



Legislation Text

File #: RES 11-233, **Version:** 2

Ordering the razing and removal of the structures at 101 - 103 WINNIPEG AVE within fifteen (15) days after the March 16, 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 and one-half story wood frame house located on property hereinafter referred to as the "Subject Property" and commonly known as 101-103 WINNIPEG AVE. This property is legally described as follows, to wit:

Lewis Addition Tost Paul Lot 23 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 July 12, 2010, the following are the now known owners, interested or responsible parties for the subject property: Federal National Mortgage Association, PO Box 650043, Dallas TX 75265-0043; Fannie Mae C/O MN BPO/Reo, 2026 Eaglewood Circle, Shakopee MN 55379; Reiter & Schiller PA, The Academy Professional Building, 25 North Dale Street, Saint Paul MN 55102; 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 wreck and remove the structures(s) located on the Subject Property by January 18, 2011; and

WHEREAS, the enforcement officer has posted on December 17, 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 February 22, 2011 at which the staff put the following information into the record:

1. This is a one and one-half story wood frame single-family dwelling on a lot of 4,792 square feet that has been a vacant building since April 16, 2010.
2. The current property owner is Federal National Mortgage Association per Ramsey County Property records.
3. There have been seven (7) Summary Abatement Notices since 2010 and nine (9) Work Orders issued for boarding and securing, garbage and rubbish removal, snow and ice removal, tall grass and weeds removal.
4. On November 18, 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 December 16, 2010 with a compliance date of January 18, 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 were assessed on June 17, 2010.
6. Ramsey County taxation has placed an estimated market value of \$17,000 on the land and \$21,100 on the building. Real Estate taxes are current.
7. A Code Compliance Inspection was done on December 17, 2010. As of February 18, 2011, the \$5,000 performance deposit has not been posted.
8. Code Enforcement officers estimate the cost to repair this structure to exceed \$75,000; the estimated cost for demolition is between \$10,000 and \$12,000. The Department of Safety and Inspections (DSI), Division of Code Enforcement, recommends removing this structure within fifteen (15) days.
9. Heritage Preservation Commission (HPC), reported that this is a 1880 workers' cottage on a very small lot. Removal of the structure will have no 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 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 March 16, 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 101-103 WINNIPEG 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 wrecking or 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 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.