



Legislation Text

File #: RLH RR 11-26, **Version:** 2

Ordering the razing and removal of the structures at 984 MINNEHAHA AVENUE EAST within fifteen (15) days after the June 15, 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 one and one-half story, wood frame, single family dwelling and its two stall, wood frame car port located on property hereinafter referred to as the "Subject Property" and commonly known as 984 MINNEHAHA AVENUE EAST. This property is legally described as follows, to wit:

Schiffmanns Sub Of B109 110 Lots 3 & Lot 4 Blk 110

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 November 26, 2011, the following are the now known owners, interested or responsible parties for the subject property: City And County Credit Union, 144 Eleventh St E, Saint Paul MN 55101-2332; Timothy Dunn, 101 Fifth Street E, #1150, Saint Paul MN 55101; Dayton's Bluff District 4 Community 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 March 28, 2011; and

WHEREAS, the enforcement officer posted a placard on the Subject Property on February 16, 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 two-story, wood frame, single-family dwelling with an accessory car port on a lot of 9,583 square feet and has been vacant since June 16, 2010;
2. The current property owner is the City and County Credit Union per Ramsey County records;
3. On January 26, 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 February 15, 2011 with a compliance date of March 28, 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 \$25,700 on the land and \$35,500 on the building;
5. Real Estate taxes for 2010 are delinquent in the amount of \$2,182.54, plus penalty and interest. (Note: property will go tax forfeiture on 5/1/12.) The Vacant Building registration fees were paid by assessment on August 20, 2010;
6. As of May 20, 2011, a Code Compliance Inspection has not been done and the \$5,000 performance bond has not been posted;
7. There have been five (5) Summary Abatement Notices since 2010 and seven (7) Work Orders issued for boarding/securing, garbage/rubbish, grass/weeds, and snow/ice;
8. Code Enforcement officers estimate the cost to repair this structure to exceed \$27,000; the cost to demolish to exceed \$10,000; and
9. Heritage Preservation Commission (HPC) staff reported that that this is an 1886 wood frame worker's cottage that may have had some Greek Revival detailing at some point. It was originally constructed with two houses on a large lot with three accessory structures: 1) one for autos; 2) one for animals; 3) other. Since then, the lots have been divided which explains the close proximity of the 2 houses. The property has lost its front porch and its side porch that were original. There have been many other additions on the back. Asbestos siding is covering the original wood siding. It is not located within a survey area and it was not surveyed in 1983; therefore, demolition would not have an 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 984 MINNEHAHA AVENUE EAST:

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 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.