



## Legislation Text

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**File #:** RLH RR 11-27, **Version:** 2

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Ordering the rehabilitation or razing and removal of the structure(s) at 922 WESTMINSTER STREET within fifteen (15) days after the June 15, 2011 City Council public hearing. (Request referral back to Legislative Hearing on July 19, 2011 and City Council on August 3, 2011)

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 922 WESTMINSTER STREET. This property is legally described as follows, to wit:

Edmund Rices Fourth Addition W 7o Ft Of Lot 8 Blk 6

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 December 5, 2010, the following are the now known owners, interested or responsible parties for the subject property: State Of MN Trust Exempt, PO Box 64097, St Paul MN 55164-0097; Kris Kujala, Supervisor, Ramsey County Property Records And Revenue, PO Box 64097, St Paul MN 55164-0097; 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 razing and remove the structures(s) located on the Subject Property by April 4, 2011; and

WHEREAS, the enforcement officer has posted on March 3, 2011, 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 24, 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 lot of 3,049 square feet and has been vacant since May 29, 2009;
2. The current property owner is the State of Minnesota Trust Exempt per Ramsey County property records;
3. On February 15, 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 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;

4. Taxation has placed an estimated market value of \$8,100 on the land and \$31,900 on the building. The property was tax forfeited on August 1, 2009;
5. The Vacant Building fees went to assessment on December 15, 2010;
6. A Code Compliance Inspection was done on March 17, 2011. As of May 20, 2011, the \$5,000 performance bond has not been posted;
7. There have been five Summary Abatement Notices since 2009 and four Work Orders for boarding/securing and garbage/rubbish;
8. Code Enforcement officers estimate the cost to repair this structure to exceed \$40,000 and the cost to demolish between \$9,000 and \$10,000;
9. Heritage Preservation Commission (HPC) staff reported that this is a 1-1/2 story workers' cottage that still has its wood clap board siding visible. It is a corner property. Kiddy corner stands an architecturally prominent house and there are a couple others on the block. This house is a little more modest in style. It is in the current Payne Phalen Survey area being conducted with Legacy Funds. Preliminary information reveals that it doesn't look as though there's enough integrity to recommend future study for historic districts in this neighborhood. Staff does not think it has potential as a historic resource, individually, but demo would have a negative impact on the context of the neighborhood and rehab is encouraged; 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 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 922 WESTMINSTER STREET:

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 razing 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 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 rehabilitation or 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.