



Legislation Text

File #: RLH RR 11-39, **Version:** 2

Ordering the razing and removal of the structures at 998 SCHEFFER AVENUE within five (5) days after the August 3, 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, partially collapsed, fire-damaged house and the detached two-stall, wood frame garage located on property hereinafter referred to as the "Subject Property" and commonly known as 998 SCHEFFER AVENUE. This property is legally described as follows, to wit:

Lexington Park Plat 11 W 1/2 Of Lot 4 And All Of Lot 5 Blk 1

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: Robin L Sook, 5249 Shoreview Ave, Minneapolis, MN 55417-1937; Flagship Bank Minnesota, 7525 Office Ridge Circle, Eden Prairie, MN 55344; West Seventh/Fort Road Federation; 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 31, 2011; and

WHEREAS, the enforcement officer posted a placard on the Subject Property on May 2, 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 to 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 July 12, 2011 at which time staff put the following information into the record:

1. This is a 1-1/2 story wood frame single family dwelling with a two-stall detached garage on a 7,405 sq. ft. lot. It has been vacant since September 14, 2009;
2. The current property owner is Robin L. Sook;
3. There were 11 Summary Abatement Notices since 2009 and 10 Work Orders issued for garbage/rubbish, boarding/securing, and tall and grass/weeds;
4. On April 18, 2011, an inspection of the building was conducted, a list of deficiencies which constitute a

nuisance condition was developed, and photos were taken. An Order to Abate a Nuisance Building was posted on April 29, 2011 with a compliance date of May 31, 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 by assessment on October 22, 2010. Taxation has placed an estimated market value of \$32,300 on the land and \$124,100 on the building;
6. A Code Compliance Inspection was conducted on March 23, 2010. The \$5,000 performance bond has not been posted;
7. Real Estate taxes for 2010 are delinquent in the amount of \$2,304.71 plus penalty and interest. The first half taxes for 2011 are due and owing in the amount of \$1,559.79;
8. Code Enforcement Officials estimate the cost to repair this structure to be between \$80,000-90,000 and the cost to raze to be between \$10,000-12,000. DSI recommends removal within 15 days;
9. Heritage Preservation staff reported that this is a 1-1/2 story frame craftsman style bungalow constructed in 1921. Other than the fire damage and the enclosed (altered) front porch, it still retains the wood siding, shakes and gables. This area has not been surveyed individually nor for context. There is a mixture of housing styles in this area. HPC would allow for demolition.

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 five (5) days after the date of the Council Hearing; and

WHEREAS, a hearing was held before the Saint Paul City Council on August 3, 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 998 SCHEFFER AVENUE:

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 in accordance with all applicable codes and ordinances. The razing and removal of the structure must be completed within five (5) 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.