



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Meeting Agenda - Final-revised Legislative Hearings

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

Tuesday, January 18, 2011

9:00 AM

Room 330 City Hall & Court House

- 1 [ALH 11-17](#) Appeal of Birch Terrace to a Fire Inspection Correction Notice at 1622 ENGLEWOOD AVENUE.

 Legislative History
 1/4/11 Legislative Hearings Laid Over to the Legislative Hearings
 1/18/11 Legislative Hearings Laid Over to the Legislative Hearings

- 2 [ALH 11-66](#) Appeal of Special Tax Assessment for 1654 BUSH AVENUE for Project #: J1107A, Assessment #: 118005.

 Legislative History
 1/18/11 Legislative Hearings Referred Under Master Resolution

- 3 [ALH 11-84](#) Appeal of Special Tax Assessment for 1270 RICE STREET for Project #:J1107A Assessment #: 118005.

 Legislative History
 1/18/11 Legislative Hearings Referred Under Master Resolution

- 4 [ALH 11-85](#) Appeal of Special Tax Assessment for 1576 RUTH STREET for Project # J1107A, Assessment # 118005.

 Legislative History
 1/18/11 Legislative Hearings Referred Under Master Resolution

- 5 [ALH 11-71](#) Appeal of Special Tax Assessment for 2022 SUBURBAN AVENUE for Project #: J1107A, Assessment # 118005.

 Legislative History
 1/18/11 Legislative Hearings Referred Under Master Resolution
 1/18/11 Legislative Hearings Referred Under Master Resolution

- 6 [ALH 11-52](#) Appeal of Special Tax Assessment for 1736 MARGARET STREET for Project #:J1107A, Assessment #: 118005.

 Legislative History
 1/18/11 Legislative Hearings Referred Under Master Resolution

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- 7 [ALH 11-68](#) Appeal of Special Tax Assessment for 936 Westminster St for Project #: J1107A, Assessment #:118005 in Ward 5

 Legislative History
1/18/11 Legislative Hearings Referred Under Master Resolution
- 8 [ALH 11-53](#) Appeal of Special Tax Assessment for 430 CHARLES AVENUE for Project #:J1107A, Assessment #: 118005.

 Legislative History
1/18/11 Legislative Hearings Referred Under Master Resolution
- 9 [ALH 11-65](#) Appeal of Special Tax Assessment for 1181 EDGERTON STREET for Project #:J1107A, Assessment #: 118005.

 Legislative History
1/18/11 Legislative Hearings Referred Under Master Resolution
- 10 [ALH 11-69](#) Appeal of Special Tax Assessment for 661 MAGNOLIA AVENUE EAST for Project # J1107A, Assessment # 118005.

 Legislative History
1/18/11 Legislative Hearings Referred Under Master Resolution
- 11 [ALH 11-86](#) Appeal of Special Tax Assessment for 1641 JUNO AVENUE for Project # J1107A, Assessment # 118005.

 Legislative History
1/18/11 Legislative Hearings Referred Under Master Resolution
- 12 [ALH 11-100](#) Appeal of Special Tax Assessment for 1059 MARYLAND AVENUE EAST for Project #: J1107A, Assessment #: 8005 in Ward 6

 Legislative History
1/18/11 Legislative Hearings Referred Under Master Resolution
- 13 [ALH 11-101](#) Appeal of Special Tax Assessment for 1187 EDGERTON STREET for Project #: J1107A , Assessment #: 8005 in Ward 5

 Legislative History
1/18/11 Legislative Hearings Laid Over to the Legislative Hearings
- 14 [ALH 11-111](#) Appeal of Special Tax Assessment for 796 CONCORDIA AVENUE for Project #: J1107A, Assessment #: 118005 in Ward 1

 Legislative History
1/18/11 Legislative Hearings Referred Under Master Resolution
- 15 [ALH 11-98](#) Appeal of Special Tax Assessment for 1923 FREMONT AVENUE for Project #: J1103B, Assessment #: 8008 in Ward 7

 Legislative History
1/18/11 Legislative Hearings Referred Under Master Resolution

- 16 [ALH 11-97](#) Appeal of Special Tax Assessment for 369 KING STREET WEST for Project #: J1103B, Assessment #: 8008 in Ward 2
Legislative History
1/18/11 Legislative Hearings Referred Under Master Resolution
- 17 [ALH 11-99](#) Appeal of Special Tax Assessment for 149 DELOS STREET EAST for Project #: J1103B, Assessment #: 8008 in Ward 2
Legislative History
1/18/11 Legislative Hearings Rescheduled to the Legislative Hearings
- 18 [ALH 11-110](#) Appeal of Special Tax Assessment for 1986 ST CLAIR AVENUE for Project #: J1103B, Assessment #: 118008 in Ward 4
Legislative History
1/18/11 Legislative Hearings Laid Over to the Legislative Hearings
- 19 [ALH 11-45](#) Appeal of Special Tax Assessment for 1726 AMES PLACE for Project #: J1103E, Assessment #: 118003.
Legislative History
1/18/11 Legislative Hearings Rescheduled to the Legislative Hearings
- 20 [ALH 11-62](#) Appeal of Special Tax Assessment for 796 CONCORDIA AVENUE for Project #: J1104G, Assessment #: 118006.
Legislative History
1/18/11 Legislative Hearings Referred Under Master Resolution
- 21 [ALH 11-48](#) Appeal of Special Tax Assessment for 1028 LOEB STREET for Project #: VB1005, Assessment #: 108898 in Ward 5.
Legislative History
1/18/11 Legislative Hearings Referred Under Master Resolution
- 22 [ALH 11-113](#) Appeal of Special Tax Assessment for 1609 UPPER AFTON ROAD for Project # CRT1102, Assessment # 118002 in Ward 7
Legislative History
1/18/11 Legislative Hearings Referred Under Master Resolution
1/18/11 Legislative Hearings Referred Under Master Resolution
- 23 [ALH 11-114](#) Appeal of Special Tax Assessment for 1128 PAYNE AVENUE for Project # CRT1102 Assessment # 118002 in Ward 6
Legislative History
1/18/11 Legislative Hearings Referred Under Master Resolution
- 24 [ALH 11-116](#) Appeal of Special Tax Assessment for 637 OHIO STREET for Project # CRT1102 Assessment # 118002 in Ward 2
Legislative History

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|----|-----------------------------------|---|----------------------|---------------------------------------|
| | | 1/18/11 | Legislative Hearings | Referred Under Master Resolution |
| 25 | <u>ALH 11-117</u> | Appeal of Special Tax Assessment for 45 WINONA STREET EAST for Project # CRT1102, Assessment # 118002 in Ward 2 | | |
| | | <u>Legislative History</u> | | |
| | | 1/18/11 | Legislative Hearings | Referred Under Master Resolution |
| 26 | <u>ALH 11-118</u> | Appeal of Special Tax Assessment for 773 FRANK STREET for Project # CRT1102, Assessment # 118002 in Ward 7 | | |
| | | <u>Legislative History</u> | | |
| | | 1/18/11 | Legislative Hearings | Referred Under Master Resolution |
| 27 | <u>ALH 11-119</u> | Appeal of Special Tax Assessment for 700 Surrey Ave for Project #: J1103B, Assessment #: 118008 in Ward 7 | | |
| | | <u>Legislative History</u> | | |
| | | 1/18/11 | Legislative Hearings | Referred Under Master Resolution |
| 28 | <u>ALH 11-121</u> | Appeal of Special Tax Assessment for 46 Elizabeth St. S. for Project # CRT1102, Assessment # 118002 in Ward 2 | | |
| | | <u>Legislative History</u> | | |
| | | 1/18/11 | Legislative Hearings | Referred Under Master Resolution |
| 29 | <u>ALH 11-113</u> | Appeal of Special Tax Assessment for 1609 UPPER AFTON ROAD for Project # CRT1102, Assessment # 118002 in Ward 7 | | |
| | | <u>Legislative History</u> | | |
| | | 1/18/11 | Legislative Hearings | Referred Under Master Resolution |
| | | 1/18/11 | Legislative Hearings | Referred Under Master Resolution |
| 30 | <u>ALH 11-115</u> | Appeal of Special Tax Assessment for 785 Hawthorn Ave E for Project #: J1104G, Assessment #: 118006 in Ward 6 | | |
| | | <u>Legislative History</u> | | |
| | | 1/18/11 | Legislative Hearings | Referred Under Master Resolution |
| 31 | <u>ALH 11-71</u> | Appeal of Special Tax Assessment for 2022 SUBURBAN AVENUE for Project #: J1107A, Assessment # 118005. | | |
| | | <u>Legislative History</u> | | |
| | | 1/18/11 | Legislative Hearings | Referred Under Master Resolution |
| | | 1/18/11 | Legislative Hearings | Referred Under Master Resolution |
| 32 | <u>ALH 11-136</u> | Appeal of Special Tax Assessment for 1945 IVY AVENUE EAST for Project #: J1107A, Assessment #: 118005 in Ward 6 | | |
| | | <u>Legislative History</u> | | |
| | | 1/18/11 | Legislative Hearings | Laid Over to the Legislative Hearings |

- 33 [ALH 11-138](#) Appeal of Special Tax Assessment for 1321 RICE STREET for Project #: CRT1102, Assessment #: 118002 in Ward 5
Legislative History
1/18/11 Legislative Hearings Referred Under Master Resolution
- 34 [ALH 11-139](#) Appeal of Special Tax Assessment for 1352 GALTIER STREET for Project #: 1103T, Assessment #: 119090 in Ward 5
Legislative History
1/18/11 Legislative Hearings Referred Under Master Resolution
- 35 [ALH 11-140](#) Appeal of Special Tax Assessment for 2027 PRINCETON AVENUE for Project #: 1103T, Assessment #: 119090 in Ward 4
Legislative History
1/18/11 Legislative Hearings Referred Under Master Resolution
- 36 [ALH 11-141](#) Appeal of Special Tax Assessment for 1340 HAZEL STREET NORTH for Project #: CRT1102, Assessment #: 118002 in Ward 6
Legislative History
1/18/11 Legislative Hearings Referred Under Master Resolution
- 37 [ALH 11-142](#) Appeal of Special Tax Assessment for 632 SNELLING AVENUE SOUTH for Project #: J1107A, Assessment #: 118005 in Ward 3
Legislative History
1/18/11 Legislative Hearings Rescheduled to the Legislative Hearings
- 38 [ALH 11-144](#) Appeal of Special Tax Assessment for 1020 CARROLL AVENUE for Project #: J1107A, Assessment #: 118005 in Ward 1
Legislative History
1/18/11 Legislative Hearings Referred Under Master Resolution
- 39 [ALH 11-150](#) Appeal of Special Tax Assessment for 200 PLATO BOULEVARD WEST for Project #: CRT1102, Assessment #: 118002 in Ward 2
- 40 [ALH 11-408](#) Appeal of Special Tax Assessment for 1986 ST. CLAIR AVENUE for Project #: 1103T, Assessment #: 119090 in Ward 4.

11:00 a.m. Hearings

Orders to Vacate, Condemnations and Revocations

- 41 [ALH 11-104](#) Appeal of Yolanda Menchaca to a Notice of Condemnation Unfit for Human Habitation Order to Vacate at 480 LAWSON AVENUE WEST.
Legislative History
1/18/11 Legislative Hearings Referred to the City Council

- 42 [ALH 11-106](#) Appeal of John H. Reed to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 123 WAYZATA STREET.

Legislative History

1/18/11 Legislative Hearings Referred to the City Council

1:30 p.m. Hearings

Fire Certificates of Occupancy Correction Orders

- 43 [ALH 11-17](#) Appeal of Birch Terrace to a Fire Inspection Correction Notice at 1622 ENGLEWOOD AVENUE.

(Laid over from January 4.) No one appeared; appeal denied. Written statement needed from Mechanical Inspector.

Legislative History

1/4/11 Legislative Hearings Laid Over to the Legislative Hearings
1/18/11 Legislative Hearings Laid Over to the Legislative Hearings

- 44 [ALH 11-20](#) Appeal of Wilson Simon to a Fire Inspection Correction Notice at 2554 COMO AVENUE.

Laid over from January 4; Laid over to January 25, 2011.

Wilson Simon said he met with Larry Zangs, Department of Safety and Inspections, and Zangs asked him to make photocopies of everything in the premises and what the use was going to be. He was told there can be no more than ten people at one time in his unit during the hours he is home. He said he submitted the requested information on January 13 and has not heard anything back. Fire Inspector Angie Wiese was the last person he heard from.

Mr. Simon said he's put all his savings into the property over the past five years and it's not looking good at this point so he's going to give notice to vacate if things can't be worked out.

Ms. Moermond said she will do a one week lay over and suggested he contact Ms. Wiese to assist him in setting up at a meeting. She said if they are not able to come to a conclusion, then he should get a regular appeal and it would be heard before her. If Zoning approves, Fire staff will give a different order.

Legislative History

1/4/11 Legislative Hearings Laid Over to the Legislative Hearings
1/18/11 Legislative Hearings Laid Over to the Legislative Hearings

- 45 [ALH 11-44](#) Appeal of Omari Omari to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 1019-1021 CARROLL AVENUE.

Mr. Omari said he was appealing Item No. 1. He has an estimate of over \$2,240 for the heating system items. Everything else on the list is done; he had the smoke detector affidavit and the existing fuel burning equipment safety test report with him but he also e-mailed them to Inspector Mitch Imbertson,

Marcia Moermond, Legislative Hearing Officer, asked Mr. Urmann if the heating system

was written up because it was not done under permit. Mr. Urmann said that was correct.

Mr. Omari said the safety burning, etc. was fine so it's the issue with the chimney liner. The furnace went out on a Saturday morning in January a couple years ago and there was not time to get permits and a friend helped him with it. The property is in a short sale and what it would cost to do the chimney liner is more than he can afford to do.

In response to a question of Ms. Moermond, Mr. Omari said this is a duplex.

Inspector Urmann explained that chimneys were built to handle a furnace that didn't get as hot so the motor held up better and didn't condensate or break apart. With the higher efficiency furnaces, the liner protects the furnace from collapse and structural degradation over time.

Mr. Omari said the current furnace is just slightly different from the one that had been there.

Ms. Moermond said the mechanical inspectors are aware of the furnaces that would fall under this requirement because the Code is clear and they would have precise information. She said John Knutson could answer the questions Omari is raising.

Mr. Omari said the other thing found was the combustion air inlet hood which was within three feet of the dryer vent. That has been changed and he is waiting for a re-inspection on that. The inspector came once and told him the hose was wrong on the water heater so he's waiting for another inspection.

Ms. Moermond suggested to Mr. Omari that he communicate with the inspector via e-mail. Mr. Urmann said he would assist.

Ms. Moermond said these are serious issues. Currently the deadline is January 19 to address these items; she now recommended everything be done by February 7. She will set up a public hearing before the City Council on February 2. If he does not come into compliance by the deadline, the department has to enforce the City Council reviewed order. Typically in this situation they would chose either using a criminal citation or revocation of the certificate of occupancy. It's at their discretion how they proceed. She said she understands it's a short sale. The work was done without a permit and it appears he did not go in right away to get a permit. Mr. Omari said no one ever went into the chimney and that's the work he is being asked to have done now. This will put him under and if the short sale doesn't go through, the renters will have to leave and it will be another foreclosure in St. Paul. He has tried hard to keep it in good standing, he said.

Ms. Moermond said she also has to think about the safety of the people living there. Since one half is not occupied, the Fire Certificate of Occupancy staff can revoke a part of the building or the entire building. Mr. Urmann said in this case because of the ventilation system for the furnace, it would affect the entire building so it would be a whole building issue. If it was determined by the mechanical inspector to be a life safety or habitability issue, it could also be a cause to condemn both sides of the building.

Ms. Moermond told Mr. Omari she understands his financial situation but there are expenses associated with maintaining property and this is the kind of expense that comes up from time to time. She reiterated that he should work with the inspectors and, hopefully, it can all be taken care of.

Appeal denied and extension granted to February 7, 2011 to come into compliance.

City Council public hearing will be on February 2, 2002.

Legislative History

1/11/11	Legislative Hearings	Laid Over to the Legislative Hearings
1/18/11	Legislative Hearings	Referred to the City Council

- 46 [ALH 11-56](#) Appeal of Sam Riesgraf, SMR Real Estate LLC, to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 576 WHITE BEAR AVENUE NORTH.

No one appeared; appeal denied. 1/19/10--mail was returned.

Legislative History

1/18/11	Legislative Hearings	Rescheduled to the Legislative Hearings
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- 47 [ALH 11-57](#) Appeal of KBD Investments LLC to a Correction Notice-Complaint Inspection at 1008 CASE AVENUE.

Jason Fry and Brad Heusley appeared. Mr. Fry said they filed an appeal for the egress windows because according to the dimensions, they do meet the requirement. He has to talk to Inspector Jackie Girling to see if she measured the rest of the windows but he feels they all meet egress standards.

Marcia Moermond, Legislative Hearing Officer, said she would grant a variance on the egress window dimensions.

Inspector Mike Urmann said the width of the windows is 21 inches and required to be 24 inches. The ceiling height is 6 ft. 5in in the basement bedroom area and it should be 7-1/2 ft.

Mr. Fry said it was his impression that egress windows are required to be 24 in. high and 20 in. wide. Ms. Moermond said it appears a mistake was made and orders should not have been written on the windows.

Mr. Fry showed pictures of the basement and said the ceiling is flat with no angles or peaks.

Ms. Moermond said she will recommend a 6 in. variance on the ceiling. The owners are to put in reflective tape so if a firefighter went in, they will know it's low clearance.

Six-inch variance granted on the basement ceiling height on the condition that reflective sign/tape is posted for entrances going down to the basement.

Legislative History

1/18/11	Legislative Hearings	Referred Under Master Resolution
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- 48 [ALH 11-60](#) Appeal of Mary Kelsey to a Fire Inspection Correction Notice at 1866 HYACINTH AVENUE EAST.

Inspector Urmann said the appellant requested an extension of time for Items 5 and 6 which involve steps to the public way that have more than three risers and require a handrail in accordance with the building code.

Items 7 & 8 –The heating system test report has been received but not the smoke detector affidavit which the appellant said was provided. Mr. Urmann said he brought an affidavit with which the appellant can fill out.

Marcia Moermond, Legislative Hearing Officer, said she would grant until May 1 to

install the hand rails. She instructed the appellant to have a sand/salt bucket easily available so the tenants know to use it until railing is installed. Ms. Kelsey questioned what type of railing is required.

Mr. Urmann said he will have the inspector take photos after the snow melts and determine what type she needs.

Ms. Moermond said she has no concern with the windows on the first floor and she will grant a variance.

Grant 2-inch variance on the openable height of the egress windows in all bedrooms on the first floor; deny appeal and grant extension to May 1, 2011 for Items 5 and 6 on the condition that sand and salt are easily accessible to the tenants for use on the steps.

Legislative History

1/18/11 Legislative Hearings Referred Under Master Resolution

- 49 [ALH 11-61](#) Appeal of Bee Vue to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 686 SHERBURNE AVENUE.

Marcia Moermond, Legislative Hearing Officer, recommended the following:

Item #1 – Lower unit-basement bedroom - grant a variance of 6 ft. 5 in.

Item #2 – Upper unit 2nd floor rear bedroom ceiling – 35% is at 7 ft. or above and Ms. Moermond said she will recommend a variance on that.

Item #3 – Upper unit 3rd floor bedroom ceiling – 45% instead of 50% is at 6 ft. 10 in. or above and she will recommend a variance on that.

Item #4 – 3rd floor bedroom - No variance on the number of occupants. Mr. Vue said that issue has been addressed.

Grant a six-inch variance on the ceiling height on the condition that reflective sign/tape be posted for entrances going down to the basement; grant a variance on the ceiling height issue in the upper unit second floor rear bedroom; grant a variance on the ceiling height issue in the upper unit third floor bedroom; and deny the appeal in the upper unit third floor bedroom (must maintain one occupant in the sleeping room).

Legislative History

1/18/11 Legislative Hearings Referred Under Master Resolution

- 50 [ALH 11-78](#) Appeal of Heather K. Jamieson to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 1178 HERBERT STREET.

Inspector Mike Urmann said a permit had been pulled but it expired for lack of activity. They are good for one year from date of issue. The permit was not approved for the installation of the windows and did not get signed off because the contractor did not call for final signoff and inspection.

With regard to Item #1, the sill height is 50 inches and it should be 48 inches. Ms. Jamieson said the code that was cited talks about bedrooms and sleeping areas and there is not a sleeping area in the basement.

Mr. Urmann said when Inspector Thomas was asked that question, he saw bedding and pillows in the area so it was determined that it was being used as a sleeping area. Ms. Jamieson responded that it is not rented as a sleeping area. She showed her

Section 8 papers and lease indicating it's a 3-bedroom house and that is how it's being rented. She asked what control she has where people choose to sleep.

Ms. Moermond said she understands the house is not being rented that way but if the basement is being used as a sleeping unit, she will be held accountable and a step must be installed to the window. Ms. Jamieson said she will tell the renters that they are not to sleep in the basement. This has never been an issue in the time she has owned the house since 2003. Because it's a Section 8 rental, she has an inspection every year.

Mr. Urmann reiterated that if it's ever found it's being used as a sleeping room and not code compliant, the inspector would issue a citation.

Ms. Moermond said she will deny the appeal and Ms. Jamieson has choices how to become code compliant.

Item #3 – loose guard rails – Ms. Jamieson had asked for an extension. Mr. Urmann said a guard rail has to hold normal body weight with no deflection of any kind. Ms. Moermond said it can't be repaired in the current weather conditions and said she will grant an extension to May 1 but wants to see that ice/sand is always available and easily accessible to the tenants to put on the sidewalk and steps.

Item #4 – Finalization of the egress window permit. Ms. Moermond said Window World needs to sign off. Ms. Jamieson said she was told by Esther from Window World that many people installed windows to take advantage of the tax credit and they weren't even taking appointments at the end of 2010. However, in November she was told that hers would be scheduled and closed. Later she got a call that it couldn't be done before the first of the year. Ms. Moermond said she would grant 30 days to comply.

Deny the appeal on the sill height in Item #1 (cannot be used as a sleeping room; if it is used as a sleeping room, steps must be installed to address the sill height issue); deny appeal and grant extension to May 1, 2011 on the guardrail issue on the condition that salt and sand are easily accessible to tenants for use on the steps; and grant 30-days for the permit to be finalized on the egress window issue.

Inspector Mike Urmann said a permit had been pulled but it expired for lack of activity. They are good for one year from date of issue. The permit was not approved for the installation of the windows and did not get signed off because the contractor did not call for final signoff and inspection.

With regard to Item #1, the sill height is 50 inches and it should be 48 inches. Ms. Jamieson said the code that was cited talks about bedrooms and sleeping areas and there is not a sleeping area in the basement.

Mr. Urmann said when Inspector Thomas was asked that question, he saw bedding and pillows in the area so it was determined that it was being used as a sleeping area. Ms. Jamieson responded that it is not rented as a sleeping area. She showed her Section 8 papers and lease indicating it's a 3-bedroom house and that is how it's being rented. She asked what control she has where people choose to sleep.

Ms. Moermond said she understands the house is not being rented that way but if the basement is being used as a sleeping unit, she will be held accountable and a step must be installed to the window. Ms. Jamieson said she will tell the renters that they are not to sleep in the basement. This has never been an issue in the time she has owned the house since 2003. Because it's a Section 8 rental, she has an inspection every year.

Mr. Urmann reiterated that if it's ever found it's being used as a sleeping room and not

code compliant, the inspector would issue a citation.

Ms. Moermond said she will deny the appeal and Ms. Jamieson has choices how to become code compliant.

Item #3 – loose guard rails – Ms. Jamieson had asked for an extension. Mr. Urmann said a guard rail has to hold normal body weight with no deflection of any kind. Ms. Moermond said it can't be repaired in the current weather conditions and said she will grant an extension to May 1 but wants to see that ice/sand is always available and easily accessible to the tenants to put on the sidewalk and steps.

Item #4 – Finalization of the egress window permit. Ms. Moermond said Window World needs to sign off. Ms. Jamieson said she was told by Esther from Window World that many people installed windows to take advantage of the tax credit and they weren't even taking appointments at the end of 2010. However, in November she was told that hers would be scheduled and closed. Later she got a call that it couldn't be done before the first of the year. Ms. Moermond said she would grant 30 days to comply.

Deny the appeal on the sill height in Item #1 (cannot be used as a sleeping room; if it is used as a sleeping room, steps must be installed to address the sill height issue); deny appeal and grant extension to May 1, 2011 on the guardrail issue on the condition that salt and sand are easily accessible to tenants for use on the steps; and grant 30-days for the permit to be finalized on the egress window issue.

Legislative History

1/18/11 Legislative Hearings Referred Under Master Resolution

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ALH 11-79

Appeal of Gholam Ashrafzadeh to a Revocation of Fire Certificate of Occupancy at 1119 ARUNDEL STREET.

Terry Alexander appeared and showed Ms. Moermond a certificate indicating he was authorized to represent the family in this matter.

Inspector Urmann said the issue that was conveyed to him regarding this building is that it is unoccupied. Vacant Buildings was carrying it as a Category I because no one did an interior inspection. Inspector Lisa Martin went out for an inspection and found it was still vacant and wrote up 19 violations in the interior. Issues include a converted attic space that was done without permit or approval and a heating system test report that was provided to DSI and is inadequate. The heating system is deteriorated and rusted and it was painted which it should not have been according to the mechanical inspector. It's almost impossible to fix now. It was referred as a Category II because of the number of violations and because the building was still vacant at the time of the inspection. Vacant Buildings concurred with the Cat. II and it will require a code compliance inspection.

Mr. Alexander said of the 19 violations, 13 or 14 are very minor. The test on the furnace was re-done and re-submitted and passed the test so the furnace is compliant at this time. He said they were asking that they get the property back to Category I. The investors bought the house strictly for a rental purpose and they invested the money as Category I. They have submitted the permits for the electrical and brought it up to code and the windows have been ordered. He asked that the house be re-inspected.

Mr. Urmann said a window insert would require a permit. Mr. Alexander explained the windows and Urmann said if he's just replacing a pane, it does not require a permit,

Mr. Alexander said everything will be brought up to code and they would like to keep it

as a Category I or they will lose thousands of dollars on it. He said he has no problem with bringing the permits up to date.

Mr. Urmann said the attic space would have to be de-converted because it is an un-occupied illegal space. Mr. Alexander said this converted space is very old but he could put a locked door on. Ms. Moermond said that would take it out as being an occupied space and would be ok.

Ms. Moermond said she feels it is legitimately a Category II due to the many violations. She will give him 60 days to get everything done to the satisfaction of the inspector. She will waive the vacant building fee and require a code compliance if he doesn't have it signed off in 60 days.

Mr. Urmann told Mr. Alexander to contact Lisa Martin for an inspection. The heating unit must be replaced and the work must be done by a licensed installer.

Deny appeal and grant an extension for 60 days to bring the items into compliance. The vacant building fee is also waived for 60 days. If not in compliance in 60 days, appellant is required to obtain a Code Compliance Inspection and pay the Vacant Building fee.

Legislative History

1/18/11 Legislative Hearings Referred Under Master Resolution

- 52 [ALH 11-83](#) Appeal of Cha Blong Xiong and Cheu Lo Xiong to a Fire Inspection Correction Notice at 610 WINTHROP STREET NORTH.

Marcia, Moermond, Legislative Hearing Officer, said she was comfortable recommending a variance on the egress window opening.

Inspector Mike Urmann said the appellant is asking to have until spring to take care of Items 10 and 21. Item 21 is a piece of broken window glass that needs to be repaired, and Item 10 is soffits, facia, and peeling paint on the exterior.

Ms. Moermond said she will grant until June 1 to repair the exterior items and 30 days to repair the broken window.

Grant a 3-inch variance on the openable height of the egress windows in the main floor southeast, middle and northeast bedrooms; deny appeal and grant until June 1, 2011 for Item 10 (exterior-soffits); and deny appeal and grant extension for 30 days for Item 21 (main floor, NE bedroom-window glass).

Legislative History

1/18/11 Legislative Hearings Referred Under Master Resolution

- 53 [ALH 11-112](#) Appeal of Emer Properties, represented by Cynthia Emer, to a Fire Certificate of Occupancy Correction Order at 2152 MOHAWK AVENUE.

Legislative History

1/18/11 Legislative Hearings Referred Under Master Resolution

Window Variances: Hearing Required

- 54 [ALH 11-81](#) Appeal of Esther Dahl, Window World, to an Egress Window Non-Compliance Determination at 558 LARPENTEUR AVENUE EAST.

Legislative History

1/18/11 Legislative Hearings Referred Under Master Resolution

No Hearing Necessary**Window Variances: Fire Certificate of Occupancy**

- 55 [ALH 11-50](#) Appeal of Suzann Murray to a Fire Inspection Correction Notice at 215-217 DORA COURT WEST.
Legislative History
1/18/11 Legislative Hearings Referred Under Master Resolution
- 56 [ALH 11-51](#) Appeal of Justin Fox to a Fire Inspection Correction Notice at 927 ALGONQUIN AVENUE.
Legislative History
1/18/11 Legislative Hearings Referred Under Master Resolution
- 57 [ALH 11-55](#) Appeal of Ellen Garbo and Leon Frid to a Fire Inspection Correction Notice at 1569 RACE STREET.
Legislative History
1/18/11 Legislative Hearings Referred Under Master Resolution
- 58 [ALH 11-74](#) Appeal of Charles Boeck to a Fire Inspection Correction Notice at 152 BATES AVENUE.
Legislative History
1/18/11 Legislative Hearings Referred Under Master Resolution
- 59 [ALH 11-76](#) Appeal of Leo A. Viktora to a Fire Inspection Correction Notice at 2135 JAMES AVENUE.
Legislative History
1/18/11 Legislative Hearings Referred Under Master Resolution
- 60 [ALH 11-77](#) Appeal of Anne J. Smith to a Fire Inspection Correction Notice at 1295 LAUREL AVENUE.
Legislative History
1/18/11 Legislative Hearings Referred Under Master Resolution
- 61 [ALH 11-80](#) Appeal of Sheila Bernstein to a Fire Inspection Correction Notice at 2109 RANDOLPH AVENUE.
Legislative History
1/18/11 Legislative Hearings Referred Under Master Resolution
- 62 [ALH 11-82](#) Appeal of Paul Johnson to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 1817 ORANGE AVENUE EAST.

Legislative History

1/18/11 Legislative Hearings Referred Under Master Resolution

Window Variances: Building Permits

- 63 [ALH 11-58](#) Appeal of George Trembulak to an Egress Window Non-Compliance Determination at 799 PARK STREET.

Legislative History

1/18/11 Legislative Hearings Referred Under Master Resolution

- 64 [ALH 11-59](#) Appeal of Nilles Builders to an Egress Window Non-Compliance Determination at 792 ARLINGTON AVENUE WEST.

Legislative History

1/18/11 Legislative Hearings Referred Under Master Resolution

- 65 [ALH 11-67](#) Appeal of Esther Dahl, Window World, to an Egress Window Non-Compliance Determination at 1722 ORANGE AVENUE EAST.

Legislative History

1/18/11 Legislative Hearings Referred Under Master Resolution

- 66 [ALH 11-70](#) Appeal of Esther Dahl, Window World, to an Egress Window Non-Compliance Determination at 1401 ARUNDEL STREET.

Legislative History

1/18/11 Legislative Hearings Referred Under Master Resolution

- 67 [ALH 11-72](#) Appeal of Esther Dahl, Window World, to an Egress Window Non-Compliance Determination at 684 OTSEGO STREET.

Legislative History

1/18/11 Legislative Hearings Referred Under Master Resolution

- 68 [ALH 11-73](#) Appeal of Esther Dahl, Window World, to an Egress Window Non-Compliance Determination at 1850 PRINCETON AVENUE.

Legislative History

1/18/11 Legislative Hearings Referred Under Master Resolution

- 69 [ALH 11-75](#) Appeal of Esther Dahl, Window World, to an Egress Window Non-Compliance Determination at 1989 MINNEHAHA AVENUE EAST.

Legislative History

1/18/11 Legislative Hearings Referred Under Master Resolution

- 70 [ALH 11-108](#) Appeal of Erik Anderson, Woodcrest Building & Remodeling, to an Egress Window Non-Compliance Determination at 2226 UPPER AFTON ROAD.

Legislative History

1/18/11 Legislative Hearings Referred Under Master Resolution

House Keeping

- 71 [ALH 10-37](#) Appeal of Steve and Diane Anderson to a HPC Non-Compliance Garage Plan for property at 340 Summit Avenue. (Ward 2)
- 72 [ALH 10-202](#) Appeal of Steve Fisher to a Fire Certificate of Occupancy Correction Order at 965 Hague Avenue. (Ward 1)
- Legislative History
- 10/19/10 Legislative Hearings Laid Over to the Legislative Hearings
- 73 [ALH 10-271](#) Appeal of David Leventhal of Cecil Delicatessen to a Fire Certificate of Occupancy Correction Order at 651 Cleveland Avenue South.
- Legislative History
- 10/26/10 Legislative Hearings Laid Over to the Legislative Hearings
- 12/14/10 Legislative Hearings Laid Over to the Legislative Hearings
- 74 [ALH 10-417](#) Appeal of Kwasi Nanyakpe to a Notice of Condemnation Unfit for Human Habitation Order to Vacate and Vacant Building Registration Notice at 330 MAPLE STREET.
- Legislative History
- 11/30/10 Legislative Hearings Laid Over to the Legislative Hearings
- 75 [ALH 10-563](#) Appeal of Don Frable to a Fire Inspection Correction Notice at 1187 WOODBRIDGE AVENUE.
- Legislative History
- 12/21/10 Legislative Hearings Referred Under Master Resolution
- 1/4/11 Legislative Hearings Referred to the City Council