



Legislation Details (With Text)

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

In control: City Council

Final action: 7/6/2011

Title: Ordering the razing and removal of the structures at 657 LAFOND AVENUE within fifteen (15) days after the June 15, 2011 City Council Public Hearing. (Public hearing continued from June 15)

Sponsors: Melvin Carter III

Indexes: Summary Abatement Order, Ward - 1

Code sections:

Attachments: 1. 657 Lafond Appointment Letter, 2. 657 Lafond Code Compliance Report 3-24-11, 3. 657 Lafond Order to Abate Nuisance, 4. 657 Lafond Pub Hrng Notice, 5. 657 Lafond Ave.FTA Ltr R-R 5-24-11.pdf, 6. 657 Lafond-photos.pdf

Date	Ver.	Action By	Action	Result
7/12/2011	2	Mayor's Office	Signed	
7/6/2011	2	City Council	Adopted	Pass
6/15/2011	2	City Council	Continue Public Hearing	Pass
5/24/2011	1	Legislative Hearings	Referred	

Ordering the razing and removal of the structures at 657 LAFOND AVENUE within fifteen (15) days after the June 15, 2011 City Council Public Hearing. (Public hearing continued from June 15)

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 house located on property hereinafter referred to as the "Subject Property" and commonly known as 657 LAFOND AVENUE. This property is legally described as follows, to wit:

Syndicate No 3 Addition Lot 22 Blk 1

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 December 27, 2010, the following are the now known owners, interested or responsible parties for the subject property: BankUnited Fsb, 7815 Nw 148 St, Miami Lakes FL 33016-1554; MN REO Properties, 8937 Aztec Drive, Eden Prairie MN 55347; Usset, Weingarden & Liebo, 4500 Park Glen Road #300, Minneapolis MN 55416; Frogtown Neighborhood Association; 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 April 25, 2011; and

WHEREAS, the enforcement officer posted a placard on the Subject Property on March 28, 2011 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 May 24, 2011 at which time staff put the following information into the record:

1. This is a one and one-half story wood frame single family dwelling with an accessory storage shed on a lot of 4,792 square feet and has been vacant since December 23, 2009;
2. The current property owner is BankUnited FSB per Ramsey County Property Records;
3. On March 3, 2011, 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 March 25, 2011 with a compliance date of April 25, 2011. As of this date, this property remains in a condition which comprises a nuisance as defined by the Legislative Code;
4. Taxation has placed an estimated market value of \$15,300 on the land and \$106,400 on the building;
5. Real Estate taxes are current. The Vacant Building registration fees were paid by assessment on January 25, 2011;
6. A Code Compliance Inspection was done on March 24, 2011. As of May 20, 2011, the \$5,000 performance bond has not been posted;
7. There have been eight (8) Summary Abatement Notices since 2009 and ten (10) Work Orders issued for boarding/securing, grass/weeds, and snow/ice;
8. Code Enforcement officers estimate the cost to repair this structure to exceed \$50,000 and the estimated cost to demolish to exceed \$10,000;
9. Heritage Preservation Commission (HPC) staff reported this is an 1884 worker's cottage. However, with the little window hood on the front elevation, it looks as though at one point it either has some East Lake detailing or Greek Revival. It has lost a lot of its detailing and some of the windows have been replaced. It is located in West Frogtown and is part of the 2011 Legacy Grant Survey Area. The two block faces are fairly contiguous - most of the houses are from a similar period. There are only a couple of vacant lots across the street. HPC staff does not think this building is in any area that's been identified for further study. Demolition will have no adverse effect; 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 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 June 15, 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 657 LAFOND AVENUE:

1. The Subject Property comprises a nuisance condition as defined in the Saint Paul Legislative Code;
2. That costs of razing and removal of the 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;
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 the structure 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.