Request for City Council Committee Action from the Department of Regulatory Services

Date: August 13, 2008

To: Public Safety and Regulatory Services Committee, the Honorable Don Samuels, Chairperson

Referral to: No referral

Subject: Demolition of 2400 Dupont Ave North, as per recommendation from the Nuisance Condition Process Review Panel (249 Appeals Panel).

Recommendation:

To adopt findings of the Nuisance Condition Process Review Panel to uphold the Director's Order and demolish the property located at 2400 Dupont Ave North, Minneapolis, MN.

Previous Directives:

None.

Prepared or Submitted by Tom Deegan, Manager of the Problem Properties Unit, 673-3310.

Approved by: Rocco Forte

Rocco Forte, Assistant City Coordinator

Henry Reimer, Director of Inspections

Presenters in Committee
Lee Wolf, Attorney
Tom Deegan, Manager Problem Properties Unit

Financial Impact (Check those that apply)
X No financial impact (If checked, go directly to Background/Supporting Information).
_Action requires an appropriation increase to the ___ Capital Budget or ___ Operating Budget
_Action provides increased revenue for appropriation increase
_Action requires use of contingency or reserves
_Action is within the Business Plan
_Action requires a change to the Business Plan
_Other financial impact
_Request provided to the Finance Department when provided to the Committee Coordinator

Community Impact
Neighborhood- No impact.
City Goals – Maintain the physical infrastructure to ensure a safe, healthy and livable city.
Comprehensive Plan – No impact.
Zoning Code – No impact.
Other

Background and Supporting Information

In 2003 the house sustained two fires, and the rental license was closed. It has not held a rental license since May 9, 2003.

Director's Order to Demolish was sent June 6, 2007.

First appeal in front of Nuisance Condition Process Review Panel (NCPRP) was held on August 9, 2007. Hearing continued to October 4 due to property owner health issues.

Second appeal in front of NCPRP was held on October 4, 2007. Hearing continued 30 days.

Third appeal in front of NCPRP was held on November 8, 2007. Hearing continued 30 days.

Fourth appeal in front of NCPRP was held on December 13, 2007. Property owner reported he was requesting variance through Zoning and Planning.

In the first hearing in front of Minneapolis Zoning and Planning, held March 27, 2008, Mr. Smithrud was denied his appeal for Certificate of Nonconforming Use.

On April 4, 2008 Minneapolis City Council upheld Zoning Board's recommendation to deny Certificate of Nonconforming Use.

Notification summary

The Order to Raze and Remove the Building was sent by certified mail to Mr. LeRoy Smithrud at Freeway Realty, Inc., 3317 Hampshire Ave N, Crystal, MN 55427.

Recommendation

Staff recommendation: Demolition

Nuisance Condition Process Review Panel recommendation: Demolition

Findings of Fact and Staff Presentation under separate cover.