



Legislation Details (With Text)

File #: RLH RR 20-2 **Version:** 3

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

In control: City Council

Final action: 3/25/2020

Title: Ordering the rehabilitation or razing and removal of the structures at 1286 SHERBURNE AVENUE within fifteen (15) days after the February 12, 2020 City Council public hearing. (Amend to remove only within 30 days)

Sponsors: Mitra Jalali

Indexes: Substantial Abatement Orders, Ward - 4

Code sections:

Attachments: 1. 1286 Sherburne Ave.OTA 10-14-19, 2. 1286 Sherburne Ave.PH 12-13-19, 3. 1286 Sherburne Ave.Expired Code Compl Report 12-28-17, 4. 1286 Sherburne Ave.SHPO Form 11-1-19, 5. 1286 Sherburne Ave.Photos 9-9-14, 6. 1286 Sherburne Ave.Photos 10-10-19, 7. 1286 Sherburne.Condemnation Ltr.9-4-14, 8. 1286 Sherburne.Photos.9-4-14, 9. 1286 Sherburne Ave.Flyckt R-R Ltr.1-17-20, 10. 1286 Sherburne Ave.Flyckt-Zimny email.1-29-20, 11. 1286 Sherburne Ave.Work Plan.2-25-20.pdf, 12. 1286 Sherburne Ave.CCI Report.2-6-20.pdf, 13. 1286 Sherburne Ave.Flyckt R-R Ltr.2-28-20, 14. 1286 Sherburne Ave.Sheffer-Flyckt email.3-23-20.pdf, 15. 1286 Sherburne Ave.email and VBRF.3-23-20.pdf, 16. 1286 Sherburne Ave.Flyckt emails.3-25-20

Date	Ver.	Action By	Action	Result
3/30/2020	3	Mayor's Office	Signed	
3/25/2020	3	City Council		
3/11/2020	3	City Council		
2/25/2020	2	Legislative Hearings	Referred	
2/12/2020	2	City Council	Referred	
1/14/2020	1	Legislative Hearings	Referred	

Ordering the rehabilitation or razing and removal of the structures at 1286 SHERBURNE AVENUE within fifteen (15) days after the February 12, 2020 City Council public hearing. (Amend to remove only within 30 days)

AMENDED 03/11/20

WHEREAS, the Department of Safety and Inspections has determined that 1286 SHERBURNE AVENUE 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, this property is legally described as follows, to wit: SYNDICATE NO. 5 ADDITION LOT 2 BLK 31; 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 October 14, 2019: PHH Mortgage Corp, 1 Mortgage Way, Mount Laurel NJ 08054-4637; Nationstar Mortgage, LLC, 8950 Cypress Waters Blvd, Dallas TX 75063; Safeguard Properties, 7887 Safeguard Circle, Valley View OH 44125; Erick Flyckt, Usset Weingarden & Liebo, 4500 Park Glen Road Suite 300, Minneapolis MN 55416; and Hamline Midway Coalition; and

WHEREAS, each of these parties was served a written order dated October 14, 2019 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 November 13, 2019; 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 13, 2019; and

WHEREAS, a placard indicating the City's order that this nuisance building be abated was posted on the building on October 15, 2019 in accordance with Saint Paul Legislative Code §45.11(2)c; and

WHEREAS, the nuisance condition was not corrected by November 13, 2019, and therefore an abatement hearing was scheduled before the City Council on February 12, 2020 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 a legislative hearings on January 14, 2020 and February 25, 2020; and

WHEREAS, a public hearing was held on February 12, 2020, March 11 and March 25, 2020, and the City 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 1286 SHERBURNE AVENUE 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 15 days. And, Be It Further

RESOLVED, that the City 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 15~~ 30 days after the City Council Public Hearing. 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

resolution compliance date 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).