



Roll Call Number

Agenda Item Number

434

Date May 10, 2021

ABATEMENT OF PUBLIC NUISANCE AT 3201 30TH ST. BLDG. L

WHEREAS, the property located at 3201 30th St. Bldg. L, 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, Oakview Terrace I LP, 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 35 (except the North 244 feet thereof as measured on the East lot line) in EUCLID HEIGHTS, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 3201 30th St. Bldg. L, 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.

FORM APPROVED:

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

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

MOTION CARRIED

APPROVED

Mayor

CERTIFICATE

I, P. Kay Cmelik, 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



**PUBLIC NUISANCE
NOTICE OF INSPECTION
NEIGHBORHOOD INSPECTION DIVISION
COMMUNITY DEVELOPMENT DEPARTMENT
CITY OF DES MOINES, IOWA**

434

DATE OF NOTICE: March 4, 2021

DATE OF INSPECTION:

December 17, 2020

CASE NUMBER: COD2020-05567

PROPERTY ADDRESS: 3201 30TH ST BLDG L

LEGAL DESCRIPTION: -EX N 244 F AS MEAS ON E LN THEREOF- LT 35 EUCLID HEIGHTS

OAKVIEW TERRACE I LP
Title Holder - CONLIN PROPERTIES INC, REG AG
3721 SW 61ST ST STE A
DES MOINES IA 50321-2418

JAMES C CONLIN
Mortgage Holder - C/O CONLIN PROPERTIES INC
3721 SW 61ST ST STE A
DES MOINES IA 50321

IOWA FINANCE AUTHORITY
Mortgage Holder - MULTIFAMILY LOAN PROGRAM
1963 BELL AVE STE 200
DES MOINES IA 50315

An inspection of the referenced property was conducted for its conformance to the Municipal Code of the City of Des Moines. It has been determined from that inspection that the dwelling currently constitutes not only a menace to health and safety, but is also a public nuisance. Accordingly, the dwelling will be placarded as unfit for human habitation pursuant to the Municipal Code of the City of Des Moines and the Code of Iowa.

If not occupied at the present time, the dwelling is to remain vacant and unoccupied until occupancy is authorized by this office. If the dwelling 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 will issue a Municipal Infraction in accordance with Section 60-192 and 60-191 pursuant to the Municipal code of the City of Des Moines. Additionally, if the property had a Certificate of Inspection, it is hereby revoked.

Attached is a listing of the violations existing on the date of the inspection and a recommendation as to the remedial action required to correct such violations. The violations noted must be corrected within 30 days from date of notice. Failure to correct these violations will result in a request to the City Council to approve legal action. As a result of this public nuisance action there will be costs incurred by the City. Costs will be billed out when the nuisance has been abated. Failure to pay the costs will result in collection by assessment to the property or personal judgment.

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.

Appropriate building permits may be required for those violations noted in the "Special Requirements" section on the notice. Should you have 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 a period in excess of one year, there may be zoning issues, which will affect the proposed use of the structure and/or real estate. Please contact the Development Zoning Division at (515) 283-4207 to determine what the legal use for the structure and/or the real estate is prior to commencement of any renovation.

If you believe the building is beyond repair and decide to remove it, all debris must be removed from the property and the basement excavation if any, filled in the manner required by the City. You are encouraged to arrange for this demolition yourself; however a demolition permit must be obtained from the Building Department. In the event you are unable to arrange for demolition, you may sign a waiver voluntarily authorizing the City to do so. However, the City may take a personal judgment against you for the costs of removal.

If you no longer own the property, notify us in writing of the name, address, and telephone number of the new owner. A copy of the real estate contract or deed, if it has not been recorded at the County Recorder's Office, shall likewise be furnished to the Neighborhood Inspection Division.

Should you have any questions, feel free to call. I can usually be reached between 8:00am and 9:00am, Monday through Friday.

Brad Rissman
(515) 283-4754

Nid Inspector

DATE MAILED: 3/4/2021

MAILED BY: BJR

43H

Areas that need attention: 3201 30TH ST

Component:	Electrical System	Defect:	Fire damaged
Requirement:	Electrical Permit	Location:	Main Structure Throughout
Comments:	Have licensed contractor check system and repair or replace system. Bring any and all components up to code. Copy of invoice required. Permit MUST be finalized.		
Component:	Plumbing System	Defect:	Fire damaged
Requirement:	Plumbing Permit	Location:	Main Structure Throughout
Comments:	Have licensed contractor check system and repair or replace system. Bring any and all components up to code. Copy of invoice required. Permit MUST be finalized.		
Component:	Exterior Doors/Jams	Defect:	Fire damaged
Requirement:	Compliance with International Building Code	Location:	Main Structure Throughout
Comments:	Have licensed contractor check and replace all damaged including Interior doors. Building permit required for replacement		
Component:	Floor Joists/Beams	Defect:	Fire damaged
Requirement:	Compliance with International Building Code	Location:	Main Structure Throughout
Comments:	Have licensed contractor check and replace all damaged. Building permit required for replacement		
Component:	Flooring	Defect:	Fire damaged
Requirement:	Compliance with International Building Code	Location:	Main Structure Throughout
Comments:	Have licensed contractor check and replace all damaged. Building permit required for replacement		
Component:	Interior Walls /Ceiling	Defect:	Fire damaged
Requirement:	Building Permit	Location:	Main Structure Throughout
Comments:	Replace all damaged and missing drywall/wall coverings and trims. Paint/texture or cover to match.		
Component:	Mechanical System	Defect:	Fire damaged
Requirement:	Mechanical Permit	Location:	Main Structure Throughout
Comments:	Have licensed contractor check system and repair or replace system. Bring any and all components up to code. Copy of invoice required. Permit MUST be finalized.		
Component:	Soffit/Facia/Trim	Defect:	Fire damaged
Requirement:	Compliance with International Building Code	Location:	Main Structure Throughout
Comments:	Replace all damaged.		

<u>Component:</u>	Smoke Detectors	<u>Defect:</u>	Fire damaged
<u>Requirement:</u>	Compliance with International Building Code	<u>Location:</u>	Main Structure Throughout
<u>Comments:</u>	Missing throughout, Required.		

<u>Component:</u>	Trusses	<u>Defect:</u>	Fire damaged
<u>Requirement:</u>	Compliance with International Building Code	<u>Location:</u>	Main Structure Throughout
<u>Comments:</u>	Have licensed contractor check and replace all damaged. Building permit required for replacement		

<u>Component:</u>	Windows/Window Frames	<u>Defect:</u>	Fire damaged
<u>Requirement:</u>	Compliance with International Building Code	<u>Location:</u>	Main Structure Throughout
<u>Comments:</u>	Have licensed contractor check and replace all damaged. Building permit required for replacement		

<u>Component:</u>	Roof	<u>Defect:</u>	Fire damaged
<u>Requirement:</u>	Compliance with International Building Code	<u>Location:</u>	Main Structure Throughout
<u>Comments:</u>	Have licensed contractor check and replace all damaged. Building permit required for replacement		

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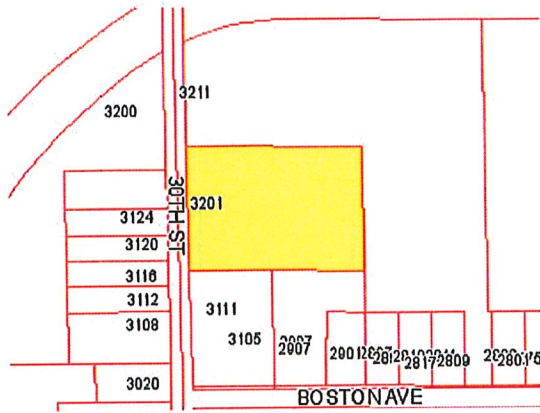



Polk County Assessor

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

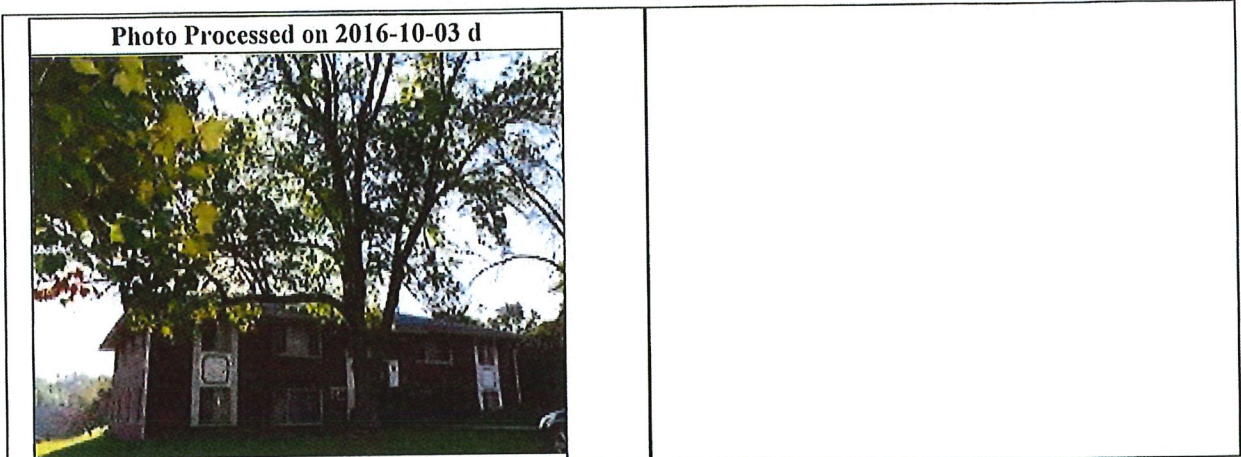
(515) 286-3014 Fax (515) 286-3386
polkweb@assess.co.polk.ia.us

Location					
Address	3201 30TH ST				
City	DES MOINES	Zip	50310	Jurisdiction	Des Moines
District/Parcel	080/01837-000-000	Geoparcel	7924-28-152-002	Status	Active
School	Des Moines	Nbhd/Pocket	DM65/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northwest Des Moines	Appraiser	Austin Viggers 515-286-3958		

Map and Current Photos - 4 Records

<p>Click on parcel to get a new listing</p>  <p>Bigger Map Polk County GIS Google Map Pictometry</p>	<p>Photo Processed on 2016-10-03 a</p> 
<p>Photo Processed on 2016-10-03 b</p> 	<p>Photo Processed on 2016-10-03 c</p> 

[Historical Photos](#)



Historical Photos

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	OAKVIEW TERRACE I LP	2007-06-15	12240/601
Legal Description and Mailing Address				
-EX N 244 F AS MEAS ON E LN THEREOF- LT 35 EUCLID HEIGHTS			CONLIN PROPERTIES 3721 SW 61ST ST STE A DES MOINES, IA 50321-2418	

Current Values

Type	Class	Kind	Land	Bldg	Total
2021 Assessment Roll	Commercial	Full	\$182,000	\$294,800	\$476,800
2020 Value	Commercial	Full	\$165,000	\$376,800	\$541,800

[Assessment Roll Notice](#) [Unadjusted Cost Report](#) *May Not Be Market Value: Section 42*

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
NX2	NX2 Neighborhood Mix District		Residential
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>			

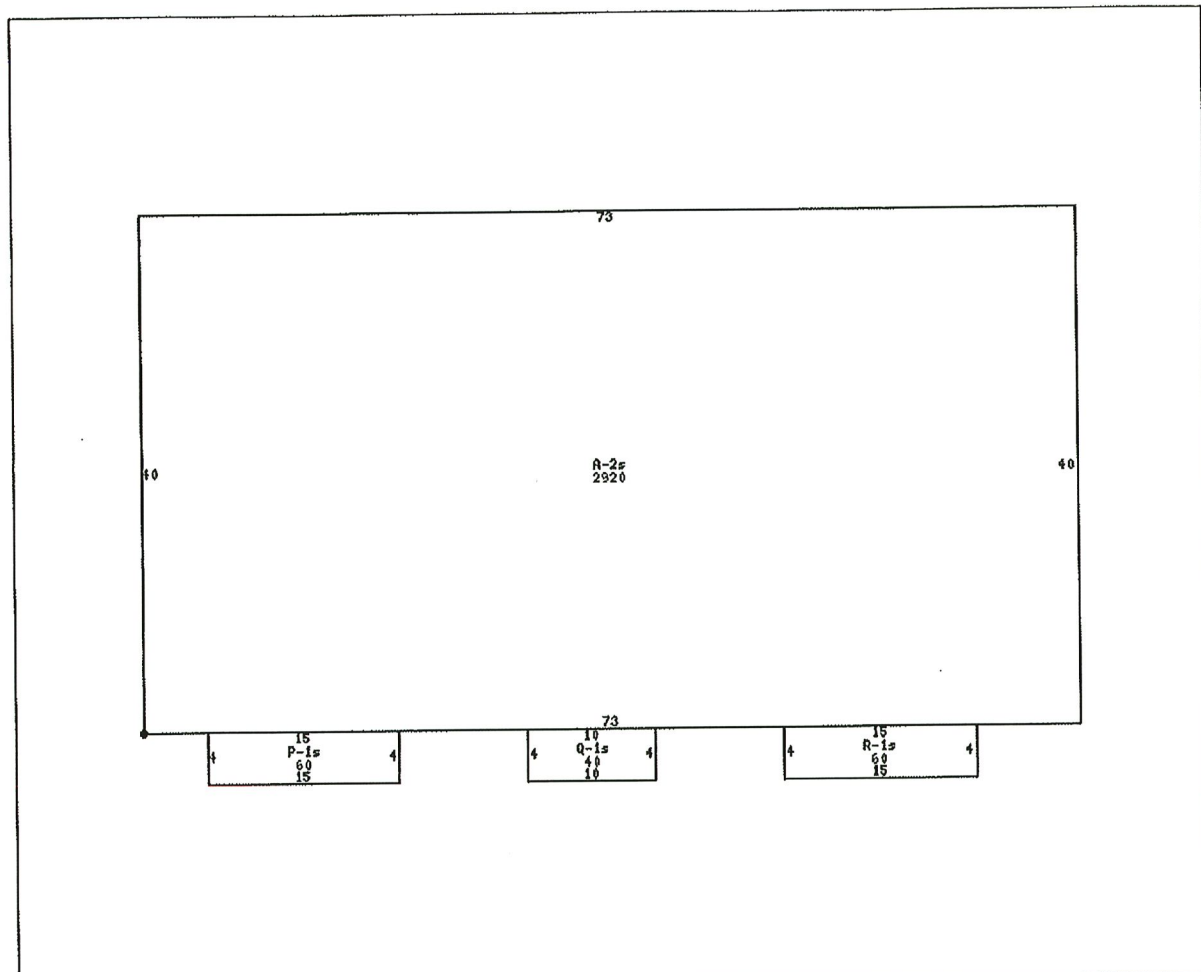
Land

Square Feet	82,107	Acres	1.885	Frontage	239.0
Depth	342.0	Topography	Blank	Shape	Rectangle
Vacancy	Blank	Unbuildable	Blank		

Commercial Summary

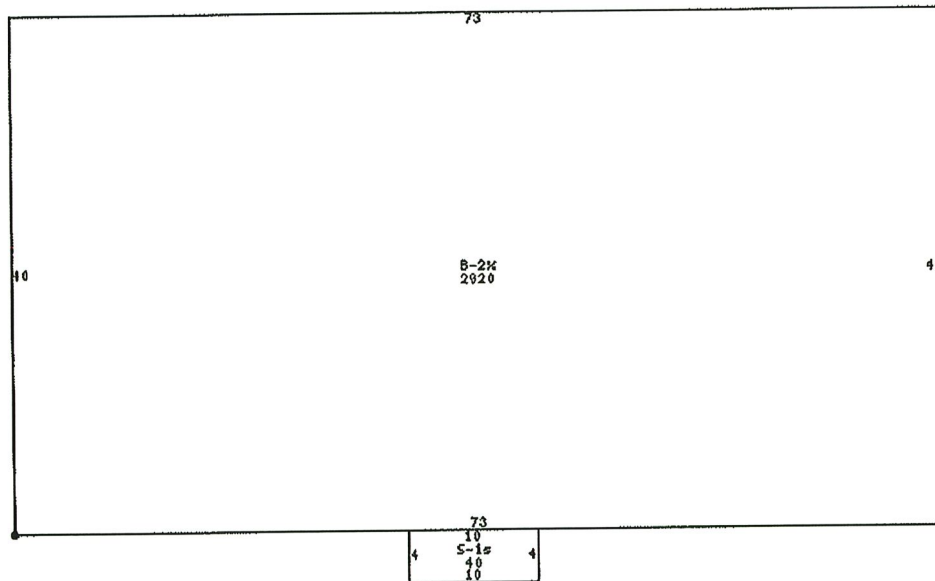
Occupancy	Apartment	Age, Weighted	1964	Total Story Height	2
Land Area	82,107	Gross Area	23,360	Finished Area	23,360
Unfinished Bsmt Area	0	Finished Bsmt Area	0	Number of Units	32
Primary Group	Apartment	Percent Primary Group	100.00	Percent Secondary Group	0.00
Grade, Weighted	4/Grade 4	Bldg Class, Weighted	2/Brick or Masonry	Condition, Weighted	NM/Normal

Ground Floor Area	11,680	Perimeter	904		
Commercial Sections - 4 Records					
Commercial Section #101					
Occupant	BUILDING L				
Section Multiplier	1	Occupancy	Apartment	Foundation	Concrete Block or Tile
Submerged	Yes	Exterior Wall	Brick Block Tile	Insulation	Yes
Roof	Hip	Roof Material	Shingle	Covered Area	40
Covered Quality	Normal	Landings Square Foot	120	Landing Quality	Normal
Wiring	Adequate	Plumbing	Adequate	Total Story Height	2
Frame Type	Frame	Fireproof Construction	No	Bldg Class	Brick or Masonry
Total Section Area	5,840	Ground Floor Area	2,920	Perimeter	226
Grade	4+00	Year Built	1964	Condition	Normal
Comment	P & R=4X15 BALC; Q=CNPY 4X10				
Commercial Groups - 1 Record					
Commercial Group #101 1					
Use Code	Apartment	Base Story	1	Number Stories	2
Total Group Area	5,840	Base Floor Area	2,920	Number Units	8
Heating	Central	Air Conditioning	Yes	Exhaust System	No
Comment	SLEEVE TYPE A/C				



Commercial Section #201					
Occupant	BUILDING M				
Section Multiplier	1	Occupancy	Apartment	Foundation	Concrete Block or Tile
Submerged	Yes	Exterior Wall	Brick Block Tile	Insulation	Yes
Roof	Hip	Roof Material	Shingle	Covered Area	40
Covered Quality	Normal	Wiring	Adequate	Plumbing	Adequate
Total Story Height	2	Frame Type	Frame	Fireproof Construction	No
Bldg Class	Brick or Masonry	Total Section Area	5,840	Ground Floor Area	2,920
Perimeter	226	Grade	4+00	Year Built	1964
Condition	Normal				
Comment	S=4X10 CNPY				

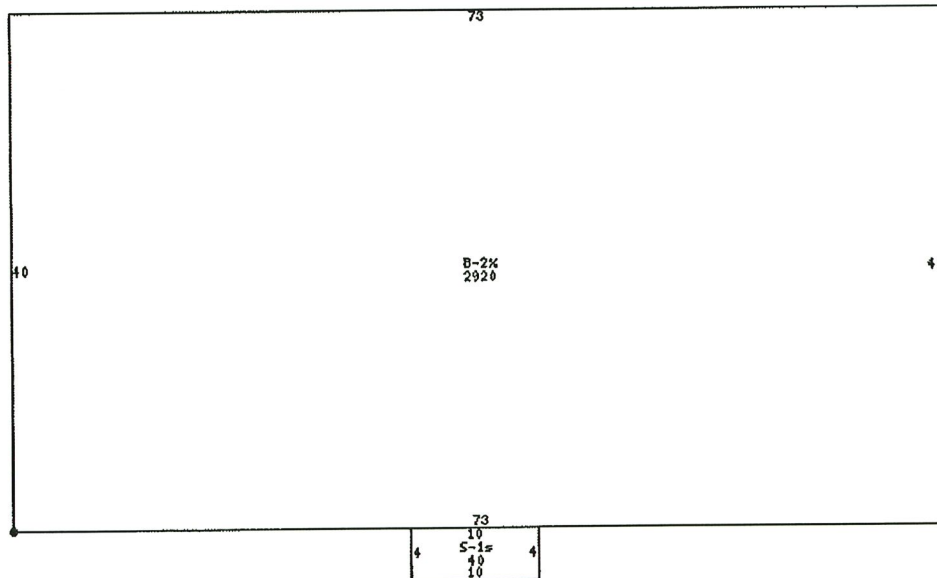
Commercial Groups - 1 Record					
Commercial Group #201 1					
Use Code	Apartment	Base Story	1	Number Stories	2
Total Group Area	5,840	Base Floor Area	2,920	Number Units	8
Heating	Central	Air Conditioning	Yes	Exhaust System	No
Comment	SLEEVE TYPE A/C				



Commercial Section #301					
Occupant	BUILDING O				
Section Multiplier	1	Occupancy	Apartment	Foundation	Concrete Block or Tile
Submerged	Yes	Exterior Wall	Brick Block Tile	Insulation	Yes
Roof	Hip	Roof Material	Shingle	Covered Area	40
Covered Quality	Normal	Wiring	Adequate	Plumbing	Adequate
Total Story Height	2	Frame Type	Frame	Fireproof Construction	No

Bldg Class	Brick or Masonry	Total Section Area	5,840	Ground Floor Area	2,920
Perimeter	226	Grade	4+00	Year Built	1964
Condition	Normal				
Comment	S=4X10 CNPY				

Commercial Groups - 1 Record					
Commercial Group #301 1					
Use Code	Apartment	Base Story	1	Number Stories	2
Total Group Area	5,840	Base Floor Area	2,920	Number Units	8
Heating	Central	Air Conditioning	Yes	Exhaust System	No
Comment	SLEEVE TYPE A/C				

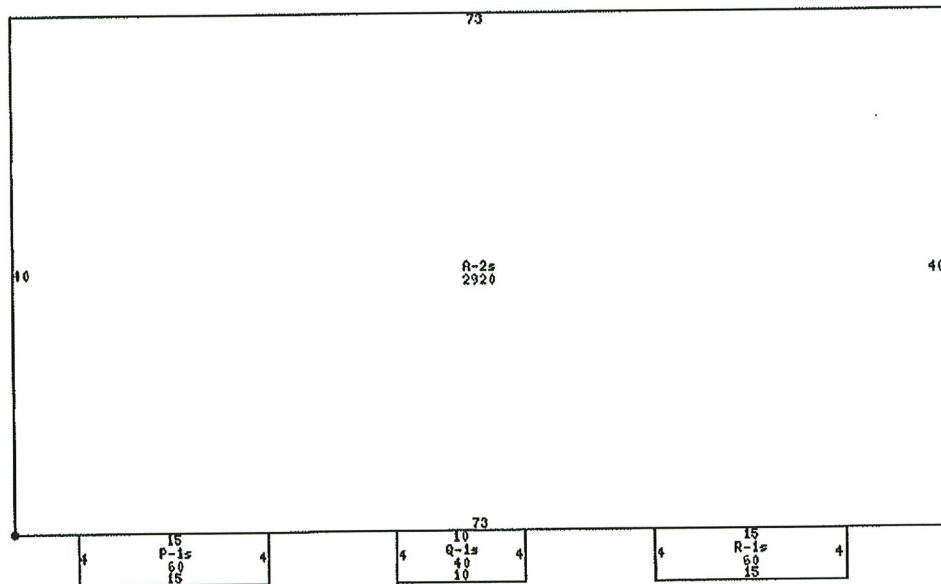


Commercial Section #401					
Occupant	BUILDING N				
Section Multiplier	1	Occupancy	Apartment	Foundation	Concrete Block or Tile
Submerged	Yes	Exterior Wall	Brick Block Tile	Insulation	Yes

Roof	Hip	Roof Material	Shingle	Covered Area	40
Covered Quality	Normal	Landings Square Foot	120	Landing Quality	Normal
Wiring	Adequate	Plumbing	Adequate	Total Story Height	2
Frame Type	Frame	Fireproof Construction	No	Bldg Class	Brick or Masonry
Total Section Area	5,840	Ground Floor Area	2,920	Perimeter	226
Grade	4+00	Year Built	1964	Condition	Normal

Comment P & R=4X15 BALC; Q=CNPY 4X10

Commercial Groups - 1 Record					
Commercial Group #401 1					
Use Code	Apartment	Base Story	1	Number Stories	2
Total Group Area	5,840	Base Floor Area	2,920	Number Units	8
Heating	Central	Air Conditioning	Yes	Exhaust System	No
Comment	SLEEVE TYPE A/C				



Detached Structures - 3 Records

Detached Structure #101					
Occupancy	Asphalt Paving	Measurement Code	Square Feet	Measure 1	17,000
Grade	3	Year Built	1965	Condition	Normal
Other	W/CONC				
Detached Structure #201					
Occupancy	Trash Enclosure	Measurement Code	Lineal Feet	Lineal Feet	52
Height	6	Grade	4	Year Built	2010
Condition	Above Normal				
Detached Structure #202					
Occupancy	Trash Enclosure	Measurement Code	Lineal Feet	Lineal Feet	52
Height	6	Grade	4	Year Built	2010
Condition	Above Normal				

Sales - 1 Record

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
OAKVIEW TERRACE LTD PARTNERSHIP	OAKVIEW TERRACE I LP	2007-06-14	\$6,500,000	Deed	12240/601 Multiple Parcels

Appeals - 2 Records

Year	Type	Case #	Status	Appellant
2020	PAAB	00-27-3C13	Stipulated	OAKVIEW LP
2013	PAAB	13-77-0762	Tried	OAKVIEW TERRACE I LP

Permits - 20 Records

Year	Type	Permit Status	Application	Reason	Reason1
Current	Pickup	Complete	2021-02-04	Review	SECTION 42
2019	Pickup	Complete	2019-02-25	Review	SECTION 42
2018	Permit	No Add	2017-05-01	Addition	DECK
2018	Permit	No Add	2017-05-01	Addition	DECK
2018	Permit	No Add	2017-05-01	Addition	DECK
2018	Permit	No Add	2017-05-01	Addition	DECK
2018	Permit	No Add	2017-04-04	Alterations	MISC
2017	Pickup	Complete	2017-02-13	Review	SECTION 42
2016	Pickup	Complete	2015-07-10	Correct Data	CLASS CHANGE
2015	Pickup	Complete	2015-02-17	Review	SECTION 42
2013	Pickup	Complete	2013-02-28	Review	SECTION 42
2011	Pickup	Complete	2011-03-10	Review	SECTION 42
2011	Permit	No Add	2010-05-11	Addition	MISC (160 sf)
2009	Permit	No Add	2008-05-15	Alterations	REMODEL
2009	Permit	No Add	2008-05-15	Alterations	REMODEL
2009	Permit	No Add	2007-12-18	Alterations	REMODEL
2009	Permit	No Add	2007-12-18	Alterations	REMODEL
2008	Permit	Pass	2007-12-18	Alterations	REMODEL
2008	Permit	Pass	2007-12-18	Alterations	REMODEL

Year	Type	Permit Status	Application	Reason	Reason1
2007	Pickup	Complete	2007-03-27	Review Value	PER APPRAISAL

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2020	PAAB Order	Commercial	Full	\$165,000	\$376,800	\$541,800
2020	Board Action	Commercial	Full	\$165,000	\$769,600	\$934,600
2019	Assessment Roll	Commercial	Full	\$165,000	\$769,600	\$934,600
2017	Board Action	Commercial	Full	\$170,000	\$876,800	\$1,046,800
2017	Assessment Roll	Commercial	Full	\$170,000	\$898,700	\$1,068,700
2016	Board Action	Commercial	Full	\$138,000	\$595,000	\$733,000
2016	Assessment Roll	Multi-Residential	Full	\$138,000	\$595,000	\$733,000
2015	Board Prior Year	Commercial	Full	\$138,000	\$595,000	\$733,000
2015	Assessment Roll	Multi-Residential	Full	\$138,000	\$595,000	\$733,000
2013	PAAB Order	Commercial Multiple	Full	\$138,000	\$720,000	\$858,000
2013	Board Action	Commercial Multiple	Full	\$138,000	\$720,000	\$858,000
2013	Assessment Roll	Commercial Multiple	Full	\$138,000	\$720,000	\$858,000
2011	Assessment Roll	Commercial Multiple	Full	\$138,000	\$451,000	\$589,000
2009	Assessment Roll	Commercial Multiple	Full	\$138,000	\$370,600	\$508,600
2007	Board Action	Commercial Multiple	Full	\$137,600	\$492,400	\$630,000
2007	Assessment Roll	Commercial Multiple	Full	\$137,600	\$543,900	\$681,500
2005	Board Action	Commercial Multiple	Full	\$125,000	\$907,000	\$1,032,000
2005	Assessment Roll	Commercial Multiple	Full	\$125,000	\$878,000	\$1,003,000
2003	Board Action	Commercial Multiple	Full	\$109,000	\$693,000	\$802,000
2003	Assessment Roll	Commercial Multiple	Full	\$109,000	\$693,000	\$802,000
2001	Assessment Roll	Commercial Multiple	Full	\$102,630	\$539,000	\$641,630
1999	Assessment Roll	Commercial Multiple	Full	\$101,000	\$539,000	\$640,000
1995	Assessment Roll	Commercial Multiple	Full	\$98,000	\$523,000	\$621,000
1993	Assessment Roll	Commercial Multiple	Full	\$93,000	\$498,000	\$591,000

Yr	Type	Class	Kind	Land	Bldg	Total
1991	Board Action	Commercial Multiple	Full	\$89,600	\$478,400	\$568,000
1991	Assessment Roll	Commercial Multiple	Full	\$89,600	\$478,400	\$568,000
1991	Was Prior Year	Commercial Multiple	Full	\$89,600	\$442,730	\$532,330

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