



**Roll Call Number**

**Agenda Item Number**

35

Date February 6, 2023

**ABATEMENT OF PUBLIC NUISANCE AT 1807 YORK ST.**

WHEREAS, the property located at 1807 York St., 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, Scott Leff, as Trustee of Scott Leff Roth 401K Trust, was notified more than thirty days ago to repair or demolish the main structure and as of this date have 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 182 in UNION ADDITION, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1807 York St., 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.

Second by \_\_\_\_\_

FORM APPROVED:

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

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
MANDELBAUM				
SHEUMAKER				
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

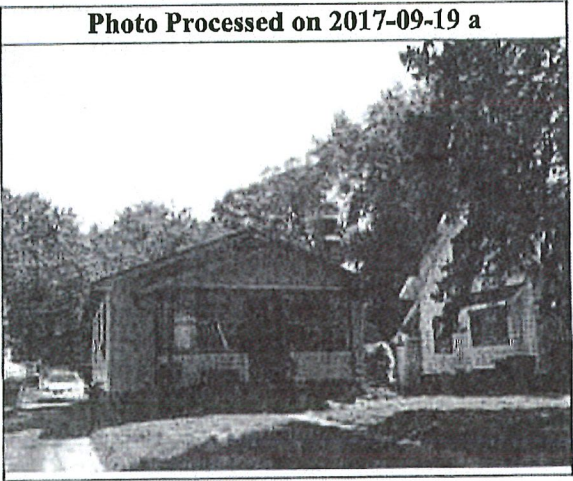
# Polk County Assessor

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>	1807 YORK ST				
<b>City</b>	DES MOINES	<b>Zip</b>	50316	<b>Jurisdiction</b>	Des Moines
<b>District/Parcel</b>	110/05518-000-000	<b>Geoparcels</b>	7924-35-278-006	<b>Status</b>	Active
<b>School</b>	Des Moines	<b>Nbhd/Pocket</b>	DM89/Z	<b>Tax Authority Group</b>	DEM-C-DEM-77131
<b>Submarket</b>	Northeast Des Moines	<b>Appraiser</b>	Joseph Peterson 515-286-3011		

### Map and Current Photos - 1 Record

<b>Click on parcel to get a new listing</b>				
1818	YORK ST	1817	1816	
1814		1815	1812	
1812		1811	1808	
1810		1807	1804	
1802		1801	1800	
1728		1725	1724	
1720		1723	1722	
<a href="#">Bigger Map</a> <a href="#">Polk County GIS</a> <a href="#">Google Map</a> <a href="#">Pictometry</a>				

### Historical Photos

### Ownership - 2 Records

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	SCOTT LEFF ROTH 401K TRUST	2022-09-21	<a href="#">19271/833</a>
Trustee	1	LEFF, SCOTT	2022-09-21	<a href="#">19271/833</a>

### Legal Description and Mailing Address

LOT 182 UNION ADDITION	SCOTT LEFF ROTH 401K TRUST 1807 YORK ST DES MOINES, IA 50316-2047
------------------------	---

### Current Values

Type	Class	Kind	Land	Bldg	Total
2022 Value	Residential	Full	\$25,600	\$66,000	\$91,600

### Market Adjusted Cost Report

### Auditor Adjustments to Value

Category	Name	Information
<a href="#">2022 Homestead Credit</a>	CODY, PAMELA J	Application #18071



**Zoning - 1 Record**

<b>Zoning</b>	<b>Description</b>	<b>SF</b>	<b>Assessor Zoning</b>
N5	N5 Neighborhood District		Residential
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>			

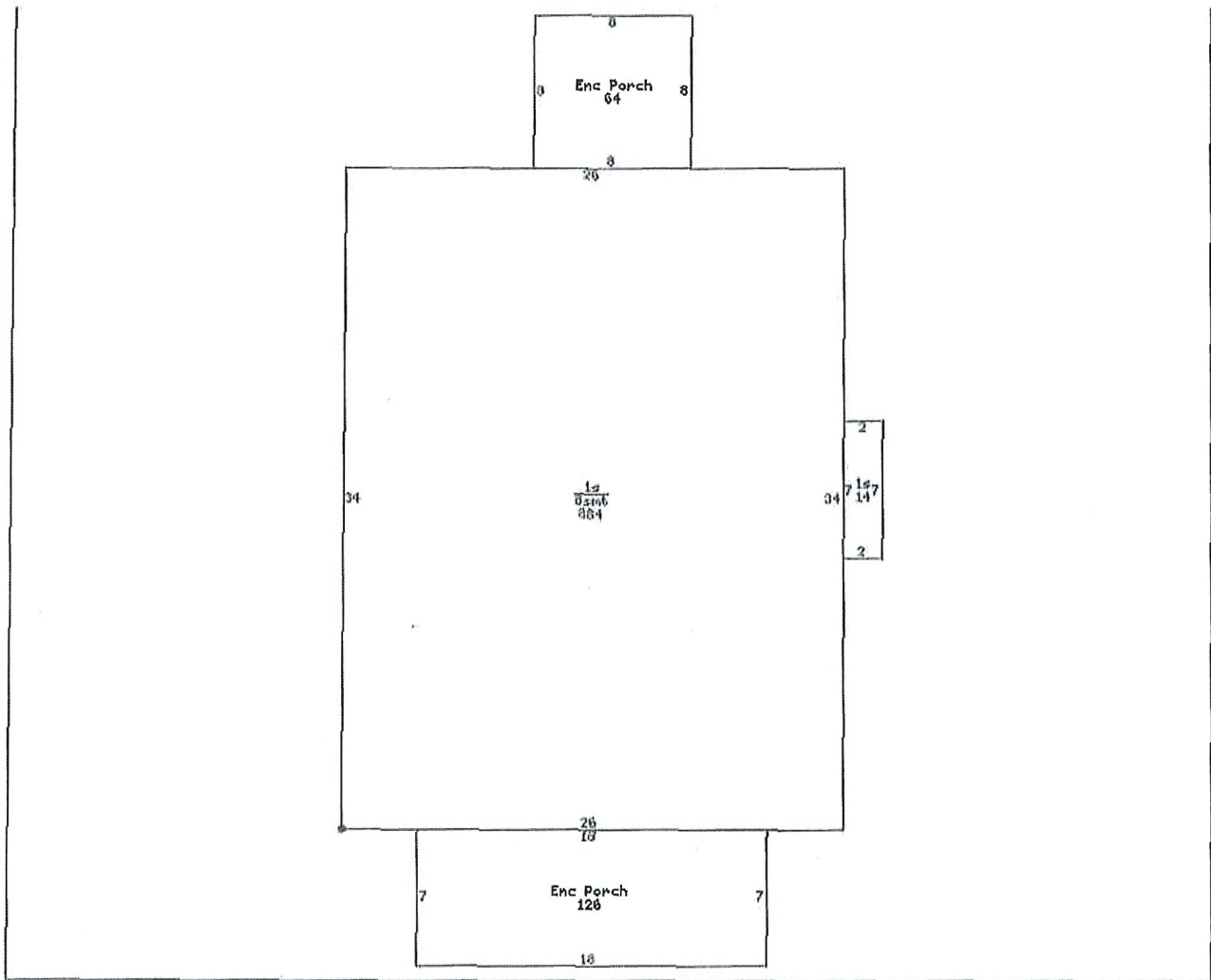
**Land**

<b>Square Feet</b>	7,400	<b>Acres</b>	0.170	<b>Frontage</b>	50.0
<b>Depth</b>	148.0	<b>Topography</b>	Normal	<b>Shape</b>	Rectangle
<b>Vacancy</b>	No	<b>Unbuildable</b>	No		

**Residences - 1 Record**

**Residence #1**

<b>Occupancy</b>	Single Family	<b>Residence Type</b>	1 Story	<b>Building Style</b>	Bungalow
<b>Year Built</b>	1918	<b>Number Families</b>	1	<b>Grade</b>	5+10
<b>Condition</b>	Normal	<b>Total Square Foot Living Area</b>	898	<b>Main Living Area</b>	898
<b>Basement Area</b>	884	<b>Enclosed Porch Area</b>	190	<b>Foundation</b>	Brick
<b>Exterior Wall Type</b>	Vinyl Siding	<b>Roof Type</b>	Gable	<b>Roof Material</b>	Asphalt Shingle
<b>Number Fireplaces</b>	1	<b>Heating</b>	Gas Forced Air	<b>Air Conditioning</b>	0
<b>Number Bathrooms</b>	1	<b>Bedrooms</b>	2	<b>Rooms</b>	4



**Sales - 2 Records**

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
CODY, PAMELA	LEFF, SCOTT	<u>2022-09-19</u>	\$28,500	Deed	<u>19271/833</u>
SEDDON, THOMAS L.	CODY, ELVIN R.	<u>1987-05-21</u>	\$27,900	Deed	<u>5724/385</u>

**Recent Ownership Transfers**

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
CODY, PAMELA	LEFF, SCOTT SCOTT LEFF ROTH 401K TRUST	2022-09-19	2022-09-21	Warranty Deed	<u>19271/833</u>

**Permits - 2 Records**

Year	Type	Permit Status	Application	Reason	Reason1
Current	Permit	To Work	2022-02-14	Fix Damage	FIRE
2005	Permit	Complete	2004-07-09	Remove	GARAGE

**Historical Values**



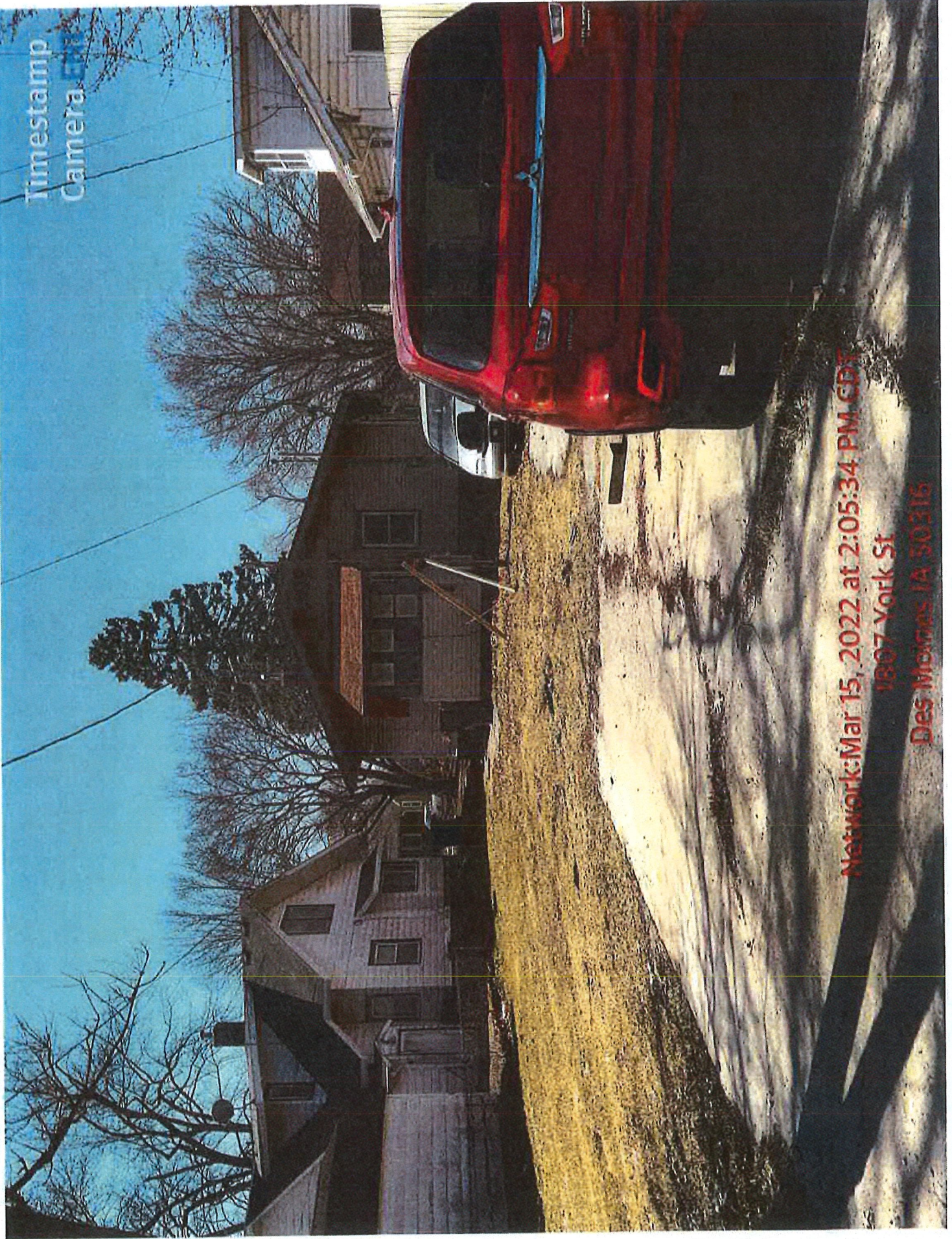
<b>Yr</b>	<b>Type</b>	<b>Class</b>	<b>KInd</b>	<b>Land</b>	<b>Bldg</b>	<b>Total</b>
2021	<u>Assessment Roll</u>	Residential	Full	\$25,600	\$66,000	\$91,600
2019	<u>Assessment Roll</u>	Residential	Full	\$22,600	\$57,600	\$80,200
2017	<u>Assessment Roll</u>	Residential	Full	\$19,400	\$50,600	\$70,000
2015	<u>Assessment Roll</u>	Residential	Full	\$18,300	\$47,800	\$66,100
2013	<u>Assessment Roll</u>	Residential	Full	\$16,400	\$43,400	\$59,800
2011	<u>Assessment Roll</u>	Residential	Full	\$16,400	\$43,200	\$59,600
2009	<u>Assessment Roll</u>	Residential	Full	\$18,400	\$47,500	\$65,900
2007	<u>Assessment Roll</u>	Residential	Full	\$18,100	\$46,600	\$64,700
2005	<u>Assessment Roll</u>	Residential	Full	\$15,100	\$42,800	\$57,900
2003	<u>Assessment Roll</u>	Residential	Full	\$13,070	\$41,500	\$54,570
2001	<u>Assessment Roll</u>	Residential	Full	\$12,210	\$33,660	\$45,870
1999	Assessment Roll	Residential	Full	\$9,670	\$35,200	\$44,870
1997	Assessment Roll	Residential	Full	\$8,880	\$32,320	\$41,200
1995	Assessment Roll	Residential	Full	\$7,910	\$28,800	\$36,710
1993	Assessment Roll	Residential	Full	\$7,060	\$25,710	\$32,770
1991	Assessment Roll	Residential	Full	\$7,060	\$22,200	\$29,260
1991	Was Prior Year	Residential	Full	\$7,060	\$28,360	\$35,420

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



35

Timestamp  
Camera



Network: Mar 15, 2022 at 2:05:34 PM EDT  
1807 York St  
Des Moines IA 50316



35

Timestamp  
Camera ENI



Network: Nov 18, 2022 at 10:13:01 AM CST  
Des Moines

11-18-2022 10:13 AM



TimeStamp  
Camera ENT



Network: Nov 18, 2022 at 10:13:09 AM CST  
Des Moines

11-18-2022 10:13 AM



Timestamp  
Camera ENT



Network: Nov 18, 2022 at 10:11:20 AM CST  
Des Moines

11-18-2022 10:11 AM





Network: Nov 18, 2022 at 10:12:00 AM CST  
Des Moines

11-18-2022 10:12 AM





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

Case Number: NUIS-2022-000016	
<b>Notice of Violation</b>	Case Type: Public Nuisance
	Case Opened: 01/19/2022
	Date of Notice: 10/11/2022
Date of Inspection: 09/19/2022	

SCOTT LEFF ROTH 401K TRUST  
SCOTT LEFF, TRUSTEE  
2015 E 9TH ST  
DES MOINES IA 50316

Address of Property: 1807 YORK ST, DES MOINES IA 50316  
Parcel Number: 792435278006

Legal Description: LOT 182 UNION ADDITION

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
-----------	-------------------	---------------------

Violation	Corrective Action	Compliance Due Date
<p><b>60-191 - Vacation and Abatement</b>  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. 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>MAIN STRUCTURE THROUGHOUT</p> <p>Vacate the structure until nuisance has been abated and is no longer declared a public nuisance.</p>	03/08/2022
<p><b>60-192(10) - Dangerous Structure or Premise - Lack of Sufficient Construction</b>  For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance:  (10) Any building or structure, because of lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the administrator to be a threat to life or health.</p>	<p>MAIN STRUCTURE THROUGHOUT</p> <p>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.</p>	03/08/2022
<p><b>60-192(12) - Dangerous Structure or Premise - Abandoned</b>  Whenever the condition or maintenance of the premise creates a nuisance that endangers the health and safety of the residents or public.</p>	<p>MAIN STRUCTURE THROUGHOUT</p> <p>Demolish the abandoned structure or premises, OR,  repair, replace, or renovate the abandoned building or structure to a state such that it is no longer a nuisance or hazard to the public.</p>	03/08/2022



Violation	Corrective Action	Compliance Due Date
<p><b>60-192(13) - Unsafe or dangerous structure</b>            Any structure that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or contains unsafe equipment or is so damaged, decayed dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.</p>	<p>MAIN STRUCTURE THROUGHOUT</p> <p>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.</p>	03/08/2022
<p><b>60-192(15) - Unsafe or dangerous structure</b>            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>MAIN STRUCTURE THROUGHOUT</p> <p>Repair or replace the unsafe or unlawful structure OR demolish the structure.</p>	03/08/2022

Violation	Corrective Action	Compliance Due Date
<p><b>60-192(3) - Dangerous Structure or Premise - Damaged</b></p> <p>For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance:</p> <p>(3) Any portion of a building, 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.</p>	<p>MAIN STRUCTURE THROUGHOUT</p> <p>Repair or replace any portion of a building, 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.</p> <p>*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.</p> <p>*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.</p> <p>*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.</p> <p>*REPAIR AND REPLACE ANY AND ALL DAMAGED EXTERIOR DOORS AND WINDOWS.</p> <p>*REPAIR AND REPLACE ANY AND ALL DAMAGED FLOORING THROUGHOUT THE STRUCTURE.</p> <p>*OBTAIN FINAL ON PERMIT AND HAVE LICENSED CONTRACTOR REPAIR OR REPLACE DAMAGE DECKING, RAILING, JOIST, BEAMS, HANDRAIL, AND STAIRS.</p>	03/08/2022

Violation	Corrective Action	Compliance Due Date
<p><b>60-192(5) - Dangerous Structure or Premise - Dilapidated or Deteriorated</b></p> <p>For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance:</p> <p>(5) 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>PERMIT REQUIRED FOR REPLACEMENT OF ALL STRUCTURAL COMPONENTS.</p> <p>*REPLACE ANY DAMAGED ROOFING MATERIAL. PER CITY CODE SHINGLES LIMITED TO ONE LAYER. ANY STRUCTURAL REPAIRS WILL REQUIRE A PERMIT</p> <p>*REPLACE ALL DAMAGED ROOFING COMPONENTS BY LICENSED CONTRACTOR. BUILDING PERMIT REQUIRED IF REPLACING SHEETING.</p> <p>*SEVERE SMOKE AND FIRE DAMAGE. REPLACE ALL THAT IS DAMAGED. BUILDING PERMIT REQUIRED.</p> <p>*GAS SERVICE HAS BEEN SHUT OFF NEED LICENSED MECHANICAL CONTRACTOR TO VERIFY SAFETY OF MECHANICAL SYSTEMS AND CORRECT ANY VIOLATIONS PRIOR TO SERVICE BEING RESTORED. PERMIT REQUIRED.</p> <p>*CLEAN SMOKE DAMAGE FROM WALLS AND THEN PAINT TO MATCH.</p>	03/08/2022
	<p>MAIN STRUCTURE THROUGHOUT</p> <p>Repair or replace the building or structure, or part of a structure which is likely to partially or completely collapse 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, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.</p>	



Violation	Corrective Action	Compliance Due Date
<p><b>60-192(6) - Dangerous Structure or Premise - Unsafe</b>            For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance:            (6) The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.</p>	<p>MAIN STRUCTURE THROUGHOUT</p> <p>Vacate and secure any structure that is clearly unsafe for its use and occupancy, OR,            demolish the structure after obtaining required permit, OR            repair or replace the building or structure, or any portion thereof, that is clearly unsafe for its use and occupancy.</p>	03/08/2022
<p><b>60-192(7) - Dangerous Structure or Premise - Attractive Nuisance, Harbor for Vagrants</b>            For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance:            (7) 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>MAIN STRUCTURE THROUGHOUT</p> <p>Vacate and secure the structure, OR,            repair or replace the building or structure that is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children, 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>	03/08/2022
<p><b>60-192(9) - Dangerous Structure or Premise - Unsanitary, Unfit for Habitation</b>            For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance:            (9) A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, 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 of disease.</p>	<p>MAIN STRUCTURE THROUGHOUT</p> <p>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.</p>	03/08/2022

Violation	Corrective Action	Compliance Due Date
<b>60-194 - Defacing and Removing Placard</b> No person shall deface or remove the placard, except as authorized by the administrator.	Replace or restore defaced or removed placard.	03/08/2022

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,



Kevin Pyles  
 Neighborhood Inspector  
 Neighborhood Services  
 602 Robert D. Ray Drive, Des Moines, IA 50309  
 (515) 283-4122  
 KEPyles@dmgov.org