



Legislation Text

File #: RLH RR 24-40, **Version:** 3

Third Making finding on the appealed substantial abatement ordered for 346 SHERBURNE AVENUE in Council File RLH RR 24-4.

AMENDED 10/23/2024

WHEREAS, the City Council adopted RLH RR 24-4 on March 20, 2024 which granted 180 days to repair the structure, correct all of the deficiencies listed in the Order to Abate Nuisance Building and the Code Compliance Report at 346 Sherburne Avenue; and

WHEREAS, the Legislative Hearing Officer reviewed this case on September 24, 2024 to determine if the owner and/or responsible party abated the nuisance conditions and found these conditions were not abated and, therefore, recommends that the City Council take the following actions in order for an extension to be granted: 1) forfeit \$5,000 of \$10,000 Performance Deposit; 2) require an additional (new) \$5,000 be posted; and 3) require the property owner submit a new/updated work plan/schedule; and 4) require that the property owner provide evidence of financing and affidavit if necessary by close of business on October 18, 2024; and

WHEREAS, the Legislative Hearing Officer reviewed this case on October 18, 2024 and found the nuisance conditions were not abated, no Code Compliance Certificate has been issued and no additional \$5,000 performance deposit has been posted; and no new/updated work plan, schedule and evidence of financing sufficient to execute the plan; and

WHEREAS, the Legislative Hearing Officer recommends that the City Council 1) forfeit \$5,000 of the posted \$10,000 performance deposit; 2) continue to forfeit the balance of the performance deposit in \$1,000 increments every 2 weeks, beginning November 6, 2024 until a Certificate of Code Compliance is issued; and

WHEREAS, the Legislative Hearing Officer recommends that if the property owner needs time beyond January 8, 2025, when the entire performance deposit is forfeit, they must 1) submit a new/updated work plan, schedule for completion and evidence of financing sufficient to execute the plan subject to approval by the Department of Safety & Inspection, Legislative Hearing Officer and City Council; 2) replace the performance deposit to bring the balance to \$10,000; or the property is subject to razing and removal; now, therefore, be it

~~RESOLVED, that the Saint Paul City Council adopts the findings and recommendations of the legislative hearing officer that the nuisance condition is not abated and withholds its decision on an extension pending satisfaction of the above-listed conditions.~~