



Legislation Details (With Text)

File #: RLH RR 11- 14 **Version:** 2
Type: Resolution LH Substantial Abatement Order **Status:** Passed
In control: City Council
Final action: 5/18/2011

Title: Ordering the rehabilitation or razing and removal of the structures at 845 AGATE STREET within fifteen (15) days after the May 18, 2011 City Council Public Hearing.

Sponsors: Lee Helgen

Indexes: Substantial Abatement Orders

Code sections:

Attachments: 1. 845 Agate St.Order to Abate Nuisance.2-14-11.pdf, 2. 845 Agate St.Hearing Notice.3-25-11.pdf, 3. 845 Agate St.R-R FTA Ltr 4-26-11.pdf, 4. 845 AgateSt.Photos.1-28-11.pdf, 5. 845 Agate St.Bid.pdf

Date	Ver.	Action By	Action	Result
5/31/2011	2	Mayor's Office	Signed	
5/18/2011	2	City Council	Adopted	Pass
4/26/2011	1	Legislative Hearings	Referred	

Ordering the rehabilitation or razing and removal of the structures at 845 AGATE STREET within fifteen (15) days after the May 18, 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 one-story wood frame house and its metal shed accessory structure located on property hereinafter referred to as the "Subject Property" and commonly known as 845 AGATE STREET. This property is legally described as follows, to wit:

Edmund Rices Second addition Lot 3 Blk 3

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 November 29, 2010, the following are the now known owners, interested or responsible parties for the subject property: Luke B Scott/Jeske Scott, 1264 Reaney Avenue, St. Paul MN 55106-4038; Deutsche Bank National Trust Co, 1761 E St. Andrew Place, Santa Ana, CA 92705; District 6 Planning 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 March 16, 2011; and

WHEREAS, the enforcement officer has posted, on February 15, 2011, 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 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 April 26, 2011 at which time staff put the following information into the record:

1. The current property owner is Luke B. Scott/Jeske Scott per Ramsey County records, and the property has been a registered vacant building from March 24, 2008 to the present;
2. There have been nine (9) Summary Abatement Notices that have resulted in nine (9) Work Orders since 2008 for removal of tall grass/weeds, removal of garbage/rubbish, removal of snow/ice, and boarding/securing;
3. On January 27, 2011, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken;
4. An Order to Abate a Nuisance Building was posted on February 14, 2011 with a compliance date of March 16, 2011. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code;
5. The Vacant Building registration fees went to assessment on April 14, 2010; Taxation has placed an estimated market value of \$16,500 on the land and \$51,800 on the building;
6. A Code Compliance Inspection was done on April 22, 2010. (Expired code compliance from 3/20/09) As of April 22, 2011, the \$5,000 performance bond has not been posted;
7. Real Estate taxes are delinquent for 2009 and 2010 in the amount of \$4,733.66 plus penalty and interest (Subject to tax forfeiture 2013); and
8. Code Enforcement officers estimate the cost to repair this structure to exceed \$50,000 and the cost of demolition to exceed \$12,000.

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 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 May 18, 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 845 AGATE STREET:

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.