



City of Saint Paul

City Hall and Court House
15 West Kellogg
Boulevard
Phone: 651-266-8560

Master

File Number: RLH OA 12-57

File ID: RLH OA 12-57 **Type:** Resolution LH Other Appeal Type **Status:** Passed

Version: 1 **Contact Number:** **In Control:** City Council

File Created: 07/30/2012

File Name: 777 Lawson R/R **Final Action:** 09/05/2012

Title: Ordering the rehabilitation or razing and removal of the structures at 777 LAWSON AVENUE EAST within fifteen (15) days after the June 20, 2012 City Council Public Hearing. (Adopted File No. RLH RR 12-21 by Council on July 18, 2012) (Amended to removal within 5 days with no option for rehabilitation)

Notes:

Agenda Date: 09/05/2012

Indexes: Substantial Abatement Orders; Ward - 6

Agenda Number: 84

Sponsors: Bostrom

Enactment Date:

Attachments: 777 Lawson Ave E.Roof Bid

Financials Included?:

Contact Name:

Hearing Date:

Entered by: mai.vang@ci.stpaul.mn.us

Ord Effective Date:

Approval History

Version	Date	Approver	Action
1	08/28/2012	Moermond, Marcia	Approve
1	08/29/2012	Dan Bostrom	Approve

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Legislative Hearings	08/14/2012	Referred	City Council	09/05/2012		
	Action Text:	Referred to the City Council due back on 9/5/2012					
	Notes:	On August 29, 2012 Ms. Vang contacted Grace Likavoilie, Violation Dept, Five Brothers stating that hearing officer has not received work plan, etc from Five Brothers. Ms. Likavoilie stated that the property is being convey to HUD and will contact our office as soon as she knows the date. (No recent letter was sent to Grace).					

Forthcoming.

RE: 777 Lawson Ave E (single family)

No one appeared.

Steve Magner, Vacant Buildings:

- email from Mai Vang regarding the old resolution adopted Jul 18, 2012: We need to draft a new resolution; this will go back to the hearing officer today; will duplicate the resolution; Ms. Moermond has not recommended a grant of time and that will be discussed today

Ms. Moermond:

- no one is present from Five Brothers Mortgage Company to discuss this property

Christine Boulware, Heritage Preservation Commission (HPC):

- 1909 Queen Anne in Payne Phalen Neighborhood
- staff recommended encouraging rehab
- 2 1/2 story on a corner
- has potential to be a contributing element to the neighborhood
- did not do a public notice on this one

Ms. Moermond:

- former owner, Aaron Pantoua and Maria Paras, not a part of the picture
- suggested that notification be sent to the neighbors indicating that the owner had not come forward with a rehab plan on the property and that it will be at City Council Public Hearing Sep 5, 2012 (Ms. Boulware will take care of that)
- make sure we send to Grace Likavoilie, Violation Dept, Five Brothers - letter he know that we need a Work Plan, etc. from her and that no one showed today

1 City Council 09/05/2012 Adopted As Amended Pass

Action Text: Adopted as amended (remove within 5 days with no option for repair)

Notes: Legislative Hearing Officer Marcia Moermond said the bank was transferring the property to HUD; she amended her recommendation to order removal within 5 days with no option for repair.

No one appeared in opposition; Councilmember Bostrom moved to close the public hearing and approve the resolution as amended.

Yea: 7 Councilmember Bostrom, Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune, and Councilmember Tolbert

Nay: 0

1 Mayor's Office 09/19/2012 Signed

Action Text: Signed

Text of Legislative File RLH OA 12-57

Ordering the rehabilitation or razing and removal of the structures at 777 LAWSON AVENUE EAST within fifteen (15) days after the June 20, 2012 City Council Public Hearing. (Adopted File No. RLH RR 12-21 by Council on July 18, 2012) (Amended to removal within 5 days with no option for rehabilitation)

AMENDED 9/5/12

WHEREAS, the Department of Safety and Inspections has determined that 777 LAWSON AVENUE EAST is a nuisance building pursuant to Saint Paul Legislative Code §45.02 as 1) it is a vacant building as defined in §43.02; and 2) it has multiple housing code or building code violations or it has conditions constituting material endangerment as defined in §34.23, or it has a documented and confirmed history as a blighting influence in the community; and

WHEREAS, this property is legally described as follows, to wit: Arlington Hills Add B4045 49 Lot 20 Blk 9; and

WHEREAS, based upon the records in the Ramsey County Recorder's Office and information on file or obtained by the Department of Safety and Inspections, the following are the owners, interested or responsible parties for the subject property as of April 27, 2012: Aaron Pantoja/Maria L Paras, 1026 Maryland Ave E, Saint Paul MN 55106-2724; US Bank, 4801 Frederica Street, Owensboro KY 42301; Usset, Weingarden & Liebo 4500 Park Glen Road #300, Minneapolis, MN 55416; and Payne Phalen District 5 Planning Council;and

WHEREAS, each of these parties was served a written order dated February 14, 2012 advising them of the basis for the determination that the subject property was a nuisance, and that the nuisance building was to be repaired or razed and removed by March 15, 2012; and

WHEREAS, this order informed the interested or responsible parties that they must repair or raze and remove the structures(s) located on the Subject Property by March 15, 2012; and

WHEREAS, a placard indicating the City's order that this nuisance building be abated was posted on the building on February 15, 2012 in accordance with Saint Paul Legislative Code §45.11(2)c; and

WHEREAS, the nuisance condition was not corrected by March 15, 2012 and, therefore, an abatement hearing was scheduled before the City Council on June 20, 2012 and the owner or his duly authorized representative and any interested parties or their duly authorized representatives were properly notified of the time, date and place of the hearing; and

WHEREAS, the legislative hearing officer provided the owner and other interested parties an opportunity to discuss the matter at legislative hearings on May 22 and August 14, 2012; and

WHEREAS, public hearings were held on June 20, July 18, and September 5, 2012 and the City Council reviewed the record, which included the exhibits from the Department of Safety and Inspections, the minutes and recommendation of the legislative hearing officer and any testimony at the hearing; Now, Therefore Be It

RESOLVED, that the Saint Paul City Council hereby finds:

1. That the structure(s) at 777 LAWSON AVENUE EAST is a nuisance building pursuant to Saint Paul Legislative Code §45.02, as 1) it is a vacant building as defined in §43.02; and 2) it has multiple housing code or building code violations or it has conditions constituting material endangerment as defined in §34.23, or it has a documented and confirmed history as a blighting influence in the community; and 3) these nuisance conditions have not been corrected after notice of the same to the owner;
2. That the Department of Safety and Inspections has complied with all of the procedural requirements of the Saint Paul Legislative Code Chapter 45; and 3. That the owners, interested parties or responsible parties have not presented a plan acceptable to the legislative hearing officer and Department of Safety and Inspections staff to repair the structure (s) and correct all of the deficiencies listed in the Order to Abate Nuisance Building and the Code Compliance report and to make the structure(s) safe and code compliant within 15 days; And, Be It

RESOLVED, that the City Council orders that the owners, interested parties or responsible parties ~~shall repair the structure, correct all of the deficiencies listed in the Order to Abate Nuisance Building and the Code Compliance report and to make the structure(s) safe and code compliant, or shall raze~~

and remove the structure(s) within ~~fifteen~~ five (5) days; And, Be it

FURTHER RESOLVED, that if the necessary corrective action has not been taken within the time allotted, the Department of Safety and Inspections is authorized to take those steps necessary to raze and remove this structure and to charge the costs incurred in accordance with Saint Paul Legislative Code §45.12(4). Any personal property or fixtures of any kind shall be removed by the owners, interested parties or responsible parties prior to the demolition or it will be considered to be abandoned and the City of Saint Paul shall remove and dispose of such property as it deems appropriate; And, Be It

FINALLY RESOLVED, that this resolution shall be served on any of the parties required to be notified in Saint Paul Legislative Code §45.12(4).