

Abatement Order – 1122 Jackson Street

1. Remove improperly stored on accumulated refuse which may include: garbage, rubbish, loose and scattered litter, discarded furniture, appliances, vehicle parts, scrap wood and metal, recycling materials, household items, building materials or rubble, tires, brush, etc.

Issues there were done.

Please remove the two temporary awning structures from the yard.

Issue: The green house structure since 1999 and Case loader on property since early 1990s.

August 21, 2018 Letter:

- a. Remove unless provide manufacturer specifications that structure is structurally sound;
- b. Engineer Brian Dobie – testify structure is sound since 1999, photos demonstrate structure.

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CITY OF SAINT PAUL
OFFICE OF THE CITY COUNCIL
310 CITY HALL
15 WEST KELLOGG BOULEVARD
SAINT PAUL, MN 55102-1615
Marcia Moermond, Legislative Hearing Officer
EMAIL: legislativehearings@ci.stpaul.mn.us
PHONE: (651) 266-8585 FAX: (651) 266-8574

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August 2, 2018

Patrick Kelly
o/b/o Roger Stadler
Kelly & Lemmons, PA
223 Little Canada Rd, Ste. 200
Little Canada MN 55117

VIA US MAIL

Re: Appeal for Property at 1122 Jackson Street

Dear Mr. Kelly:

This is to confirm that on July 31, 2018 at the Legislative Hearing, Marcia Moermond, Legislative Hearing Officer recommended that the City Council grant an extension to December 1, 2018 for your client to remove the temporary structures unless he can provide manufacture specifications to show that the structure is structurally sound and grant appeal on the skid steer, which shall be reviewed in one year's time to determine it has continued its non-commercial use.

If your client wishes to contest to this recommendation, the City Council Public Hearing is on August 15, 2018 at 3:30 p.m. in Room 300 Council Chambers.

Any questions, you may contact me at 651-266-8563.

Sincerely,

Mai Vang
Legislative Hearing Coordinator

cc: CE Supervisors
Richard Kedrowski
Roger Stadler, 1122 Jackson Street, St Paul MN 55117

RECEIVED

AUG 17 2018

Kelly & Lemmons, P.A.



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3**BRIAN R. DOBIE, P.E.****EXPERTISE:**

Civil Engineering, Construction Materials, Soils, Structures, Foundations, Forensic Engineering

EDUCATION:

Bachelor of Civil Engineering - 1967
University of Minnesota - Institute of Technology

Post Graduate Courses - Civil Engineering
University of Minnesota - Institute of Technology

REGISTRATION:

Registered Professional Engineer in Minnesota and Wisconsin. Previous engineering work through the upper Midwest and Nationally.

EXPERIENCE:

PROFESSIONAL ENGINEERING CONSULTANTS, INC.
203 Little Canada Road, Suite 280
St. Paul, Minnesota 55117 651-490-9266

PRESIDENT (1987 to present)

Responsibilities: Investigation of problems and failure in construction materials, soils and foundation engineering. Site drainage and wetland engineering. Forensic engineering. Training of technical personnel and quality control.

TWIN CITY TESTING CORPORATION 1964 - 1987
662 Cromwell Avenue
St. Paul, Minnesota 55114

STAFF ENGINEER (1971 - 1987)

Responsibilities: Primary resource for failure investigation. Performed a wide range of soils and construction materials engineering work and served as soils and materials expert for internal quality control. Failure analysis work nationwide.

PUBLICATIONS AND EXPERT TESTIMONY:

No journal publications. Over 25,000 technical reports. Over 200 expert depositions and court testimony.



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PROFESSIONAL ENGINEERING CONSULTANTS
INCORPORATED

December 3, 2018

Kelly & Lemmons, P.A.
Mr. Patrick Kelly
2350 Wycliff St., Suite #200
St. Paul, MN 55114

Subj: Roger W. Stadler Property
1122 Jackson St.
St. Paul, MN 55117
PEC #5168

Dear Mr. Kelly:

This report concerns observations you requested from our firm of two structures located in the backyard area of 1122 Jackson Street in St. Paul, MN. It is our understanding the City of St. Paul has a complaint by one of its departments that these two structures are objectionable and must be removed from the property. You requested we observe these structures and make observations at the property. To assist in our work, you gave us pictures and communications from and to the City of St. Paul. You requested we make sense of this dispute.

We visited the property on November 29, 2018, and met with you and with Mr. Stadler, the property owner. Mr. Stadler could not accompany us into the backyard area due to an illness. We observed both structures. Mr. Stadler owns this residential building lot and the adjacent north building lot, both of which have perimeter standard size chain link fencing and operable gates. There was also an existing garage which held a passenger vehicle. The smaller structure had a manufactured metal frame with a flexible type fabric skin covering the side and rear walls as well as the gable type roof area. The entrance was open. This structure was barely larger than a Case skid-steer loader and was used as a weather protector for the loader. This type of loader is a small garden type of equipment which is often used to assist larger landscape and grounds maintenance equipment.

The larger of the structures was located in the side yard of the 1122 property, between the house and the north property. This structure was also a metal frame enclosure with a reinforced vinyl covering on the walls and small gable roof. Both structures were less than

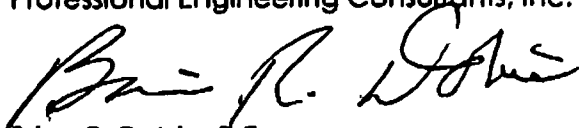
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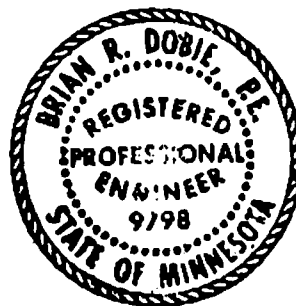
8' in height and in reasonably good and maintained condition. The roofs of both structures had perhaps 3" of snow cover but could easily be cleaned off when more snow accumulated. The larger structure had gardening equipment and other maintenance tools, as well as a small heater. One generally sees these structures on other city lots to keep gardening or agricultural type equipment for individual property use, as well as protection for starting vegetables and shrubbery. Both of these structures were properly ballasted with bottom wood runners and/or tie-downs to provide stability and wind protection. You provided us with some manufacturer instructions for maintaining protection of these garden type light structures. Neither one of them had commercial or structural foundations nor footing systems, as a standard outbuilding would require.

You don't often see a small skid-steer as part of the maintenance equipment for a residential structure. Mr. Stadler does not have a large boulevard in front of his house. When the City performs its standard street plowing work and then throws snow over the entire front sidewalk, steps and driveways of the property owners, Mr. Stadler takes his skid-steer and reopens the sidewalks, dumping the snow onto his vacant lot, rather than the neighborhood taking a complaint to the City and pressing for restoration. This work is performed by Mr. Stadler at no cost to his neighbors or the City without a fight.

All in all, it appears to us these structures are for weather protection only and a rather passive use of the private property on Jackson Street. We conclude the City actions are proceeding without reasonable cause. Perhaps the City could help Mr. Stadler address its complaint in a more constructive manner.

Respectfully,
Professional Engineering Consultants, Inc.


Brian R. Dobie, P.E.
President



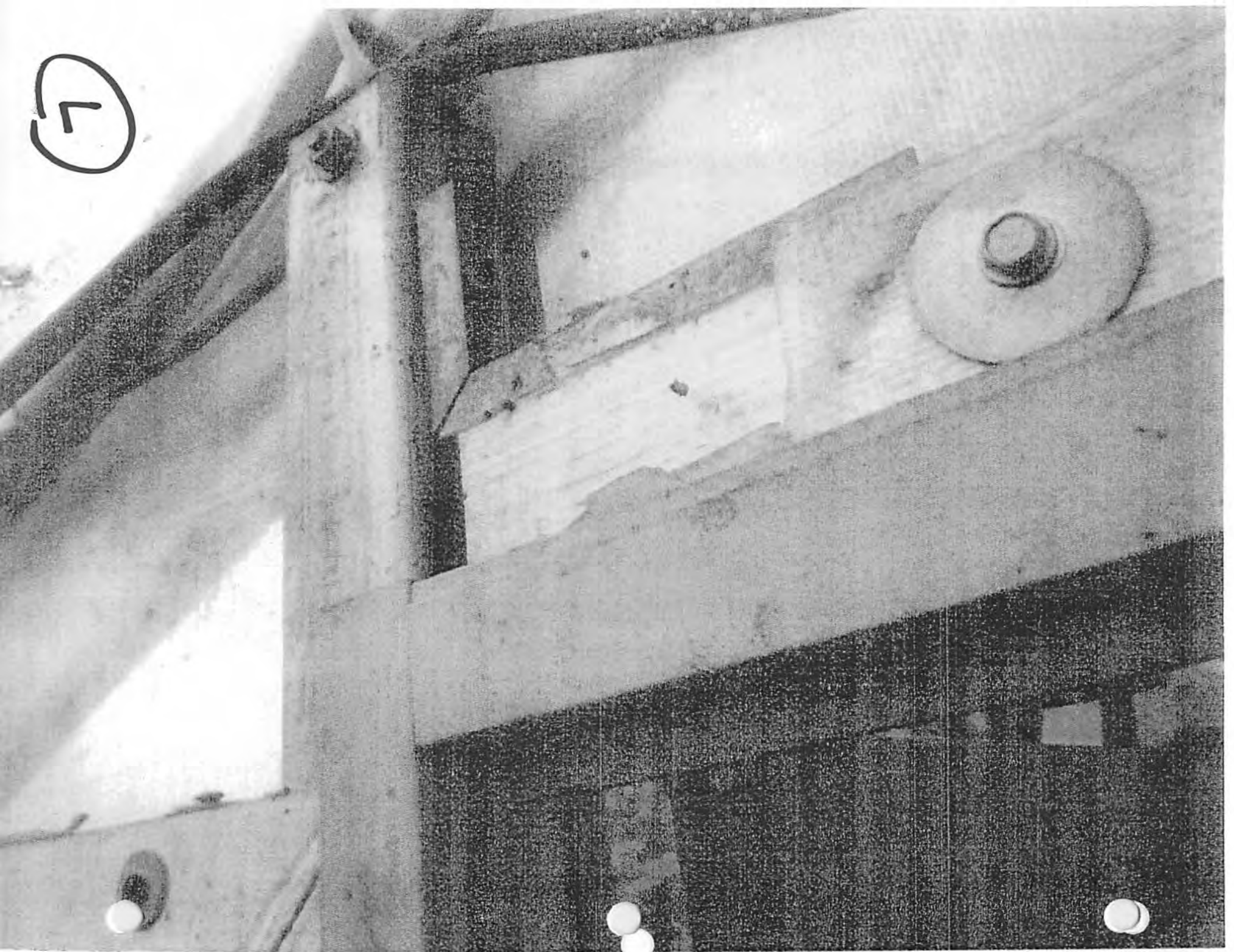
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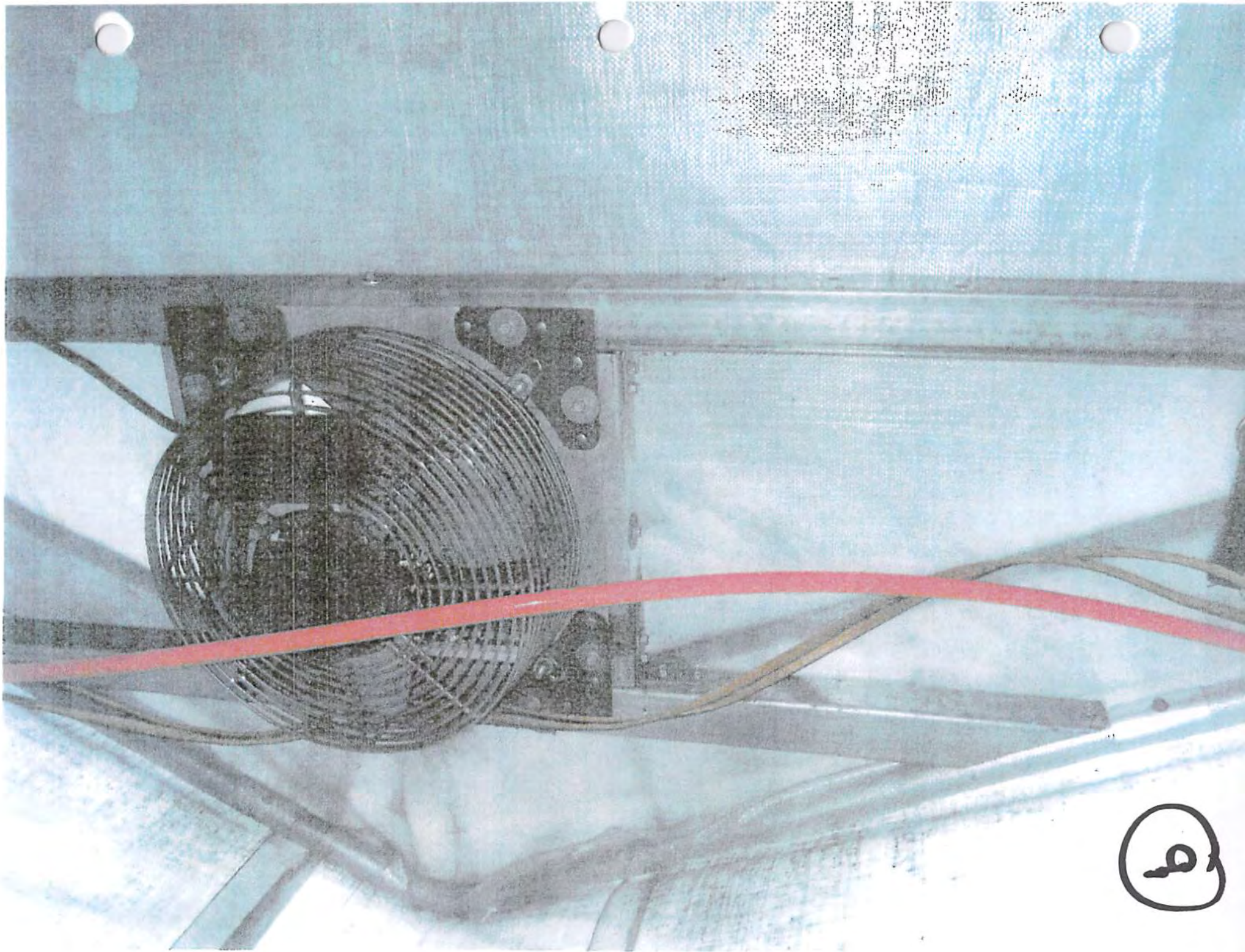
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Patrick Kelly

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From: Roger Stadler <pallydoll@yahoo.com>
Int: Wednesday, September 12, 2018 2:52 PM
To: Patrick Kelly; Roger Stadler
Subject: Me and the city
Attachments: DSCF1180.JPG; DSCF1186.JPG; DSCF1363.JPG; DSCF1362.JPG; DSCF1378.JPG; DSCF1368.JPG; DSCF1369.JPG

Pat:
Any body from the city will have to wait a while to pick on me again. I'm going to have "Open Heart Surgery" near the end of September. So the city will have to wait until I'm somewhat healthy to get stupid again and realize a building with a "Fluid Heated Concrete Floor" indicates a "Permanent Building", unless their policy includes harassing cripples. I forgot to send you some garden pictures. Ill include a few.
Let me know what approach you had in mind that I can reinforce. Thank you
Roger Stadler
Flowers and the last two pictures are my new front retaining wall.
I had to add an email because a few extra pictures were too large of a file

Patrick Kelly

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From: Roger Stadler <pallydoll@yahoo.com>
nt: Wednesday, September 12, 2018 3:02 PM
To: Patrick Kelly; Roger Stadler
Subject: Extra pictures
Attachments: DSCF1267.JPG; DSCF1356.JPG; DSCF1226.JPG

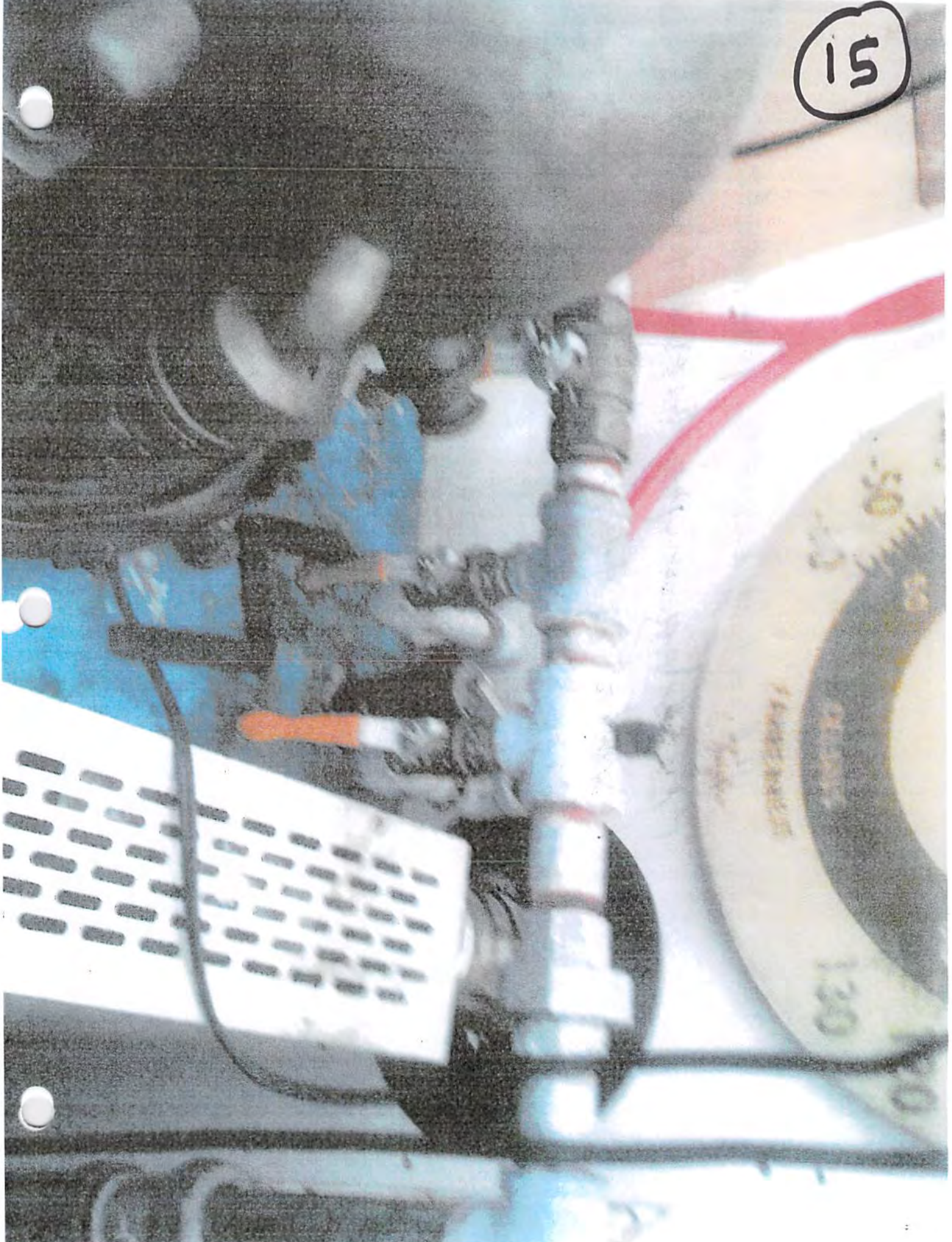
Picture #1267 shows the 120,000 BTU Boiler to heat the Permanent Concrete Floor.
Picture # 1356 shows the Steel Beam Construction of a Permanent Building. And #1226, "The Kitty".
Thank you Roger

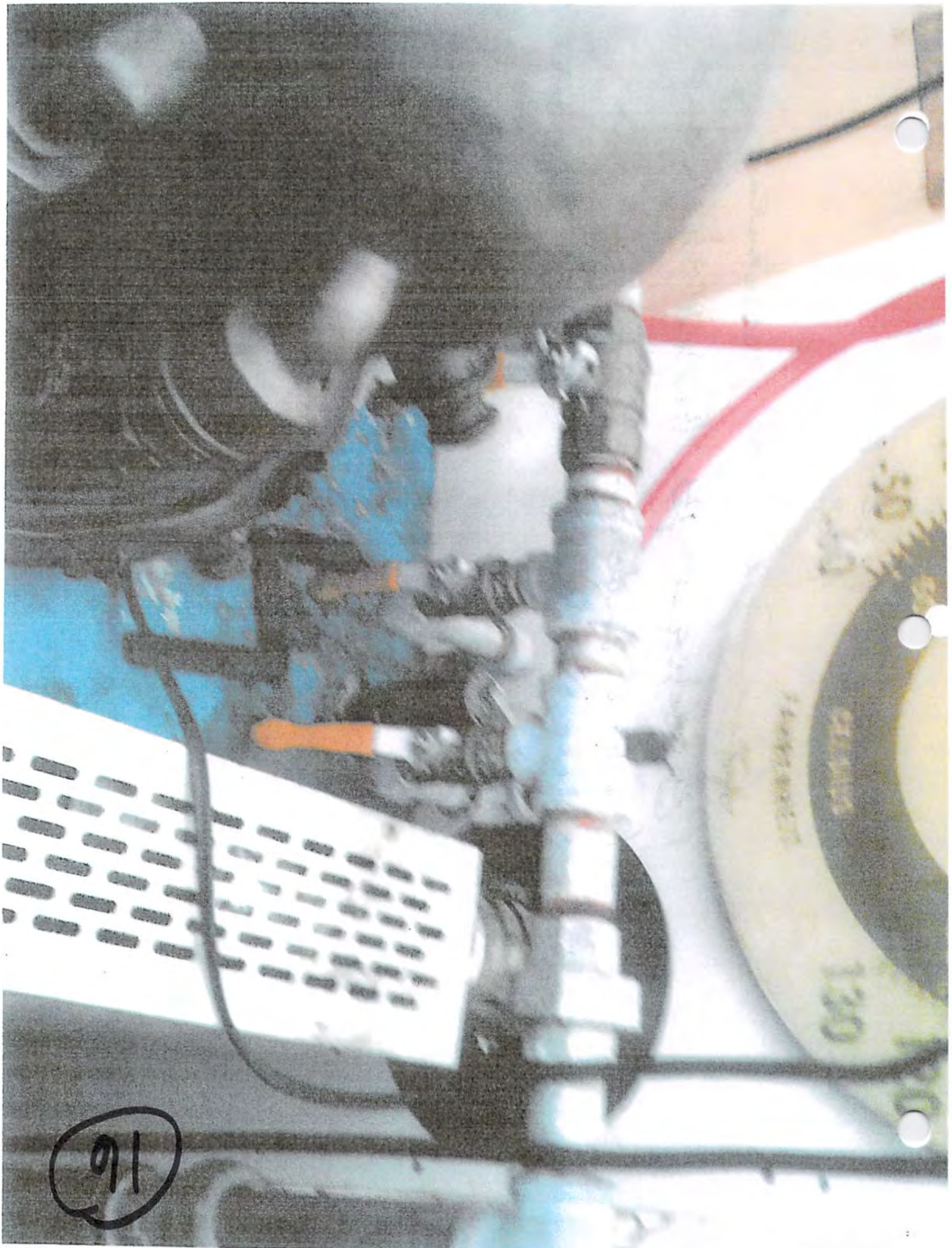


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