



## Legislation Text

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**File #:** RLH RR 11-32, **Version:** 2

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Ordering the razing and removal of the structures at 621 ARLINGTON AVENUE EAST within fifteen (15) days after the July 6, 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 wrecking and removal of a single story, wood frame, single family duplex and its two stall, wood frame, detached garage located on property hereinafter referred to as the "Subject Property" and commonly known as 621 ARLINGTON AVENUE EAST. This property is legally described as follows, to wit:

Harrison And Handys Addition Lots 26 & Lot 27 Blk 14

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 March 7, 2011, the following are the now known owners, interested or responsible parties for the subject property: Prime Security Bank, 1305 Vierling Dr E, Shakopee MN 55379-4315; Messeli & Kramer PA, 1400 Fifth Street Towers, 100 S Fifth Street, Minneapolis MN 55402; 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 May 9, 2011; and

WHEREAS, On April 7, 2011, the enforcement officer posted a placard on the Subject Property declaring the 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 June 14, 2011 at which time staff put the following information into the record:

1. This is a 1-1/2-story wood frame and stucco duplex with 2-stall garage on lot of 10,019 sq. ft. and has been vacant since October 28, 2009;
2. The current property owner is Prime Security Bank per Ramsey County Records;
3. There have been six Summary Abatement Orders since 2009 and two Work Orders for garbage/rubbish and grass/weeds;
4. On March 11, 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 April 6, 2011 with a compliance date of May 9, 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 on November 19, 2010. Taxation has placed an

estimated market value of \$21,100 on the land and \$28,500 on the building;

6. A Code Compliance inspection has not been done and the \$5,000 performance bond has not been posted;

7. Real estate taxes are current;

8. Code Enforcement officers estimate the cost to repair the structure to be \$40,000 to \$50,000 and the cost to demolish between \$8,000 and \$10,000;

9. Heritage Preservation Commission (HPC) staff reported that this is a 1920 worker's cottage on a very large lot. There is no building permit index card or Sanborn Insurance map available. It was originally built with clap board siding, then stuccoed. There is continuity among block faces, it is a well maintained area, it is a unique architectural style on the block. It has not been surveyed and would probably not be identified as potential historic building. Demolition would have no adverse effect; and

WHEREAS, after reviewing testimony and evidence, the Legislative Hearing Officer made the recommendation 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 July 6, 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 621 ARLINGTON 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 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 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.