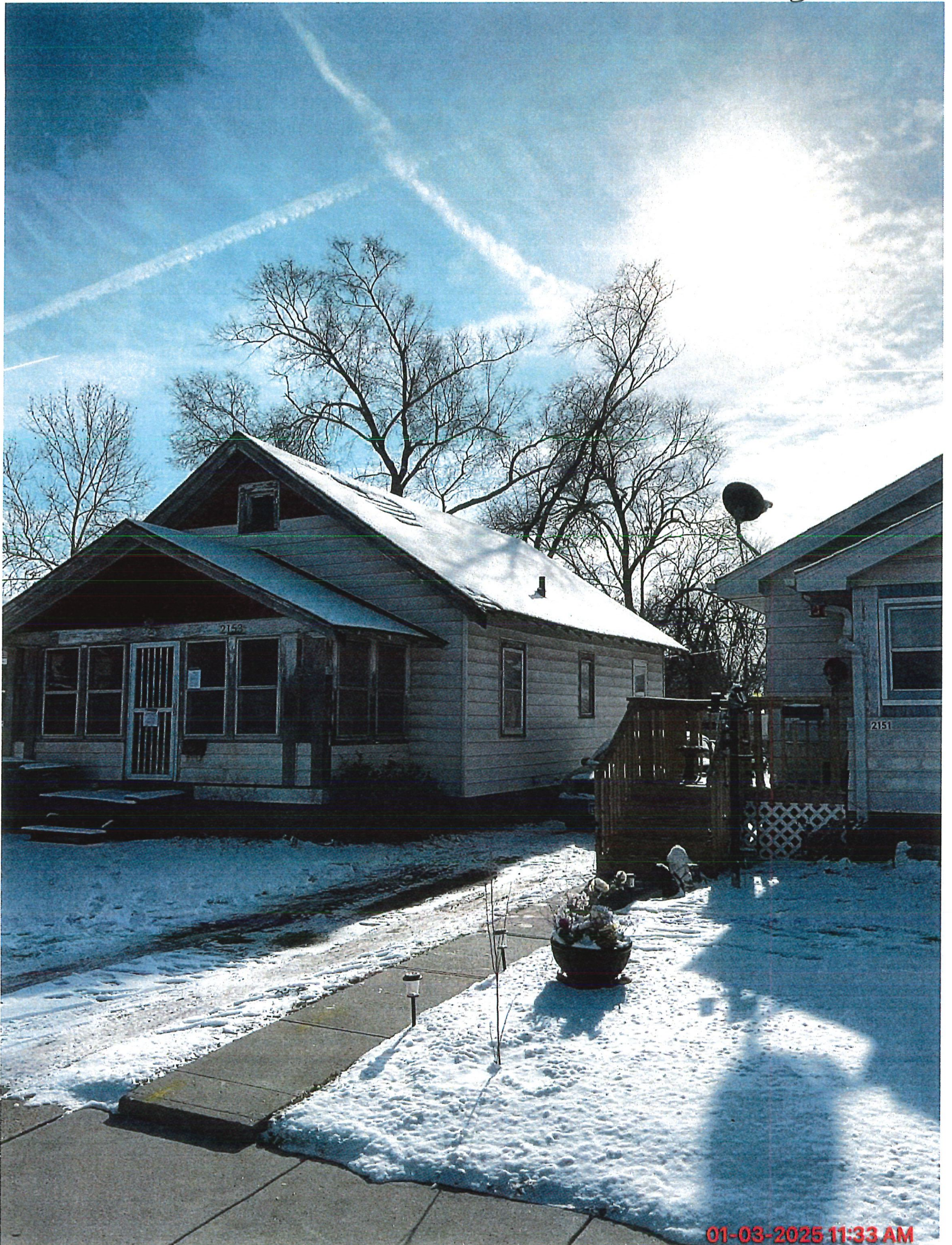
MOTION CARRIED

APPROVED

Mayor

City Clerk







01-03-2025 11:32 AM

Network Oct 29, 2024 at 11:56:30 AM CDT
Local Oct 29, 2024 at 11:56:30 AM CDT
N 41° 35' 39.485", W 93° 34' 41.087"
2145 Capitol Ave
Des Moines IA 50317
United States



Network: Oct 29, 2024 at 11:56:43 AM CDT
Local: Oct 29, 2024 at 11:56:43 AM CDT
N 41° 35' 39.485", W 93° 34' 41.087"
2145 Capitol Ave
Des Moines IA 50317
United States



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	2153 CAPITOL AVE				
City	DES MOINES	Zip	50317	Jurisdiction	Des Moines
District/Parcel	040/06274-000-000	Geoparcels	7824-02-279-013	Status	Active
School	Des Moines	Nbhd/Pocket	DM16/Z	Tax Authority Group	DEM-C-DEM-770131
Submarket	Northeast Des Moines	Appraiser	Joseph Peterson, 515-286-3011		

Map and Current Photos - 1 Record

Use Cyclomedia Panorama -

Click on parcel to get a new listing

2124 2132 2136 2140 2148 2154 2200 2204 2208
CAPITOL AVE E 22ND ST CAPITOL AVE
2125 2131 2137 2139 2145 2151 2153 2159 2201 2203 2205 2207
315
2130 2136 2140 2144 2150 2158 2200 2202 2206 2210

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

Photo Processed on photodate=2012-06-19 label=a

[Historical Photos](#)

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	POWELL, ROBERTA K	1987-06-30	5742/606

Legal Links For Subdivisions, Condominiums, and Plats of Survey

[TIMMONS PLACE](#)

Legal Description and Mailing Address

LOT 36 TIMMONS PLACE	ROBERTA K POWELL 2153 CAPITOL AVE DES MOINES, IA 50317-2231
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Current Values

Type	Class	Kind	Land	Bldg	Total
2024 Value	Residential	Full	\$20,400	\$36,700	\$57,100

[Market Adjusted Cost Report](#)

Auditor Adjustments to Value

Category	Name	Information
2024 Homestead Credit	POWELL, ROBERTA K	Application #15088

Category	Name	Information
2024 Homestead Tax Exemption	POWELL, ROBERTA K	

Zoning - 1 Record			
Zoning	Description	SF	Assessor Zoning
N3C	N3c Neighborhood District		Residential

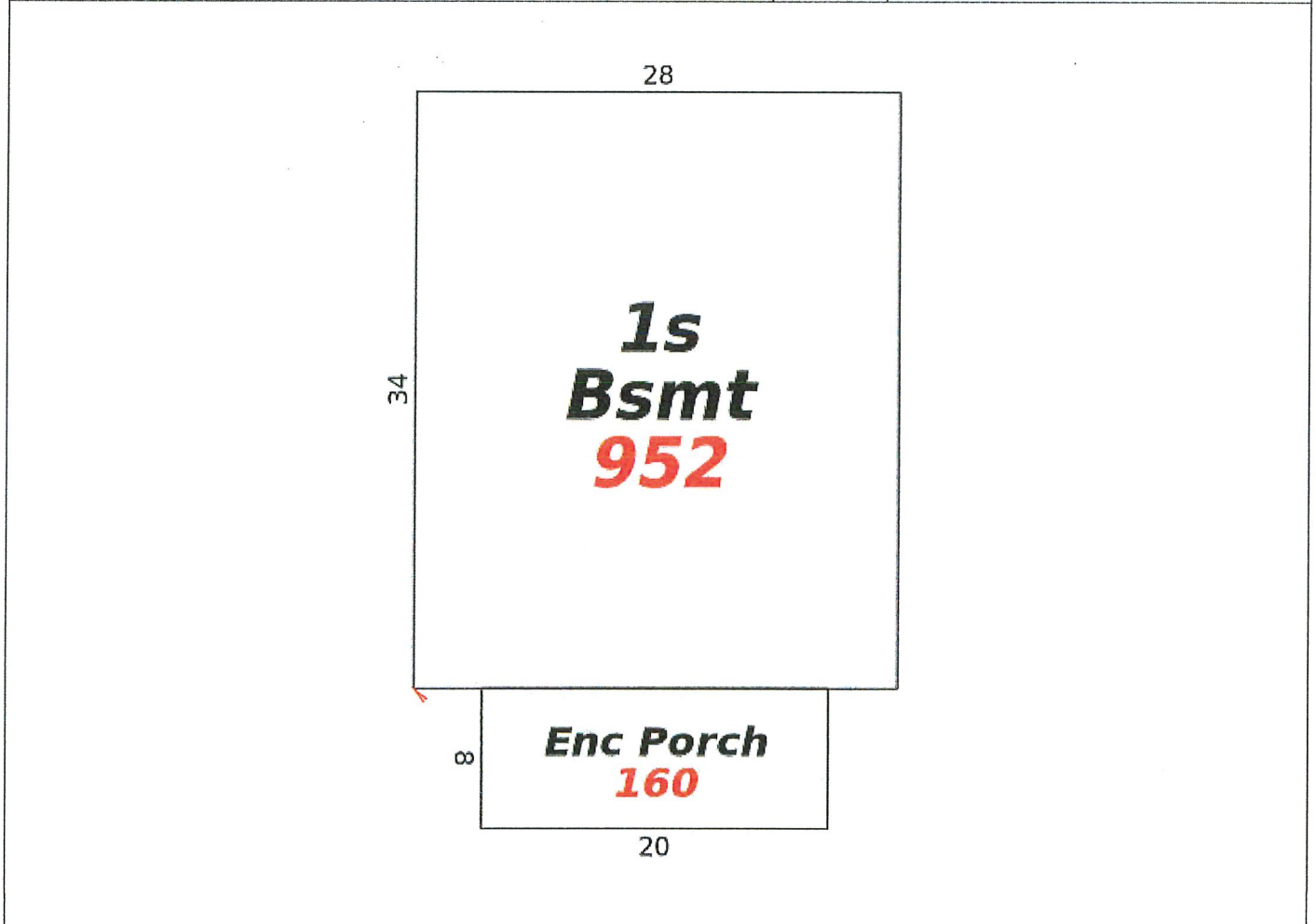
City of Des Moines' Community Development Planning and Urban Design 515 283-4182 (2012-03-20)

Land					
Square Feet	5,960	Acres	0.137	Frontage	40
Depth	149	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	1917	Number Families	1	Grade	4-10
Condition	Poor	Total Square Foot Living Area	952	Main Living Area	952
Basement Area	952	Enclosed Porch Area	160	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	4		



Sales - 1 Record

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
UNKNOWN	POWELL, ROBERTA K.	<u>1983-11-03</u>	\$12,830	Deed	<u>5742/606</u>

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2023	<u>Assessment Roll</u>	Residential	Full	\$20,400	\$36,700	\$57,100
2021	<u>Assessment Roll</u>	Residential	Full	\$16,700	\$29,000	\$45,700
2019	<u>Assessment Roll</u>	Residential	Full	\$14,600	\$25,200	\$39,800
2017	<u>Assessment Roll</u>	Residential	Full	\$12,600	\$34,800	\$47,400
2015	<u>Assessment Roll</u>	Residential	Full	\$11,700	\$33,200	\$44,900
2013	<u>Assessment Roll</u>	Residential	Full	\$12,000	\$34,100	\$46,100
2012	<u>Board Action</u>	Residential	Full	\$13,700	\$38,700	\$52,400
2011	<u>Assessment Roll</u>	Residential	Full	\$13,700	\$45,400	\$59,100
2009	<u>Assessment Roll</u>	Residential	Full	\$13,800	\$44,700	\$58,500
2007	<u>Assessment Roll</u>	Residential	Full	\$13,700	\$44,200	\$57,900
2005	<u>Assessment Roll</u>	Residential	Full	\$11,000	\$43,700	\$54,700
2003	<u>Assessment Roll</u>	Residential	Full	\$9,650	\$38,380	\$48,030
2001	<u>Assessment Roll</u>	Residential	Full	\$8,700	\$34,590	\$43,290
1999	Assessment Roll	Residential	Full	\$6,510	\$31,070	\$37,580
1997	Assessment Roll	Residential	Full	\$5,900	\$28,140	\$34,040
1995	Assessment Roll	Residential	Full	\$5,140	\$24,500	\$29,640
1993	Assessment Roll	Residential	Full	\$4,560	\$21,730	\$26,290
1990	Board Action	Residential	Full	\$4,560	\$18,540	\$23,100
1990	Assessment Roll	Residential	Full	\$4,560	\$20,540	\$25,100



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

30A

Case Number: NUIS-2024-000255	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 10/30/2024
	Date of Notice: 10/31/2024
	Date of Inspection: 10/30/2024

ROBERTA K POWELL
 2153 CAPITOL AVE
 DES MOINES IA 50317

Address of Property: 2153 CAPITOL AVE, DES MOINES IA 50317
 Parcel Number: 782402279013

Legal Description: LOT 36 TIMMONS 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>	Vacate the structure.	12/16/2024
<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>	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.	12/16/2024
<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>	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.	12/16/2024
<p>60-194 - Defacing and Removing Placard No person shall deface or remove the placard, except as authorized by the administrator.</p>	Replace or restore defaced or removed placard.	12/16/2024

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
Desk 515-283-4120 / Mobile 515-669-8231
SAClauson@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 قادرا 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, ບໍລິການແປແລ່ນມີເລື່ອງທີ່ 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 خدماتونه 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

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Vietnamese

Tiếng Anh

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