



Legislation Details (With Text)

File #: RES 10-1339 **Version:** 1
Type: Resolution-Public Hearing **Status:** Passed
In control: Legislative Hearings
Final action: 1/12/2011

Title: Ordering the razing and removal of the structures at 1066 LAFOND AVE within fifteen (15) days after the January 5, 2011, City Council Public Hearing.

Sponsors: Melvin Carter III

Indexes: Substantial Abatement Orders, Ward - 1

Code sections:

Attachments: 1. 1066 Lafond Ave.Hearing Notice.11-10-10.pdf, 2. 1066 Lafond Ave.Order to Abate Nuisance Building.9-24-10.pdf, 3. 1066 Lafond.Photos.9-1-09.pdf, 4. 1066 Lafond Ave.Appt Ltr.8-28-09.pdf, 5. 1066 Lafond Ave.Code Compliance Inspection.3-5-10.pdf, 6. 1066 Lafond Ave.Summary for Public Hearing.pdf, 7. 1066 Lafond Ave.R-R.12-14-10.Ltr.pdf

| Date | Ver. | Action By | Action | Result |
|------------|------|----------------------|-----------|--------|
| 1/25/2011 | 1 | Legislative Hearings | Laid Over | |
| 1/24/2011 | 1 | Mayor's Office | Signed | |
| 1/12/2011 | 1 | City Council | Adopted | Pass |
| 1/11/2011 | 1 | Legislative Hearings | Referred | |
| 1/5/2011 | 1 | City Council | Laid Over | Pass |
| 12/14/2010 | 1 | Legislative Hearings | Referred | |

Ordering the razing and removal of the structures at 1066 LAFOND AVE within fifteen (15) days after the January 5, 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 wrecking and removal of a one story wood frame single family house and its two stall detached wood frame garage located on property hereinafter referred to as the "Subject Property" and commonly known as 1066 LAFOND AVE. This property is legally described as follows, to wit:

John A Cokes Addition Tost Lot 7 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 July 5, 2009, the following are the now known owners, interested or responsible parties for the subject property: Paul Belmonte, 1138 Englewood Ave, St Paul MN 55104-1410; Thomas-Dale/Dist. 7 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 wreck and remove the structures(s) located on the Subject Property by November 1, 2010; and

WHEREAS, the enforcement officer has posted on September 27, 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 October 12, 2010, at which time staff put the following information into the record:

1. This is a one-story, wood frame, single-family dwelling with a two-stall detached garage on a lot of 4,792 square feet. According to the file, it has been a vacant building since July 7, 2007.
2. There have been three (3) Summary Abatement Notices since 2007 and one (1) Work Order issued for removal of tall grass and weeds.
3. A Code Compliance Inspection was done on March 5, 2010.
4. The Vacant Building registration fees have gone to assessment.
5. A \$5,000 performance deposit has not been posted with the Department of Safety and Inspections,
6. On September 10, 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 September 24, 2010 with a compliance date of November 1, 2010. As of this date, this property remains in a condition which comprises a nuisance as defined by the legislative code.
7. Ramsey County Taxation has placed an estimated market value of \$17,300 on the land and \$34,000 on the building. Real Estate taxes for the years 2009 and 2010 are delinquent in the amount of \$3,064.24, plus penalty and interest.
8. Code Enforcement Officers estimate the cost to repair this structure to exceed \$75,000; the cost to demolish is estimated to be \$8,000 - \$15,000.
9. This building is a 1914 workers' cottage. It is a very simple structure devoid of any architectural features. There is some shingle and siding detail still exposed. It could have been moved. There are no Sanborn maps for this particular area. Demolition would have no adverse according to a preliminary review by Heritage Preservation Commissions staff.

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 wrecking 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 January 5, 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 1066 LAFOND AVE :

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

2. That costs of wrecking 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 wreck 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 wrecking 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 wrecking 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 wreck 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 wrecked and removed by the City of Saint Paul, all personal property or fixtures of any kind which interfere with the wrecking 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.