



## Legislation Details (With Text)

**File #:** RLH RR 11- 31      **Version:** 2

**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 structure(s) at 620 CASE AVENUE within fifteen (15) days after the July 6, 2011 City Council Public Hearing.

**Sponsors:** Dan Bostrom

**Indexes:** Substantial Abatement Orders, Ward - 6

**Code sections:**

**Attachments:** 1. 620 Case Ave.Order to Abate Nuisance.4-6-11, 2. 620 Case Ave.Public Hearing Notice.5-13-11, 3. 620 Case Ave.Code Compliance Rpt.6-19-09, 4. 620 Case Ave.Photos.3-24-11.pdf, 5. 620 Case Avenue.Letter.8-10-11.pdf

| Date      | Ver. | Action By            | Action             | Result |
|-----------|------|----------------------|--------------------|--------|
| 7/12/2011 | 2    | Mayor's Office       | Signed             |        |
| 7/6/2011  | 2    | City Council         | Adopted As Amended | Pass   |
| 6/28/2011 | 2    | Legislative Hearings | Referred           |        |
| 6/14/2011 | 1    | Legislative Hearings | Referred           |        |

Ordering the razing and removal of the structure(s) at 620 CASE AVENUE within fifteen (15) days after the July 6, 2011 City Council Public Hearing.

### Amended 7/6/11

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 620 CASE AVENUE. This property is legally described as follows, to wit:

Chas Weides Sub B25 26 Arlingt Lots 45 and Lot 46 Blk 25

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 April 13, 2010, the following are the now known owners, interested or responsible parties for the subject property: Manuel Contreras, 2515 White Bear Avenue N #8a, Maplewood MN 55109-5159; Manuel G Contreras, 4716 92nd Ct N, Brooklyn Park MN 55443-1654; Federal Home Loan Mortgage Corp, 333 W Wacker Drive #3100, Chicago IL 60606-1287; MERS, PO Box 292190, Lewisville TX 75029-2452; Shapiro, Nordmeyer & Zielke, 12550 W Frontage Road #200, Burnsville MN 55337; Payne Phalen District 5 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 raze and remove the structures(s) located on the Subject Property by May 9, 2011; and

WHEREAS, on April 7, 2011 the enforcement officer posted a placard on the Subject Property declaring the 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 June 14 and June 28, 2011 at which time staff put the following information into the record:

1. This is a one-story wood frame single-family dwelling on a lot of 6,098 sq. ft. and has been vacant since April 17, 2008;
2. The current property owner is Manuel G. Contreras per Ramsey County Records;
3. There were five Summary Abatement Notices since 2008 and five Work Orders for boarding/securing, garbage/rubbish, grass/weeds, and snow/ice;
4. On March 23, 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 April 6, 2011 with a compliance date of May 9, 2011. As of this date, this property remains in a condition which comprises a nuisance as defined by the Legislative Code;
5. The Vacant building registration fees were paid by assessment on May 18, 2011. Taxation has placed an estimated market value of \$8,100 on the land and \$21,900 on the building;
6. A Code Compliance Inspection was conducted on June 19, 2009 and has expired. The \$5,000 performance bond was not posted as of June 10, 2011;
7. Real estate taxes are delinquent for year 2010 in the amount of \$1,599.11 and the first half of 2011 in the amount of \$1,181.52 plus penalty and interest;
8. Code Enforcement officers estimate the cost to repair the structure to be between \$50,000 and \$70,000 and the cost to demolish to be between \$8,000 - \$10,000;`
9. Heritage Preservation Commission (HPC) staff reported that this is an 1883 one-story bungalow with a gutted interior. The original front porch has been enclosed and a small rear addition was done early on. The asbestos siding is original. The property abuts the National Register eligible Payne Ave Commercial Historic District. It is within a current Legacy Survey area but is not a potential historic district. It lies west of Payne Avenue (historic district lies east of Payne Ave). Removal would start to erode residential behind the commercial corridor; however, demolition would have no (overall) 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 July 6, 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 620 CASE 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 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 rehabilitating or razing and removing the structure in accordance with all applicable codes and ordinances. The rehabilitation or razing and removal of the structure must be completed within ~~fifteen (15)~~ thirty (30) 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.