



# City of Saint Paul

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

## Master

**File Number: RLH RR 11-60**

**File ID:** RLH RR 11-60

**Type:** Resolution LH Substantial  
Abatement Order

**Status:** Laid Over Items

**Version:** 3

**Contact Number:** 266-8561

**In Control:** Legislative  
Hearings

**File Created:** 08/15/2011

**File Name:** 107 Litchfield St VB R/R

**Final Action:**

**Title:** Ordering the rehabilitation or razing and removal of the structure(s) at 107 LITCHFIELD STREET within fifteen (15) days after the October 5, 2011 City Council Public Hearing.

### Notes:

**Agenda Date:** 09/27/2011

**Agenda Number:** 4

**Sponsors:** Stark

**Enactment Date:**

**Attachments:** 107 Litchfield St Order to Abate a Nuisance Bldg.pdf,  
107 Litchfield St Public Hearing Notice.pdf, 107  
Litchfield St.Photos.pdf

**Financials Included?:**

**Contact Name:** Vicki

**Hearing Date:**

**Entered by:** vicki.sheffer@ci.stpaul.mn.us

**Ord Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
3	Legislative Hearings	09/13/2011	Laid Over	Legislative Hearings	09/27/2011		
	<b>Action Text:</b>	Laid Over to the Legislative Hearings due back on 9/27/2011					
	<b>Notes:</b>	LAYOVER for 2 weeks (LH Sep 27, 2011) (CCPH Oct 5, 2011)					
		<i>RE: 107 Litchfield (duplex)</i>					
		<i>Kris Kujala and Paul Scharf, Ramsey County, appeared</i>					
		<i>Patricia Zweber, next door neighbor at 115 Litchfield, appeared.</i>					
		<i>This property belongs to the State; Ramsey County manages it.</i>					
		<i>Steve Magner, Vacant Buildings:</i>					
		<i>-2-story wood frame duplex with a detached 2-stall garage on a lot of 6,098 sq ft</i>					
		<i>-been VB since Dec 5, 2008</i>					
		<i>-property owner is State of MN Trust Exempt (at the time of mailing, Capitol City Rentals LLC was the</i>					
		<i>property owner of record) per Ramsey County Property records</i>					
		<i>-Jun 24, 2011 inspection was conducted; list of deficiencies which constitutes a nuisance condition</i>					

was developed; photos taken

- Order to Abate a Nuisance Blg posted Jul 1, 2011; compliance date Aug 1, 2011
- as of today, property remains in a condition which comprises a nuisance as defined by the legislative code.
- went tax forfeit Aug 2, 2011
- estimated market value \$18,000 on land; \$32,200 on bldg
- VB reg fees pd by assessment Dec 15, 2010
- as of Sep 9, 2011, Code Compliance insp has not been done; performance bond not posted
- 9 Summary Abatement Notices since 2008
- 21 Work Orders for garbage/rubbish; boarding/security; grass/weeds; snow/ice
- estimated cost to repair exceeds \$75,000; estimated cost to demolish \$10,000-\$12,000
- a Code Compliance inspection may be able to be done next week

Mr. Scharf:

- pipes have burst; otherwise, it's structurally sound
- may have once been a single family home
- garage has lead based paint on it
- county's intention is to rehab

Amy Spong, Heritage Preservation Commission (HPC):

- southern end of Oakland Cemetary
- consistent with late 1800, early 1900 properties around Oakland
- not a lot of individually designated sites or districts around that that have been identified
- a lot of alteration on this property; vinyl siding, porch gone - a lot of integrity lost
- likely not a candidate for either contributing to a historic district or individual designation
- demolition would not have an adverse effect

Ms. Kulala:

- just the preliminary review has been done; no contractor review yet
- haven't had a Code Compliance insp done yet
- just came in Aug 2, 2010
- their priority has ben to make sure it's secure and th egrass is cut
- next, will be to have a contractor go in and a Code Compliance done
- then, a further evaluation will be made
- contractor may be able to get in next week

Ms. Zweber:

- neighborhood representative
- she's asked for nghd letters because the property has been a nuisance since 1978
- property has been abandoned for a very long time
- police have boarded it up numerous times
- 4 owner-occupied homes in the whole section; mostly rental
- rental property is killing the neighborhood
- there was a fire there once
- nbhd wants it torn down; has been a nuisance for too long

Ms. Moermond:

- 3 weeks between now and the City Council Public Hearing
- try to expedite the Code Compliance without payment (payment forthcoming) to get it done faster
- hopefully, County can get a contractor in next week
- will Layover for 2 weeks to see what progress has been made (Sept 27 LH)
- CCPH Oct 5, 2011

2 Legislative Hearings 09/27/2011 Referred City Council 10/05/2011

**Action Text:** Referred to the City Council due back on 10/5/2011

**Notes:** Ms. Moermond's recommendation is forthcoming.

RE: 107 Litchfield St (duplex)

No one appeared.

Steve Magner, Vacant Buildings:

- LH Layover, heard Sep 13, 2011
- Kris Kujala and Paul Scharf, Ramsey County, were present and they had just received this property

*and had to inventory it to make a determination as to whether they would recommend it be put into the 4R Program or remove it*

- this LH was scheduled for them to report their progress*
- did not receive any emails from the county on this in the interim*

*Amy Spong, Heritage Preservation Commission (HPC):*

- referred to previous LH report*
- pulled index card and Sanborn Maps*
- previous recommendation is consistent with what they've found since*
- whole front porch is completely gone*
- no integrity or character left*

*Ms. Moermond:*

- scheduled at CCPH Oct 5, 2011*
  - recommendation is forthcoming*
-

**Text of Legislative File RLH RR 11-60**

Ordering the rehabilitation or razing and removal of the structure(s) at 107 LITCHFIELD STREET within fifteen (15) days after the October 5, 2011 City Council Public Hearing.

WHEREAS, the Department of Safety and Inspections has determined that 107 LITCHFIELD STREET 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:  
Bergholtz Sub of Lots 2 3 4 5 Lot 14 Blk 1; 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 August 12, 2011: Capitol City Rentals LLC, 7833 148th Ln NW, Anoka MN 55303-4914; Jennifer Young Holley, Antonio Holley, 7099 164th Ave NW, Ramsey MN 55303-3673; District 6 Planning Council; and

WHEREAS, each of these parties was served a written order dated July 1, 2011, 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 August 1, 2011; 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 August 1, 2011; and

WHEREAS, a placard indicating the City's order that this nuisance building be abated was posted on the building on July 5, 2011, in accordance with Saint Paul Legislative Code §45.11(2)c; and

WHEREAS, the nuisance condition was not corrected by August 1, 2011, and therefore an abatement hearing was scheduled before the City Council on October 5, 2011 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 a Legislative Hearings on September 13 and 27, 2011; and

WHEREAS, a public hearing was held on October 5, 2011, and the 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 107 LITCHFIELD STREET 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.

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 Further

RESOLVED, that the 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 15 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).