



Legislation Details (With Text)

File #: RES 11-75 **Version:** 2
Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 6/15/2011

Title: Ordering the razing and removal of the structures at 472 CONCORD STREET within one hundred twenty (120) days after the February 16, 2011, City Council Public Hearing. (Continued from February 16)

Sponsors: Dave Thune

Indexes: Substantial Abatement Orders, Ward - 2

Code sections:

Attachments: 1. 472 Concord St.Order to Abate Nuisance Building.11-16-10.pdf, 2. 472 Concord St.Hearing Notice.12-30-10.pdf, 3. 472 Concord St.Code Compliance Inspection Report.2-4-09.pdf, 4. 472 Concord.Code Compliance Inspection Report.2.3-30-10.pdf, 5. 472 Concord St.Photos10-20-10.pdf, 6. 472 Concord St.WSCO Ltr.1-27-11, 7. 472 Concord St. Ludzack Email.2-7-11.pdf, 8. 472 Concord St.LH Ltr to Ludzack.1-27-11.pdf, 9. 472 Concord St.LH Ltr to Ludzack.2-8-11.pdf, 10. 472 Concord St.Photos.1-27-09.pdf, 11. 472 Concord St-Diagram.pdf

Date	Ver.	Action By	Action	Result
6/20/2011	2	Mayor's Office	Signed	
6/15/2011	2	City Council	Adopted	Pass
2/16/2011	2	City Council	Continue Public Hearing	Pass
1/25/2011	1	Legislative Hearings	Referred	

Ordering the razing and removal of the structures at 472 CONCORD STREET within one hundred twenty (120) days after the February 16, 2011, City Council Public Hearing. (Continued from February 16)

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 razing and removal of a single story, wood frame single family dwelling located on property hereinafter referred to as the "Subject Property" and commonly known as 472 CONCORD ST. This property is legally described as follows, to wit:

Trowbridges Addition Tothe C Ex Nwly 21 Ft Lot 6 And All Of Lot 7

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 August 15, 2010, the following are the now known owners, interested or responsible parties for the subject property: Guadalupe Alternative Programs, 381 E Robie St, Saint Paul MN 55107-2415; US Bank, NA, 10790 Rancho Bernardo Rd, San Diego, CA 92127; Peterson, Fram & Bergman, PA, 55 East Fifth Street, Ste. 800, St. Paul, MN 55101; West Side Safe Neighborhood Council, District 3; 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 raze and remove

the structures(s) located on the Subject Property by December 17, 2010; and

WHEREAS, the enforcement officer has posted on November 18, 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 January 25, 2011 and February 8, 2011 at which the staff put the following information into the record:

1. This is a one-story, wood frame, single-family dwelling on a lot of 2,614 square feet and has been vacant since January 21, 2009. The current property owner is Guadalupe Alternative Programs, per Ramsey County.
2. There have been ten (10) Summary Abatement Notices since 2009 and six (6) Work Orders issued for: 1) garbage/rubbish; 2) grass/weeds and 3) snow/ice.
3. On October 20, 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 November 16, 2010 with a compliance date of December 17, 2010. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.
4. As of January 21, 2011, the Vacant Building registration fees are due for 2011 in the amount of \$1,100. (Paid in 2010; assessed in 2009)
5. Taxation has placed an estimated market value of \$12,000 on the land and \$69,700 on the building. Real Estate taxes are current.
6. A Code Compliance Inspection was completed on March 30, 2010 and as of January 21, 2011, the \$5,000 performance deposit has not been posted.
7. Code Enforcement officers estimate the cost to repair this structure to be between \$50,000 and \$60,000; the cost to demolish between \$8,000 and \$10,000.
8. PED-HPC, reported that this is a pre-1884, front gable frame construction workers' cottage. It is contained in a grouping of five (5) houses of similar era on a triangular-shaped block. Many changes have been made to the house; e.g. front porch has been removed; the openings have all been altered and the siding and trim have been completely removed. Thus, the house has little to no integrity. Demolition would have no adverse effect on the immediate neighborhood.

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 ninety (90) days after the date of the Council Hearing; and

WHEREAS, a hearing was held before the Saint Paul City Council on February 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 472 CONCORD ST:

1. The Subject Property comprises a nuisance condition as defined in the Saint Paul Legislative Code;
2. That costs of razing 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 raze 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 razing 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
9. That the owners will use "green" demolition techniques that will serve educational and best practices goals.

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 razing and removing this structure(s) in accordance with all applicable codes and ordinances. The razing and removal of the structure must be completed within one hundred twenty (120) days after the date of the Council Hearing;
2. 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.