



Legislation Details (With Text)

File #: RLH RR 14-2 **Version:** 4

Type: Resolution LH Substantial Abatement Order **Status:** Passed

In control: City Council

Final action: 3/19/2014

Title: Ordering the rehabilitation or razing and removal of the structures at 349 CURTICE STREET EAST within one hundred eighty (180) days after the February 19, 2014, City Council Public Hearing.

Sponsors: Dave Thune

Indexes: Substantial Abatement Orders, Ward - 2

Code sections:

Attachments: 1. 349 Curtice St E.OTA 11-14-13.pdf, 2. 349 Curtice St E.PH 12-27-13.pdf, 3. 349 Curtice St E.Photos 7-15-13.pdf, 4. 349 Curtice St E.Photos 7-17-13.pdf, 5. 349 Curtice St E.Photos 11-7-13.pdf, 6. 349 Curtice St E.SHPO Form 11-27-13.pdf, 7. 349 Curtice St E.Code Compliance Inspection 1-17-14.pdf, 8. 349 Curtice St E.Nelson R-R Ltr 1-29-14, 9. 349 Curtice St E.R-R Ltr 2-12-14, 10. 349 Curtice St E.Bond Application.2-11-14, 11. 349 Curtice St.Fire Report.7-12-13, 12. 349 Curtice St E.Work Plan.2-25-14, 13. 349 Curtice St E.R-R Ltr 2-27-14, 14. 349 Curtice St E.Braun Email and Soto to Credit Letter.2-26-14, 15. 349 Curtice St E.R-R Ltr 3-12-14, 16. 349 Curtice St E.Antonsen and Vandenbosch Agrmt.7-31-13

Date	Ver.	Action By	Action	Result
3/21/2014	4	Mayor's Office	Signed	
3/19/2014	4	City Council	Adopted As Amended	Pass
3/11/2014	3	Legislative Hearings	Referred	
3/5/2014	3	City Council	Referred	
2/25/2014	2	Legislative Hearings	Referred	
2/19/2014	2	City Council	Referred	
2/11/2014	1	Legislative Hearings	Referred	
1/28/2014	1	Legislative Hearings	Laid Over	

Ordering the rehabilitation or razing and removal of the structures at 349 CURTICE STREET EAST within one hundred eighty (180) days after the February 19, 2014, City Council Public Hearing.

AMENDED 3/5/14 and 3/19/14

WHEREAS, the Department of Safety and Inspections has determined that 349 CURTICE STREET EAST is a nuisance building pursuant to Saint Paul Legislative Code §45.02 as 1) it is a vacant building as defined in §43.02; and 2) it has multiple housing code or building code violations or it has conditions constituting material endangerment as defined in §34.23, or it has a documented and confirmed history as a blighting influence in the community; and

WHEREAS, his property is legally described as follows, to wit: Smedleys Add Tosaint Paul Lot 14 Blk 1; and

WHEREAS, based upon the records in the Ramsey County Recorder's Office and information on file or obtained by the Department of Safety and Inspections, the following are the owners, interested or responsible parties for the subject property as of December 27, 2013: Jeffrey Vandenbosch, 349 Curtice St E, Saint Paul

MN 55107-3107; MERS, PO Box 2026, Flint, MI 48501-2026; Stonecreek Funding Corp, 1515 Wazee Street #300, Denver, CO 80202; Bank of New York Mellow, c/o Bank of America Home Loans, 16001 North Dallas Tollway, Addison, TX 75001; Household Industrial Finance Co, 2929 Walden Ave, Depew, NY 14043; Shapiro & Zielke, 12550 West Frontage Road #200, Burnsville, MN 55337; and West Side Citizens Organization; and

WHEREAS, each of these parties was served a written order dated November 14, 2013 advising them of the basis for the determination that the subject property was a nuisance, and that the nuisance building was to be repaired or razed and removed by December 14, 2013; 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 December 14, 2013; and

WHEREAS, a placard indicating the City's order that this nuisance building be abated was posted on the building on November 15, 2013 in accordance with Saint Paul Legislative Code §45.11(2)c; and

WHEREAS, the nuisance condition was not corrected by December 14, 2013, and therefore an abatement hearing was scheduled before the City Council on February 19, 2014 and the owner or his duly authorized representative and any interested parties or their duly authorized representatives were properly notified of the time, date and place of the hearing; and

WHEREAS, the legislative hearing officer provided the owner and other interested parties an opportunity to discuss the matter at legislative hearings on January 28 and February 11, 2014 and February 25, 2014 and March 11, 2014; and

WHEREAS, public hearing were held on February 19, 2014, March 5, 2014 and March 19, 2014, and the Council reviewed the record, which included the exhibits from the Department of Safety and Inspections, the minutes and recommendation of the legislative hearing officer and any testimony at the hearing; Now, Therefore Be It

RESOLVED, that the Saint Paul City Council hereby finds:

1. That the structure(s) at 349 CURTICE STREET EAST is a nuisance building pursuant to Saint Paul Legislative Code §45.02, as 1) it is a vacant building as defined in §43.02; and 2) it has multiple housing code or building code violations or it has conditions constituting material endangerment as defined in §34.23, or it has a documented and confirmed history as a blighting influence in the community; and 3) these nuisance conditions have not been corrected after notice of the same to the owner.
2. That the Department of Safety and Inspections has complied with all of the procedural requirements of the Saint Paul Legislative Code Chapter 45.
3. That the owners, interested parties or responsible parties have not presented a plan acceptable to the legislative hearing officer and Department of Safety and Inspections staff to repair the structure (s) and correct all of the deficiencies listed in the Order to Abate Nuisance Building and the Code Compliance report and to make the structure(s) safe and code compliant within 45 180 days. And, Be It Further

RESOLVED, that the Council orders that the owners, interested parties or responsible parties shall repair the structure, correct all of the deficiencies listed in the Order to Abate Nuisance Building and the Code Compliance report and to make the structure(s) safe and code compliant, or shall raze and remove the structure(s) within 45 180 days. And, Be it Further

RESOLVED, that if the necessary corrective action has not been taken within the time allotted, the Department of Safety and Inspections is authorized to take those steps necessary to raze and remove this structure and to

charge the costs incurred in accordance with Saint Paul Legislative Code §45.12(4). Any personal property or fixtures of any kind shall be removed by the owners, interested parties or responsible parties prior to the demolition or it will be considered to be abandoned and the City of Saint Paul shall remove and dispose of such property as it deems appropriate. And, Be It

FINALLY RESOLVED, that this resolution shall be served on any of the parties required to be notified in Saint Paul Legislative Code §45.12(4).