



Legislation Text

File #: RLH RR 11-24, **Version:** 2

..Title

Ordering the razing and removal of the structures at 1025 LAWSON AVENUE EAST within fifteen (15) days after the June 1, 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 two story, wood frame, single family dwelling and its two stall, detached wood frame garage located on property hereinafter referred to as the "Subject Property" and commonly known as 1025 LAWSON AVENUE EAST. This property is legally described as follows, to wit:

Douglas Addition Lot 22 Blk 2

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 August 2, 2010, the following are the now known owners, interested or responsible parties for the subject property: Bank Of America Na, 6501 Irvine Center Dr, Irvine CA 92618-2118; US Bank, c/o Michael Olsen, 659 Bielenberg Drive Suite 100, Woodbury MN 55125; Stonecrest Income and Opportunity Fund LLC, 4300 Stevens Creek Blvd, San Jose CA 95129; Usset & Weingarden, 4500 Park Glen Road #300, St. Louis Park MN 55416; 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 April 4, 2011; and

WHEREAS, On March 3, 2011 the enforcement officer posted 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 May 10, 2011 at which time staff put the following information into the record:

1. This building is a two-story, wood frame single-family dwelling with a detached two-stall garage on a lot of 4,792 square feet and has been vacant since September 30, 2009;
2. The current property owner is Bank of America per Ramsey County Property records;
3. There have been eleven (11) Summary Abatement Notices since 2009 and eleven (11) Work Orders issued for garbage/rubbish, tall grass/weeds, boarding/securing, and exterior-remove tree limb from public sidewalk;
4. On January 25, 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 March 2, 2011 with a compliance date of April 4, 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 October 22, 2010. Taxation has placed an estimated market value of \$14,600 on the land and \$80,400 on the building. A Code Compliance Inspection was done on November 24, 2010;
6. As of May 6, 2011, the \$5,000 performance deposit had not been posted;
7. Real Estate taxes are current;
8. Code Enforcement officers estimate the cost to repair this structure to exceed \$24,000; the cost to demolish exceeds \$12,000; and
9. Heritage Preservation Commission (HPC) and Planning and Economic Development (PED) staff reported this is a 1889 worker's cottage that sits on a hill and there are several houses in a row that have retaining walls, including this one. This area has not been surveyed. The building fits with the era of surrounding buildings but demolition would not have an adverse effect. It has some integrity but no distinguishing characteristics.

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 1, 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 1025 LAWSON 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

FINALLY 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 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. 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.