



Legislation Details (With Text)

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Type: Resolution-Public Hearing **Status:** Passed

In control: City Council

Final action: 1/19/2011

Title: Ordering the rehabilitation or razing and removal of the structures at 557-559 ELFELT ST within fifteen (15) days after the January 5, 2011, City Council Public Hearing.

Sponsors: Melvin Carter III

Indexes: Substantial Abatement Orders, Ward - 1

Code sections:

Attachments: 1. 557-559 Elfelt St.Hearing Notice.11-12-10.pdf, 2. 557-559 Elfelt St.Order to Abate Nuisance Building.10-24-10.pdf, 3. 557-559 Elfelt St.Photos.8-26-10.pdf, 4. 557-559 Elfelt St.Appt Ltr.8-26-10.pdf, 5. 557-559 Elfelt St.Summary for Public Hearing.pdf, 6. 557-559 Elfelt St.R-R.FTA Ltr.12-14-10.pdf

Date	Ver.	Action By	Action	Result
1/20/2011	2	Mayor's Office	Signed	
1/19/2011	2	City Council	Adopted	Pass
1/5/2011	1	City Council	Continue Public Hearing	Pass
12/14/2010	1	Legislative Hearings	Referred	

Ordering the rehabilitation or razing and removal of the structures at 557-559 ELFELT ST within fifteen (15) days after the January 5, 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 two story wood frame duplex located on property hereinafter referred to as the "Subject Property" and commonly known as 557-559 ELFELT ST. This property is legally described as follows, to wit:

Robertson Van Etten addition Ex N 98 Ft And Ex S 3 5/10 Ft For Alley Lot 12 Blk 11

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: BAC Home Loans Servicing LP, 5401 N Beach St, Fort Worth TX 76137-2733; Taylor, Bean & Whitaker Mortgage Corp., 315 NE 14th St, Ocala FL 34471; Shapiro, Nordmeyer & Zielke, 12550 W Frontage Rd, Burnsville MN 55337; Thomas-Dale District 7 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 November 1, 2010; and

WHEREAS, the enforcement officer has posted on September 26, 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 December 14, 2010, at which time staff put the following information into the record:

1. This is a two-story, wood frame, duplex with a wood frame shed on a lot of 1,732 square feet. According to the file, it has been a vacant building since August 26, 2010.
2. There have been two (2) Summary Abatement Notices since 2009 and one (1) Work Order issued for improperly stored refuse, garbage and misc debris
3. A Code Compliance Inspection has not been completed..
4. The Vacant Building registration fees have gone to assessment.
5. A \$5,000 performance deposit has not been posted with the Department of Safety and Inspections,
6. On September 15, 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 September 24, 2010 with a compliance date of November 1, 2010. As of this date, this property remains in a condition which comprises a nuisance as defined by the legislative code.
7. Ramsey County Taxation has placed an estimated market value of \$9,600 on the land and \$44,000 on the building. Real Estate taxes are current.
8. Code Enforcement Officers estimate the cost to repair this structure to exceed \$60,000; cost to demolish between \$11,000 - \$13,000
9. This building is a very unique 1889 late Victorian double house. It still has its exact same footprint. The side porches are original; there was no front porch. It looks as though there was an identical twin to this house; two (2) double houses were built on one lot, originally. Its twin is not standing. There are some exposed historic details like shingles in the end gables still present. The siding has been covered. The structure is located in the 1983 historic district that was identified as a potential Frogtown historic district in the 1983 survey. It is also part of the new Frogtown survey. This building has value as an historic resource in Saint Paul; it's a unique type of property with some integrity left.

WHEREAS, the Legislative Hearing Officer heard testimony directed staff to notify the Housing and Redevelopment Authority, Greater Frogtown Community Development Corporation as to the historic merits of the property, its state of abandonment and imminent demolition without community intervention; 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 rehabilitating this structure in accordance with all applicable codes and ordinances, or in the alternative 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 January 5, 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 557 ELFELT ST :

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 rehabilitating 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 rehabilitation or 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.

Legislative Hearing Staff should modify the body of the above resolution to reflect the findings of the Legislative Hearing.