



## Legislation Details (With Text)

**File #:** RLH RR 11- 34 **Version:** 2

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

**In control:** City Council

**Final action:** 8/3/2011

**Title:** Ordering the rehabilitation or razing and removal of the structures at 677-679 AURORA AVENUE within fifteen (15) days after the August 3, 2011, City Council Public Hearing.

**Sponsors:** Melvin Carter III

**Indexes:** Substantial Abatement Orders, Ward - 1

**Code sections:**

**Attachments:** 1. 677 Aurora Order to Abate 4-29-11.pdf, 2. 677 Aurora Pub Hrng Notice 6-10-11.pdf, 3. 677-679 Aurora Ave.Photos.4-21-11.pdf, 4. 677-679 Aurora Ave.R-R FTA & LO Ltr 7-12-11.pdf, 5. 677-679 Aurora-Photos.pdf, 6. 677-679 Aurora Ave.SHPO Form.pdf

Date	Ver.	Action By	Action	Result
8/12/2011	2	Mayor's Office	Signed	
8/3/2011	2	City Council	Adopted As Amended	Pass
7/12/2011	1	Legislative Hearings	Referred	

Ordering the rehabilitation or razing and removal of the structures at 677-679 AURORA AVENUE within fifteen (15) days after the August 3, 2011, City Council Public Hearing.

### Amended 8/3/11

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 two story wood frame duplex located on property hereinafter referred to as the "Subject Property" and commonly known as 677 - 679 AURORA AVENUE. This property is legally described as follows, to wit:

Chute Brothers Division No 1 Lot 16

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 February 20, 2011, the following are the now known owners, interested or responsible parties for the subject property: Federal National Mortgage Assn, 14221 Dallas Parkway, Suite 11201, Dallas, TX 75254-2957; Wilford & Geske, 8425 Season Parkway #105, Woodbury, MN 55125-4393; Summit-University 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 29, 2011; and

WHEREAS, the enforcement officer posted a placard on the Subject Property on May 2, 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 July 12, 2011 at which time staff put the following information into the record:

1. This is a two-story wood frame single family dwelling on a 3,485 sq. ft. lot which has been vacant since July 15, 2009;
2. The current owner is Federal National Mortgage Association;
3. There have been 13 Summary Abatement Notices since 2009 and 16 Work Orders for boarding/securing, garbage/rubbish, tall grass/weeds, snow/ice, and tree branches protruding into the public right-of-way (alley and sidewalk);
4. On April 21, 2011, an inspection was conducted, a list of deficiencies which constitute a nuisance was developed, and photos were taken. An Order to Abate Nuisance Building was posted on April 29, 2011 with a compliance date of May 31, 2011. As of this date, the 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 August 20, 2010. The fee for 2011-2012 is due on July 15, 2011. Taxation has placed an estimated market value of \$12,000 on the land and \$128,600 on the building;
6. A Code Compliance inspection was done on July 7, 2011. The \$5,000 performance bond has not been posted;
7. Real estate taxes for 2009 and 2010 are delinquent in the amount of \$3,393.58 plus penalty and interest. (Currently in tax forfeiture with redemption period ending July 31, 2011);
8. Code Enforcement officers estimate the cost to repair the structure(s) to exceed \$75,000 and the cost to demolish to be between \$10,000 and 12,000;
9. DSI recommends removal of the building within 15 days;
10. Heritage Preservation Commission (HPC) staff reported that this is a 2-1/2 story house constructed in 1915. Alterations include an enclosed front porch and siding over the original clapboard. It is located in the Dale Station Area for Central Corridor across the street from a church which is a local historic resource. Each corner has original similar type construction. There is a need to try to avoid demolition of residential properties on either side of University Avenue. The site condition is good and the neighborhood is intact. The property is very representative of that area. It is not eligible for national register. An architectural survey was done of the area and this property was looked at for its ability to contribute to a national register individually but not for a district contextual significance. HPC staff strongly encourages rehabilitation (in the sense of maintaining the continuity of architecture of that neighborhood and along the Central Corridor); 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 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 August 3, 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 677-679 AURORA 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 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, or in the alternative by 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 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 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.