



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final Legislative Hearings

Marcia Moermond, Legislative Hearing Officer
Mai Vang, Hearing Coordinator
Jean Birkholz, Hearing Secretary
Mary Erickson, Hearing Secretary
legislativehearings@ci.stpaul.mn.us
651-266-8560

Tuesday, June 12, 2012

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Remove/Repair Orders

- 1 [RLH RR](#)
[12-21](#) Ordering the rehabilitation or razing and removal of the structures at 777
LAWSON AVENUE EAST within fifteen (15) days after the June 20, 2012,
City Council Public Hearing.

Sponsors: Bostrom

*To be referred back to Legislative Hearing on July 10, 2012 and City Council Public
Hearing on July 18, 2012.*

RE: 777 Lawson Ave E (single family)

*Scott Owens, vendor for Five Brothers, a management company, appeared; they
work for US Bank in property preservation.*

Aaron Pantoja and Maria Paras, former owners, also appeared.

Ms. Moermond:

- US Bank owns the building (redemption period is over)*
- no one appeared to begin with*

Inspector Joe Yannarely:

- has had conversations with US Bank*
- 2-story wood frame single-family dwelling with detached 3-stall garage on a lot of
4,792 sq. ft.*
- vacant since Apr 21, 2010*
- current property owner: Aaron Pantoja and Maria L. Paras per Ramsey County
records*
- Jan 18, 2012 inspection conducted; list of deficiencies which constitute a nuisance
condition developed; photos taken*
- Order to Abate Nuisance Building posted Feb 14, 2012; compliance date Mar 15,
2012*
- as of this date, property remains in a condition which comprises a nuisance as
defined by the legislative code*
- estimated market value: \$10,000 on land; \$40,000 on building*
- real estate taxes are current*
- Vacant Building Registration fees were paid by check Apr 6, 2012*

- as of today, a Code Compliance Inspection application has been made (last week)
- as of today, \$5,000 Performance Deposit has been posted
- 11 Summary Abatement Notices since 2010
- 11 Work Orders issued for: 1) garbage/rubbish; 2) boarding/securing; 3) grass/weeds; 4) snow/ice
- estimated cost to repair exceeds \$50,000
- estimated cost to demolish between \$10,000-\$12,000
- the Department of Safety and Inspections (DSI) recommends repairing or removing the structure within 15 days

Amy Spong, Heritage Preservation Commission (HPC) restated her report from May 22, 2012:

- Amanda gives 1909 as construction date; the permit card lists 1920
- fairly substantial 2 1/2 story Queen Anne frame dwelling with a 2-story bay on the side of the building that's visible
- front porch was enclosed early on
- 3 over 1 lid double-hung windows
- on corner lot
- across street is a school and a large ball field
- houses along block face appear quite intact and of similar sizes and era
- original siding has been covered up
- part of the 1983 Survey
- in 2011 Legacy Payne-Phalen Survey work that was recently completed
- property was not identified as a potential historic resource or part of a potential historic district
- recommends encouraging rehab; house has quite a presence
- lots of remaining interior trim
- Sanborn maps: was an overlay put on prior to 1925 but never turned into flats

Mr. Owens:

- the bank's plan is to wait until the city does it's evaluation of deficiencies on the property and then begin work
- has multiple pages of bids for this property (contractors have walked through)

Ms. Moermond:

- if the Code Compliance Inspection has not yet happened, it needs to
- City Council Public Hearing takes place Jun 20, 2012
- her expectation is that the Code Compliance Inspection will have been applied for by Fri Jun 15, 2012 (\$447); it will take 2-3 weeks for the trades inspectors to complete their inspection (it is Mr. Owens' understanding that the application has been made)
- the Performance Deposit has been made
- some bids have been gathered
- draft a Work Plan with bids and timelines by the end of this week (a revised one will be developed after the Code Compliance Inspection has been completed)
- evidence of financial capacity to do the work will also be needed (proof that funds have been particularly set aside to complete the rehab; perhaps a letter from a bank official: affidavit, usually)

Aaron Pantoja and Maria Pares:

- expressed that they are here to help prevent the house from being torn down
- the inside of the house is very nice; only the exterior has been complained about because the painting hadn't been finished
- moved from the house Jan 2010

Ms. Moermond:

- Mai Vang will send a letter outlining today's conversation and the expectations
- if the Code Compliance Inspection has been applied for by Fri and a draft work plan with bids has been submitted, she will lay this over for one month at the City Council public hearing Jun 20, 2012 (Appellant submitted a copy of the bids at this time)
- during that month, Appellant will have time to get the Code Compliance Inspection done, to demonstrate that the money is available and to revise the Work Plan
- property needs to be maintained

Referred to the City Council due back on 6/20/2012

2 [RLH RR
12-24](#)

Ordering the rehabilitation or razing and removal of the structures at 482 STINSON STREET within fifteen (15) days after the June 20, 2012, City Council Public Hearing.

Sponsors: Brendmoen

Forthcoming. Conditions to be met by June 15, 2012 in order to receive grant of time: financial plan and work plan.

RE: 482 Stinson St (single family)

*Tomas Orlhuela, owner, and his contractor appeared.
Laura Carroll interpreted*

Ms. Moermond:

- was looking for: a Work Plan; proof of financial ability to finish the rehab; pulling permits; posting \$5,000 Performance Deposit

Contractor:

- have paid the \$5,000 Performance Deposit (verified; received it Jun 11, 2012)
- they have enough money to do the work
- they have the skills and materials
- now, they need to be able to pull the permits necessary to finish the work
- when they went to pull permits yesterday, they were told they couldn't pull them until after this hearing
- all the work will be done by code

Ms. Moermond:

- she needs to see on paper what materials they have on hand, how much was spent for the material, the money needed for the rest of materials needed to complete the work, and proof that the money has been set aside to finish

Contractor:

- have siding, shingles, etc., and enough money to do the work
- entered a US Bank statement from Apr 17, 2012 and a Work Plan of what they have completed
- he doesn't get involved with electric or plumbing work
- Appellant has made down payment on the electrical work; the permits will take a week or 2 to approve
- Appellant will bring proof

Ms. Moermond:

- she needs a Work Plan going forward (Appellant said the siding and roof are all that's left to do for this sub-contractor)
- she has no listing of materials on hand or evidence that Appellant has paid in advance

- noticed that the bank statement shows approximately \$9,600 which is not nearly the amount of money that's estimated to finish the project (\$75,000)
- she needs a better itemization of costs and is concerned that the Appellant will not have enough set aside to finish

Contractor:

- entered a list of materials that have been purchased
- said that he would not make a profit off a friend of his (he has known the Appellant since they were kids)
- provided electrical estimate: \$1,900 from Superior Electric, licensed electrician
- provided plumber one sentence statement: "Received from Tomas, \$1,500 for plumbing materials for Stinson house." Craig DeMaris, licensed plumber

Ms. Moermond:

- city's estimate: \$75,000
- so far she see that approximately \$6,600 worth of work has been done without permit
- she is not sure the Appellant has the money available to finish the project or skills without seeing the bids
- she needs to know the value of the work and the value of the supplies
- needs a breakdown of the \$20,000 - \$24,000 the contractor estimated he will charge
- right now, Appellant is not anywhere near \$75,000 and she doesn't have enough documentation that it will not cost that much; Appellant needs to provide better documentation
- info from bank is fine but she needs to see more money and that the money is dedicated to this purpose (rehab loan or special account for this project)
- needs to see a bid from the plumber outlining all that needs to be done according to the Code Compliance Inspection Report
- needs to see a bid from the electrician outlining all that needs to be done according to the Code Compliance Inspection Report
- needs a Work Plan which shows what has been done to date but no permit demonstrating that what they have done was adequate and met code
- typically, the plumber, electrician, heating trades would have done their work prior to the walls being closed (building); that is concerning
- permits are available to the Appellant since the \$5,000 Performance Deposit has been posted
- the fact that this work has taken place without a permit even though a professional contractor is involved is a problem
- she wants to see a lot more money on the table by Fri, Jun 15, 2012
- she needs to know that a building permit has been pulled to look at the work that's been done, so far
- an inspector needs to get out there ASAP
- she is not comfortable asking the City Council to grant more time to do the rehab; she doesn't see the pieces here that need to be
- because they have started and gotten some things done, she wants to give them a chance to get it together
- needs to see the money, permits, Work Plan
- Mai Vang will send a confirmation email

Referred to the City Council due back on 6/20/2012

3 [RLH RR
12-25](#)

Ordering the rehabilitation or razing and removal of the structures at 1535 UPPER AFTON ROAD within fifteen (15) days after the June 20, 2012, City Council Public Hearing.

Sponsors: Lantry

Remove within 15 days with no option for repair.

RE: 1535 Upper Afton Road (single family)

No one appeared.

Ms. Moermond:

*- read letter dated Jun 10, 2012 from Robert and Luzmilla Johannes into the record:
To Whom it May Concern:*

*With respect to the property located at 1535 Upper Afton Road, we've decided that it is in our best interest and that of the neighborhood, that the property be demolished at this time. We've started making arrangements for the demolition of the property. Please see the attached demo bid from one of the contractors we are considering.
- bid is \$12,750 for the garage and house to be removed (does not include HSMAT concerns or utility cuts)*

Amy Spong, Heritage Preservation Commission (HPC):

*- reported on this May 22, 2012
- structure is probably an early farm house or parts of it
- it's a vernacular structure; no original record
- lot of integrity issues: alterations and additions
- she recommends that demolition would not have an adverse affect*

Ms. Moermond:

*- will recommend that the Council order the building removed within 15 days with no option for rehabilitation
- let's get a letter back to them right away*

Referred to the City Council due back on 6/20/2012

**4 RLH RR
12-26**

Ordering the rehabilitation or razing and removal of the structures at 437 BANFIL STREET within fifteen (15) days after the July 3, 2012, City Council Public Hearing.

Sponsors: Thune

Ms. Moermond will do a 2 week layover at Council to July 18, 2012.

RE: 437 Banfil St (apartments)

No one appeared.

Inspector Joe Yannarely:

*- 2-story wood frame multi-unit building with detached 1-stall garage on a lot of 5,663 sq.ft
- vacant since Feb 1, 2011
- current property owner listed as US Bank per Ramsey County property records
- Feb 23, 2012, inspection conducted, list of deficiencies which constitute a nuisance condition was developed; photos taken
- Order to Abate Nuisance Building posted Mar 2, 2012; compliance date Apr 2, 2012
- as of this date, property remains in a condition which comprises a nuisance as defined by the legislative code
- estimated market value: \$60,000 on land; \$158,700 on building
- real estate taxes are current*

- Vacant Building registration fees were paid by assessment Feb 29, 2012
- a Team Inspection was done Nov 18, 2011
- as of Jun 11, 2012, the \$5,000 Performance Deposit has not been posted
- 5 Summary Abatement Notices since 2011
- 6 Work Orders issued for: boarding/securing; garbage.rubbish; grass/weeds
- estimated cost to repair is \$75,000 - \$80,000
- estimated cost to demolish is \$15,000 - \$18,000

Ms. Moermond:

- not too bad looking on outside; inside looks a little scary

Amy Spong, Heritage Preservation Commission (HPC):

- not designated and not in an established historic district
- no original permit card on this one
- there's a record for an addition done in 1892
- West Seventh/Fort Road Neighborhood and has some very early properties
- has some East Lake Queen Anne detailing still present
- 2-story bay still in tact
- cornice and end gables have very nice patterning still present on them
- large, prominent corner house
- was converted from a single-family dwelling to flats prior to 1925
- there's an open port on the 2-story bay that still has it's original columns brackets and railing
- lots of exterior things still in tact
- this was part of the boundaries that were more recently surveyed in 2011 in the West Seventh Neighborhood
- it wasn't individually identified and the consultants felt that there wasn't a potential historic district; however, it's not too far from several Banfil properties that were identified as contributing a new historic district
- would strongly encourage rehab on this property even though it was not identified in the 2011 survey as a potential historic resource
- Sanborn map show that it had a side 1-story open front porch along the side street (Richmond) around the corner from the bay

Ms. Moermond:

- looks like the HRA and West Seventh Fort Road Federation should take a look at this one
- US Bank may be interested in signing it over to one of those entities
- let's try to contact US Bank and their attorney here locally as well as in Semi Valley
- on Jul 3, 2012, she will ask the City Council to lay this over for 2 weeks

On June 19, 2012 Mary Mensch, with Remax Results, called indicated that Troy Martenson is no longer the contact person. Any follow up should be directed to her. Her contact information is Mary Mensch, Remax Results, 480 Hwy 96 #200, Shoreview, MN. 55126. She also indicated that the seller is planning to demolish the building. Plans are in place.

Referred to the City Council due back on 7/3/2012

5 [RLH RR](#)
[12-27](#)

Ordering the rehabilitation or razing and removal of the structures at 1673 COTTAGE AVENUE EAST within fifteen (15) days after the July 3, 2012, City Council Public Hearing.

Sponsors: Bostrom

No one appeared. Remove within 15 days with no option for repair.

RE: 1673 Cottage Ave E (single family)

Inspector Joe Yannarely:

- 1-story wood frame and stucco single-family dwelling with a detached 1-stall garage on a lot of 7,405 sq.ft.*
- vacant since Apr 8, 2011*
- current property owner is listed as BAC Home Loans Servicing LP per Ramsey County records*
- Feb 15, 2012, inspection conducted; list of deficiencies which constitute a nuisance condition was developed; photos taken*
- Order to Abate Nuisance Building posted Mar 2, 2012; compliance date Apr 2, 2012*
- as of this date, property remains in a condition which comprises a nuisance as defined by the legislative code*
- estimated market value: \$26,200 on the land; \$73,100 on the building*
- real estate taxes are current*
- Vacant Building registration fees were paid by check May 7, 2012*
- as of Jun 11, 2012, a Code Compliance Inspection has not been done (Note: a code compliance inspection fee was paid on Jan 5, 2012; however, an inspection has not been done as the owner was to remove mold from the interior of the structure and call Mr. Seeger when done.)*
- as of Jun 11, 2012, the \$5,000 Performance Deposit has not been posted*
- 4 Summary Abatement Notices since 2011*
- 5 Work Orders issued for: boarding/securing; grass/weeds*
- estimated cost to repair exceeds \$50,000*
- estimated cost to demolish exceeds \$12,000*

Amy Spong, Heritage Preservation Commission (HPC):

- 1955 stucco rambler*
- has not been surveyed*
- no Sanborn Insurance maps available for this area of Saint Paul*
- there are 2 contiguous block faces and all the properties are of the same era*
- has not been surveyed*
- demolition would not have an adverse affect because there's no potential for historic designation*

Ms. Moermond:

- will recommend the City Council order the building removed within 15 days with no option for rehabilitation*

Referred to the City Council due back on 7/3/2012

6 [RLH RR](#)
[12-28](#)

Ordering the rehabilitation or razing and removal of the structures at 466 IGLEHART AVENUE within fifteen (15) days after the July 3, 2012, City Council Public Hearing.

Sponsors: Carter III

RE: 466 Iglehart Ave (duplex)

Kathleen McKown and Lon Otto, 270 Mackubin, appeared.

Inspector Joe Yannarely:

- 2-story wood frame duplex with detached 2-stall garage on a lot of 7,841 sq.ft.
- vacant since Oct 17, 2005
- current property owner listed as Burton A. and Diane A. Murdock per Ramsey County records
- Feb 22, 2012 inspection conducted; list of deficiencies which constitute a nuisance condition was developed; photos taken
- Order to Abate Nuisance Building posted Mar 2, 2012; compliance date Apr 2, 2012
- as of this date, property remains in a condition which comprises a nuisance as defined by the legislative code
- estimated market value of \$53,800 on land; \$131,600 on the building
- real estate taxes are delinquent for the following: \$8,733.23 for 2011 and \$4,503 for the first half of 2012 plus penalty and interest
- Vacant Building registration fees were paid by assessment Dec 2, 2011
- as of Jun 11, 2012, a Code Compliance Inspection has not been done
- as of Jun 11, 2012, a \$5,000 Performance Deposit has not been posted
- 22 Summary Abatement Notices since 2005
- 34 Work Orders issued for: garbage/rubbish; boarding/securing; grass/weeds; snow/ice; graffiti
- estimated cost to repair exceeds \$100,000
- estimated cost to demolish exceeds \$15,000

Amy Spong, Heritage Preservation Commission (HPC):

- located within the Hill Historic District
- another property being heard at the HPC meeting Thu, Jun 14, 2012
- summarized staff report (attached)
- 2 1/2 story wood frame Queen Anne Rectalinier style constructed in 1905
- house was moved across the street from 445 Iglehart Ave to 466 Iglehart Ave in 1979
- roof is intersecting gable with brackets, asphalt shingles and one central chimney
- exterior walls are narrow clapboard
- foundation is textured concrete block
- windows are 1 over 1 double hung with a pair of palladian windows and a front gable
- 2 two-story bays on the north and west elevations
- there's 1-story full width front porch with Tuscan Order Columns and dental cornice
- property is classified as contributing to the architectural and historic integrity of the district
- staff considers the building historic and architectural integrity to be fair to good
- the house was constructed during a period of significance: the building boom of the late 1880s and early 1890s
- these houses represent upper middle class late 19th century architectural tastes
- Sanborn map indicates the footprint has changed slightly since 1925 with the removal of a full width 2-story rear porch
- block face on south side of Iglehart is contiguous and are an eclectic collection of architectural examples
- the blocks north of Iglehart were cleared in the late 1960s in anticipation of the construction of I-94 and urban renewal
- a number of houses were relocated from Carroll to Iglehart
- staff was unable to get into this property before this staff report was written and the Thu HPC meeting
- given the architectural and historical integrity of the south side of Iglehart, HPC staff finds that the building re-enforces and contributes to the architectural and historic character of the Hill Historic District and it's removal would destroy the historic relationship of the built environment along Iglehart
- HPC staff finds that the proposed demolition will have a negative impact of the Hill

Historic District

- a vacant lot will have a negative impact on the district and the loss of historic fabric is irreversible
- based on the findings, HPC staff recommends to the HPC that if a demo permit application is applied for, that it be denied

Ms. McKown:

- they and their block club are very concerned about this house
- is has been vacant for a long time but neighbors who have been inside the house recently say that it's in good rehabable shape
- they need some guidance on what they and the neighborhood can do to see that this property is somehow transferred and fixed up; they don't know what their options are
- they do not know the Murdocks; there are people on the block who do know them or have met them
- there hasn't been any activity on the property since 2005
- it's in fairly good condition on the exterior; it's big enough that it could be condoized; it has a lot of potential
- her understanding is that the owner is just refusing to deal with anyone, so, they don't know what to do
- her understanding is that the structure is set up with two 3-bedroom apartments (1st and 2nd floor)

Mr. Otto:

- they don't have financial interest or responsibility in this at all but they love the neighborhood and have worked with Amy on some work on their own house a number of years ago
- they want some information about the house and what the possibilities are for transferring ownership to someone who will make it alive again
- believes that it was vacant long before 2005

Ms. Moermond:

- looks as though the Murdocks have walked on the property
- they haven't paid taxes and haven't been taking care of the property
- a Code Compliance Inspection Team need to go through the building but we don't have an owner who's coming forward to order that inspection so, legally, it gets murky; she can talk with legal counsel about this
- when taxes haven't been paid, the county may be getting the property through tax forfeiture; if it forfeits, it wouldn't be until Aug 1, 2013; and if they get it, there's no guarantee they're going to fix it
- we need some better information moving forward
- HPC will meet on this property Thu Jun 14, 2012
- we'll get info from City Attorney
- there's a lot of historic character here and other things in play
- the owner may be amenable to selling to a nonprofit, which would work
- we don't have a Code Compliance Inspection Report, so the city doesn't have a baseline of what needs to be done, which is step 1
- we'll find out more about forcing the question about getting a Code Compliance Inspection
- will lay this over to Jun 26, 2010 at legislative hearing

Laid Over to the Legislative Hearings due back on 6/26/2012

7 [RLH RR](#)
[12-29](#)

Ordering the rehabilitation or razing and removal of the structures at 451 SELBY AVENUE within fifteen (15) days after the July 3, 2012, City Council Public Hearing.

Sponsors: Carter III

RE: 451 Selby Ave (duplex)

No one appeared.

Inspector Joe Yannarely:

- 2-story wood frame duplex on a lot of 4,792 sq.ft.
- vacant since Sep 5, 2006
- current property owner listed as Mi2 LLC per Ramsey County property records
- Mar 1, 2012, inspection conducted; list of deficiencies which constitute a nuisance condition was developed; photos taken
- Order to Abate Nuisance Building posted Mar 9, 2012; compliance date Apr 9, 2012
- as of this date, property remains in a condition which comprises a nuisance as defined by the legislative code
- estimated market value: \$87,100 on the land; \$59,900 on the building
- real estate taxes are delinquent for the following: \$2,793.71 for 2011 and \$2,006.64 for the first half of 2012 plus penalty and interest
- Vacant Building registration fees were paid by assessment Sep 29, 2011
- as of Jun 11, 2012, a Code Compliance Inspection has not been done; however, the application fee was paid May 30, 2012;
- as of Jun 11, 2012, the \$5,000 Performance Deposit has not been posted
- 12 Summary Abatement Notices since 2006
- 12 Work Orders issued for: grass/weeds; boarding/securing
- estimated cost to repair exceeds \$100,000
- estimated cost to demolish exceeds \$15,000

Amy Spong, Heritage Preservation Commission (HPC):

- is a designated property; considered contributing to the Hill Historic District, both National Register and local
- haven't seen a 106 letter from SHPO (will check to see if they have it)
- will be heard by HPC Thu Jun 14, 2012
- the Charles F.F. Abbott House
- 2 1/2 story wood frame East Lake Style dwelling
- constructed 1883; during the building boom of the late 1880s and early 1890s
- roof is intersecting gables with asphalt shingles and one central chimney
- exterior is wood lap siding; limestone foundation
- from entry porch has a pedimented roof and a transom over the door
- rectangular bay windows flank the side entry porch on the east elevation
- windows are 2 over 2 double hung with a Queen Anne Style upper and fixed sash
- there's a 3 coarse stone retaining wall in the front and east side of the building
- one of 4 ornate East Lake Style houses on this block of Selby
- property is classified as contributing to the character of the Hill District
- it's considered contributing architecturally and historically
- although in need of repair, staff considers the building's architecture and historical integrity to be fair to good
- example of East Lake Pattern Book Style Architecture and part of a collection of buildings on the north side of Selby Ave between Arundel and MacKubin
- Sanborn Insurance Map indicates the footprint of the house since 1925 has changed slightly with the removal of a 1-story rear addition and a 1-story rear shed
- staff received a voice mail from the owner, Matt Miller, on May 30, 2012 stating his intent to order a Code Compliance Inspection and post a Performance Bond (sounds

like that has not been done); have been playing voice mail tag with the owner
 - she has spoken with neighbors who have also talked with the property owner
 - staff has not been able to see the interior of the building
 - lot size: 40 w x 117 deep = 4,600 sq.ft.
 - given the architectural integrity of 451 Selby Ave and it's contribution to a collection of similar neighboring houses, HPC staff finds that the building reinforces and contributes to the architectural and historical character of the Hill District
 - demolition of the building would have a negative impact on the Hill District
 - staff recommends to the HPC on Thu, Jun 14, 2012 that if a demo permit application would be applied for, that it be denied
 - staff has extensive approved porch drawings for rehab work; they have a very detailed window schedule of the condition of the current windows; they have architectural plans that were drawn up by John Yust, working with the property owner prior to its Condemnation
 - have a lot of reference material
 - note that there was one meeting with the current property owner but no dates listed; at that time, they talked with the owner about going back to single family; having him call for a site visit; adding a side porch; constructing a 2-stall garage, etc. (we'll scan all these things for the record)

Ms. Moermond:

- reminds us that isn't actually the question in front of the HPC right now
 - owner hasn't paid taxes for the last year (looks like abandonment)
 - Code Compliance Inspection hasn't been applied for; nor has the Performance Deposit been posted
 - decent current photos of the interior; add to the record
 - this building was Condemned some years ago and there have been no permits pulled or other activity on the property
 - the owner at that time had a hobby of rehabilitating by taking things apart and leaving them apart
 - let the HPC take a look at it; maybe we can get the semi-hidden owner to come out and discuss this

Mr. Yannarely:

- found that on Jun 6, 2012, DSI Code Compliance Inspection completed; Report pending

Ms. Moermond:

- will lay this over for 2 weeks to LH Jun 26, 2012
 - let's make sure the owner gets a letter saying the hearing has been re-scheduled

Laid Over to the Legislative Hearings due back on 6/26/2012

**8 RLH RR
12-30**

Ordering the rehabilitation or razing and removal of the structures at 1204 SEVENTH STREET EAST within fifteen (15) days after the July 3, 2012, City Council Public Hearing.

Sponsors: Bostrom

Conditions to be met by June 22, 2012.

RE: 1204-1206 7th St E (three/four family)

Nicolai Avdulov, Minnesota Builders, owner, and his daughter, Valentino Avdulov, appeared.

Inspector Joe Yannarely:

- 2-story wood frame multi-family dwelling with detached 2-stall garage on a lot of 4,792 sq.ft.
- vacant since Sep 2, 2009
- current property owner is listed as Holden R. Holmes LLC per Ramsey County records
- Jan 26, 2012 inspection conducted; list of deficiencies which constitute a nuisance condition was developed; photos taken
- Order to Abate Nuisance Building posted Mar 2, 2012; compliance date Apr 2, 2012
- as of this date, property remains in a condition which comprises a nuisance as defined by the legislative code
- estimated market value of \$60,000 on the land; \$40,000 on the building
- real estate taxes are current
- Vacant Building registration fees were paid by assessment Sep 29, 2011
- Team Inspection was done Apr 25, 2012
- \$5,000 Performance Deposit was posted Apr 21, 2012
- 7 Summary Abatement Notices since 2009
- 6 Work Orders issued for: garbage/rubbish; boarding/securing; grass/weeds; snow/ice
- estimated cost to repair exceeds \$100,000
- estimated cost to demolish exceeds \$15,000

Amy Spong, Heritage Preservation Commission (HPC):

- this stretch of East 7th St is seeing a lot of removals
- she is concerned about this continuous loss of historic integrity
- early 1886 structure; looks more farm house
- Sanborn map shows 2 separate dwelling units on this block joined with 1 roof
- there was a porch in the front that is gone now
- dwellings mixed in with commercial store flats
- was part of the 1983 survey area; it was overlooked then
- looks like all the accessory structures that were there have been demoed
- exterior was stuccoed; originally, frame
- asphalt shingles replaced wood
- windows have been replaced
- doesn't believe this has any potential to become designated as an historic site or part of a potential district, especially, given all the recent losses there
- she would encourage rehab: it's a very substantial property
- it's 3 properties down from the Messerli House, which is a designated landmark building
- the early farm house is also still there next to the little commercial building that's coming down

Mr. Avdulov:

- purchased property May 3, 2012; was a Category 2 VB
- posted \$5,000 Performance Deposit and got a permit to remodel the property
- they replaced all the windows, the siding and the roof
- the previous owner had started to remodel the building but during the process, he passed away in a car accident
- an addition was added; the electrical is done and passed the rough-in
- plumbing is done to the extent of vents and wastes
- water is not done nor is heating
- building is well underway to be made livable within a couple of months
- they met with the neighbor council which approved the sale and rehab
- their contractors will pull their own permits: need plumbing and heating
- they wanted to secure the structure first
- he provided the bids and financial statement to Reid Soley before the closing

otherwise, Mr. Soley would not allow him to rehab
 - they plan to tear down the garage and pave the parking area

Ms. Moermond:

- the photos she has show a rehab underway (Ms. Avdulov: will email more recent photos)
- a building permit has been pulled (\$54,600 value)
- she needs to see evidence of financing to complete the rehabilitation
- would like to see a Work Plan by the end of next week on Friday, Jun 22, 2012; (provided a sample to Appellant)
- maintain the property
- Appellant doesn't need to come back

Referred to the City Council due back on 7/3/2012

**9 RLH RR
12-31**

Ordering the rehabilitation or razing and removal of the structures at 702 THIRD STREET EAST within fifteen (15) days after the July 3, 2012, City Council Public Hearing.

Sponsors: Lantry

If a \$5,000 performance deposit is posted by June 29, 2012, Ms. Moermond will recommend that the City Council refer the matter back to Legislative Hearing on July 10, 2012 and City Council July 18, 2012.

RE: 702 Third St E (duplex)

Charles Delisi, owner, and his sister, Joanne Tyler, appeared.

Inspector Joe Yannarely:

- 2-story wood frame single-family dwelling on a lot of 4,792 sq.ft.
- has been a vacant building since Apr 24, 2002
- current property owner listed as Charles D. Delisi per Ramsey County records
- Feb 16, 2012, inspection of building was conducted; list of deficiencies which constitute a nuisance condition was developed; photos taken
- Order to Abate Nuisance Building posted Mar 2, 2012; compliance date Apr 2, 2012
- as of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code
- estimated market value \$12,600 on land; \$73,800 on building
- real estate taxes are current
- Vacant Building registration fees were paid by check on May 24, 2012
- Code Compliance Inspection was done Jun 1, 2012 (owner provided staff with a copy of the Report)
- as of Jun 11, 2012, \$5,000 Performance Deposit has not been posted
- 4 Summary Abatement Notices since 2002; no Work Orders were issued
- estimated cost to repair exceeds \$50,000
- estimated cost to demolish exceeds \$12,000

Amy Spong, Heritage Preservation Commission (HPC):

- this is scheduled for HPC Public Hearing Jun 14, 2012
- staff forwarded the staff report that will be presented at that time
- this is designated as a contributing structure within the Dayton's Bluff Historic District, which was established in 1992
- staff walked through the property Jun 4, 2012 with Mr. Yannarely
- HPC staff needs to make several different findings given that it's in an historic district which are outlined in Chap. 73 and 74

- staff recommends a denial of a potential demo permit application given the integrity of the building, the condition of the building, etc.

Ms. Moermond:

- stated that from her perspective, the HPC is not considering a demo permit question at this time; the HPC is to provide advice on the proposed Order to Remove or Repair (Ms. Spong responded that was not how they were advised by the City Attorney; she thinks that a separate conversation needs to be conducted to help resolve the legal language issue)
- if the City Council acts determining that this is a nuisance, dangerous structure that should be removed, this will not be a demo permit that's reviewed by the HPC

Ms. Spong:

- staff recommends denial if a demo permit application were to come forward
- read some of HPC staff report (attached)
- photos were taken on phones which will be transferred onto the computer and email them

Mr. DeLisi:

- owned house 17 years; has been vacant the last 10 years
- plans to do the repair over time but he needs a lot of time
- it got classified as a duplex and it shouldn't be; it's a single-family dwelling; he thinks that a lot of the repairs that are mentioned in the report have to do with duplexes like installing metal doors with self-closing devices; and something to do with railings, etc.
- he paid \$560 for the inspection
- he had to hold off on the inspection because the place was a total mess; it needed to be cleaned up before the mold could be removed; then, they had to move everything around for the inspectors
- the people who did the mold work were the ones who put the tarp on the top; they left up some of the plastic near the ceiling where more of the leaking was coming from and they left some items in the basement that they thought might be able to be re-used

Ms. Moermond:

- seems to be an old classification, a nonconforming duplex
- she needs to make sure that the inspector changes the inspection report to reflect a "single-family" status and send a copy to Mr. DeLisi; she doesn't think that it will require an additional inspection
- asked Mr. Yannarely to look into why there's a discrepancy in the listing and also get the Code Compliance Report adjusted to a single-family dwelling
- in order to get a grant of time from the City Council, Appellant will need to post a \$5,000 Performance Deposit, which allows him to pull permits
- the next thing he needs is for the City Council to approve a grant of time, which can be up to 180 days
- both pieces will be needed to get the 180 days
- if he is more than half way done at the end of 6 months, then, the building official is fully empowered to grant another 6 months to finish the job

Ms. Spong:

- it is interesting that the deficiency list for Feb 16, 2012 describes the building as a single-family dwelling but the Code Compliance Inspection Report that was just done lists it as a nonconforming duplex
- will bring a handbook on guidelines for Mr. DeLisi on Thu at the HPC meeting

Mr. DeLisi:

- had a construction company come to take a look

- he is planning to fix the roof and any repairs related to the roof
- the siding has had a lot of hail damage
- had a meeting with the insurance company and the construction company rep but hasn't received any results, yet
- his main concern is the exterior, right now; getting that done during the summer leaving the interior for the winter months
- he is not very clear on the HPC expectations; he needs more specific directions (will be addressed at Thu's HPC meeting)
- has already signed a contract with the construction company but doesn't think the company can put in a bid before he knows what materials are required by the HPC, etc.

Ms. Moermond:

- she needs to see that Mr. DeLisi is capable of fixing this building and is committed to doing so
- she sees a history of it not having been fixed so, she really wants to get Mr. DeLisi on the ball with this
- suggested that perhaps Mr. DeLisi have his attorney look through the contract
- she is willing to look at a 9-month plan; concerned that this may go on for very long time and she needs to know that the Appellant is going to get the job done
- she needs to see the initial bid that was done
- Mr. DeLisi could lose all of it unless the whole house is addressed

Mr. DeLisi:

- has no idea who he would contact about posting a bond
- had to pay about \$17,000 for all the mold work plus the testing afterward; he submitted those bills to his insurance company but is not sure if he will be reimbursed for that (big chunk of his savings)
- entered a current statement of checking and savings (\$25,000); hasn't looked into getting loans
- his original plan was to sell it to his sister, Joanne, but a lot of things got in the way of being able to do that
- he may have to sell the house to pay back loans he has taken out
- there is still a \$50,000 mortgage on the house
- he and Joanne had an agreement that she was supposed to be paying Mr. DeLisi for the entire mortgage and utilities but she has gotten way behind (over \$10,000 behind)

Ms. Spong:

- noted that Dayton's Bluff Neighborhood Housing Services did a complete restoration on this property at the same time that the new single-family houses on Third Street were built
- the Preservation Commission also gave them an award in 2000 for the work that they did: 1) they restored the front entrance canopy; and 2) they restored the attic after a fire
- noted that when they went through the house, the mold could still be smelled but compared to the pictures of what she thought she was going into, it was very well cleaned-up; there was no visible black mold anymore; perhaps still some fabrics that need to go

Ms. Moermond:

- substantial mortgage on the house compared to the value (under water) which means that Appellant won't be able to get traditional money through traditional sources to rehab
- already spent \$17,000 to do mold abatement work
- before Appellant goes too much farther, he will need to do some serious analysis

with possibly an attorney and some other trusted advisors about what the best steps are to take right now with this

- needs Appellant to be aware of the Bostrom Ordinance which says that right now, he cannot sell this property until it's fixed or removed
- there is an exception: he can sell it to a nonprofit redevelopment group (Housing and Redevelopment Authority, Dayton's Bluff Neighborhood Housing Services, etc.); they don't want someone swooping in and taking advantage of the Appellant's circumstances
- she feels very bad for the Appellant because clearly, this is a house that he loved
- the current nuisance condition has to be taken care of before the title can change
- there are law firms that do work in this area; perhaps Appellant could get some advise from one of them
- she will put this on Hold for now
- asks for the \$5,000 Performance Deposit to be posted (refundable is work completed on time) or get a bond (if the City Council grants Appellant time, he has 6 months plus another 6 months if he's half way there; once the work is complete, he gets the \$5,000 back plus interest); if a bond is posted, the money is gone to the bond agent
- will lay this matter over to give Appellant time to talk with professional advisors and get some better information before he spends too much more money
- this is a great house and it shouldn't be left to go on and let any more damage occur
- we will find out what the HPC says and sort out some of those options
- at City Council Public Hearing Jul 3, 2012; she would like the Council to lay this matter over for 1 month if the \$5,000 Performance Deposit is posted or a bond posted by end of business Jun 29, 2012
- if Appellant sells the property or decides not to go forward with the project, he can request the money back (see Jim Seeger for posting)
- this will be scheduled back here at 9 am, Jul 10, 2012
- a letter will be sent

Ms. Spong:

- can help with HPC guidelines and the insurance company

Referred to the City Council due back on 7/3/2012

10 [RLH RR
12-18](#)

Ordering the rehabilitation or razing and removal of the structures at 1186 SEVENTH STREET EAST within fifteen (15) days after the June 6, 2012, City Council Public Hearing.

Sponsors: Bostrom

Forthcoming.

RE: 1186 Seventh St E (single family)

Kevin Menard, owner, appeared.

Ms. Moermond:

- the letter that was sent to Mr. Menard wasn't clear about what the deadline was for him to provide information
- the City Council voted to order the building removed within 15 days
- after, when she and Mr. Menard talked, it became clear that the letter was vague; therefore, she asked Councilmember Bostrom to send this back into the legislative hearing process so that we could look more carefully at the materials that Mr. Menard provided
- Mr. Menard provided Ms. Moermond with a file (Ms. Moermond had been having

some trouble, because of the email problems, getting the materials that he had provided, scanned)

- there's an envelope of Menard's receipts; photographs; and a Work Plan showing it's a \$5,000 project

Ms. Amy Spong, Heritage Preservation Commission (HPC):

- asked if there was proposed masonry work on the structure (Mr. Menard said there were 2 bids: 1) one will tuckpoint and replace any damaged bricks

Ms. Moermond:

- Mr. Menard has represented that he has a lot of this work done but there isn't a follow-up inspection on this, she would like to send the building inspector out there next week to take a look at it and give her a progress report; it will give her a better idea of how to treat the other information that Mr. Menard has provided

- she will talk to Mr. Seeger and ask him to make himself available to inspect; we'll go from there

- she will have someone take copies of Mr. Menard's file and have it returned to him today

Mr. Menard:

- added that he is doing more than is required in the code

- the building has a 200 amp service, now, not just 100 amp

- all the gas line has been replaced; not just the corroded section

- even though it's less expensive than the city's estimate, it is a higher quality job

- he is not trying to cut corners to save money

Referred to the City Council due back on 6/13/2012

11:00 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

11 RLH VO Appeal of Curtis Finney to a Fire Certificate of Occupancy Correction Notice
12-44 (Condemnation - Unit 106) at 1365 ARKWRIGHT STREET.

Sponsors: Brendmoen

Deny the appeal and grant an extension to June 28, 2012 to vacate the property.

RE: 1365 Arkwright St (Unit 106)

Curtis Finney, occupant, appeared.

Fire Supervisor Mike Urmann:

- referral from Xcel

- Orders to Vacate were issued yesterday for lack of basic facilities; does not meet minimum code compliance for occupancy

- electric shut-off verified

Mr. Finney:

- has a \$4,000 bill; he is working with some people to help with that (RAP and Lutheran Services)

- the owner of the property and he have an agreement going; he doesn't want the owner to lose his occupancy license

- this is new to him as far as code is concerned

- electricity has been off since sometime in May
- took everything out of his refrigerator and put somewhere else
- the building has electric heat
- also trying to work something out with Xcel
- he will get his things out of the unit but needs some time (plans to be out within 2 weeks)

Ms. Moermond:

- Jun 4, 2012, staff gave Appellant 10 days to vacate if electricity is still off
- will extend the vacate time to Jun 28, 2012
- on the day the unit becomes vacant, occupant/owner can be there between 8 am and 8 pm to do work, pack up things (no sleeping, reading or hanging out there)

Referred to the City Council due back on 7/3/2012

12 [RLH VO
12-41](#)

Appeal of Melissa Shea to a Revocation of Fire Certificate of Occupancy and Order to Vacate 1624 ROSS AVENUE.

Sponsors: Lantry

No show; deny the appeal; grant a 2-inch variance on the openable height of the egress window in the main floor bedroom.

Referred to the City Council due back on 7/3/2012

13 [RLH VO
12-40](#)

Appeal of Charlie McCarty to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1734 SEVENTH STREET EAST.

Sponsors: Lantry

Deny the appeal and grant an extension to June 30, 2012 for interior work, including ORSAT test and smoke detector testing; deny and grant an extension to July 15, 2012 for all exterior work.

RE: 1734 7th St E (single family)

Peter McCarty, father of Charles McCarty, appeared; they are co-owners.

Fire Supervisor Mike Urmann:

- Revocation and Order to Vacate
- going on since Apr of this year; several letters have been sent to the owner of record
- Revocation occurred because of noncompliance and no one coming to the property to meet the inspector for the inspections
- note: garbage at this site has also been collected by the city, so, there is a pattern here of noncompliance and nonparticipation

Ms. Moermond:

- in the appeal, Charles McCarty doesn't talk specifically about what he is looking for

Mr. McCarty:

- he would also like to talk about some other things
- the first Notice was sent to Charlie's mother, who hasn't had a financial interest in that house in excess of 10 years
- there's a Notice issue; not a cooperation issue
- generally, they get letters about accessing the property and they meet the inspectors there

- they weren't aware of an inspection
- the inspector showed up, got into the house and did the report
- they want to take care of the issues involved
- there seems to be a problem with this particular inspector that goes back years
- as a city official, he is making inappropriate comments to his tenants - trying to get them out of the property
- he would like some time to comply with all the Work Orders
- he would also ask if this particular inspector could be recused from inspecting any more of their properties because it's clear to him and his son that the inspector has a vendetta against them because he is trying to scare the tenant out of the property by telling her that Mr. Peter McCarty was in prison; he has made this allegation at a different property in years past, as well
- the inspector has also made the allegation that the property was in foreclosure, trying to get the tenant out (the bldg is not in foreclosure)
- he doesn't know what's going on - why Charlie hasn't received the paperwork; he just became aware last month
- Charles works for the Canadian Pacific Railroad; he works out of Lacrosse, WI and is out of town a lot

Ms. Moermond:

- she has 2 sets of inspections: 1) May 1, 2012; and 2) May 22, 2012
- asked if someone was present at the building with the inspection at either one of those times (Mr. Urmann was not sure; perhaps, tenants let him in or someone representing Charles McCarty; he didn't ask him that question)

Mr. Urmann:

- went through the records again and is seeing that the letters went to Charles McCarty; he is not seeing that letters went to anyone else
- the first letter was sent Apr 11, 2012

Ms. Moermond:

- found in STAMP: letter must have gone to Peter's ex-wife, Holly; she called the city on May 1, 2012 and said, "This isn't me." She gave a phone number for the owner; no returned calls from the owner.
- subsequent letter with inspection date was sent to Charles McCarty in Hudson, WI

Mr. Peter McCarty:

- it was the May 22, 2012 inspector showed up; no one was present at that inspection; inspector talked his way into the house and at which time he made the allegation that Peter was in prison and that the house was in foreclosure, which is totally inappropriate

Ms. Moermond:

- re: the inspector's professional behavior, contact Phil Ownes, Assistant Fire Marshal or Leanna Shaff, James Thomas' supervisor; if that doesn't work, go to the Director of the Department of Safety and Inspections or Mayor Coleman
- she is not in a position to give Mr. McCarty satisfaction on that issue
- DSI issued Orders May 22, 2012 with re-inspection Jun 8, 2012
- went through the May 1, 2012 Orders to compare with the May 22, 2012 Report

Mr. Peter McCarty:

- handrail in basement has been repaired; was done last weekend
- bathroom door has been replaced
- assumes exterior painting has not been done yet
- replaced front door and cut in a new deadbolt lock and replaced the entry lock
- has repaired all holes in walls and all the screens; water stains on ceiling have been

Kilzed over

- when he was there last, the damaged kitchen floor tile had been removed in anticipation of putting down new tile; it could be done because Charlie was the last person to work on the property
- didn't see any garbage or refuse last week
- still don't have trash container
- furnace has not yet been tested
- he did not see any sidewalk, walkway or stair items that he deemed hazardous
- they intend to comply with all the Orders
- they did all the Section 8 work
- they do not hire work crews; they do their own work

Ms. Moermond:

- will deny the appeal and grant an extension to Jun 30, 2012 to come into compliance on the interior; will grant an extension to Jul 15, 2012 to come into compliance on the exterior

Referred to the City Council due back on 7/3/2012

**14 RLH VO
12-36**

Appeal of Joseph J. Skelly to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1231 KENNARD STREET.

Sponsors: Bostrom

Laid Over to the Legislative Hearings due back on 6/19/2012

1:30 p.m. Hearings

Window Variances: Hearing Required

**15 [RLH WP](#)
[12-55](#)**

Appeal of Renewal by Andersen, on behalf of Ernest Goodman, to an Egress Window Non-Compliance Determination at 1045 DAVERN STREET.

Sponsors: Tolbert

Deny the appeal.

RE: 1045 Davern St (single family)

Bryan Horton, Renewal by Andersen, on behalf of Ernest Goodman, owner, appeared.

Ms. Moermond:

- we have a 46 h x 12 1/4 w; total glazed area 3.9 sq.ft.

Mr. Horton:

- second project at this address; it's an architectural home so, it's very unique
- problem at this address is that all of the windows in their bedrooms open to this dimension; they have very large picture windows and very small operating windows (style they chose when the house was built)
- they have no alteration options as a whole
- this is in a ground level bedroom; the window is in the corner of a wall with decorative wood on the top and a built-in desk on the bottom; so, there's no way to drop that opening
- the owners are not willing to make the window larger but to do so, they would have

to mimic all the decorative trim that they have on top
- at this point, the window does not operate
- Mr. Horton explained to the owners that this will very, very difficult to be approved through Saint Paul; they said that if they can't replace it, it just won't be replaced; it will remain unfunctional

Ms. Moermond:

- will recommend denying this variance: 1) it is more than a square foot short; and 2) it is 8 inches of what the required opening width
- perhaps they can get an architect or engineer to take a look at it

Referred to the City Council due back on 7/3/2012

16 [RLH FOW
12-219](#)

Appeal of Mark and Carol Cemensky to a Fire Inspection Correction Notice at 226 FRANK STREET.

Sponsors: Lantry

Grant a 1-inch variance on the openable height of the egress window in the first floor southwest bedroom and deny a variance on the egress windows in the second floor north and west bedrooms.

RE: 226 Frank St (single family)

Mark Cemensky, owner, appeared.

Fire Supervisor Leanna Shaff:

- Fire Certificate of Occupancy conducted May 10, 2012 by Inspector Mike Cassidy
- double hung window 23h x 29 1/2w in 1st floor southwest bedroom (REC VARIANCE)
- 2nd floor north and west sleeping rooms: double hung windows 16 1/2h x 21 1/2w (code requires a minimum of 24 high and 20 wide)

Ms. Moermond:

- the 2nd floor windows are just too short

Mr. Cemensky:

- the inspector suggested that he try

Ms. Moermond:

- will recommend a variance for the first floor window
- will deny a variance for the second floor windows

Referred to the City Council due back on 7/3/2012

17 [RLH FOW
12-211](#)

Appeal of Elizabeth Caturia to a Fire Certificate of Occupancy Correction Notice at 830 GRAND AVENUE, UNIT 1.

Sponsors: Thune

Laid over to June 26. Grant a variance on the sill height issue.

RE: 830 Grand Ave, Unit 1 Condo

Elizabeth Caturia, owner, appeared.

Fire Supervisor Leanna Shaff:

- Fire Certificate of Occupancy conducted on May 17, 2012 by Inspector Michael Efferson

- double hung windows: 15h x 26 1/2w
- sill height: 49 1/2 inches (maximum is 48 in)
- it's incumbent upon the owner to call for an inspection

Ms. Caturia:

- is looking for a variance
- background: a building that was converted from apartments to condos in 2003
- she purchase in 2004
- a permit was pulled in 2003 for the double hung windows; an inspection didn't occur at that time
- her understanding is that, prior to 2009, if a permit and an inspection is conducted and the windows are deemed acceptable that an exception will be granted
- based on Mr. Ubl's email, we would need some additional information from the individual who converted the building in 2003 (Troy DeWitt); they are in the process of trying to get that information
- barring the ability to grant a variance today, she asks that she and Tim Moore be allowed time to try to get that information and have Mr. Ubl come to perform an inspection
- imagines that when this building was converted from apartments to condos, that a permit would have to have been provided and an inspection performed at that point in time

Ms. Moermond:

- there's a 1-inch problem in this unit and sometimes there are hardware solutions that will solve the problem and they are usually the easiest thing to do
- suggests that she check into that; it might make this all go away
- she wants to look at the permit history
- found that Appellant qualifies under the exception to the egress window policy ("The only exception to the above policy that may be granted by the Department of Safety and Inspections (DSI) is for previously installed replacement windows that were installed under permit, inspected and approved by DSI.")
- If the window that's installed is consistent with the permit that was issued, she will consider it approved
- the permit was issued and the action was according to permit
- thinks that back in 2003-2004, they weren't going back and doing these inspections after the permit had been issued
- will recommend that this appeal be granted (the window is approved)

Laid Over to the Legislative Hearings due back on 6/26/2012

18 [RLH FOW
12-202](#)

Appeal of Timothy R. Moore to a Fire Inspection Correction Notice at 830 GRAND AVENUE, UNIT 2.

Sponsors: Thune

Laid over to June 26. Owner need to install step to address the sill height issue.

RE: 830 Grand Ave, Unit 2 Condo

Timothy Moore, owner, appeared.

Fire Supervisor Leanna Shaff:

- Fire Certificate of Occupancy inspection conducted May 17, 2012 by Inspector Michael Efferson
- slider window: 15h x 25w

- sill height: 56 1/2 in

Mr. Moore:

- occurred to him that when the Mr. Efferson did the inspection, he was cited that slider window
- his unit is a little bit different from Ms. Caturia's unit
- the bedroom is a 2-room suite - the nook that the bed moves into is very small; that nook is the room with the slider that the inspector was looking at but the bedroom technically, includes this bigger area where the bed could be (the renter just choose to put the bed into this nook) where there is a double hung window - it's still short on the height requirement but it's much wider
- there is a step which meets the sill height
- hoping that the variance can be shifted to the two double hung windows 15h x 29w (plenty of room for a slider)
- he showed photos of the room: 660 sq. ft; where the bed is: less than 100 sq.ft.)

Ms. Moermond:

- would really like to see a floor plan of this room
- likes the slider
- the Orders are very unclear; if the window is a slider, she doesn't see an issue
- asked that Inspector Niece clarify the Orders
- history will be looked into; make sure a permit was pulled; we'll check on the sign-off record on the replacement windows
- would like to see 1 step installed underneath the window
- will lay this over for 2 weeks

Laid Over to the Legislative Hearings due back on 6/26/2012

**19 RLH FOW
12-220**

Appeal of Anna and Chris VanderKoy to a Correction Notice - Complaint Inspection at 791 HOLTON STREET.

Sponsors: Stark

Grant the appeal on the upstairs west bedroom provided that owner is not to use it as a sleeping room.

RE: 791 Holton St (single family)

Chris VanderKoy, owner, appeared.

Fire Supervisor Leanna Shaff:

- inspection conducted May 17, 2012 by Inspector Scott St. Martin
- Fire Inspector Neis explained that this was not a Fire C of O building; this appears to be a building that was inspected by their office due to a request for an inspection by the property owner to obtain their Ramsey County Day Care / Foster Care license
- mostly windows are being appealed
- #3 - upstairs west bedroom side by side double hung windows 15h x 22 1/2w; glazed: 4.08 sq.ft.

Mr. VanderKoy:

- #3- if possible, they would not use that room for foster care as a bedroom; we could use it for storage
- if we decide to use it as a bedroom or playroom, we will replace the window to comply
- #1 - egress window in the basement (he had the crank mechanism removed when the inspection took place because there was a gear on the crank mechanism that was worn - he wanted to fix that); he put it all back together but they are planning to

replace the window anyway because they discovered a hole in the glass of one of the panes

- it is his understanding that you can't use a basement bedroom for foster children in Ramsey County

Ms. Moermond:

- #3- if a room is not a sleeping room, you don't need an egress window; if it is a sleeping room, you do

- she has seen a number of different solutions for this type of configuration: 1) European door style window; 2) a slider may work

Fire Inspector Neis:

- is not 100% familiar with Ramsey County licensing program but he believes that any room that's used for daycare / foster care may have to have 2 exits

Ms. Moermond:

- that isn't written into the Orders right now

Mr. Neis:

- these Orders are written for day care / foster care; the violations on there need to be corrected in order for them to receive their license, except for #2

Ms. Moermond:

- #2 is off the list

- #3 - west bedroom: when Appellant wants to use that room, pull a permit and replace the window

- she sees no problem with any of this

- she is not familiar with Ramsey County Guidelines on using the basement bedrooms for foster children

- when the city deals with basement bedrooms, they are concerned with egress windows and enough ceiling height

- will recommend granting the appeal

Referred to the City Council due back on 7/3/2012

**20 RLH FOW
12-205**

Appeal of Debbie Vasquez, on behalf of Real Property Management, to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 441 VIEW STREET.

Sponsors: Thune

Grant a 2-inch variance on the openable width of the egress bedroom in the east bedroom of Unit 2; deny the appeal on the egress window in the south bedroom of Unit 1 and grant an extension for 90 days unless property owner can demonstrate that the window can open to at least 16 inches.

RE: 441 View St (apartments)

Garrett Johnson appeared on behalf of Real Property Management; Fannie Mai, owner.

Fire Supervisor Leanna Shaff:

- Fire Certificate of Occupancy re-inspection conducted Feb 27, 2012

- Unit 1 - south sleeping room double hung windows 15h x 37 3/4w

- Unit 2 - east sleeping room 3 casement windows 55 1/2h x 18w (GRANT VARIANCE)

Ms. Moermond:

- Unit 1, only 15 inches in height; hoping there is another inch that Mr. Johnson can find by taking out the stops, etc.

Mr. Johnson:

- has not tried removing the stops
- re-inspection with Inspector Westenhofer on Mon

Ms. Moermond:

- take out the stops, open window, measure it with a tape measure and take pictures so that they, for sure, demonstrate the opening space that a body can go through

Ms. Shaff:

- Inspector Westenhofer can answer questions
- he can take the pictures and submit them for the Appellant

Ms. Moermond:

- City Council Public Hearing will be the next stop
- she will send a letter after Monday's inspection
- there's a default of 90 days for someone to address the issue if the measurement won't work

Referred to the City Council due back on 7/3/2012

**21 RLH FOW
12-207**

Appeal of Raymond Wyatt to a Fire Inspection Correction Notice at 876 WHEELOCK PARKWAY EAST.

Sponsors: Bostrom

Grant a 6-inch variance on the openable height of the egress window in the first floor bedroom and grant a variance on the sill height on the condition that the bed is being used as a step.

RE: 876 Wheelock Parkway East (single family)

Raymond Wyatt, owner, appeared.

Fire Supervisor Leanna Shaff:

- Fire Certificate of Occupancy inspection conducted Apr 25, 2012 by Inspector Ben Ellis
- first floor bedroom slider windows 18h x 22w; sill height 53 inches
- understands that Ms. Moermond is going to recommend a variance on the window with a standard sized step installed permanently affixed to the wall
- also understands that the step is being appealed

Mr. Wyatt:

- it's not that he doesn't want to install the step; the room is the family's master bedroom and it's not a very large bedroom; at the moment, they have a double bed in there and a chest of drawers with 1 1/2 feet between the end of the bed and the chest of drawers; a step installed the entire width of the window would impede the positioning of the bed; the bed is 9 inches away from the wall and if a step is installed, how are they going to use the step?
- he doesn't understand the reasoning behind the step

Ms. Moermond:

- the step doesn't take into consideration, at all, the existing furniture in the room
- asked Ms. Shaff what Fire Prevention's position is on using beds to get out of a

window (Ms. Shaff said the bed is not permanently affixed so it can't be counted on that the tenant won't rearrange the room, etc.)

Mr. Wyatt:

- understands that's code but they are not going to pull their bed out and climb on a step to get out the window if there's a fire; there's no other way the bed can be placed in that room

Ms. Moermond:

- asked the class of the building (Ms. Shaff said it's a Class C, so, they will inspect again next year)
- will let this ride but the bed will need to stay in that room; put a condition in the lease
- this Order won't go away
- the bed will need to be there for egress or a step needs to be installed

Referred to the City Council due back on 7/3/2012

Fire Certificates of Occupancy

- 22** **RLH FCO** Appeal of Thomas S. Yang to a Fire Certificate of Occupancy Inspection
12-357 Correction Notice at 700 BURR STREET.

Sponsors: Brendmoen

No one appeared. Deny the appeal.

Referred to the City Council due back on 7/3/2012

- 23** **RLH FCO** Appeal of David Larkin to a Fire Certificate of Occupancy Correction Notice
12-353 at 728 LAWSON AVENUE EAST.

Sponsors: Bostrom

Grant a 5-inch variance on the openable height of the egress window in the second floor bedroom; deny the appeal on the furnace testing and grant an extension to October 1, 2012; roof issue is moot-need final inspection; forthcoming on the guardrail.

RE: 728 Lawson Ave E (single family)

David Larkin, owner, appeared.

Fire Supervisor Leanna Shaff:

*- Fire Certificate of Occupancy inspection conducted Jun 14 by Inspector Garnellus
- items appealed:*

- #1- roof: permit was pulled yesterday morning; had not been signed off; had not been inspected

- #3- 2nd floor bedroom window double hung: 19 1/2 h x 21 w (REC VARIANCE)

- #4-guardrail that is required (inspector is asking for an improved guardrail)

- #8- residential heating report; Appellant states that the licensed contractor inspected the furnace and replaced the heat exchanger less than a year ago but she has no documentation of that or how it's functioning now

- Mr. Anderson needs to call to have the roof inspected

Mr. Larkin:

- the roof has been installed; had been a complete tear off; lifetime warranty on it

(installed by Rob Anderson)

- the contractor who did the work last year, indicated that a guardrail was not needed (there's 18 inches difference between the wall of the house and the neighbor's yard); Ms. Shaff said she needs to verify that because then, a guardrail would not be required

- didn't realize that the last ORSAT test had not been submitted (Jun 20, 2011)

Ms. Moermond:

- Appellant will need a Fuel Burning Equipment Test by Oct 1, 2012; make a copy for yourself and retain it

Laid Over to the Legislative Hearings due back on 6/19/2012

**24 RLH VO
12-39**

Appeal of Pavel Sakurets to a Fire Certificate of Occupancy Revocation and Order to Vacate 1194 MATILDA STREET.

Sponsors: Brendmoen

Deny and grant an extension to July 15, 2012 to bring all the items into compliance.

Referred to the City Council due back on 7/3/2012

**25 RLH FCO
12-320**

Appeal of Dan Witucki to a Correction Notice-Complaint Inspection at 695 OHIO STREET.

Sponsors: Thune

Deny on the steps and grant an extension to September 15, 2012 for compliance. (driveway is moot as owner has paved it).

Referred to the City Council due back on 7/3/2012

**26 RLH FCO
12-355**

Appeal of Tia Lee to a Fire Inspection Correction Notice at 694 SHERBURNE AVENUE.

Sponsors: Carter III

Owner missed hearing. Rescheduled.

Laid Over to the Legislative Hearings due back on 6/19/2012

**27 RLH FCO
12-363**

Appeal of Larissa Schaar to a Fire Certificate of Occupancy Approval With Corrections at 1002 SIXTH STREET EAST.

Sponsors: Lantry

Deny the appeal.

Referred to the City Council due back on 7/3/2012

**28 RLH FCO
12-354**

Appeal of Tom Yang to a Fire Inspection Correction Notice at 673 YORK AVENUE.

Sponsors: Bostrom

Deny the appeal on the basement, main floor and upper floor plumbing issue and grant an extension for 90 days to come into compliance.

Referred to the City Council due back on 7/3/2012

- 29 **RLH FCO** Appeal of Jay R. Hill to a Fire Certificate of Occupancy Inspection Correction
12-346 Notice at 538 WHEELLOCK PARKWAY WEST.

Sponsors: Brendmoen

*Grant the appeal on the roof;
grant a 7-inch variance on the openable height of the egress windows in the second
floor bedrooms;
deny the handrail issue and grant one year extension for compliance
(Item 4 is done, Item 5 - will be done, Item 7 is done)*

Referred to the City Council due back on 7/3/2012

2:30 p.m. Hearings

Vacant Building Registrations

- 30 [RLH VBR](#) Appeal of Katie and Chris Reese to a Vacant Building Registration Notice at
[12-37](#) 809 MONTANA AVENUE EAST.

Sponsors: Bostrom

Property owner stated property is in foreclosure. VB file closed.

Withdrawn

3:00 p.m. Hearings

- 31 **RLH FCO** Appeal of Terry F. Fransen to a Correction Notice-Complaint Inspection at
12-339 1039 WAKEFIELD AVENUE.

Sponsors: Lantry

Deny the appeal.

Referred to the City Council due back on 7/3/2012

Staff Reports

- 32 **RLH FCO** Appeal of Craig W. Baumann, Attorney at Law, on behalf of Brent and Lisa
12-292 Sharp, to a Fire Certificate of Occupancy Inspection Correction Notice at 695
PARKWAY DRIVE.

Sponsors: Bostrom

No one appeared on Jun 12, 2012.

Laid Over to the Legislative Hearings due back on 6/19/2012

Window Variances: No Hearing Necessary

- 33** **RLH FOW** Appeal of Kent Peterson to a Fire Inspection Correction Notice at 816
12-208 ASHLAND AVENUE.
- Sponsors:** Carter III
- No hearing necessary; grant a 7-inch variance on the openable height of the egress bedroom window.*
- Referred to the City Council due back on 7/3/2012**
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- 34** [RLH FOW](#) Appeal of Joseph Kummer to a Fire Inspection Correction Notice at 443
[12-218](#) BANFIL STREET.
- Sponsors:** Thune
- No hearing necessary; grant a 4.5-inch variance on the openable height of the egress bedroom windows in both units.*
- Referred to the City Council due back on 7/3/2012**
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- 35** [RLH FOW](#) Appeal of Daniel Sobiech to a Fire Certificate of Occupancy Inspection
[12-197](#) Correction Notice at 402 CLEVELAND AVENUE NORTH.
- Sponsors:** Stark
- No hearing necessary; grant a 4-inch variance on the openable height of the egress windows in the first floor two bedrooms and grant a 5.5-inch variance on the openable height of the egress window in the second floor one bedroom.*
- Referred to the City Council due back on 7/3/2012**
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- 36** [RLH FOW](#) Appeal of James and Judith Wiberg to a Fire Inspection Correction Notice at
[12-209](#) 2184 ELEANOR AVENUE.
- Sponsors:** Tolbert
- No hearing necessary; grant a 4.5-inch variance on the openable height of the egress window in the second floor southeast bedroom.*
- Referred to the City Council due back on 7/3/2012**
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- 37** [RLH FOW](#) Appeal of Jacob Devney to a Fire Inspection Correction Notice at 912
[12-216](#) FREMONT AVENUE.
- Sponsors:** Lantry
- No hearing necessary; grant a 1-inch variance on the openable height of the egress windows in the first and second floor bedrooms.*
- Referred to the City Council due back on 7/3/2012**
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- 38** [RLH WP](#) Appeal of Greg Fry to an Egress Window Non-Compliance Determination at
[12-62](#) 2209/2211 GLENRIDGE AVENUE.

Sponsors: Lantry

No hearing necessary; grant a 2-inch variance on the openable height of twelve double hung replacement egress bedroom windows measuring 22 inches high by 33 inches wide for Units 2209 and 2211.

Referred to the City Council due back on 7/3/2012

- 39 [RLH FOW](#)
[12-199](#) Appeal of Andy Wilhoit to a Fire Certificate of Occupancy Correction Notice at 888 GRAND AVENUE.

Sponsors: Thune

Grant a 1-inch variance on the openable height of the egress bedroom window in Unit 105.

Referred to the City Council due back on 7/3/2012

- 40 [RLH FOW](#)
[12-217](#) Appeal of John Ophelan, Ophelan Lessard LLC, to a Fire Inspection Correction Notice at 835 JUNO AVENUE.

Sponsors: Thune

No hearing necessary; grant a 2-inch variance on the openable height of the egress bedroom window.

Referred to the City Council due back on 7/3/2012

- 41 [RLH FOW](#)
[12-215](#) Appeal of Brandon Starr to a Fire Certificate of Occupancy Inspection Correction Notice at 854 JUNO AVENUE.

Sponsors: Thune

No hearing necessary; grant a 4-inch variance on the openable height of the egress bedroom window in the lower unit and grant a 5-inch variance on the openable height of the egress bedroom window in the upper unit.

Referred to the City Council due back on 7/3/2012

- 42 [RLH FOW](#)
[12-224](#) Appeal of Triesta and Paul Brown to a Fire Certificate of Occupancy Correction Notice at 1153 LAFOND AVENUE.

No hearing necessary; grant a 3-inch variance on the openable height of the egress windows in the main floor southwest and northwest bedrooms.

Referred to the City Council due back on 7/3/2012

- 43 [RLH FOW](#)
[12-206](#) Appeal of Tanya Villanueva to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 1128 MARYLAND AVENUE EAST.

Sponsors: Bostrom

No hearing necessary; grant a 6.5-inch variance on the openable height of the egress window in the second floor north bedroom and grant a 5.5-inch variance on the openable height of the egress window in the second floor south bedroom.

Referred to the City Council due back on 7/3/2012

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- 44 [RLH FOW
12-196](#) Appeal of Cynthia A. Roesel to a Fire Certificate of Occupancy Inspection Correction Notice at 890 OSCEOLA AVENUE.
- Sponsors:** Thune
- No hearing necessary; grant a 4.5-inch variance on the openable height of the egress bedroom windows.*
- Referred to the City Council due back on 7/3/2012**
- 45 [RLH FOW
12-200](#) Appeal of Olson Property Inv LLC to a Fire Certificate of Occupancy Correction Notice at 1307 PAYNE AVENUE.
- Sponsors:** Bostrom
- No hearing necessary; grant a 4-inch variance on the openable height of the egress window in the west bedroom.*
- Referred to the City Council due back on 7/3/2012**
- 46 [RLH FOW
12-221](#) Appeal of Roxanne W. Larsen to a Fire Inspection Correction Notice at 684 ROSE AVENUE EAST.
- Sponsors:** Bostrom
- No hearing necessary; grant a 3-inch variance on the openable height of the egress windows in the first floor south and north bedroom and second floor south and north bedrooms.*
- Referred to the City Council due back on 7/3/2012**
- 47 [RLH FOW
12-210](#) Appeal of Olson Property Investments to a Fire Inspection Correction Notice at 905 RUSSELL STREET.
- Sponsors:** Bostrom
- No hearing necessary; grant a 3-inch variance on the openable width of the egress window in the second floor east bedroom.*
- Referred to the City Council due back on 7/3/2012**
- 48 [RLH WP
12-59](#) Appeal of Mark A. Pierce to an Egress Window Non-Compliance Determination at 1361 SEARLE STREET.
- Sponsors:** Bostrom
- No hearing necessary; grant a 3-inch variance on the openable width of one casement replacement egress bedroom window measuring 17 inches wide by 24 inches high.*
- Referred to the City Council due back on 7/3/2012**
- 49 **RLH FOW
12-214** Appeal of Lori Brown to a Fire Certificate of Occupancy Correction Notice at 1038 STINSON STREET.
- Sponsors:** Carter III
- No hearing necessary; grant a 4-inch variance on the openable height of the egress*

windows in the lower level bedroom one and upper level, bedroom three; grant a 5-inch variance on the openable height of the egress windows in the the lower level bedroom two, bedroom three, upper level bedroom one and upper level bedroom two.

Referred to the City Council due back on 7/3/2012

50 **RLH FOW**
12-204

Appeal of Joan Pougiales to a Fire Inspection Correction Notice at 1419 TAYLOR AVENUE.

Sponsors: Stark

No hearing necessary; grant a 5.5-inch variance on the openable height of the egress window in the upper level bedroom one and grant a 4-inch variance on the openable height of the egress window in the upper level bedroom two.

Referred to the City Council due back on 7/3/2012

51 [RLH FOW](#)
[12-198](#)

Appeal of Greg Westmoreland to a Fire Certificate of Occupancy Inspection Correction Notice at 1260 THIRD STREET EAST.

Sponsors: Lantry

No hearing necessary; grant a 2.5-inch variance on the openable height of the egress windows in the first floor north and south bedrooms.

Referred to the City Council due back on 7/3/2012

52 [RLH FOW](#)
[12-212](#)

Appeal of Kevin Busko to a Fire Inspection Correction Notice at 407 TORONTO STREET.

Sponsors: Thune

No hearing necessary; grant a 1.5-inch variance on the openable width of the egress bedroom windows.

Referred to the City Council due back on 7/3/2012

53 **RLH WP**
12-57

Appeal of Saint Paul Ramsey County Department of Public Health to an Egress Window Non-Compliance Determination at 1263 CHARLES AVENUE.

Sponsors: Stark

No hearing necessary; grant a 4-inch variance on the openable height of two double hung replacement egress bedroom windows measuring 19.93 inches high by 23.2 inches wide.

Referred to the City Council due back on 7/3/2012

54 **RLH WP**
12-56

Appeal of Saint Paul Ramsey County Department of Public Health to an Egress Window Non-Compliance Determination at 1370 SHELDON STREET.

Sponsors: Stark

No hearing necessary; grant a 3 3/4-inch variance on the openable height of one double hung replacement egress bedroom window measuring 21 1/4 inches high by

28 inches wide.

Referred to the City Council due back on 7/3/2012

**55 RLH WP
12-58**

Appeal of Saint Paul Ramsey County Department of Public Health to an Egress Window Non-Compliance Determination at 266 STINSON STREET.

Sponsors: Carter III

No hearing necessary; grant a 4.07-inch variance on the openable height of two double hung replacement egress bedroom windows measuring 19.93 inches high by 24 inches wide.

Referred to the City Council due back on 7/3/2012