

 **Roll Call Number**

**Agenda Item Number**  
29 F

**Date** April 4, 2022

**ABATEMENT OF PUBLIC NUISANCE AT 806 ROSE AVE.**

WHEREAS, the property located at 806 Rose Ave., Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the garage structure in its present condition constitutes not only a menace to health and safety but is also public nuisance; and

WHEREAS, the Titleholder, Sonya G. Gallardo, was notified more than thirty days ago to repair or demolish the garage 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:

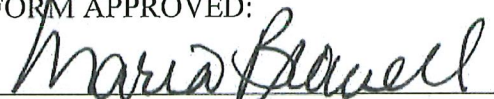
The garage structure on the real estate legally described as Lot 5 in CRAIN PLACE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 806 Rose Ave., has previously been declared a public nuisance;

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,

Seconded by \_\_\_\_\_

FORM APPROVED:

  
Maria E. Brownell, Special Counsel  
Ahlers & Cooney, P.C.

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

MOTION CARRIED

APPROVED

**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.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk



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

29F

Case Number: NUIS-2022-000007	
<b>Notice of Violation</b>	Case Type: Public Nuisance
	Case Opened: 01/06/2022
	Date of Notice: 01/26/2022
Date of Inspection: 01/06/2022	

PRINCIPAL RESIDENTIAL MORTGAGE, INC  
 711 HIGH ST  
 DES MOINES IA 50392

Address of Property: **806 ROSE AVE, DES MOINES IA 50315**  
 Parcel Number: **782421255011**  
 Legal Description: **LOT 5 CRAIN 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
60-191 - Vacation and Abatement	DETACHED GARAGE  Vacate the structure until nuisance has been abated and is no longer declared a public nuisance.  FIRE DAMAGE TO WOOD STRUCTURE, MISSING OVERHEAD DOOR, DAMAGED EAST ENTRY DOOR, WEST WALL IS BEING SUPPORTED BY 4"X4" POSTS, FIBERGLASS BATT INSULATION IS DAMAGED  A LICENSED CONTRACTOR WILL NEED TO REVIEW FOR ALL NEEDED REPAIRS OR REPLACEMENTS. ALL WORK NEEDING A PERMIT MUST BE PULLED AND FINALIZED.	02/21/2022

60-192(1) - Dangerous Structure or Premise - Door, Stairway, Exit	DETACHED GARAGE Repair or replace any door, aisle, passageway, stairway, exit, or other means of egress that does not conform to the approved building or fire code.	02/21/2022
	OVERHEAD GARAGE DOOR AND EAST ENTRY DOOR IS DAMAGED OR MISSING, LICENSED CONTRACTOR WILL NEED TO REVIEW FOR REPAIRS OR REPLACING AND OBTAIN FINAL PERMIT	
60-192(10) - Dangerous Structure or Premise - Lack of Sufficient Construction	DETACHED GARAGE Vacate and secure the structure or premises, OR, demolish the structure after obtaining the required demolition permit, OR, repair or replace insufficient construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system, or other cause that is a threat to life or health.	02/21/2022
	HAVE A LICENSED ELECTRICAL CONTRACTOR INSPECT THE ENTIRE ELECTRICAL SYSTEM AND PROVIDE A COPY OF THE FINDINGS. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE ELECTRICAL SYSTEM THROUGHOUT THE ENTIRE STRUCTURE. WORK MUST BE DONE BY A LICENSED ELECTRICAL CONTRACTOR, PERMITS AND PULLED AND FINALIZED	
60-192(13) - Unsafe or dangerous structure	DETACHED GARAGE Repair or replace the building or structure that is in a condition that it presents either a substantial risk of fire, building collapse, or any other threat to life and safety, OR, demolish the structure.	02/21/2022
60-192(14) - Unsafe or dangerous structure	DETACHED GARAGE Repair or replace the unsafe equipment OR demolish the structure.	02/21/2022

60-192(9) - Dangerous Structure or Premise  
- Unsanitary, Unfit for Habitation

DETACHED GARAGE

02/21/2022

Vacate and secure the structure or premises, OR, repair, replace, and/or sanitize any building or structure determined to be unsanitary, unfit for human habitation, or in such a condition that it is likely to cause sickness or disease.

EAST ENTRY DOOR, NORTH OVERHEAD GARAGE DOOR, WALLS, ROOF

REPAIR OR REPLACE ALL DAMAGED OR MISSING DOORS AND OR JAMS AS NEEDED. OBTAIN FINAL ON PERMIT REQUIRED IF CHANGING OPENING SIZE

OBTAIN FINAL ON PERMIT AND HAVE LICENSED CONTRACTOR REPAIR OR REPLACE ALL DAMAGED WALL COMPONENTS, INCLUDING: FRAMING, SHEETING, AND COVERINGS. FINALIZED PERMIT REQUIRED FOR REPLACEMENT OF ALL STRUCTURAL COMPONENTS.

HAVE LICENSED CONTRACTOR CHECK AND OBTAIN FINAL ON PERMIT REPLACE ALL DAMAGE AND DETERIORATED TRUSSES. REPLACE ALL DAMAGED ROOFING COMPONENTS BY A LICENSED CONTRACTOR. BUILDING PERMIT REQUIRED IF REPLACING SHEETING.

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,



Keith Brincks  
Neighborhood Inspector  
Neighborhood Services  
602 Robert D. Ray Drive, Des Moines, IA 50309  
(515) 283-4246  
kmbrincks@dmgov.org

29F



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

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MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC  
CAMELIA MARTIN C/O  
1818 LIBRARY ST STE 300  
RESTON VA 20190

Address of Property: 806 ROSE AVE, DES MOINES IA 50315  
Parcel Number: 782421255011  
Legal Description: LOT 5 CRAIN PLACE

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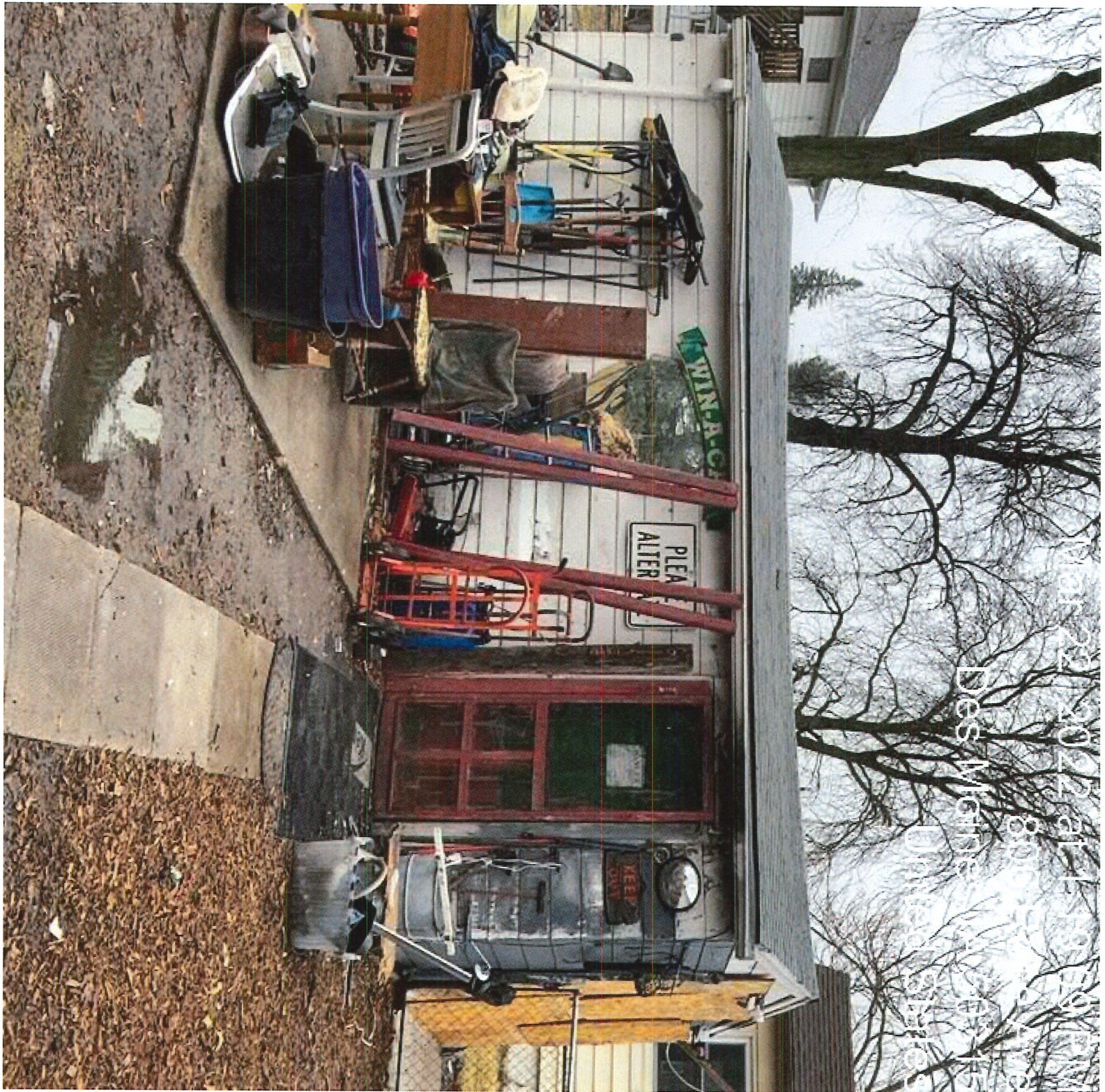
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DeWolfees  
United States  
1000 Ave  
H0315

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1222 2nd St  
Des Moines, IA 50310  
United States



Des Moines

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Feb 22, 2022 at 1:19:20 PM  
806 Rose Ave  
Des Moines IA 50315  
United States

# Polk County Assessor

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

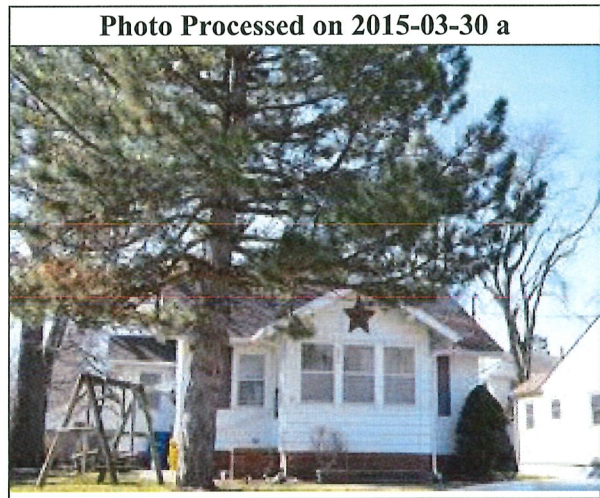
(515) 286-3014 Fax (515) 286-3386  
[polkweb@assess.co.polk.ia.us](mailto:polkweb@assess.co.polk.ia.us)

Location					
<b>Address</b>	806 ROSE AVE				
<b>City</b>	DES MOINES	<b>Zip</b>	50315	<b>Jurisdiction</b>	Des Moines
<b>District/Parcel</b>	010/01044-000-000	<b>Geoparcels</b>	7824-21-255-011	<b>Status</b>	<a href="#">Active</a>
<b>School</b>	Des Moines	<b>Nbhd/Pocket</b>	DM27/A	<b>Tax Authority Group</b>	DEM-C-DEM-77131
<b>Submarket</b>	South Des Moines	<b>Appraiser</b>	Joseph Peterson 515-286-3011		

## Map and Current Photos - 1 Record

**Click on parcel to get a new listing**

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



### [Historical Photos](#)

## Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	GALLARDO, SONYA G	2009-07-30	<a href="#">13151/316</a>

## Legal Description and Mailing Address

LOT 5 CRAIN PLACE	SONYA G GALLARDO 806 ROSE AVE DES MOINES, IA 50315-3060
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## Current Values

Type	Class	Kind	Land	Bldg	Total
2021 Value	Residential	Full	\$19,800	\$65,900	\$85,700

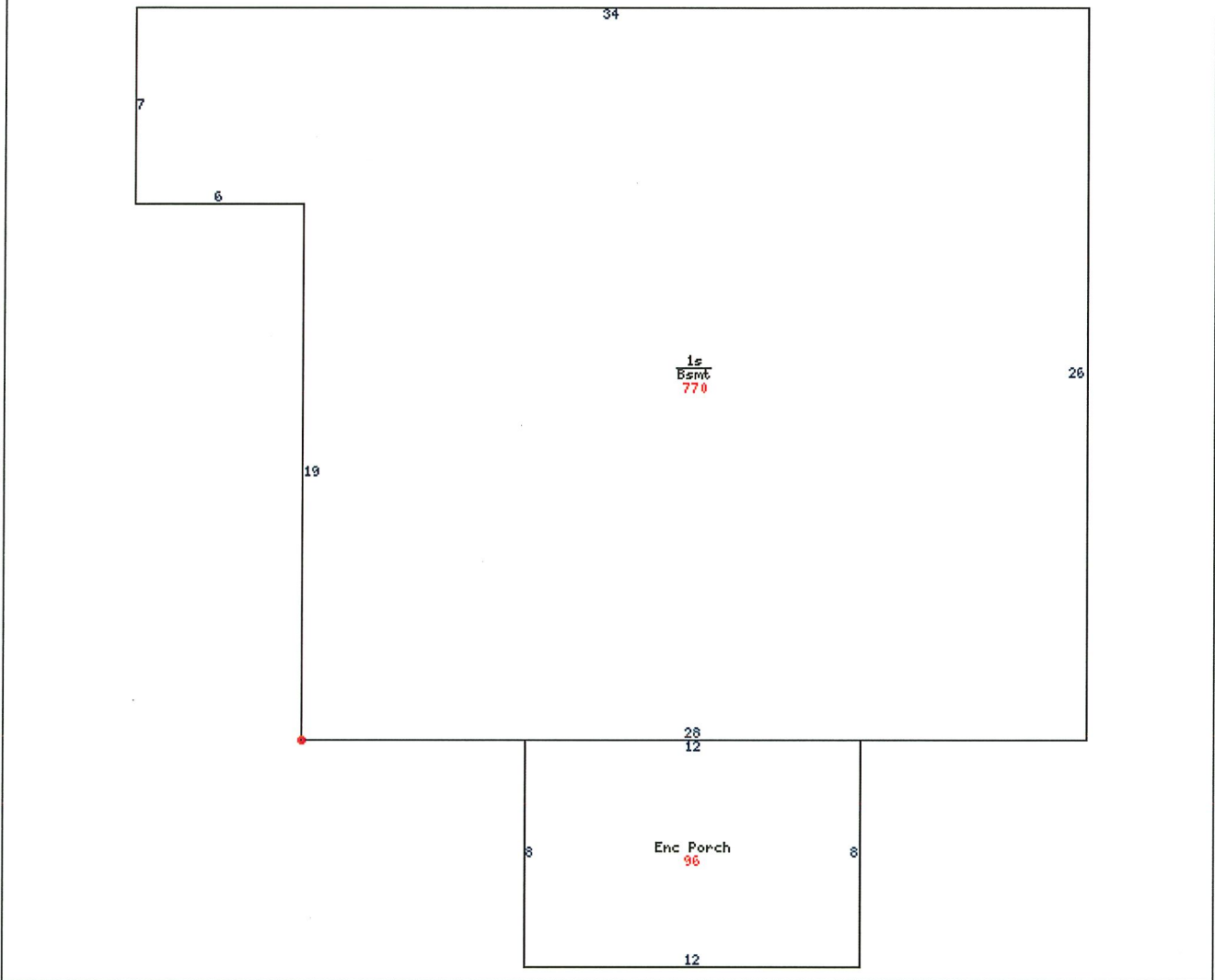
[Assessment Roll Notice](#) [Market Adjusted Cost Report](#)

## Auditor Adjustments to Value

Category	Name	Information
<a href="#">2021 Homestead Credit</a>	GALLARDO, SONYA G	Application <a href="#">#103020</a>

## Zoning - 1 Record

<b>Zoning</b>	<b>Description</b>			<b>SF</b>	<b>Assessor Zoning</b>
N3A	N3a Neighborhood District				Residential
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>					
<b>Land</b>					
<b>Square Feet</b>	6,100	<b>Acres</b>	0.140	<b>Frontage</b>	50.0
<b>Depth</b>	122.0	<b>Topography</b>	Normal	<b>Shape</b>	Rectangle
<b>Vacancy</b>	No	<b>Unbuildable</b>	No		
<b>Residences - 1 Record</b>					
<b>Residence #1</b>					
<b>Occupancy</b>	Single Family	<b>Residence Type</b>	1 Story Unfinished Attic	<b>Building Style</b>	Conventional
<b>Year Built</b>	1926	<b>Number Families</b>	1	<b>Grade</b>	4-10
<b>Condition</b>	Normal	<b>Total Square Foot Living Area</b>	770	<b>Main Living Area</b>	770
<b>Attic Floor and Stairs Area</b>	270	<b>Basement Area</b>	770	<b>Enclosed Porch Area</b>	96
<b>Foundation</b>	Brick	<b>Exterior Wall Type</b>	Metal Siding	<b>Roof Type</b>	Gable
<b>Roof Material</b>	Asphalt Shingle	<b>Heating</b>	Gas Forced Air	<b>Air Conditioning</b>	0
<b>Number Bathrooms</b>	1	<b>Bedrooms</b>	2	<b>Rooms</b>	5



**Detached Structures - 1 Record**

**Detached Structure #101**

Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	14	Measure 2	22	Story Height	1
Grade	4	Year Built	1950	Condition	Normal

**Sales - 1 Record**

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
OLIVER, MICHAEL L	GALLARDO, JOHN JR.	<a href="#">2002-01-20</a>	\$70,900	Deed	<a href="#">9087/591</a>

**Permits - 1 Record**

Year	Type	Permit Status	Application	Reason	Reason1
2019	Permit	No Add	2018-01-30	Alterations	ATTIC

**Historical Values**

Yr	Type	Class	Kind	Land	Bldg	Total
2021	<a href="#">Assessment Roll</a>	Residential	Full	\$19,800	\$65,900	\$85,700
2019	<a href="#">Assessment Roll</a>	Residential	Full	\$17,600	\$58,200	\$75,800
2017	<a href="#">Assessment Roll</a>	Residential	Full	\$15,300	\$53,400	\$68,700
2015	<a href="#">Assessment Roll</a>	Residential	Full	\$13,800	\$48,800	\$62,600



Yr	Type	Class	Kind	Land	Bldg	Total
2013	<a href="#">Assessment Roll</a>	Residential	Full	\$13,000	\$50,500	\$63,500
2011	<a href="#">Assessment Roll</a>	Residential	Full	\$13,000	\$51,700	\$64,700
2009	<a href="#">Assessment Roll</a>	Residential	Full	\$14,500	\$57,500	\$72,000
2007	<a href="#">Assessment Roll</a>	Residential	Full	\$15,000	\$52,400	\$67,400
2005	<a href="#">Assessment Roll</a>	Residential	Full	\$14,400	\$48,200	\$62,600
2003	<a href="#">Assessment Roll</a>	Residential	Full	\$12,760	\$43,130	\$55,890
2001	<a href="#">Assessment Roll</a>	Residential	Full	\$8,700	\$37,790	\$46,490
1999	Assessment Roll	Residential	Full	\$10,540	\$39,500	\$50,040
1997	Assessment Roll	Residential	Full	\$9,850	\$36,920	\$46,770
1995	Assessment Roll	Residential	Full	\$8,630	\$32,340	\$40,970
1993	Assessment Roll	Residential	Full	\$7,640	\$28,620	\$36,260
1991	Assessment Roll	Residential	Full	\$7,070	\$26,500	\$33,570
1991	Was Prior Year	Residential	Full	\$7,070	\$24,840	\$31,910

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