



## Legislation Details (With Text)

**File #:** RLH RR 22- 19 **Version:** 3

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

**In control:** City Council

**Final action:** 11/9/2022

**Title:** Ordering the rehabilitation or razing and removal of the structures at 694 SHERBURNE AVENUE within fifteen (15) days after the May 25, 2022, City Council Public Hearing. (Amend to grant 180 days)

**Sponsors:** Dai Thao

**Indexes:** Substantial Abatement Orders, Ward - 1

**Code sections:**

**Attachments:** 1. 694 Sherburne Ave.OTA 10-18-21, 2. 694 Sherburne Ave.PH 3-25-22, 3. 694 Sherburne Ave.Code Compliance Rep 2-11-22, 4. 694 Sherburne Ave.SHPO Form 11-1-21, 5. 694 Sherburne Ave.Photos 10-14-21, 6. 694 Sherburne Ave.Photos.8-6-12, 7. 694 Sherburne Ave.Form 4.pdf, 8. 694 Sherburne Ave.LS 4-26-22.pdf, 9. 694 Sherburne Ave.Lee R-R Ltr.4-29-22, 10. 694 Sherburne Ave.Lee Rev R-R Ltr.4-29-22, 11. 694 sherburne petition 5-11-22, 12. 694 Sherburne Ave.Lee R-R Ltr.5-13-22, 13. 694 Sherburne Ave.Lee R-R Ltr.5-27-22, 14. 694 Sherburne Ave.Lee R-R Ltr.6-17-22, 15. 694 Sherburne Ave.Royce email.6-17-22, 16. 694 Sherburne Ave.Lee R-R Ltr.7-15-22, 17. 694 Sherburne Ave.Lee Rev R-R Ltr.7-18-22, 18. 694 Sherburne Ave.Lee R-R Ltr.8-26-22, 19. 694 Sherburne Ave.Financing 9-15-22.pdf, 20. 694 Sherburne Ave.Owner Statement 5-6-22.pdf, 21. 694 Sherburne Ave.Plumbing Bid 3-1-22.pdf, 22. 694 Sherburne Ave.Nonconforming Use Permit Application 9-6-22.pdf, 23. 694 Sherburne Ave.Vang-Lee email 9-22-22.pdf, 24. 694 Sherburne Ave.WP-Affidavit of Available Funds 9-26-22.pdf, 25. 694 Sherburne Ave.Lease Agreement Re Bldg Permit 9-26-22.pdf, 26. 694 Sherburne Ave.Hiway Bank Statement 9-26-22.pdf, 27. 694 Sherburne Ave.62.109e city code.9-27-22, 28. 694 Sherburne.Lee updated noncomforming use app.9-27-22, 29. 694 Sherburne.withdraw app sig.9-27-22, 30. 694 Sherburne Ave.Lee R-R Ltr.9-30-22, 31. 694 Sherburne Ave.Revised Work Plan 10-5-22.pdf, 32. 694 Sherburne Ave.Lee R-R Ltr.10-16-22, 33. 694 Sherburne Ave.application packet.pdf, 34. 694 Sherburne.Map.JPG, 35. 694 Sherburne Ave.Legal Affidavit.pdf, 36. 694 Sherburne Ave.Revised Work Plan 10-19-22.pdf, 37. 694 Sherburne Ave.Revised Work Plan #2 10-19-22.pdf, 38. 694 Sherburne Ave.Revised Work Plan 10-21-22.pdf, 39. 694 Sherburne Ave.Revised Work Plan #2 10-21-22.pdf, 40. 694 Sherburne Ave.Lee R-R Ltr.10-28-22, 41. 694 Sherburne Ave.Plng Commission Approval Reference in STAMP 10-28-22

Date	Ver.	Action By	Action	Result
11/11/2022	3	Mayor's Office	Signed	
11/9/2022	3	City Council	Adopted As Amended	
10/25/2022	2	Legislative Hearings	Referred	
10/11/2022	2	Legislative Hearings	Laid Over	
9/27/2022	2	Legislative Hearings	Laid Over	
8/23/2022	2	Legislative Hearings	Laid Over	
7/12/2022	2	Legislative Hearings	Laid Over	
6/14/2022	2	Legislative Hearings	Laid Over	
6/8/2022	2	City Council	Referred	Pass

5/24/2022	1	Legislative Hearings	Referred
5/10/2022	1	Legislative Hearings	Laid Over
4/26/2022	1	Legislative Hearings	Laid Over

Ordering the rehabilitation or razing and removal of the structures at 694 SHERBURNE AVENUE within fifteen (15) days after the May 25, 2022, City Council Public Hearing. (Amend to grant 180 days)

**AMENDED 11/9/22**

WHEREAS, the Department of Safety and Inspections has determined that 694 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. 1 ADDITION LOT 4 BLK 2; 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 18, 2021: Ying Moua and Tia Lee, 152 Jessamine Ave E, St Paul MN 55117-5016; Tia Lee, 878 Aurora Ave, St Paul MN 55104-4739; Wells Fargo NA, 1379 Phalen Blvd, St Paul MN 55106; and Frogtown Neighborhood Association; and

WHEREAS, each of these parties was served a written order dated October 18, 2021 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 17, 2021; 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 17, 2021; and

WHEREAS, a placard indicating the City's order that this nuisance building be abated was posted on the building on October 20, 2021 in accordance with Saint Paul Legislative Code §45.11(2)c; and

WHEREAS, the nuisance condition was not corrected by November 17, 2021, and therefore an abatement hearing was scheduled before the City Council on May 25, 2022 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 April 26, 2022, May 10, June 14, July 12, August 23, September 27, October 11 and October 25, 2022; and

WHEREAS, public hearing were held on May 25, 2022, June 8 and November 9, 2022, 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 694 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 ~~45~~ 180 days after the City Council Public Hearing. And, Be it Further

RESOLVED, that at the conclusion of the 180-day grant of time, the Council will receive a report from the Legislative Hearing Officer with findings on the status of the nuisance abatement; And Be It Further

RESOLVED, that a Legislative Hearing is scheduled for May 23, 2023 at which owners, interested parties and Department of Safety and Inspection staff will present information on the current building conditions and progress toward abatement of the dangerous/nuisance conditions and the resulting findings will be presented to the City Council at a public hearing on June 7, 2023 for its consideration; 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).