



Legislation Details (With Text)

File #: RLH RR 11- 23 **Version:** 2

Type: Resolution LH Substantial Abatement Order **Status:** Passed

In control: City Council

Final action: 6/15/2011

Title: Ordering the razing and removal of the structures at 1509 SEVENTH STREET EAST within fifteen (15) days after the June 15, 2011 City Council Public Hearing.

Sponsors: Dan Bostrom

Indexes: Substantial Abatement Orders, Ward - 6

Code sections:

Attachments: 1. 1509 7thE Photos 6-1-09, 2. 1509 7thE 2nd Appointment Letter, 3. 1509 7th St E.Order to Abate Nuisance.2-1-11, 4. 1509 7th St E.Public Hearing Notice.4-29-11, 5. 1509 7th St E.FTA and LO Ltr R- R 5-24-11.pdf, 6. 1509 Seventh St E.HPC Survey Report.1983pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------------|----------|--------|
| 6/20/2011 | 2 | Mayor's Office | Signed | |
| 6/15/2011 | 2 | City Council | Adopted | Pass |
| 6/14/2011 | 2 | Legislative Hearings | Referred | |
| 5/24/2011 | 1 | Legislative Hearings | Referred | |

Ordering the rehabilitation or razing and removal of the structures at 1509 SEVENTH STREET EAST within fifteen (15) days after the June 15, 2011 City Council Public Hearing.

WHEREAS, the 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 razing and removal of a single story, wood frame, single-family dwelling and its two stall, wood frame, detached garage located on property hereinafter referred to as the "Subject Property" and commonly known as 1509 Seventh Street East. This property is legally described as follows, to wit: Cruickshanks Garden Lots E 95 Ft Of S 148 50/100 Ft Of Lot 15 Blk 2

WHEREAS, based upon the records in the Ramsey County Recorder's Office and information obtained by the Department of Safety and Inspections on or before December 5, 2010, the following are the now known owners, interested or responsible parties for the subject property: Federal Home Loan Mortgage Co, 1410 Spring Hill Rd Mail 754, McLean VA 22102-3002; Wilford & Geske, 8425 Seasons Pkwy #105, Woodbury MN 55125; District 2 Community Council, and

WHEREAS, the Department of Safety and Inspections has notified the known owners, interested or responsible parties of the "Order to Abate Nuisance Building(s) pursuant to Saint Paul Legislative Code Chapter 45; 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 April 4, 2011; and

WHEREAS, the enforcement officer posted a placard on the Subject Property on March 3, 2011 declaring this building(s) to constitute a nuisance condition, subject to demolition; and

WHEREAS, this nuisance condition has not been corrected and the Department of Safety and Inspections

requested the City Clerk schedule public hearings before the Legislative Hearing Officer 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 conducted before the Legislative Hearing Officer of the City of Saint Paul City Council on May 24, 2011 at which time staff put the following information into the record:

1. This is a one-story, wood frame, single-family dwelling with an oversized one-stall garage on a lot of 13,939 square feet. It has been a vacant building since September 26, 2007;
2. The current property owner is Federal Home Loan Mortgage Company per Ramsey County Property records;
3. On February 9, 2011, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An Order to Abate a Nuisance Building was posted on March 2, 2011 with a compliance date of April 4, 2011. As of this date, this property remains in a condition which comprises a nuisance as defined by the Legislative Code;
4. Taxation has placed an estimated market value of \$25,400 on the land and \$60,500 on the building. Real Estate taxes for 2009 and 2010 are delinquent in the amount of \$11,059.84 plus penalty and interest. (Note: property is currently in tax forfeiture with redemption period ending 8/1/11);
5. The Vacant Building registration fees were paid by assessment on October 22, 2010;
6. As of May 20, 2011, the Code Compliance Inspection has not been done and the \$5,000 performance bond has not been posted;
7. There have been 10 Summary Abatement Notices since 2007 and 15 Work Orders issued for boarding/securing, garbage/rubbish, grass/weeds, and snow/ice;
8. Code Enforcement officers estimate the cost to repair this structure to exceed \$20,000 and the estimated cost to demolish to be between \$10,000 and \$12,000;
9. Heritage Preservation Commission (HPC) staff reported this building has been inventoried. It is an 1886 single-family frame construction worker's cottage. It has lost much of its context and it has little integrity; however, there is a Ramsey County inventory number: RA-SPC-5400. Staff does not feel that it has any potential as an historic resource. Its demolition would not have an adverse effect; and

WHEREAS, after reviewing testimony and evidence, the Legislative Hearing Officer made the recommendation to approve the request to order the owners, 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 razing and removing the structure in accordance with all applicable codes and ordinances, which is 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 June 15, 2011, 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 1509 7TH STREET EAST:

1. The Subject Property comprises a nuisance condition as defined in the Saint Paul Legislative Code;
2. That costs of razing and removal of this building(s) is estimated to exceed \$5,000;
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 owners, interested and

responsible parties to correct the deficiencies or to raze and remove the building(s);

5. That the deficiencies causing this nuisance condition have not been corrected;

6. That the Department of Safety and Inspections has posted a placard on the Subject Property which declares it to be a nuisance condition, subject to razing and removal;

7. That this building(s) has been routinely monitored by Department of Safety and Inspections Vacant/Nuisance Buildings staff; and

8. That the known interested parties and owners are as previously stated in this resolution and that the notification requirements of Saint Paul Legislative Code Chapter 45 have been fulfilled; And, Be It RESOLVED, that the Saint Paul City Council hereby makes the following order:

1. The above-referenced owners, 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(s) and correcting all deficiencies as prescribed in the above-referenced Order to Abate Nuisance Building(s) in accordance with all applicable codes and ordinances. The rehabilitation or razing 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, the Department of Safety and Inspections is hereby authorized to take whatever steps are necessary to raze 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 razed and removed by the City of Saint Paul, all personal property or fixtures of any kind which interfere with the razing and removal shall be removed from the Subject Property by the owners or 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; and

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