



Roll Call Number

Agenda Item Number

44B

Date May 9, 2022

ABATEMENT OF PUBLIC NUISANCE AT 4290 INDIANOLA AVENUE

WHEREAS, the property located at 4290 Indianola 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, Laura Roberts, 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 The East Half of Lot 78 in GRANDSHIRE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, EXCEPT the Northeasterly 6.00 feet (as measured perpendicular to the Northeasterly line) of the Easterly 1/2 of Lot 78, GRANDSHIRE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 4290 Indianola Avenue, has previously been declared a public nuisance;

The City Legal Department 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:

Judy K Parks-Kruse
Judy K. Parks-Kruse, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
SHEUMAKER				
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



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

448

Case Number: NUIS-2022-000035	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 01/31/2022
	Date of Notice: 02/07/2022
Date of Inspection: 01/31/2022	

LAURA ROBERTS
 4290 INDIANOLA AVE
 DES MOINES IA 50320

Address of Property: 4290 INDIANOLA AVE, DES MOINES IA 50320
 Parcel Number: 782423330015
 Legal Description:

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	Vacate the structure until nuisance has been abated and is no longer declared a public nuisance.	03/21/2022
60-192(1) - Dangerous Structure or Premise - Door, Stairway, Exit	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. REPAIR/REPLACE ANY MISSING, ROTTED OR DAMAGED WINDOWS/WINDOW FRAMES. ANY REPAIRS TO THE STRUCTURE WILL REQUIRE A BUILDING PERMIT	03/21/2022

60-192(10) - Dangerous Structure or
Premise - Lack of Sufficient Construction

Vacate and secure the structure or premises, OR, demolish the structure after obtaining 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.

03/21/2022

HAVE A LICENSED MECHANICAL CONTRACTOR INSPECT THE ENTIRE MECHANICAL SYSTEM AND PROVIDE A COPY OF THE FINDING. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE MECHANICAL SYSTEM THROUGHOUT THE ENTIRE STRUCTURE. WORK MUST BE DONE BY A LICENSED MECHANICAL CONTRACTOR. OBTAIN FINAL ON MECHANICAL PERMIT.

HAVE A LICENSED PLUMBING CONTRACTOR INSPECT THE ENTIRE PLUMBING SYSTEM AND PROVIDE A COPY OF THE FINDINGS. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE PLUMBING SYSTEM THROUGHOUT THE ENTIRE STRUCTURE. WORK MUST BE DONE BY A LICENSED PLUMBING CONTRACTOR. OBTAIN FINAL ON PLUMBING PERMIT.

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. OBTAIN FINAL ON ELECTRICAL PERMIT.

60-192(14) - Unsafe or dangerous structure Repair or replace the unsafe equipment 03/21/2022
OR demolish the structure.

REPAIR/REPLACE ANY BROKEN, MISSING, DAMAGED OR ROTTED DRYWALL/PANELING/WALL COVERING. ANY REPAIRS TO THE STRUCTURE WILL REQUIRE A BUILDING PERMIT.

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

OBTAIN FINAL ON PERMIT TO REPAIR OR REPLACE OF ANY DAMAGED OR MISSING EXTERIOR WALLS.

60-192(3) - Dangerous Structure or Premise Repair or replace any portion of a building, 03/21/2022
- Damaged 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.

THE GARAGE OR SHED IN ITS CURRENT CONDITION DOES NOT CONSTITUTE A PUBLIC NUISANCE. HOWEVER, IF THE PRIMARY STRUCTURE IS DEMOLISHED AND NO PRIMARY STRUCTURE IS IMMEDIATELY BUILT ON THE PROPERTY, THE GARAGE MUST BE DEMOLISHED AS WELL BECAUSE IT IS AN ACCESSORY US ONLY PURSUANT TO DES MOINES MUNICIPAL CODE SECTION 134-343.

60-194 - Defacing and Removing Placard Replace or restore defaced or removed 03/21/2022
placard.

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

SAClauson@dmgov.org



44B

03-16-2022 11:58 AM



03-15-2022 11:58 AM



03-15-2022 11:59 AM



03-15-2022 11:59 AM



03-15-2022 11:59 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	4290 INDIANOLA AVE				
City	DES MOINES	Zip	50320	Jurisdiction	Des Moines
District/Parcel	120/01826-578-004	Geoparcels	7824-23-330-015	Status	Active
School	Des Moines	Nbhd/Pocket	DM97/A1	Tax Authority Group	DEM-C-DEM-77131
Submarket	South Des Moines	Appraiser	Andrew Rand 515-286-3368		

Map and Current Photos - 1 Record

Click on parcel to get a new listing

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

Photo Processed on 2017-08-22 a

[Historical Photos](#)

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	ROBERTS, LAURA	2020-09-11	18062/388

Legal Description and Mailing Address

-EX NELY 6F MEAS PERP TO NELY LN- E 1/2 LOT 78 GRANDSHIRE	LAURA ROBERTS 4290 INDIANOLA AVE DES MOINES, IA 50320-1557
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Current Values

Type	Class	Kind	Land	Bldg	Total
2021 Value	Residential	Full	\$24,100	\$67,000	\$91,100

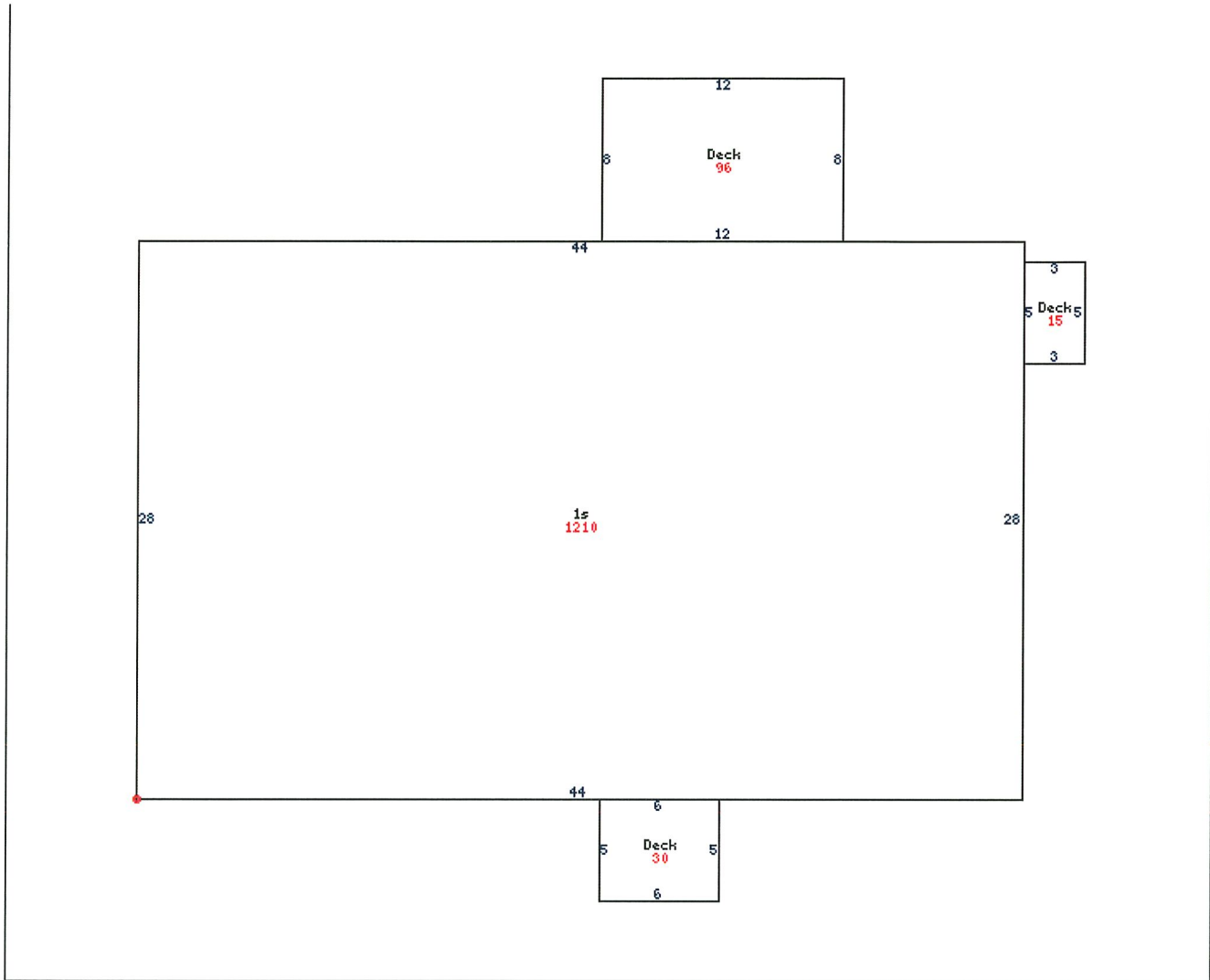
[Market Adjusted Cost Report](#)

Auditor Adjustments to Value

Category	Name	Information
2021 Homestead Credit	ROBERTS, LAURA	Application #311426

Zoning - 1 Record

Zoning	Description			SF	Assessor Zoning
N3A	N3a Neighborhood District				Residential
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>					
Land					
Square Feet	8,808	Acres	0.202	Topography	Normal
Shape	Rectangular	Vacancy	No	Unbuildable	No
Residences - 1 Record					
Residence #1					
Occupancy	Single Family	Residence Type	Manufactured Home	Building Style	Manuf/Mobile 28ft
Year Built	2005	Number Families	1	Grade	4+10
Condition	Normal	Total Square Foot Living Area	1210	Main Living Area	1210
Deck Area	141	Foundation	Concrete Block	Exterior Wall Type	Vinyl Siding
Roof Type	Gable	Roof Material	Asphalt Shingle	Heating	Gas Forced Air
Air Conditioning Rooms	100	Number Bathrooms	2	Bedrooms	3
Rooms	5				



Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
ROBERTS, LAURA CORTESIO, RICHARD P	ROBERTS, LAURA	2020-09-09	2020-09-11	Affidavit of Surviving Tenant	18062/388

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2021	Assessment Roll	Residential	Full	\$24,100	\$67,000	\$91,100
2019	Assessment Roll	Residential	Full	\$21,200	\$62,600	\$83,800
2017	Assessment Roll	Residential	Full	\$18,800	\$59,500	\$78,300
2015	Assessment Roll	Residential	Full	\$25,300	\$58,900	\$84,200
2014	Board Action	Residential	Full	\$24,200	\$66,500	\$90,700
2013	Assessment Roll	Residential	Full	\$24,200	\$66,500	\$90,700
2011	Assessment Roll	Residential	Full	\$24,200	\$68,600	\$92,800

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