



## Legislation Details (With Text)

**File #:** RES 10-532    **Version:** 1

**Type:** Resolution-Public Hearing    **Status:** Archived

**In control:** City Council

**Final action:** 12/19/2012

**Title:** Ordering the owner to remove or repair the building(s) at 694-696 FOURTH STREET EAST within fifteen (15) days from adoption of resolution. (Laid over from September 12)

**Sponsors:** Kathy Lantry

**Indexes:** Substantial Abatement Orders, Ward - 7

**Code sections:**

**Attachments:** 1. 694-696 Fourth St E.Minutes 8-10-10.pdf, 2. 694-696 4th St E.Photos.6-30-10.pdf, 3. 694-696 4th St E.Legislative Hearing Minutes.8-24-10.pdf, 4. 694-696 4th E.Owners & Interested Parties.7-9-10, 5. 694-696 4th E.Order to Abate Nuisance Building.6-2-10, 6. 694-696 4th E.Historic Review Form Amended.5-21-10, 7. 694-696 4th E.Hearing Notice & Draft Resolution.pdf, 8. 694-696 4th E.Historic Review Form.4-22-10, 9. 694-696 4th E.Code Compliance Inspection Report.6-13-08, 10. 694-696 4th E.Code Compliance Inspection Report.10-26-09

Date	Ver.	Action By	Action	Result
12/19/2012	1	City Council	Withdrawn	
9/12/2012	1	City Council	Laid Over	Pass
2/15/2012	1	City Council	Laid Over	
12/7/2011	1	City Council	Laid Over	Pass
9/7/2011	1	City Council	Laid Over	Pass
6/1/2011	1	City Council	Laid Over	Pass
3/2/2011	1	City Council	Laid Over	Pass
1/5/2011	1	City Council	Laid Over	Pass
11/24/2010	1	City Council	Laid Over	Pass
9/28/2010	1	Legislative Hearings	Laid Over	

Ordering the owner to remove or repair the building(s) at 694-696 FOURTH STREET EAST within fifteen (15) days from adoption of resolution. (Laid over from September 12)

WHEREAS, Department of Safety and Inspections has requested the City Council to hold public hearings to consider the advisability and necessity of ordering the repair or wrecking and removal of a two story, wood frame duplex located on property hereinafter referred to as the "Subject Property" and commonly known as **694 - 696 FOURTH STREET EAST**. This property is legally described as follows, to wit:

Lyman Dayton Addition Lot 17 Blk 33

WHEREAS, based upon the records in the Ramsey County Recorder's Office and information obtained by Department of Safety and Inspections on or before **July 5, 2009**, the following are the now known interested or responsible parties for the Subject Property: K3 Investments, 631 University Ave, St Paul MN 55104-4802; Kie, LLC, 7800 Metro Pkwy Suite 300, Bloomington MN 55425-1514; Wells Fargo Bank, NA, c/o Wilshire Credit Corp., PO Box 5170, Simi Valley, CA 93062; First Franklin, 150 Allegheny Center Mall, Pittsburgh, PA

15212; Reiter & Schiller, PA, The Academy Professional Building, 25 N. Dale Street, St. Paul, MN 55102; Dayton's Bluff District 4 Planning Council; and

WHEREAS, Department of Safety and Inspections has notified the known interested or responsible parties of the "Order to Abate Nuisance Building(s)" dated **June 3, 2010** as provided for in Chapter 45 of the Saint Paul Legislative Code; and

WHEREAS, this order informed the then known interested or responsible parties that the structure located on the Subject Property is a nuisance building(s) pursuant to Chapter 45; and

WHEREAS, this order informed the interested or responsible parties that they must repair or demolish the structure located on the Subject Property by **July 6, 2010**; and

WHEREAS, the enforcement officer has posted a placard on the Subject Property declaring this building(s) to constitute a nuisance condition; subject to demolition; and

WHEREAS, this nuisance condition has not been corrected and Department of Safety and Inspections requested that the City Clerk schedule public hearings before the Legislative Hearing Officer of the City Council and the Saint Paul City Council; and

WHEREAS, the interested and responsible parties have been served notice in accordance with the provisions of Chapter 45 of the Saint Paul Legislative Code, of the time, date, place and purpose of the public hearings; and

WHEREAS, a hearing was held before the Legislative Hearing Officer of the Saint Paul City Council on **Tuesday, August 10, 2010** to hear testimony and evidence, and after receiving testimony and evidence, made the recommendation to approve the request to order the interested

or responsible parties to make the Subject Property safe and not detrimental to the public peace, health, safety and welfare and remove its blighting influence on the community by rehabilitating this structure in accordance with all applicable codes and ordinances, or in the alternative by demolishing and removing the structure in accordance with all applicable codes and ordinances. The rehabilitation or demolition of the structure to be completed within **fifteen (15)** days after the date of the Council Hearing; and

WHEREAS, a hearing was held before the Saint Paul City Council on **Wednesday, September 1, 2010** and the testimony and evidence including the action taken by the Legislative Hearing Officer was considered by the Council.

NOW THEREFORE BE IT RESOLVED, that based upon the testimony and evidence presented at the above referenced public hearings, the Saint Paul City Council hereby adopts the following Findings and Order concerning the Subject Property at **694 - 696 FOURTH STREET EAST**:

1. That the Subject Property comprises a nuisance condition as defined in Saint Paul Legislative Code, Chapter 45.
2. That the costs of demolition and removal of this building(s) is estimated to exceed five thousand dollars (\$5,000.00).
3. That there now exists and has existed multiple Housing or Building code violations at the Subject Property.
4. That an Order to Abate Nuisance Building(s) was sent to the then known responsible parties to correct the deficiencies or to demolish and remove the building(s).
5. That the deficiencies causing this nuisance condition have not been corrected.
6. That Department of Safety and Inspections has posted a placard on the Subject Property which declares it to be a nuisance condition subject to demolition.

7. That this building has been routinely monitored by Department of Safety and Inspections, Vacant/Nuisance Buildings.
8. That the known interested parties and owners are as previously stated in this resolution and that the notification requirements of Chapter 45 have been fulfilled.

ORDER

The Saint Paul City Council hereby makes the following order:

1. The above referenced interested or responsible parties shall make the Subject Property safe and not detrimental to the public peace, health, safety and welfare and remove its blighting influence on the community by rehabilitating this structure and correcting all deficiencies as prescribed in the above referenced Order to Abate Nuisance Building(s) in accordance with all applicable codes and ordinances, or in the alternative by demolishing and removing the structure in accordance with all applicable codes and ordinances. The rehabilitation or demolition and removal of the structure must be completed within **fifteen (15)** days after the date of the Council Hearing.
2. If the above corrective action is not completed within this period of time Department of Safety and Inspections is hereby authorized to take whatever steps are necessary to demolish and remove this structure, fill the site and charge the costs incurred against the Subject Property pursuant to the provisions of Chapter 45 of the Saint Paul Legislative Code.
3. In the event the building is to be demolished and removed by the City of Saint Paul, all personal property or fixtures of any kind which interfere with the demolition and removal shall be removed from the property by the responsible parties by the end of this time period. If all personal property is not removed, it shall be considered to be abandoned and the City of Saint Paul shall remove and dispose of such property as provided by law.

It is further ordered, that a copy of this resolution be mailed to the owners and interested parties in accordance with Chapter 45 of the Saint Paul Legislative Code.