



Legislation Details (With Text)

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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 695 BRADLEY STREET within fifteen (15) days after the May 18, 2011 City Council Public Hearing.

Sponsors: Dave Thune

Indexes: Substantial Abatement Orders

Code sections:

Attachments: 1. 695 Bradley St.Report of LH.1-11-11.pdf, 2. 695 Bradley St.Order to Abate Nuisance Building.10-25-10.pdf, 3. 695 Bradle St.Hearing Notice #2.3-25-11.pdf, 4. 695 Bradley St.Hearing Notice #1.12-17-10.pdf, 5. 695 Bradley St.Photos.10-6-11.pdf, 6. 695 Bradley St.R-R FTA Ltr 1-11-11.pdf, 7. 695 Bradley St.R-R FTA Ltr 4-26-11.pdf, 8. 695 Bradley 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 695 BRADLEY 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 and one-half story duplex and its two stall wood frame garage located on property hereinafter referred to as the "Subject Property" and commonly known as 695 BRADLEY STREET. This property is legally described as follows, to wit:

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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 September 24, 2010, the following are the now known owners, interested or responsible parties for the subject property: Ken Vue/Tria Yang, 428 Eldridge Avenue East, Maplewood MN 55117-2012; MERS, PO Box 2026, Flint, MI 48501; BAC Loan Servicing LP, 400 National Way, Simi Valley, CA 93065; Americas Wholesale Lender, PO Box 660694, Dallas, TX 75266; Peterson, Fram & Bergman PA, 55 - Fifth Street East, Suite. 800, St. Paul, MN 55101; BAC Home Loans Servicing , 30870 Russell Ranch Road, Westlake Village CA 91362; Payne Phalen District 5 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 November 29, 2010; and

WHEREAS, the enforcement officer has posted, on October 26, 2010, 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. This is a two-story, wood frame, single-family dwelling with a one-stall garage on a lot of 5,227 square feet and it has been vacant since April 23, 2010;
2. The current owner is MERS per Ramsey County;
3. There have been six (6) Summary Abatement Notices since 2010 and five (5) Work Orders issued for: 1) boarding/securing; and 2) garbage/rubbish;
4. On September 22, 2010, 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 November 16, 2010 with a compliance date of December 17, 2010. 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 have gone to assessment (6/17/10). Taxation has placed an estimated market value of \$12,000 on the land and \$69,700 on the building;
6. As of January 21, 2010, a Code Compliance Inspection has not been done and the \$5,000 performance deposit has not been posted;
7. Real Estate taxes are current;
8. Code Enforcement officers estimate the cost to repair this structure to be between \$50,000 and \$60,000; the cost of demolition between \$8,000 and \$10,000. DSI recommends removing this structure within fifteen (15) days;
9. Heritage Preservation staff reported this is a front gabled wood frame house with an intersecting side gable built in 1884. The porch has been removed and the original clapboard siding is covered. A lot of the windows are still in tact and the staircase is still in tact; however, the railing is not in place. It is in the ISP area as well as the Legacy Grant Survey; 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 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 695 BRADLEY STREET:

1. The Subject Property comprises a nuisance condition as defined in the Saint Paul Legislative Code;

2. That cost 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 razing 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 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.