



Roll Call Number

Agenda Item Number

50F

Date May 22, 2023

ABATEMENT OF PUBLIC NUISANCE AT 2818 RACCOON STREET

WHEREAS, the property located at 2818 Raccoon Street, 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, Iowa Rehab, LLC, 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 15 in LINCOLN PARK, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 2818 Raccoon Street, 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:


Molly E. Tracy, Assistant City Attorney

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

MOTION CARRIED APPROVED

Mayor

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.

City Clerk

SOF

PrintStamp
Camera ENT



Network: Apr 27, 2023 at 1:58:16 PM CDT
Des Moines

04-27-2023 01:58 PM

Timestamp
Camera



Network: Apr 27, 2023 at 1:58:07 PM CDT
Des Moines

04-27-2023 01:58 PM

Polk County Assessor

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

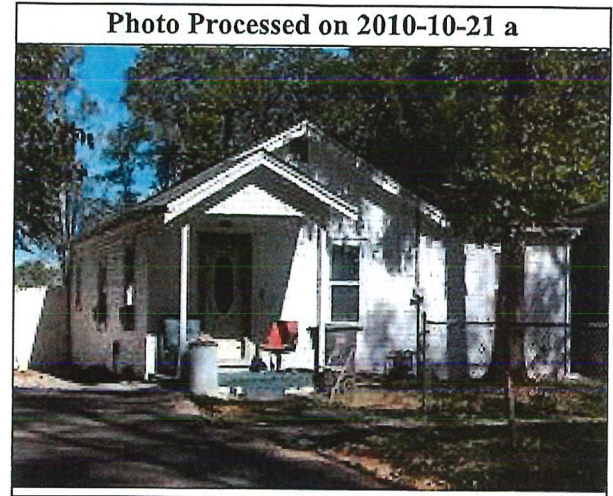
(515) 286-3014 Fax (515) 286-3386
polkweb@assess.co.polk.ia.us

Location					
Address	2818 RACCOON ST				
City	DES MOINES	Zip	50317	Jurisdiction	Des Moines
District/Parcel	050/02992-000-000	Geoparcel	7824-01-477-021	Status	Active
School	Des Moines	Nbhd/Pocket	DM20/Z	Tax Authority Group	DEM-C-DEM-77131
TIF	52/Des Moines SE Agri Business Park UR	Submarket	Northeast Des Moines	Appraiser	Sarah Cunningham, SRA 515-286-3426

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	IOWA REHAB LLC	2023-01-30	19384/754

Legal Description and Mailing Address

LOT 15 LINCOLN PARK	IOWA REHAB LLC 3313 SW 33RD ST DES MOINES, IA 50321-1923
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Current Values

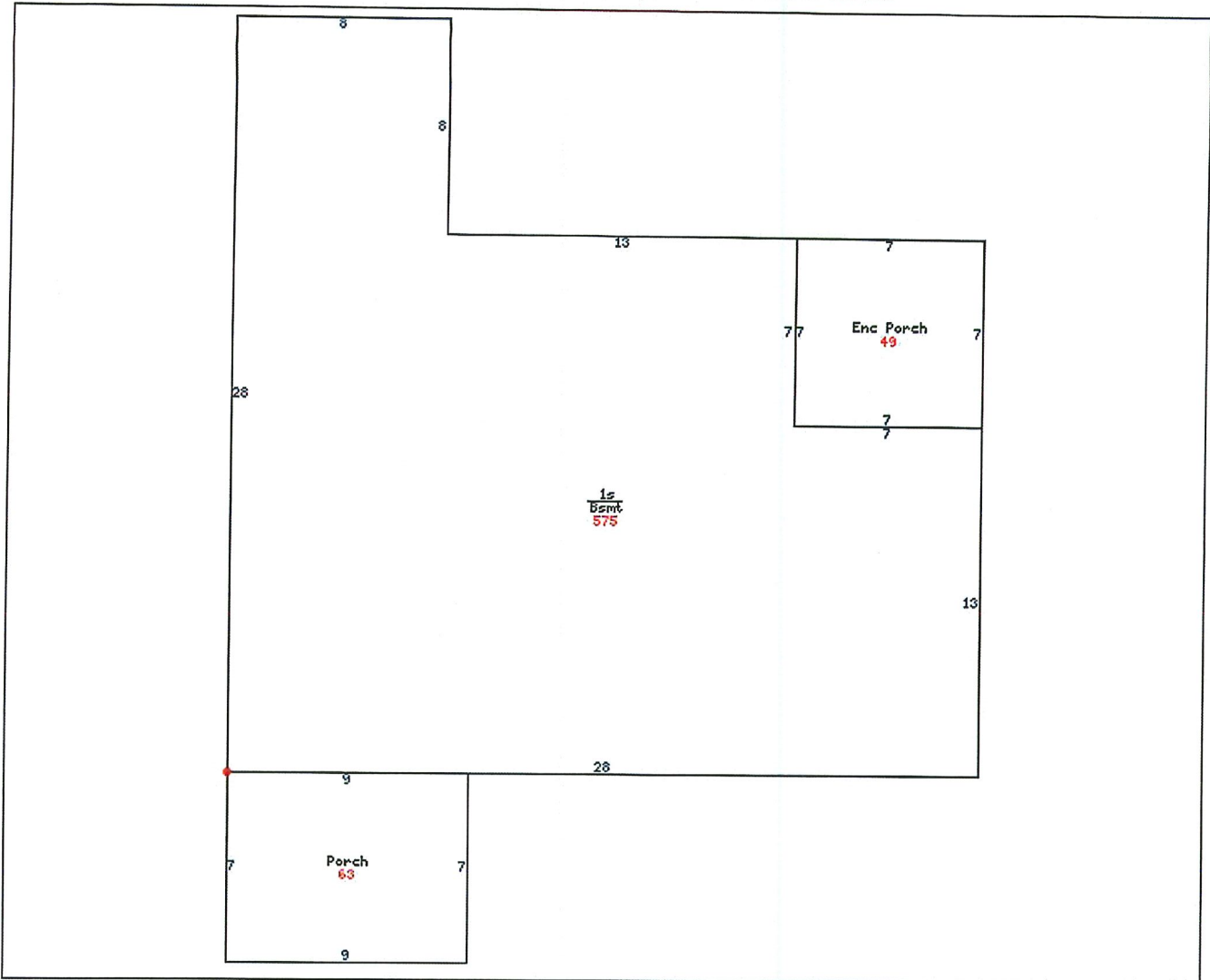
Type	Class	Kind	Land	Bldg	Total
2023 Assessment Roll	Residential	Full	\$9,200	\$61,300	\$70,500
2022 Value	Residential	Full	\$8,000	\$52,300	\$60,300

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

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
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Zoning	Description		SF	Assessor Zoning	
I1	I1 Industrial District			Industrial Light	
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>					
Land					
Square Feet	7,740	Acres	0.178	Frontage	60.0
Depth	129.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		
Residences - 1 Record					
Residence #1					
Occupancy	Single Family	Residence Type	1 Story	Building Style	Bungalow
Year Built	1918	Number Families	1	Grade	5+00
Condition	Above Normal	Total Square Foot Living Area	575	Main Living Area	575
Basement Area	575	Open Porch Area	63	Enclosed Porch Area	49
Foundation	Masonry	Exterior Wall Type	Vinyl Siding	Roof Type	Gable
Roof Material	Asphalt Shingle	Heating	Gas Forced Air	Air Conditioning	0
Number Bathrooms	1	Bedrooms	2	Rooms	4



Sales - 3 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
BUSTAMANTE, EMILIO	IOWA REHAB LLC	2023-01-27	\$19,000	Deed	19384/754
PEREZ, MARTIMIANO	BUSTAMANTE, EMILIO	2005-07-25	\$27,000	Deed	11191/675
MAREAN, MARY A	PEREZ, CONSUELO	1991-10-10	\$12,000	Contract	6445/684

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
BUSTAMANTE, EMILIO BUSTAMANTE, CRISTINA	IOWA REHAB LLC	2023-01-27	2023-01-30	Warranty Deed	19384/754

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2021	Assessment Roll	Residential	Full	\$8,000	\$52,300	\$60,300

Yr	Type	Class	Kind	Land	Bldg	Total
2019	Assessment Roll	Residential	Full	\$7,100	\$45,600	\$52,700
2017	Assessment Roll	Residential	Full	\$6,100	\$39,300	\$45,400
2015	Assessment Roll	Residential	Full	\$5,800	\$37,800	\$43,600
2013	Assessment Roll	Residential	Full	\$5,800	\$38,600	\$44,400
2011	Assessment Roll	Residential	Full	\$5,800	\$38,200	\$44,000
2009	Assessment Roll	Residential	Full	\$6,000	\$39,000	\$45,000
2007	Assessment Roll	Residential	Full	\$5,900	\$38,600	\$44,500
2005	Assessment Roll	Residential	Full	\$4,400	\$23,800	\$28,200
2003	Assessment Roll	Residential	Full	\$3,890	\$21,080	\$24,970
2001	Assessment Roll	Residential	Full	\$4,780	\$14,680	\$19,460
1999	Assessment Roll	Residential	Full	\$2,210	\$10,800	\$13,010
1995	Assessment Roll	Residential	Full	\$1,920	\$9,370	\$11,290
1993	Assessment Roll	Residential	Full	\$1,790	\$8,760	\$10,550
1993	Was Prior Year	Residential	Full	\$1,790	\$8,260	\$10,050

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

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

Case Number: NUIS-2022-000233	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 12/06/2022
	Date of Notice: 03/09/2023
	Date of Inspection: 03/07/2023

IOWA REHAB LLC
SANDRA ESTRADA, REG. AGENT
3313 SW 33RD ST
DES MOINES IA 50321

Address of Property: 2818 RACCOON ST, DES MOINES IA 50317
Parcel Number: 782401477021

Legal Description: LOT 15 LINCOLN PARK

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.	04/14/2023
<p>60-192(2) - Unsafe and Dangerous Structure or Premise 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>	Repair or replace all building components deteriorated to the point to effectively create a nuisance or a violation. All work must be done in a workmanlike manner with all required permits.	04/14/2023
<p>60-192(4) - Unsafe and Dangerous Structure or Premise 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>	Properly secure structure and keep the structure secured against entry.	04/14/2023

Violation	Corrective Action	Compliance Due Date
<p>60-192(7) - Unsafe and Dangerous Structure or Premise 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>Repair structure to a safe, sanitary condition. Provide all required elements of light, ventilation and essential equipment. All work must be done in a workmanlike manner with all required permits.</p>	04/14/2023
<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>	<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.</p>	04/14/2023
<p>60-194 - Defacing and Removing Placard No person shall deface or remove the placard, except as authorized by the administrator.</p>	<p>Replace or restore defaced or removed placard.</p>	04/14/2023
<p>60-192(14) - Unsafe and Dangerous Structure or Premise Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.</p>	<p>Repair or replace sections of building foundation to eliminate conditions that create a violation. All work must be done in a workmanlike manner with all required permits.</p>	04/14/2023

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