



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final - Final-revised

Legislative Hearings

Marcia Moermond, Legislative Hearing Officer

Mai Vang, Hearing Coordinator

Jean Birkholz, Hearing Secretary

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651-266-8585

Tuesday, July 12, 2016

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Remove/Repair Orders

- 1 [RLH RR 16-11](#) Ordering the rehabilitation or razing and removal of the structures at 1698 LAFOND AVENUE within fifteen (15) days after the April 6, 2016, City Council Public Hearing. (To be referred back to Legislative Hearing on May 10)

Sponsors: Stark

Attachments: [1698 Lafond Ave.OTA 1-22-16](#)
[1698 Lafond Ave.PH 2-5-16](#)
[1698 Lafond Ave.Administrative Search Warrant 12-8-15](#)
[1698 Lafond Ave.Photos 2-2-11](#)
[1698 Lafond Ave.Photos 3-31-11](#)
[1698 Lafond Ave.Photos 12-10-15](#)
[1698 Lafond Ave.Photos 1-20-16](#)
[1698 Lafond Ave.Exp Code Compl Rep 12-19-11](#)
[1698 Lafond Ave.SHPO Form 2-11-16](#)
[1698 Lafond Ave.Ayd Ltr.3-25-16](#)
[1698 Lafond Ave.chain emails.3-21-16](#)
[1698 Lafond Ave.Rescheduled chain emails.4-15-16](#)
[1698 Lafond Ave.Vang email to Ayd.5-6-16](#)
[1698 Lafond Ave.ramsey county payment plan info.5-10-16](#)
[1698 Lafond Ave.Ayd email to Vang.5-9-16](#)
[1698 Lafond Ave.email.5-19-16](#)
[1698 Lafond Ave.Ayd emails.5-22-16](#)
[1698 Lafond Ave.Ayd Ltr.5-12-16](#)
[1698 Lafond Ave.Confession of Judgment.5-24-16](#)
[1698 Lafond Ave.Ayd emails.5-30-16](#)
[1698 Lafond Ave.Summary Abatement Order.5-24-16](#)
[1698 Lafond Ave.Ayd emails.6-1-16](#)
[1698 Lafond Ave.Ayd emails #2.6-1-16](#)
[1698 Lafond Ave.Ayd Ltr.6-1-16](#)
[1698 Lafond Ave.Photo.5-31-16](#)
[1698 Lafond Ave.Photo.6-14-16](#)
[1698 Lafond Ave.Ayd Ltr.6-15-16](#)
[1698 Lafond SA 5-24-16](#)
[1698 Lafond photos1 6-23-16](#)
[1698 Lafond photos2 6-23-16](#)
[1698 Lafond photos3 6-23-16](#)
[1698 Lafond Ave.Ayd Ltr.7-14-16](#)
[1698 Lafond Ave R-R Ltr.8-11-16](#)

Richard Ayd, owner, appeared.

Ms. Moermond:

-a lot has changed for 1698 Lafond

-two hearings ago, Inspector Yannarely gave Mr. Ayd a Summary Abatement Order to clean out the interior

Inspector Steve Magner, Vacant Buildings:

-at the last hearing, we had the final discussion on how the clean out was to take place

-read the Jun 15 letter into the record (attached)

-the clean out was done by Restoration Professionals; those were items that contributed to the gross & unsanitary conditions, which included the porous items; the non-porous items, like hard wood items, etc. can be cleaned relatively easily

-it is broom clean so that the inspection staff can go in (Jim Seeger & team); as of today, we have no confirmed time for them to go in to do the code compliance inspection that Mr. Ayd has paid for

Ms. Moermond:

-the stuff was removed but there is going to be residue from the mouse infestation within the vents; there's also probably mold (theses are not normally covered in the code compliance inspection)

Mr. Magner:

-the majority of the surface areas will have to be addressed under the building section of the code compliance; it is going to take a lot of cleaning to resolve the residue problems; the floor may just need to be cleaned; it might need to be sanded or removed; it will be determined at the time of examination to prevent health issues -we try to hold the cost of the clean up to a \$5000 cap; the initial estimate to clean this were extensively higher - \$25,000 if we were to clean it to a healthy life standard for living

Ms. Moermond:

-her request to the team writing up the code compliance inspection report would be that it's explicit in what the expectations are; and that if a certified or licensed professional needs to be used for aspects of that cleaning that it be made clear in the report

Mr. Magner:

-he will refer back to Mr. Seeger and Mr. Ubl that all of the sections of the code compliance inspection need to discuss the infestation issues and the cleaning that needs to be done to make sure that the recipient of the code compliance understands what needs to be done to get the property habitable

Mr. Ayd:

-he has decided to investigate Senior Housing buildings; he called about 25 places: condos, co-operatives, apartments, and those with assisted living/services; he has toured 3 different buildings; he put a deposit down on the RealLife Village of Phalen Park, at Phalen Blvd & Johnson Pkwy; it's a co-operative so, the person buying-in has to come in with the total amount of money needed for the purchase of the unit; from then on, you pay a monthly association fee; he would like to do this; although, this building does not have additional services but he doesn't need that yet

-he also looked at Village Greenhouse, Lexington & Larpenteur; their units start at \$215,000; the almost exact same unit at RealLife is \$100,000 (you own a share, a portion of the building, not the unit)

-he contacted HomeVesters and _____, that buy your home and do the repairs

Ms. Moermond:

-you can't sell you house under the law; it's a building with dangerous & nuisance conditions; it must be abated before it can be sold or transferred to another party -some people have brought forward rehab agreements (rehabber comes in and agrees to do the repairs but not take title until it's finished); if you want to do that, you need to have an agreement drafted and approved by the city as a part of this project;

that's one of your options

Mr. Ayd:

-but I need the money from the sale of the house to buy the co-operative

Ms. Moermond:

-right now, that money isn't available until the house is fixed; there has been no exception to this rule

Mr. Magner:

-Mr. Ayd's options: 1) pursue a 3rd party as an independent partner; recommends that the 3rd party contact Joe Yannarely or Matt Dornfeld; 2) enter into an agreement with a Community Development Corporation: Rondo Land Trust, Greg Finzell; or Neighbor Works, Donna Corbo (will be in the letter); they can do a short-handed transaction, if needed; 3) hire your own people, a project manager; 4) hire a contractor to remove the house and sell the land; a real estate expert; and 5) do nothing and ultimately, the City Council would pass a Resolution to remove the structure

-now, you need more time since you decided to go to a different housing plan

Ms. Moermond:

-current value of your property right now is not quite \$110,000; if there's a demolition, the \$5000 that was spent cleaning up the house would come off the top of the sale of the land; then, the demo cost would be subtracted

-if the code compliance report comes back and says that this place can be fixed; it will cost \$75,000; the end value will be \$125,000 - \$150,000, that is the equation that your people will want to use

-she will encourage to get those inspectors out there quickly

-you are not going to be able to clear \$100,000 on this, in her opinion

Mr. Ayd:

-he is not going to walk away from it either

-House Calls was supposed to be here to help me remember things

-if I spend a huge amount of money repairing it, I will want to stay there; his idea is to get out of it as quickly as possible

Ms. Moermond:

-the city's goal has not to do with the amount of money spent; it has to do with getting it to be minimally code compliant - that will make it habitable

-we will write a letter that will include the options that we talked about

-we will get the team inspection ASAP (hopefully, this week)

Mr. Ayd:

-the house is a pretty bungalow with hardwood floors, plaster walls & ceilings, incredible woodwork and four French doors that open out from the living room into the den.... it's definitely worth saving; it would be a terrible shame to have it removed

Ms. Moermond:

-right now, we are entering the world of cold financial calculations

-whether or not it's salvageable is never the question in this room; every building is salvageable; it's how much money that can be put on the table to do the rehab

-we will meet again 30 days out

-take the code compliance inspection with you to meet with potential partners to discuss to rehab

-Rondo Land Trust works in your area; call them

-Neighbor Works, Becky Errigo; call her

-they will want to do a scope of work to bid out the project & develop an estimate

Continued to August 9. Much explanation was provided to legal options for rehabilitating or demolishing the property.

Laid Over to the Legislative Hearings due back on 8/9/2016

2 [SR 16-48](#)

Reviewing request of owner, Dao Yang, to have Council reconsider its Order to Remove or Repair the Structures at 595 JESSAMINE AVENUE EAST.

Sponsors: Bostrom

Attachments: [595 Jessamine Ave E.OTA 12-16-15](#)
[595 Jessamine Ave E.PH 1-22-16](#)
[595 Jessamine Ave E.Code Compliance Report 6-29-15](#)
[595 Jessamine Ave E.SHPO Form 12-22-15](#)
[595 Jessamine Ave E.Photos #1.12-3-15](#)
[595 Jessamine Ave E.Photos #2.12-3-15](#)
[595 Jessamine Ave E.Photos.2-11-16](#)
595 Jessamine Ave E.Fire Report.2-8-15
[595 Jessamine Ave E.Yang Ltr.3-24-16](#)
[595 Jessamine Ave E.Yang Ltr.4-12-16](#)
[595 Jessamine Ave E.Yang Revised Ltr.5-4-16](#)
[595 Jessamine Ave E.Yang Ltr.6-2-16](#)
[595 Jessamine Ave E.chain emails.6-5-16](#)
[595 Jessamine Ave E.Yang Ltr.6-16-16](#)
[595 Jessamine Ave E.Yang Ltr.7-14-16](#)

Ms. Moermond:

-this is simply on the agenda to be archived

-noted that a letter went out after our last hearing in Jun indicating that if a \$5000 Performance Deposit were posted by Jun 17, 2016 that additional time would be allotted to meet other conditions to rehab the house but the Performance Deposit was not posted; they called and expressed that they were uninterested in doing the work on the house and abandoning it

-this is a Staff Report, not actually a Resolution

-we did have a Resolution - the Staff Report was backgrounding it to whether or not a Stay should be considered by the City Council

-the Resolution to the City Council will Deny the request for a Stay because the condition was not met

Inspector Steve Magner, Vacant Buildings:

-so, we will move forward in hiring a contractor to remove the structure

Ms. Moermond:

-there's also a Vacant Building fee; the VB file was opened in Feb 2015

-will recommend approval of the VB fee

Deny the request to reconsider its Order to remove or Repair the Structures. A new

Resolution denying the request will be on the August 3 Public Hearing.

Received and Filed

- 3** [RLH TA 16-310](#) Ratifying the Appealed Special Tax Assessment for Property at 595 JESSAMINE AVENUE EAST. (File No. VB1610A, Assessment No. 168823)

Sponsors: Bostrom

Attachments: [595 Jessamine Ave E.Yang Ltr.7-14-16](#)

Ms. Moermond:

-this is simply on the agenda to be archived

-noted that a letter went out after our last hearing in Jun indicating that if a \$5000 Performance Deposit were posted by Jun 17, 2016 that additional time would be allotted to meet other conditions to rehab the house but the Performance Deposit was not posted; they called and expressed that they were uninterested in doing the work on the house and abandoning it

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-the Resolution to the City Council will Deny the request for a Stay because the condition was not met

Inspector Steve Magner, Vacant Buildings:

-so, we will move forward in hiring a contractor to remove the structure

Ms. Moermond:

-there's also a Vacant Building fee; the VB file was opened in Feb 2015

-will recommend approval of the VB fee

Approve the assessment.

Referred to the City Council due back on 8/3/2016

- 4** [RLH RR 16-23](#) Ordering the rehabilitation or razing and removal of the structures at 953 CHARLES AVENUE within fifteen (15) days after the August 3, 2016, City Council Public Hearing.

Sponsors: Thao

Attachments: [953 Charles Ave.OTA 4-22-16](#)

[953 Charles Ave.PH 6-10-16](#)

[953 Charles Ave.SHPO Form 5-12-16](#)

[953 Charles Ave.Photos.4-17-14](#)

[953 Charles Ave.Photos.4-21-16](#)

[953 Charles Ave.Egyhazi Ltr.7-14-16](#)

[953 Charles Ave.Egyhazi R-R Ltr.7-27-16](#)

Steven Egyhazi, owner, appeared.

Inspector Steve Magner, Vacant Buildings:

-two-story wood frame single-family dwelling with a detached 3-stall garage on a lot of 5,227 sq.ft.

-has been vacant since Sep 30, 2008
-current property owner is Steven Egyhazi per Ramsey County Property records
-Apr 21, 2016, inspection was conducted; a list of deficiencies which constitute a nuisance condition was developed; photos taken. An Order to Abate a Nuisance Building was posted Apr 22, 2016; compliance date of May 22, 2016. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.
-estimated market value: \$11,400 on the land; \$71,200 on the building
-real estate taxes for the first half of 2016 have not been paid
-the Vacant Building registration fees were paid by assessment on Nov 30, 2015
-a Code Compliance Inspection was done on Jun 25, 2014 and has since expired
-as of Jul 11, 2016, the \$5000 performance deposit has not been posted
-there have been 12 Summary Abatement Notices since 2008
-there have been 5 Work Orders issued for: boarding/securing & snow/ice
-code enforcement officers estimate the cost to repair this structure exceeding \$50,000; estimated cost to demolish: \$15,000

Allison Suhan, Heritage Preservation Commission (HPC):

-built in 1911; known as the Thomas A. Duggan House
-American 40 square single family dwelling
-2-story wood frame home with concrete block foundation
-had an open 1-story front porch and back porch
-alterations include enclosing the front porch
-it does not have a survey form; so, if we know the name of the original owner, that becomes the name of the house

Ms. Moermond:

-looks as though this house hasn't been used for a while

Mr. Egyhazi:

-when I bought it, I tried to rent it and the plan was to fix it up and give it to my brother and 2 daughters, so they'd have a place
-as he faces retirement, it's a matter of finances
-it's a sound structure
-Inspector Dornfeld has been very accommodating
-he had the wrong date for the last inspection; Mr. Dornfeld came the 21st and for some reason, I was expecting him on the 28th
-we had talked about selling it rather than losing it all; the problem with this is that, apparently, he can't sell it in the condition it is; however, he is inundated by people who want to buy it
-he spoke with a former student and they may be willing to make an agreement and he would fix it up
-right now, he's between a rock and a hard place

Ms. Moermond:

-so, do you want to fix it and sell it?

Mr. Egyhazi:

-my other option, apparently, is to have it torn down

Mr. Magner:

-if you don't want to put the funds into the house to rehabilitate it, you could find a partner, who would be willing to rehab it and then, the transaction would occur after the Code Compliance Certificate had been issued
-if you don't want to do that, you could work with Rondo Land Trust/Neighbor Works to see if they'd be interested in entering into a project to rehab the structure; they can

purchase it on the spot -and then go back to their board to discuss options and make a decision

-you could use the old code compliance report done 2 years ago as a preliminary document but you will need a new code compliance before you can actually transact anything or have a final determination as to what needs to be done; apply for a new code compliance inspection ASAP because it will take approx 3 weeks to turn that around; once that's done, you can give that final document to a partner to Rondo or Neighbor Works or as a selling document to the HRA or to the CDCs

-if you do nothing, the city will probably pass a resolution to remove it or you could remove it yourself and sell the raw land

-leaving it in the condition that it's at is not a viable option

-re demo: average cost of demo usually falls between \$13,000-\$17,000; the cost to take out any lead or asbestos out of a property will increase the cost

-if the city does the demo and the bill isn't paid, it becomes a lien on the property as an assessment which can be stretched over time, if appealed when you get the letter for the proposed assessment

Mr. Egyhazi:

-the advantage it has is that it's right next to my house and my mother's house is right next to that

Mr. Magner:

-you would have some options there; you have the ability to keep the raw property and you want to fix up that garage; you could repair the garage, tear the house down but you'd be required to tie the pins together (you'd have to combine your parcel and this parcel - go to the county and record them as 1 property identification so that you'd have 1 tax bill); basically, then, you have a house on a double lot

Mr. Egyhazi:

-the garage doesn't need much repair

Mr. Magner:

-we would also need to talk with Zoning to see if they'd allow that to happen

-if you want to get rid of the garage but still own the lot, you could split the lot in two and put half of that lot with your property and half of that lot with your mother's property; again, you'd tie the pins together and create a different boundary officially, with Ramsey County; now, each of the houses would be on 60-foot lots or you could have 1 house with an 80-foot lot

-in terms of selling the house in partnership, you just need to come back to the table with an agreement with that person or organization, etc; he would need to put together a Work Plan, a sworn construction statement with individual bids from the individual trades; provide proof of financial ability; and post a \$5000 performance deposit with DSI

Ms. Moermond:

-asked Mai Vang to provide Mr. Egyhazi with a code compliance inspection application because the city needs a fresh version; (apply soon)

-if you want to continue a conversation about rehabbing, the city needs a \$5000 performance deposit; also provided an application for that; the deposit is refundable if rehab is done on time (ask for in writing)

-will ask the City Council to continue this conversation to give you time

-Layover to Jul 26, 2016 LH

Continued to July 26, 2016. The following conditions must be met:

1) post the \$5,000 performance deposit no later than July 25; and

2) apply for the code compliance inspection as soon as possible.

If these two conditions are met, the matter can be laid over to develop work plans, financial plan, etc.

Laid Over to the Legislative Hearings due back on 7/26/2016

- 5** [RLH RR 16-24](#) Ordering the rehabilitation or razing and removal of the structures at 956 GERANIUM AVENUE EAST within fifteen (15) days after the August 3, 2016, City Council Public Hearing.

Sponsors: Bostrom

Attachments: [956 Geranium Ave E.OTA 5-10-16](#)
[956 Geranium Ave E.PH 6-10-16](#)
[956 Geranium Ave E.Photos #1.12-16-15](#)
[956 Geranium Ave E.Photos #2.12-16-15](#)
[956 Geranium Ave E.Photos #3.12-16-15](#)
[956 Geranium Ave E.Code Compliance Report 5-18-15](#)
[956 Geranium Ave E.Engineering Report 2-10-16.pdf](#)
[956 Geranium Ave E.Geotechnical Assessment 1-11-16](#)
[956 Geranium Ave E.SHPO Form 5-24-16](#)
[956 Geranium Ave E.Photo.5-11-16](#)
[956 Geranium Ave E.Photo.12-17-13](#)
[956 Geranium Ave E.Photos.12-10-13](#)
[956 Geranium Ave E.Kraut Ltr.7-14-16](#)
[956 Geranium.Structural memo setting appointment.8-2-16](#)
[956 Geranium Ave E.Affidavit of Brian Kraut-Workplan.8-12-16](#)
[956 Geranium Ave E.Affidavit of Costs-Workplan-Financial Ltr.8-12-16](#)
[956 Geranium Ave E.Capras Utilities Bid.7-11-16](#)
[956 Geranium Ave E.Hamernick Decorating Center-Carpet Installation Bid.8-11-16](#)
[956 Geranium Ave E.Hmong Construction Remodeling Bid.8-11-16](#)
[956 Geranium Ave E.MP Systems Inc-Bid.8-11-16](#)
[956 Geranium Ave E.Northstar MLS Matrix.8-12-16](#)
[956 Geranium Ave E.PMR Mechanical Bid.8-10-16](#)
[956 Geranium Ave E.Roy Rogers Construction Services Bid.8-10-16](#)
[956 Geranium Ave E.Sale of VB Statement of Intent.4-12-16](#)
[956 Geranium Ave E.Signing Certificate.4-6-16](#)
[956 Geranium Ave E.Solid Rock Invoice.8-11-16](#)
[956 Geranium Ave E.Solid Rock Invoice.12-9-15](#)
[956 Geranium Ave E.St Paul Sewer Assessment Program.8-12-16](#)
[956 Geranium Ave E.Us Bank Payment.7-31-16](#)

Brian Kraut & Nawei Soe, Mingalar Inc, owner, appeared.

Inspector Steve Magner, Vacant Buildings:

*-one-and-one-half story wood frame single-family dwelling with a detached 2-stall garage on a lot of 4,792 sq.ft; has been vacant since Dec 10, 2013
-current owner is Mingalar Inc per Ramsey County Property records
-May 4, 2016 an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed; photos were taken. An Order to Abate Nuisance Building was posted May 10, 2016 with a compliance date of Jun 9, 2016. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code
-estimated market value: \$9,900 on the land; \$40,000 on the building*

- real estate taxes for the first half of 2016 have not been paid
- the Vacant Building registration fees were paid by credit card Dec 9, 2015
- a Code Compliance Inspection was done May 15, 2015
- as of Jul 11, 2016, the \$5000 Performance Deposit has not been posted
- there have been 11 Summary Abatement Notices since 2013
- there have been 8 Work Orders issued for: garbage/rubbish; boarding/securing; snow/ice
- the foundation of this building is seriously compromised as evidenced in two independent reports by MTM Environmental Inc, dated Jan 11, 2016 and by Mattson, MacDonald, Young dated Feb 10, 2016. As such, any plans for rehabilitation of this structure must be reviewed by the City's structural engineer prior to any improvements being made to the building
- Code Enforcement Officers estimate the cost to repair this structure exceeds \$75,000; estimated cost to demolish is between \$12,000 - \$15,000

Allison Suhan, Heritage Preservation Commission (HPC):

- built in 1895 by Stanislav Charles Barfe, originally from Poland
- the house pre-dates the church in this Polish neighborhood
- was surveyed in 1983 but was not identified for further study
- one-story open front porch
- our 1925 Sanborn map shows that the property had a 1-story auto barn and a 1 1/2 story barn for livestock; also a 1-story structure cited in the SE corner of the property
- has had alterations: asbestos siding; vinyl windows; enclosed front porch

Mr. Magner:

- the property was for sale for a long period of time; we had numerous individuals coming to say that they were going to buy the building; we had done the inspection and still holding off on the Order to Abate; there were a number of conversations held by Mr. Soley to purchasers explaining that we would be going to move forward and at some point in time, we did with the Order to Abate

Mr. Kraut:

- we obtained the property back in Jan 2016; we were looking to buy it in Dec but DSI said the house was out of plumb by 4-5 inches and that needed to be corrected before we could purchase it; they were also requesting a soil sample; it happens to be in the flood plains of 10,000 years ago; all the deterioration and silt in the ground has caused the house to tilt on one side and that's got to be corrected under your initial Order; he thought that it would need a simple sill plate to correct it but not according to their engineer

Ms. Moermond:

- asked if he owned the property outright

Mr. Kraut:

- yes; the paperwork wasn't signed until Mar or Apr 2016 and the city said that we could not proceed until the action was documented; we had to show proper procedures of paying all the bills, etc.
- we had to show that we had the finances for the corrections; we worked out the details with the bank; we were fully aware that we had to show that we had over \$50,000 to proceed with this project and we do have adequate funds
- we have 3 bids; the one we selected was Solid Rock Construction; they did the soil sample; they went down 18-20 feet for stabilization to straighten out the house

Mr. Magner:

- originally, the estimates for rehab were less before all the documentation was is; we would be comfortable saying \$58,000, as long as the documentation said \$58,000;

we said \$75,000 because we didn't know what else might be brought up; we thought that this could be wrapped up as a Category 2 Sale Review project, which didn't transpire; so, we needed to move forward; we wanted to make sure that at some point, the property would be rehabilitation

Ms. Moermond:

-has the city engineer, Brian Karpen, been out there?

Mr. Kraut:

-since we started dealing with Brian Karpen, we are now dealing with 5 Brians (My name is Brian; we're working with 2 engineers, who are working with Solid Rock Construction; Brian Karpen and Brian Sanchez and maybe even another Brian downtown)

-we've had many delays along the way

-we've got everything done and to slow the process down, he had Jim Seeger come out 2 1/2 weeks ago last Fri to see; we had some hangar problems with the joist; the issue with the sill plate; soil

-he had his engineer out there for a new basement floor, drain tile and the bid proposal for water to be pumped out; and the tie ins for the outside walls

-all this was in the 28-page report that was submitted back in Mar

-now, we're looking at additional funds - \$5,000 Performance Deposit and the \$2,085 VB fees, all this taking away from the funds for the rehab

Mr. Magner:

-to clarify, this is where we're at: Jim Seeger has been out there and he has acquiesced to extend the code compliance (it should have expired in May of this year; he's extending it so there's no need to pay for a new code compliance inspection) but the VB fee is due for renewal and the project has not started and it's a Cat 3 VB so we need to have the \$5000 Performance Deposit posted

-at this forum, which is a higher forum than the Sale Review Process, we need to verify again that the plans, the money, performance deposit, VB fee paid; then the City Council can put a time perimeter around it and we can issue permits

Ms. Moermond:

-how much time will it take you to finish the project

Mr. Kraut:

-we were ready weeks ago; the only thing that I forgot today was the actual bank balance; I have all the initial plans to hand to Brian Karpen; contractors are ready to start; we've removed all the foundation inside the facility and it's ready to go; all the flooring has been taken out

-the roof is leaking from the top floor to the bottom floor; we need to get rid of all that water but we could not pull permits

-we did not know that there was going to be one thing right after the other

-we can post that \$5000 today

-the goal is to be done within 6-8 weeks; we can start Mon if we can pull permits

Ms. Moermond:

-she needs a Work Plan; evidence of available financing; \$5000 Perf Dep posted; needs to see the final set of documents from the contractor that you will be using
-will be at City Council Public Hearing Aug 3, 2016; at that time, if everything's in order, she will recommend granting 90 days, which gives you a good cushion

Mr. Kraut:

-was hoping that the city would allow us to start early because there's been so many delays

Ms. Moermond:

- the faster you can get things in, the faster you can start
- you will get a letter from Ms. Vang with conditions
- thinks that we're good; get your stuff in and we'll go from there

The following conditions must be met by City Council Public Hearing on August 3 in order to grant 90 days for the rehabilitation of the building:

- 1) post the \$5,000 performance deposit as soon as possible;
- 2) provide a detailed work plan, including timelines, which needs to be done in accordance with the code compliance inspection report;
- 3) provide bids from contractors; and
- 4) provide financial documentation, including affidavit of financing (if using a bank account) indicating the ability to complete the repairs.

Referred to the City Council due back on 8/3/2016

- 6 [RLH RR 16-25](#) Ordering the rehabilitation or razing and removal of the structures at 1094 REANEY AVENUE within fifteen (15) days after the August 3, 2016, City Council Public Hearing.

Sponsors: Prince

Attachments: [1094 Reaney Ave.OTA 5-5-16](#)
[1094 Reaney Ave.PH 6-10-16](#)
[1094 Reaney Ave.PH Letter 6-15-16](#)
[1094 Reaney Ave.SHPO Form 5-24-16](#)
[1094 Reaney Ave.Photos #1.4-21-16](#)
[1094 Reaney Ave.Photos #2.4-21-16](#)
[1094 Reaney Ave.Otten Ltr.7-14-16](#)
[1094 Reaney Ave.CCI Report.7-14-16](#)
[1094 Reaney Ave.Otten R-R Ltr.7-27-16](#)

Renato Otten, owner, appeared.

Inspector Steve Magner, Vacant Buildings:

- one-story wood frame single-family dwelling with a detached 1-stall garage on a lot of 6,534 sq.ft. It has been a Vacant Building since Mar 12, 2013
- current property owner is Renato Otten per Ramsey County Property records
- Apr 27, 2016, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed; photos were taken. An Order to Abate a Nuisance Building was posted on May 5, 2016 with a compliance date of Jun 4, 2016. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.
- estimated market value: \$15,700 on the land; \$50,400 on the building
- real estate taxes are current
- the Vacant Building registration fees were paid by assessment in 2016
- a Code Compliance Inspection was applied for Jun 23, 2016 but has not yet been done
- as of Jul 11, 2016, the \$5,000 performance deposit has not been posted.
- there have been 23 Summary Abatement Notices since 2013

-there have been 21 Work Orders issued for:
 -garbage/rubbish; boarding/securing; grass/weeds; snow/ice
 -code enforcement officers estimate the cost to repair the structure exceeding \$50,000; estimate the cost to demolish between \$12,000 and \$15,000
 -the last Work Order was issued Apr 24, 2016

Allison Suhan, Heritage Preservation Commission (HPC):
 -built in 1886 by Michael D Hayes, a St. Paul policeman
 -originally built as a single family dwelling
 -historically, there was a 1 1/2 story auto barn in the back of the lot
 -alterations: enclosure of porches, siding
 -surveyed in 1983 but was not identified for research or study
 -it was outside the boundaries of the 2011 survey

Ms. Moermond:
 -why did it get into the VB Program back in 2013?
 -how long have you been the owner?
 -photos in the file are bad

Mr. Otten:
 -believes he purchased the house in 2010
 -he doesn't know exactly how it became a registered VB
 -he moved to Illinois for work in 2013 and he still is living in Illinois
 -he's been trying to save up enough money to get it fixed and sold; he thinks that he's close; he's ordered the inspection report and waiting to get it back so that he can hire a contractor
 -his goal is just to get it fixed and sold

Mr. Magner:
 -the mechanical, electrical & plumbing inspectors were out on Jul 6
 -code compliance report should be out by the end of the week; if not, contact Jim Seeger

Mr. Otten:
 -has his mortgage with Suntrust Mortgage and he is up-to-date on it
 -he will hire a local contractor; he will do a contractor's statement

Ms. Moermond:
 -will Lay this Over to Jul 26, 2016

Post the \$5,000 performance deposit by July 26, 2016. If appellant submits work plan and financial plan for review and approved by the Legislative Hearing Officer and Vacant Building Manager before the legislative hearing date, then the July 26 hearing may not be necessary.

Laid Over to the Legislative Hearings due back on 7/26/2016

- 7 [RLH RR 16-22](#) Ordering the rehabilitation or razing and removal of the structures at 910 SIXTH STREET EAST within fifteen (15) days after the August 3, 2016, City Council Public Hearing.

Sponsors: Prince

Attachments: [910 6th St E.OTA 4-22-16](#)
[910 6th St E.PH 6-10-16](#)
[910 6th St E.SHPO Form 5-12-16](#)
[910 6th St E.Photos #1.4-6-16](#)
[910 6th St E.Photos #2.4-6-16](#)
[910 Sixth St E.Dockry Ltr.7-14-16](#)
[910 6th St E.Dockrey-Moermond Emails.7-27-16](#)

John Dockry, Attorney, appeared on behalf of Wells Fargo Bank.

Inspector Steve Magner, Vacant Buildings:

-two-story wood frame duplex with a detached 2-stall garage on a lot of 4,792 sq.ft; it's been vacant since Oct 16, 2015
-current property owner is Wells Fargo Bank per Ramsey County Property records; Wells Fargo Bank took over ownership of this property in May 2016 following the expiration of the 6-month redemption period.
-Apr 20, 2016, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed; photos were taken. An Order to Abate a Nuisance Building was posted Apr 22, 2016; compliance date May 22, 2016. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code
-estimated market value on land: \$11,700; on building: \$59,800
-real estate taxes are current
-the Vacant Building registration fees were paid by assessment Nov 30, 2015
-as of Jul 11, 2016, a Code Compliance Inspection has not been done
-as of Jul 11, 2016, the \$5,000 Performance Deposit has not been posted
-there have been 3 Summary Abatement Notices since 2015
-there has been 1 Work Order issued for Boarding/securing
-Code Enforcement Officers estimate the cost to repair this structure exceeds \$50,000; estimated cost to demolish starts \$12,000-\$15,000

Allison Suhan, Heritage Preservation Commission (HPC):

-built 1902; original owner was Katie Sharpe; builder was J H Sharpe
-single family Queen Anne style
-1906 a barn was constructed, which was converted into an auto garage in 1925
-alterations have been made
-first surveyed in 1983 but not identified

Mr. Dockry:

-his client wants some time to consider their options
-he has been trying to get the code compliance inspection going for the last 2-3 weeks but there's a hang-up with his contacts believing that the initial letter from Apr 22, 2016 said there was already inspection so, they don't need another one; he needs to go back to them and bring the actual requirements/conditions in order to be granted some time so that they can decide whether or not rehabilitation is cost effective; based on the tax records and the estimated cost of the rehab, that it may very not be cost effective
-he will also be suggesting getting bids for their own demolition
-I need to take the letter that will be coming from Ms. Vang listing exactly what needs to be done

Mr. Magner:

-they must have missed the paragraph that starts, "The first remedial action.... "

Mr. Dockry:
-he did point that out to them

Ms. Moermond:
-this property is near an historic district but not in one
-since you are such a new owner, the following conditions must be met:

Owner to post a \$5,000 performance deposit and apply for the code compliance inspection by July 26, 2016. If those two conditions are met, the Legislative Hearing Officer will ask the City Council on August 3, 2016 to lay over the matter to September 13 Legislative Hearing to get work plan and financial documentation and to continue the public hearing to September 21, 2016.

Referred to the City Council due back on 8/3/2016

11:00 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

- 8 [RLH VO 16-22](#) Appeal of Janice L. Van Allen Wilson to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 680 OTSEGO STREET.

Sponsors: Brendmoen

Attachments: [680 Otsego Street. appeal.05-27-16](#)
[680 Otsego photos 5-27-16](#)
[680 Otsego photos #2 5-27-16](#)
[680 Otsego St.Owner Photos.5-27-16](#)
[680 Otsego St.Work Plan.6-7-16](#)
[680 Otsego St.Owner Letter.6-5-16](#)
[680 Otsego Street-Correction Notice](#)
[680 Otsego St.Van Allen Wilson Ltr.6-22-16](#)
[680 Otsego St.Van Allen Wilson Ltr.7-14-16](#)

Janice L Van Allen Wilson, owner, appeared.

Inspector Lisa Martin:
-has verified a few minutes ago with Xcel that the power has been restored to the property

Ms. Wilson:
-the power wasn't turned off to her property
-yesterday, they put in a new furnace, central air & a water heater
-the water heater and the air working will be completed on Thu, as well as the duct work for the furnace
-has a contractor lined-up to install all the new flooring
-is waiting for her daughter to move out; she's on the waiting list up in Duluth for housing
-had a handyman out last week, who re-hung the bifold doors
-CO and smoke detectors are up

Ms. Moermond:

-sounds like you'll be done by Aug 1, 2016

Ms. Wilson:

*-wants to stall off with the installation of new carpeting until her daughter moves with her 3 kids; she really doesn't want brand new carpeting getting to the same condition that the current carpeting is in; although the existing carpeting is very badly stained, they are clean stains; and there's no loose carpet to trip on
-the cat is spayed and de-clawed*

Ms. Martin:

*-she is unable to get into STAMP but at the last hearing we talked that the carpeting was not going to be an issue; it's not a hazard in any way; if she replaces it, that's fine; it's nothing that they would re-inspect
-as far as the furnace and the other items, she assumes that those permits have not yet been inspected or approved because the work is not completely done; maybe we can push this out a little bit and we can make sure that the permits are finalized later on*

Ms. Moermond:

*-the City Council Public Hearing for this is Aug 3, 2016
-the deadline for completion for the items is Aug 5, with the exception of the carpet - your appeal will be granted on that because it's not a trip hazard*

Grant an extension until August 5, 2016 for compliance; grant the appeal on the carpet.

Referred to the City Council due back on 8/3/2016

Correction Orders

- 9** [RLH CO 16-14](#) Appeal of Quintin L. & Robyn Koger Kidd to a Correction Notice at 1064 PACIFIC STREET.

Sponsors: Prince

Attachments: [1064 Pacific St.appeal.4-15-16](#)
[1064 Pacific St.Photos #1.4-5-16](#)
[1064 Pacific St.Photos #2.4-5-16](#)
[1064 Pacific St.Koger Kidd Ltr.4-28-16](#)
[1064 Pacific St.Structural Engineer Bid.5-27-16](#)
[1064 Pacific St.Certificate](#)
[1064 Pacific St.Retaining wall removed from adjacent downhill property and property graded](#)
[1064 Pacific St.Koger Kidd Ltr.6-22-16](#)
[1064 Pacific St.email re-trailer parking pad](#)
[1064 Pacific St - trailer parking pad](#)
[1064 Pacific St.koger kidd email.7-12-16](#)
[1064 Pacific St.Parking Pad Construction Photo](#)
[1064 Pacific St.Roofing Quote Solicitation - Capital Siding Windows and Roofing](#)
[1064 Pacific St.Parking pad for trailer](#)
[1064 Pacific St.Roofing Quote Solicitation - JB Roofing](#)
[1064 Pacific St.Email to Yaya Diatta.6-24-16](#)
[1064 Pacific St.Koger Kidd Ltr.7-14-16](#)
[1064 Pacific St.Photo.8-14-16](#)

Quintin L Koger Kidd, owner, appeared.

Ms. Moermond:

-we left it were we would continue the discussion today and you were to provide bids for the garage and a site plan for parking for Zoning... etc.

Mr. Koger Kidd:

-he sent an update about 1 1/2 hours ago (Ms. Mai Vang: she has the email; will print it)

-he went out for bids to 2 companies; however, they were nonresponsive; so, he will have to go back out again and identify new ones; he is very busy with work right now, so he hasn't been able to get to that during the day

-he went to DSI and talked to one of the inspectors there, who gave him some information about the site plan; it's a little bit of a black hole for him - he's not familiar with the process; he gave him an example of a site plan

-he took a survey, re-designed it to identify the existing parking area where he will put the trailer and he sent that back to him on Jun 24; has not heard back yet on that; however, he has started to work on it; has the code

-he should be done with the parking area by this weekend; he will have 2 ribbon strips of permeable pavers to park on; now, the area is mostly dug out (about 1 ft deep and 30 ft long) and he will fill it with some paver base

Ms. Moermond:

-we just need the site plan folks to give their OK

-will leave it to the site plan people about the parking pad; they should be responding to you; in a week or two, maybe you can contact them and say that you haven't heard from them,

-the City Council Public Hearing is Aug 3, 2016; she will ask them to grant your appeal based on your plan to use permeable pavers for holding this trailer as a

parking pad because it doesn't have any potential for fluid leaks, as a vehicle might -deadline: Sep 1, 2016; so if the site plan needs changes, etc. there'll be some time to handle it

Grant an extension to get the parking pad via a site plan for the trailer approved by Zoning with a compliance date of September 1, 2016.

Referred to the City Council due back on 8/3/2016

10 [RLH CO 16-16](#) Appeal of Shoua T. Khang to a Correction Notice at 861 HUDSON ROAD.

Sponsors: Prince

Attachments: [861 Hudson Rd.appeal.04-18-16](#)
[726 Plum St-861 Hudson Rd.Photos.3-18-16](#)
[861 Hudson Rd.Khang Ltr.4-20-16](#)
[861 Hudson Rd.Survey.6-3-16](#)
[726 Plum St.Survey.6-7-16](#)
[861 Hudson Rd.Khang Ltr.5-24-16](#)
[861 Hudson Rd-Masonry Bid.6-21-16](#)
[861 Hudson Rd.wall estimate - concrete scape llc.7-6-16](#)
[861 Hudson Rd.wall estimate.7-6-16](#)
[861 Hudson Rd.Khang Ltr.6-13-16](#)
[861 Hudson Rd.Khang Ltr.6-30-16](#)
[861 Hudson Rd-726 Plum St.Karpen email.7-11-16](#)
[861 Hudson Rd.Belair Company retaining wall bid.7-11-16](#)
[861 Hudson Rd.Khang Ltr.7-15-16](#)
[726 Plum St.Perron Ltr.7-15-16](#)

*Shoua T Khang, owner, appeared.
Mai Vang interpreted.*

*Ms. Moermond:
-she needs to do 2 things today: 1) communicate that the way Brian Karpen describes the wall is that the Plum St property is not dependent upon the wall for holding itself up, which means that their financial responsibility may be diminished in the eyes of the courts; if the wall fails, it 's not going to, in all likelihood, effect the garage or the house -basement support; but that it would effect Mr. Khang's property; and 2) Mr. Karpen identified what could be a more affordable approach; you could take any one of the bids you are looking at now; and use "dry stack"*

*Ms. Christine Boulware, Heritage Preservation Commission (HPC)
-"dry stack" - rock face concrete block without any mortar - so long as it was an appropriate color, texture, shape (not beveled rock that you would find at Menard) but rock face with a cap (more readily available and less costly); can be found at landscape companines, home maintenance stores, etc.*

*Ms. Moermond:
-asked Ms. Vang to highlight that phrase on the email ('replace it with a drystack landscaping retaining wall')*

-Ms. Boulware has indicated that there are several addresses in Daytons Bluff that she could give him that have walls like this that have been repaired for Mr. Khang to go see

Mr. Khang: (Mai Vang)

-he wants to fix it himself; asked if is there any way that he can fix it without affecting the soil because he noticed that the fence is getting to low in one area, the corner

Ms. Moermond:

-the fence is on his property, though; he can just remove it on the portion that's on his property; he just needs to tie it off appropriately

-is wondering what kind of timeline he would like; she can be generous because Brian Karpen said that if the wall collapses further, there isn't an immediate danger to people or property - it's a long term concern

Mr. Khang: (Mai Vang)

-he would like to fix it ASAP but if there's no help from the Plum address family, it's not fair to them

Ms. Moermond:

-does not know how to get them back to the table; he can send them a letter
-does not know what the solution is right now; she had hoped that it could be resolved at this level because the next legal level is Small Claims Court; before that, she suggested that he the Plum address a letter

Ms. Boulware:

-Mr. Khang can do some grading to make it slope a little more

Mr. Khang: (Mai Vang)

-he said that it won't match the rest of the portion

Ms. Boulware:

-that's actually OK because the rest of the portion is failing also; we'll probably be seeing those sections coming in for replacement
-based on the survey, there's just a little over 2 feet of earth that it holds; the property to the left is slightly over the line; the one to the right is really close to his property line; if the neighbors ever go to replace their's, they are going to want it within their property line and there is space to move and adjust; it won't be perfect; it won't match, but

-you will be setting the precedent of where they tie back in

Mr. Khang: (Mai Vang)

-he's concerned that eventually, the garage will fail

Ms. Moermond:

-City Council Public Hearing Aug 3, 2016; she will recommend granting until Dec 1, 2016 for this to be corrected; she understands that there may be a need for an extension; it might involve the coordination with neighbors at that juncture, she would entertain an extension to Jul 1, 2017; for now, it's Dec 1, 2016; will only use Jul 1, 2017 if we have to

Ms. Boulware is willing to help problem solve; will go out and meet with him/with his neighbors about this

Ms. Moermond will coordinate something; Mai Vang will help with that

Grant an extension to December 1, 2016 for the owner to address the retaining wall;

If an additional extension is needed, the owner can let the hearing officer know and she can grant an extension to July 1, 2017. (LHO and Christine Boulware will be doing a site plan for the property.)

Referred to the City Council due back on 8/3/2016

- 11 [RLH CO 16-13](#) Appeal of Cynthia M. Perron to a Correction Notice at 726 PLUM STREET.

Sponsors: Prince

Attachments: [726 Plum Street.appeal.04-13-16](#)
[726 Plum St.Photos.3-18-16](#)
[726 Plum St.Perron Ltr.4-20-16](#)
[726 Plum St.Perron Ltr.5-23-16](#)
[726 Plum St.Survey.6-7-16](#)
[861 Hudson Rd.Survey.6-3-16](#)
[726 Plum St.Perron Ltr.6-30-16](#)
[861 Hudson Rd-726 Plum St.Karpen email.7-11-16](#)
[861 Hudson Rd.Khang Ltr.7-15-16](#)
[726 Plum St.Perron Ltr.7-15-16](#)

Grant the appeal.

Referred to the City Council due back on 8/3/2016

- 12 [RLH CO 16-28](#) Appeal of Katherine J. Werner to a Correction Notice at 2177 FAIRMOUNT AVENUE.

Sponsors: Stark

Attachments: [2177 Fairmount Avenue.appeal.06-29-16](#)
[2177 Fairmount Ave.photos 6-21-16](#)
[2177 Fairmount Ave.Werner Ltr.7-14-16](#)

Katherine J Werner, owner, appeared.

Inspector Lisa Martin:

*-she inspected Jun 20, 2016 and issued a Correction Notice to scrape & paint the exterior; it's flaking
-deadline I Jul 29, 2016
-spoke with Ms. Werner on the phone
-photos
-there's not a lot of peeling, flaking paint but it should be addressed
-she would be fine with an extension*

Ms. Werner:

*-provided a cover letter to the 12-page inspection report done by her insurance company in Aug 2015
-also provided a list of immediate neighbors who signed a statement basically saying.... we can see the that Katherine's house has paint problems and we've talked*

to her about what she's going to do about it..... and that they are fine with my plan
-she takes a great deal of pride in being part of the neighborhood/community; and also in maintaining her home
-wants to point out that Ms. Martin came to her house on an anonymous complaint and she received 3 visits from 3 different depts. Since May, she believes that these 3 complaints came from the same person
-all the people who signed the statement above said, "Gee, Katherine, if we would have had a problem with your house, we would have just said something or we would have offered to help you."
-my plan, since the first part of the summer, has been to put siding on her house; the current siding is redwood, to which paint does not adhere to very well; I consulted with a contractor who gave me a ball park figure of \$9000 to paint the house; he told me that he could not change the redwood siding but I would have to paint again in 3-5 years; suggested that I cover it up with Fiber Cement siding, so that's my plan for spring-early summer of 2018; it will never peel; my contractor is too busy with larger projects at this time of the season

Ms. Moermond:

-DSI says that they're OK with granting you an extension
-the fiber cement board won't ever have a paint issue
-many neighbors are in support, which makes it easy
-will recommend granting an extension to Jul 1, 2017

Grant an extension until July 1, 2017 for compliance.

Referred to the City Council due back on 8/3/2016

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 13 [RLH FCO 16-94](#) Appeal of Vatou Her to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 991 BEECH STREET.
- Sponsors: Prince

Attachments: [991 Beech Street.appeal.06-27-16](#)
[991 Beech St.Photos #1.5-18-16](#)
[991 Beech St.Photos #2.5-18-16](#)
[991 Beech St.Photos.5-16-16](#)
[991 Beech St.Photos.5-13-16](#)
[991 Beech St.Photos #1.1-29-16](#)
[991 Beech St.Photos #2.1-29-16](#)
[991 Beech St.Photos #3.1-29-16](#)
[991 Beech St.Photos #4.1-29-16](#)
[991 Beech St.Photos #5.1-29-16](#)
[991 Beech.email.6-28-16.reschedule](#)
[991 Beech St.Owner Photos.7-12-16](#)
[991 Beech St.Her Ltr.7-15-16](#)
[991 Beech St.SPLC Ch. 39 from Appellant.8-3-16](#)
[MN Stat 299F.362 SmokeAlarmRequirements](#)

Vatou Her, Va Real Estate LLC, owner, appeared.

Fire Inspector Leanna Shaff:

*-Fire Certificate of Occupancy inspection started on Jan 29, 2016 by Efrayn Franquis
-many photos
-15 items listed in the last set of Orders (latest Orders were not attached in the appeal packet)
-she accompanied Mr. Franquis on the latest inspection May 18, 2016
-the owner called me early in May and said that he was done with everything and that he thought that he wasn't being treated fairly by the inspector and asked me to come out; I agreed; I also had the inspector there with me
-the May 18 Orders are substantiated with all the pictures; numerous items were not completed; she would agree that there have been some inconsistencies in the inspection over the winter (exterior items are covered with snow, etc. - difficult to see)
-there's a structurally unsound desk with broken members; joist hangers that are hung upside down or missing; a burn hole the approx size of a basketball
-the roof needs to be completed
-it was not entirely an inspector issue; the owner told her that we were nit-picking him but she does not believe that the pictures substantiate that*

Ms. Moermond:

-so, this cycle started Jan 29, 2016 and some issues have carried through to the present

Ms. Shaff:

-the anchor for the mast for the overhead electrical had pulled away from the building; something that serious is going to be required to be repaired

Mr. Her:

*-the inspector wasn't consistent with his inspection
-back in 2008-09, the housing had collapsed and he had an opportunity to buy this Category 2 Vacant Building; he had to bring everything up to code; from then on, the fire inspector was coming every 2 years
-he owns several homes in the city and know what to look for but somehow, Efrayn*

and him just can't get this thing done; the 2 properties that he owns and Efrayn inspects never get done; the other properties that he owns and other inspectors inspect - no problem; I comply and they are done
-I had complied with what he asked me to do except for some exterior things that can't be done during winter
-when Inspector Shaff there she said that she'd give me a ticket for not complying; it was winter
-I'm doing my best
-has photos of repairs of letter - I said to Efrayn, I'm almost done by May 15; when you stopped by, you never even looked at the jobs I had done; you looked at everything else and then another letter was sent to me
-there's a couple things that I really feel are not right; the letter asked me to re-connect all the smoke detectors through the whole house; it's a pretty old house; I have no way to do that; the first time, Efrayn was there, we had all the smoke detectors in every room - no problem; now, he comes back and I need to do that again
-same with the deck; I told Efrayn that the deck was built 7-8 years ago and it was OK, per building inspector after I had corrected some thing; next inspector came by, now there was something else and made me pull a permit to do it again - goes on & on & on
-I don't know what to do; everything I send someone there, I have to spend money to take care of the job, I have to do it again; it's not possible to connect all smoke detectors in the house
-Efrayn does it differently than other inspector do; he has seen 20-30 inspectors during his entire time I owned rental property
-it's not possible for me to hard wire the whole house; back when I bought it, the initial inspector helped me go through it all; I didn't have to re-wire everything; and I did my best to repair the deck
-thinks that the inspection fees during the winter time, requiring him to do exterior work, which he could not do, should be waived

Ms. Shaff:

-showed Ms. Moermond the photos of the deck; the joist is broken; it's not going to carry the weight; it's split all the way across; Ms. Moermond shows photos to the Appellant with explanations; i.e., "that shim was not legal to be positioned there; it needs to make direct contact; this board Ms. Shaff: we already had this discussion out at the inspection; Appellant remembers; he thinks that Jim Seeger asked that we put something there to support the main truss but it didn't Ms. Moermond: but you got something from Fire saying that it should be;
-Mr. Seeger did that inspection in 2008; we are now 8 years later; it was code compliant 8 years ago and there has been deferred maintenance; it is not code compliant today

Ms. Moermond:

-this doesn't say that the deck needs to be replaced; it says that it needs to be repaired
-she doesn't think that there's agreement that he complied with what he was asked to do; thinks there was maybe a misunderstanding

Mr. Her:

-what the letter says, we do but then, there's something else; when she came, there was something else
-look at the Feb letter; it says, "The joist hangers are improperly installed." He hired a handyman

Ms. Shaff:

-there's other issues with that decking; other structural issues and how pieces are put together, etc; she doesn't believe that Mr. Her or the person, who he is using, is qualified to make those repairs or even assess it; we need someone who's qualified to make those repairs; when we see work that has been done incorrectly, that tells us immediately that the person was not qualified

Mr. Her:

-showed Ms. Moermond some pictures

-it's not a perfect house; he does maintain the property up to code; I do my best

Ms. Moermond:

-but that was back in 2008

-you made a decision to buy the house; it would make you money and it's been a decent investment in property between 2008 and now; it cost you money to make those repairs back then but that doesn't mean that you can stop money to maintain it along the way

Mr. Her:

-I know that I need to maintain the property and I do

Ms. Shaff:

-the electrical service mast - it's just hanging there; not supported correctly

-I pointed out every last thing; it's an Xcel call; it's a hazardous situation

Ms. Moermond:

-the platform is damaged & burned on the deck; it hasn't had any maintenance in 8 years

-if you removed part of the gutter system, you have to take out the entire gutter system or put on a new one

-cellar window - put new one in

-take care of the broken wood panel; peeling paint

-fence in disrepair; he bought new boards & fixed it

-there are holes in the foundation; needs patching; he needs to take a look at that again

-last item on list - interconnected smoke detectors; when we see a hard-wired one down, it needs to be maintained; one was just laying on the shelf

-take care of the service mast; call Xcel

Mr. Her:

-Efrayn and he had no problem with the smoke detectors

-I took all the wood out from under the deck - not even 2 feet high; I had stored wood there so that when I needed it, I could just come and get it

Ms. Moermond:

-scanned his photos

Ms. Shaff:

-they went through all this when she was there

-Mr. Her agreed to have this completed by Aug 1, 2016; he told me before that it was all complete but the pictures speak for themselves; so, she's a little leary... about having any completion done

Ms. Moermond:

-she doesn't see any reason to remove anything from this set of Orders

-she does see a reason to require that a building permit be pulled for the repair of the deck; a permit gets pulled and your contractor has the permit and he is responsible

for working with the building inspector to make sure that it meets code and expectations for repair so that there isn't anymore back & forth
-CCPH is Aug 3, 2016

-no Orders will be changed; the photos validate them
-will grant an extension to Aug 12, 2016-your new deadline

Grant an extension until August 12, 2016 to address the items on the list; the decking issue may require a permit to be pulled (check with DSI permit desk).

Referred to the City Council due back on 8/3/2016

- 14 [RLH FCO 16-96](#) Appeal of Douglas Coppess to a Fire Certificate of Occupancy Approval with Corrections at 951-953 HAGUE AVENUE.

Sponsors: Thao

Attachments: [953 Hague Ave.appeal.06-29-16](#)
[953 Hague Ave.photos#1.10-1-15](#)
[953 Hague Ave.photos#2.10-1-15](#)
[953 Hague Ave.photos#3. 10-1-15](#)
[953 Hague Ave.Photos.10-1-15](#)
[953 Hague Ave.Coppess Ltr.7-15-16](#)
[953 Hague Ave.Coppess Ltr.7-27-16](#)
[953 Hague Ave.Coppess Revised Ltr.8-10-16](#)

Douglas Coppess, owner, and Heidi Pliam appeared.

Fire Inspector Leanna Shaff:

-Fire Certificate of Occupancy Approval with Corrections
-inspection by Inspector Justin Elvestad
-list dated Jun 21, 2016; one item requires the removal of accumulation of exterior storage; it creates a nuisance or harbors rodents; remove all wood storage, storage structure, stove, freezer and construction materials by Jul 15, 2016
-photos taken Oct 7, 2015

Mr. Coppess:

-started with a letter he received from Inspector Elvestad
-that one item on the list was extended because of the winter season, which he greatly appreciates
-codes 34.086; 34.31.4; there is no 34.31.4 so, that error or inconsistency- that aspect of the code did not allow me to have properly prepared and researched that; so, I have no information on that so, he will move on to 34.08.6 which reads: Stored materials: It shall be unlawful to accumulate building material, lumber, boxes, cartons, portable storage containers... or other containers, machinery, scrap metal, junk, raw material, fabricated goods and other items in such a manner as to constitute: a. nuisance; b. a rodent harborage
-he disagrees that this structure has ever been a nuisance or a rodent harborage
-since this structure has existed since Feb 1998, or over 18 years, not once to his knowledge has he ever had a neighbor complain that it was a nuisance, an eye soar, or that there were rats, cats, squirrels, etc.....
-over that time period, he has had 3 or 4 inspectors and not one inspector ever said anything about the structure - there were no complaints
-over the weekend, he did some cleaning up of it and finished working on anything that might be considered a nuisance or rodent harbor

-he took photos this morning (from the rear, the inside and 2 photos from the street - you don't even notice that it's there)
-also has a letter from his tenants who currently live there and have been there over 2 years, about it not being a nuisance and they've never seen any rodents in or around the property
-a nuisance has never existed; a rodent harbor has never existed
-entered the photos and letter from tenant
-the stove was removed a long time ago; he is willing to remove the freezer without a locking top and has no cord on it; the freezer contains asbestos siding pieces, which break and fall off; they are there so that he can fix the structure; the freezer is not a danger but he has no problem removing it; he can put those siding pieces into his storage structure, which is neat and not a rodent harbor where they will be ready to replace those that fall off the building

Ms. Moermond:

-from the photos, it looks as though it's 3-sided

Mr. Coppess:

-well, the side that faces the street has a fence; it covers the back side of the structure; it has a roof and a gutter; the back area is open so that stuff can be moved in and out easily

Ms. Moermond:

-so, it's neither inside or outside and that's where the problem might be from the inspector's perspective (Is it OK to store the building materials outside? No. Is it OK to store them in a shed? Yes.) this structure is neither

Mr. Coppess:

-I consider it a storage shed because....

Ms. Moermond:

-but legally, it's not a structure; it doesn't have 4 sides

Mr. Coppess:

-I can easily put a gate or fence or door on it

Ms. Shaff:

-that makes sense but she questions how far this is set back from the neighbor's fence line

Mr. Coppess:

-it's more than 1 foot; is there anything in this letter that addresses the fence line/property line?

-shed is approx 10 x 8

Ms. Moermond:

-no; Ms. Shaff questions whether the Zoning code would come into play if the shed is enclosed; would you need to pull a permit?

Ms. Shaff:

-so, you would not need a building permit for a 10 x 8 building; it still needs to meet all the other city ordinances; and one of those will be a Zoning issue

Ms. Moermond:

-but, it's already been here

Ms. Shaff:

-but it was improper to begin with

Ms. Moermond:

-so has a lot of stuff

Ms. Shaff:

*-she will call it a lean-to rather than a shed; if it becomes a shed, it has to meet the setbacks; now, it's not a shed but if it becomes one, then it has to conform
-issue with a structure being setback on the property lines is that you can't infringe on your neighbor's rights with your property; so, if you are going to building something close with combustible materials, we have to have a setback so not to endanger our neighbors*

-does not want to see Mr. Coppess' photos

Mr. Coppess:

*-it has been there than 9-14-05; it's not a fire hazard, nuisance or rodent harbor
-there's no garage on the property*

Ms. Moermond:

*-the setback codes go back to the 20s and 30s; it's a little hard to determine how old an ordinance is; the codes were re-codified in 1958-59
-there's a lot of wood (fuel) located in a small location; that's our concern*

Ms. Moermond:

-if this were fire wood stacked in this fashion... it's too close to the house; it's too deep; the pieces are much too long; doesn't believe that it's a rodent harborage

Ms. Pliam:

-doesn't understand what the specific code problem is - if we simply added a door to the open area.....

Ms. Moermond:

-thinks that you can't just add a door; is trying to think of alternative ways to handle this situation that would be cost effective and allow you to keep things close that you want to have to work on your property; that's very reasonable but she doesn't think that it can continue the way it is

Mr. Coppess:

*-he would like to keep the structure and he would like to work with the city to come up with an amicable solution
-there's a fence in front of it; almost like a 4th wall
-nothing was in the Order about setbacks*

Ms. Moermond:

*-she doesn't have to have this solved tomorrow
-wants to talk with Steve Ubl, the city's building official to get his perspective; he will have ideas and may be able to help problem solve
-will Lay this Over for 2 weeks to Jul 26, 2016 LH; she will have talked with Mr. Ubl
-if it's simple, she will call you*

Recommendation is forthcoming.

Laid Over to the Legislative Hearings due back on 7/26/2016

2:30 p.m. Hearings

Vacant Building Registrations

- 15 [RLH VBR 16-42](#) Appeal of Northland Construction to a Vacant Building Registration Requirement at 1076 NORTON STREET.

Sponsors: Brendmoen

Attachments: [1076 Norton St.appeal.6-30-16](#)

DSI withdrawn the order; owner is having final inspections soon.

Withdrawn