



Legislation Text

File #: RES 11-471, **Version:** 2

Ordering the razing and removal of the structures at 260 MARIA AVE within fifteen (15) days after the April 20, 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 two story, wood frame, duplex and its two stall, detached, wood frame garage located on property hereinafter referred to as the "Subject Property" and commonly known as 260 MARIA AVE. This property is legally described as follows, to wit:

Lyman Dayton Addition Lot 9 Blk 46

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 October 25, 2010, the following are the now known owners, interested or responsible parties for the subject property: Twin Cities Real Estate Partners LLC, 475 Cleveland Ave N Suite 305, St Paul MN 55104-5051; National City Mortgage Loan, c/o Wells Fargo NA, Trustee, 150 Allegheny Center, Pittsburgh PA 15215; Twin Cities Real Estate Partners LLC, 130 W Lake Street, Wayzata MN 55391; Lantern Advisors LLC, 130 W Lake Street, Wayzata MN 55391; 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 February 23, 2011; and

WHEREAS, the enforcement officer has posted on January 22, 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 March 22, 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 detached two-stall garage on a lot of 4,792 square feet that has been a Vacant Building since April 23, 2009.
2. The current property owner is Twin Cities Real Estate Partners LLC per Ramsey County records.
3. There have been ten (10) Summary Abatement Notices since 2009 resulting in ten (10) Work Orders issued for: 1) boarding/securing; 2) garbage/rubbish; 3) tall grass/weeds; 4) snow/ice; and 5) exterior (remove fence).

4. On January 4, 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 January 21, 2011, with a compliance date of February 23, 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 fee was paid (assessed on 4/16/10).
6. Taxation has placed an estimated market value of \$20,200 on the land and \$78,700 on the building. Real Estate taxes for 2010 are delinquent in the amount of \$2,357.95 plus penalty and interest.
7. As of March 18, 2011, a Code Compliance Inspection has not been done. (Code Compliance Inspection August 6, 2009-Expired) As of March 18, 2001, the \$5,000 Performance Deposit has not been posted.
8. Code Enforcement Officers estimate the cost to repair this structure exceeding \$35,000; the cost for demolition is estimated to exceed \$11,000.
9. Heritage Preservation staff that 260 Maria is known as the George and Jenny Madison House; it was built in 1882 and it's classified as pivotal to the Dayton's Bluff Historic District despite some of its alterations. It is a two-story Italianate house with a mansard roof and a frame structure with stucco over clapboard. One of the major features of this house is the cornice which is described as quarter wheel brackets and dog-toothed bed molds that are unique survivors in the historic district which is why it has a pivotal classification. The porch was enclosed in 1915. Originally, it did not have a full front porch; there was just a stoop. This was also surveyed as part of the 1981 Comprehensive Survey of Saint Paul, about eleven (11) years prior to the Dayton's Bluff Survey. At that time, it said that although it was altered with stucco, the house retains an unusually ornate cornice. It was stuccoed very early (before 1925), which increases it's integrity. It is one of several houses in the area which date from the early 1880s. The Italianate style is unique to Dayton's Bluff because of the collection. If Saint Paul starts to lose a lot of the Italianate houses, the integrity of the historic district becomes compromised.

WHEREAS, a hearing was held before the Saint Paul City Council on April 20, 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 260 MARIA AVE:

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 razing and removing 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.