Legislation Details (With Text)

File #:	RES 11-472 **Version:** 2		
Type:	Resolution-Public Hearing	**Status:**	Passed
		In control:	City Council
		Final action:	4/20/2011
Title:	Ordering the razing and removal of the structures at 671 COOK AVE E within fifteen (15) days after the April 20, 2011 City Council Public Hearing.		
Sponsors:	Dan Bostrom		
Indexes:	Substantial Abatement Orders, Ward - 6		
Code sections:			
Attachments:	1. 671 Cook E Order to Abate ltr 1-21-11.pdf, 2. 671 Cook E Pub Hrng Notice 2-25-11.pdf, 3. 671 Cook Ave E.R-R FTA LO Ltr 3-22-11.pdf, 4. 671 Cook Ave E.Photos.11-18-10.pdf, 5. 671 Cook Ave E.Photos.6-9-09.pdf		

Date	Ver.	Action By	Action	Result
12/18/2013	2	Mayor's Office	Signed	
4/20/2011	2	City Council	Adopted	Pass
3/22/2011	1	Legislative Hearings	Referred	

Ordering the razing and removal of the structures at 671 COOK AVE E within fifteen (15) days after the April 20, 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 razing and removal of a one and one half story, wood frame, single family dwelling and its oversized, single story, detached garage located on property hereinafter referred to as the "Subject Property" and commonly known as 671 COOK AVE E. This property is legally described as follows, to wit:

Arlington Hills Add B4045 49 Lot 24 Blk 4

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 September 20, 2010, the following are the now known owners, interested or responsible parties for the subject property: Christina M Monserud/Joshua J Monserud, 1166 Lawson Ave E, Saint Paul MN 55106-3332; Shapiro, Nordmeyer & Zielke, 12550 W Frontage Road, #200, Burnsville MN 55337; 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 February 23, 2011; and

WHEREAS, the enforcement officer has posted on January 22, 2011 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 March 22, 2011, at which time staff put the following information into the record:

1. This is a two-story wood frame single-family dwelling with a detached one-stall garage on a lot of 4,792 square feet. It has been a vacant building since June 1, 2009. The current property owner is Christina M. Monserud / Joshua J. Monserud per Ramsey County Records.
2. There have been sixteen (16) Summary Abatement Notices since 2009 resulting in sixteen (16) Work Orders issued for: 1) boarding/securing; 2) garbage/rubbish; 3) tall grass/weeds; and 4) snow/ice.
3. On November 18, 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 January 21, 2011 with a compliance date of February 23, 2011. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.
4. The Vacant Building registration fees were paid by assessment on 6/17/10.
5. Taxation has placed an estimated market value of $14,600 on the land and $37,400 on the building. Real Estate taxes for 2009 and 2010 are delinquent in the amount of $5,177.78 plus penalty and interest (tax forfeiture 2015).
6. The $5,000 Performance Deposit has not been posted. As of March 18, 2001, a Code Compliance Inspection has not been conducted.
7. Code Enforcement Officers estimate the cost to repair this structure to be between $50,000 and $60,000; with the cost of demolition between $9,000 and $11,000.
8. Heritage Preservation reported that there are several possible construction dates listed; but1879 seems the most likely. It has an 1885 addition to the house. It is in the category of a worker's cottage, although it has more detail than a typical worker's cottage. It's an L-shaped plan with a bay window on the side. The original owner is noted as G. Carlson. It is in fair condition and is in the Legacy Survey Payne Phalen area for 2011. There is a limestone retaining wall and staircase to the main entry. The wood siding has been covered with vinyl. The garage is not historic. There have been some vinyl window replacements but many of the front windows appear to be early or original. Because the survey is going on and there won't be good findings until April or early May, she would say that this parcel has potential as an historic resource.
9. There is a substantial retaining wall which needs tuckpointing, which should be retained in a demolition process.

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 sage and not detrimental to the public peace, health, safety and welfare and remove its blighting influence on the community by razing 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 April 20, 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 671 COOK AVE E:

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 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) as prescribed in the above-referenced Order to Abate Nuisance Building(s) in accordance with all applicable codes and ordinances. The razing 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 raze 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 razed and removed by the City of Saint Paul, all personal property or fixtures of any kind which interfere with the razing 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.