

City of Saint Paul

*15 West Kellogg Blvd.
Saint Paul, MN 55102*



Minutes - Final - Final

Tuesday, January 4, 2011

9:00 AM

Room 330 City Hall & Court House

Legislative Hearings

Marcia Moermond, Legislative Hearing Officer

Mai Vang, Hearing Coordinator

Jean Birkholz, Hearing Secretary

legislativehearings@ci.stpaul.mn.us

651-266-8560

9:00 a.m. Hearings**Special Tax Assessments**

- 1 [ALH 10-566](#) Appeal of Special Tax Assessment for 635 CANTON STREET for Project #: VB1102, Assessment #: 118993 in Ward 2

Sponsors: Thune

Delete per DSI

Referred Under Master Resolution (LHO recommends deleting the assessment per DSI)

- 2 [ALH 10-565](#) Appeal of Special Tax Assessment for 225 SNELLING AVENUE NORTH Project #: J11106P, Assessment #: 118001 in Ward 4.

Sponsors: Stark

No show. Delete per DSI

Inspector Essling reported the DSI recommends deletion of the assessment. There is a waiver on file for graffiti removal. Property has two (2) addresses: 225 and 227 Snelling Avenue N. The waiver on file is for 227.

Referred Under Master Resolution (LHO recommends deleting the assessment per DSI)

- 3 [ALH 10-567](#) Appeal of Special Tax Assessment for 419 SHERBURNE AVENUE for Project #: VB1101, Assessment #: 118966 in Ward 1

Sponsors: Carter III

No show; Approve the assessment

Inspector Yannarely reported this to be an unpaid Vacant Building Fee: \$1,100 with a service charge of \$135 for a total of \$1,235. It was a Category 2 Vacant Building since July 18, 2008 and was closed on November 2, 2010 (also the date Certificate of Code Compliance was issued). On July 21, 2010, a 90-day Fee Waiver was granted.

There is an extensive history of Orders on the property.

Ms. Moermond approved the assessment.

Referred Under Master Resolution

- 4 [ALH 11-19](#) Appeal of Special Tax Assessment for 850 BRADLEY STREET Project #: J1101A, Assessment #: 118949 in Ward 5

Sponsors: Helgen

Attachments: [Emergency Abatement 7-20-2010.DOC](#)

Delete the assessment.

Tammy Schnailde and Chuck Buckan appeared.

Ms. Marcia Moermond noted that the City Council Public Hearing for this address is January 5, 2011.

Inspector Joel Essling reported that this is an emergency Summary Abatement for 868 Bradley Street. It was mailed July 20, 2010 with a compliance date of July 21, 2010 at 1 p.m.

Site inspector's notes say: Two (2) over-flowing Waste Management dumpsters; huge pile of garbage on the ground with flies all over. Waste Management will empty today but will not pick-up pile on the ground. He spoke with Kelly Doer, property manager, who said she will have it cleaned-up.

Re-check date: July 22, 2010

Work Order done: July 21, 2010

Cost: \$484 plus \$140 service charge for a total of \$624.

Mailed to: Real Estate Investments, St. Peter Street, St. Paul and Kao Chao, Broadway St., St. Paul (Kao Chao's letter was returned).

Ms. Schnailde stated that all mail should come to her at Real Estate Equities, 345 St. Peter Street; she received an email notice.

Ms. Moermond asked to see copy of Summary Abatement

Ms. Schnailde is appealing because they had it all cleaned up by the next business day; they had Waste Management empty the dumpsters and they picked-up everything around the dumpsters which made the dumpsters about half full again. So, she doesn't understand what the City had to clean up when they came back the next day.

Essling: Don't have the video with us today; it will show date and time.

Moermond: I would like to see video. We'll look at it today at 10:45 a.m.

In the meantime, Mr. Essling emailed Ms. Moermond that he had viewed the video back at the office and there was no garbage on the ground. The crew emptied two dumpsters that were 7/8 full. the Work Order reads, "Empty dumpsters if overflowing and large pile of garbage on the ground, after 1 P.M. on 7-21-10."

Ms. Moermond recommended deleting the assessment.

Referred Under Master Resolution (Legislative Hearing Officer recommends deleting the assessment)

- 5 [ALH 11-31](#) Appeal of Special Tax Assessment for 470 Kittson Street for Project #: VB1102, Assessment #: 118993 in Ward 2.

Sponsors: Thune

Attachments: [470 Kittson-Ltr.12-20-10.pdf](#)
 [470 Kittson.Assessment Roll Page.pdf](#)

Delete per DSI

Referred Under Master Resolution (Delete the assessment per DSI)

- 6 [ALH 11-21](#) Appeal of Special Tax Assessment for 792 Jessamine Ave E Project #: J1103E, Assessment #: 118003 in Ward 6

Sponsors: Bostrom

Attachments: [792 jessamine a.DOC](#)
 [792 Jessamine Ave E. EC Bill.DOC](#)
 [792 Jessamine Ave E. Orders.DOC](#)

No show; Approve

Referred Under Master Resolution (Legislative Hearing Officer recommends approving the assessment)

- 7 [ALH 11-34](#) Appeal of Special Tax Assessment for 1068 Payne Ave for Project #: VB1102, Assessment #: 8993 in Ward 6

Sponsors: Bostrom

No show; Approve

Referred Under Master Resolution (Legislative Hearing Officer recommends approving the assessment)

- 8 [ALH 10-548](#) Appeal of Special Tax Assessment for 1767 Thomas Ave for Project #: J1101V, Assessment #: 118982 in Ward 4

Sponsors: Stark

Attachments: [1767 Thomas Ave VA 6-17-10.DOC](#)
 [1767 Thomas Ave Photo 6-23-10.DOC](#)

No show; Approve

Referred Under Master Resolution (Legislative Hearing Officer recommends approving the assessment)

11:00 a.m. Hearings

Summary Abatement Orders

- 9 [ALH 10-564](#) Appeal of SarahLee Baumann to a Summary Abatement Order at 1836 BENSON AVENUE.

Sponsors: Harris

Attachments: [1836 Benson.appeal.1-4-11.pdf](#)
 [1836 Benson Ave.Correction Order.9-2-10.pdf](#)

Withdrawn. Habitat is helping with the clean ups. If the work is not done, staff will re-issue the orders.

Withdrawn

Orders to Vacate, Condemnations and Revocations

- 10 [ALH 11-14](#) Appeal of JoAn M. Mullins to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 15 ANNAPOLIS STREET WEST.

Sponsors: Thune

Attachments: [15 Annapolis.appeal.12-23-10.pdf](#)
[15 Annapolis St W.Photos.12-16-10.pdf](#)
[15 Annapolis St W.Order to Vacate.10-29-10.pdf](#)
[15 Annapolis.LH Ltr 1-4-11.doc](#)

Deny the appeal and grant one month (February 4, 2011) for appellant to reduce the volume of excessive materials by 50%. If this goal is met, another one (1) month extension (March 4, 2011) will be granted to reduce the volume another 50%. Appellant will post a sign on the back door indicating there is a one (1) foot drop and she will remove the items blocking the exit.

Jo An Mullins appeared.

Ms. Mullins stated that she should have asked Inspector Essling for a re-inspection before today's hearing because conditions at the house have changed dramatically. Mr. Essling asked whether she had help or whether she did it herself. Ms. Mullins responded that she did it herself; when someone else had helped her previously, she was without her medications for three (3) days.

Inspector Essling reported that the property was inspected on December 15, 2010 and was found with an excessive accumulation of combustible materials, blocked exits, blocked access to exit and an excessive accumulation of refuse. He advised Ms. Mullins to contact her relatives (nieces and nephews who had helped her previously) or hire someone to clean out the house and to let him know by the first of the year what she was going to do. In the interim, she filed an appeal. There's not much that needs to be removed from the house; unfortunately, Ms. Mullins has an emotional attachment to it and it's difficult for her to dispose of it. The photographs show paper, plastic, bags, bottles, etc., in primarily the living-dining-kitchen areas, which is where she spends most of her time. It's a fire hazard and may also be a trip hazard.

Ms. Mullins stated that there now is a four-foot wide clear path from the front door to the back door. The reason she keeps the back door closed so that people don't go out through it is because there is a 1-foot drop to the first step because the sill had been wrecked. She thinks that it's better that the back door is locked and barricaded so that people don't use it. She noted that she needs to stay in her home because she is very allergic to foam and other things; she has removed all foam items from of her house. She would like to remain in her home while the clean-up is taking place for health reasons. She has taken care of the house for fifty (50) years and is obliged to the City for allowing her to remain in her home. She has cleaned up a lot within the last two (2) weeks. In late November, 2010, her dentist found that she had an extremely virilant infection in a tooth, which did not hurt. It affected her a great deal; she thought that she was going senile. After the dentist took care of the infection, she has been gradually improving. She knows that is one of the reasons the house got so cluttered; she wasn't functioning right and she didn't realize that she wasn't functioning right. Now, the house is much different from what it was; although, it's probably not where Mr. Essling wants it to be. She does her business in the living room (no office) and that's why there's lots of paper there. Inspector Essling clarified that the last time Ms. Mullins went through this (three (3) years ago, she moved out of the house to clean it out. She is trying to explain that this time, she wants to stay in the house while it's being cleaned so that she doesn't suffer from allergies. Ms. Mullins added that she also doesn't want to lose time traveling back and forth from where she is staying to her house.

Ms. Moermond asked if there were people in Ms. Mullins' life who could help her sort through the paper, etc. Ms. Mullins responded that she has family but the last time

they helped her clean up, she was without her medicine for three (3) days. She really needs to stay in her home.

Ms. Moermond is concerned about the old food containers and dirty dishes; they should be addressed first. Ms. Mullins responded that she doesn't have any food containers that are dirty except those containers in which cookies, etc. come in. She uses those to fill with recyclable paper and gets rid of them.

Ms. Moermond asked Ms. Mullins if she slept on the first floor. She replied, "Yes, right next to a window, just three (3) feet from the ground."

Ms. Mullins said she had made arrangements for shredding to be done but has not checked with the person lately because they have had family problems and she didn't want to unload her problems on them. She is also trying to get in touch with people who refurbish things and recycle them.

Mr. Essling stated that he would check-up on Ms. Mullins next Tuesday, January 11, 2011, at noon.

Ms. Moermond stated that Ms. Mullins must stop using old containers to hold trash. In one (1) month, half of the material shown in the photos must be gone. In the following month, half of the remaining material must be gone. Ms. Mullins does not need to leave her house but if half of the stuff is not gone in one (1) month, she will need to vacate the house. Also, the back door must be cleared; there needs to be clear access out the door. Because of the steep drop-off, she advised Ms. Mullins to put a sign on the door that states the reason why no one should go out that door.

Referred Under Master Resolution (Legislative Hearing Officer recommends denying the appeal and granting an extension to February 4, 2011 for reducing the volume of excessive materials by 50%. If goal is met, another month extension to March 4, 2011 will be granted; post a sign on back door indicating there is only one foot drop; and remove the items blocking the exit)

11 [ALH 11-28](#)

Appeal of Benjamin Roberts to a Notice of Condemnation Unfit for Human Habitation Order to Vacate and Vacant Building Registration Notice and Fees at 575 DAYTON AVENUE.

Sponsors: Carter III

Attachments: [575 Dayton Avenue.appeal.12-28-10.pdf](#)
[575 Dayton Ave.LH Ltr 1-4-11.doc](#)

Deny appeal on condemnation. Layover for six (6) weeks to February 15, 2011 LH on vacant building registration

Benjamin Roberts appeared.

Ms. Moermond stated that the precipitating issue was the water shut-off.

Leanna Shaff, DSI-Fire, reported that they received a complaint that there was mold in the basement on November 16, 2010. By the time Inspector Martin was able to speak with the complainant (Dec 2), she found that the tenant of the property would be moving out on December 20, 2010. She scheduled the Fire Certificate of Occupancy inspection for December 15, 2010. On that day, no one showed for the appointment and there was no water, which is an immediate Condemnation. The tenant was removing his belongings. Ms. Martin referred it to Vacant Buildings. Ms. Shaff spoke with Saint Paul Regional Water Services and found that the water had been restored on December 27, 2010. The Orders also included the normal

requirements for the Residential Heating Report, Smoke Detector Affidavit, and removing the accumulation of snow/ice.

Ms. Moermond requested a staff report on the Summary Abatement Order issued December 23, 2010. Inspector Essling reported that it had been re-inspected on December 29, 2010 and found to be in compliance.

Mr. Roberts explained that he wants to go through the normal process of getting a Certificate of Occupancy through Fire and Safety Services. He missed the inspection appointment because he got his appointments mixed up. In the past, it would have been re-scheduled. He stated that the tenant had been living at this address for approximately thirteen (13) years. He fell behind on his rent by \$6,900 and Mr. Roberts told him that he would have to evict him. Their hearing date was November 22, 2010; the tenant was to be out by December 20, 2010. During the time of tenancy, they had agreed that the tenant was responsible for the maintenance and the water bill. He submitted a letter from the water department dated November 17, 2010, which stated that the tenant's check had been returned for \$236.02. They said that the water would be shut off on November 30, 2010, if the bill wasn't paid. Mr. Roberts did not have access to the house because the tenant changed the locks. Mr. Roberts tried to get access to the house but the tenant called the police accusing Mr. Roberts of harrasing phone calls. Mr. Roberts found out about that when he went to the police asking them to escort him to the house to see if he could get a key to get in. The officer said he couldn't make the tenant give Mr. Roberts a key. He didn't have access to the house until December 27, 2010, when he got into the house via the garage. Then he went to pay the water bill. The tenant left a few items out back which was the subject of the Summary Abatement Order and was cleaned-up promptly.

Ms. Moermond thinks that this should not be a Category 2 Vacant Building; don't need to do a full Code Compliance Inspection becuase none of the itmes listed look as though they are going to effect the structure of the building. Schedule a Fire Code Compliance Inspection and get the work done in thirty (30) days, then do a follow-up inspection. The faster this is done, the more the Vacant Building fee can be avoided.

Mr. Roberts was concerned about the cracked concrete slab out front. Ms. Moermond responded that if the concrete slab shows up in the Order, she would be willing to make an accommodation for the weather.

Ms. Moermond recommended a six-week layover to February 15, 2011. If Mr. Roberts is interested in a public hearing at the City Council (January 19, 2011), it can be scheduled.

Laid Over to the Legislative Hearings, due back on 2/15/2011

1:30 p.m. Hearings

Fire Certificates of Occupancy Correction Orders

12 [ALH 10-267](#) Appeal of Reza Alizadeh to a Fire Certificate of Occupancy Correction Order at 1504 Grand Avenue.

Sponsors: Harris

Attachments: [1504 Grand Ave.Appeal.10-13-10.pdf](#)
[1504 Grand Ave.Fire Inspection Ltr.10-5-10](#)
[1504 Grand Ave.Fire Inspection Ltr.9-10-10](#)
[1504 Grand Ave.Photos.8-18-10](#)
[1504 Grand Ave.Fire Inspection Ltr.8-17-10](#)
[1504 Grand Ave.PC Ltr 1-4-11.doc](#)

No one appeared. Deny the appeal. The building shall be deconverted to a single-family residence until and unless legal duplex status is granted by the Planning Commission.

Referred Under Master Resolution

13 [ALH 10-413](#) Appeal of Neil and Soraya Scott to a Fire Inspection Correction Notice at 475 SUMMIT AVENUE.

Sponsors: Carter III

Attachments: [475 Summit.appeal.11-30-10.pdf](#)
[475 Summit Ave.PC ltr.11-30-10.doc](#)
[475 Summit Ave.PC Ltr 1-4-11.doc](#)

Laid over from 11/30/10 (need Supervisor Owen's staff report & clarification of code requirement)

Marcia Moermond, Legislative Hearing Officer, said the main issue left with this property is means of egress from the third floor as it appears most everything else is taken care of

Inspector Urmann said he tried to research the Code Enforcement policy that was put together by the Fire Marshall and what it entailed. In accordance with the building code in force at the time, it allows that a space (residential dwelling unit) that was under 500 sq. ft. would be allowed to continue with a single exit on the third floor if the existing doorway to that unit was on the second floor. That was in an effort to address non-conforming buildings that existed. The code did not address where the doorway was. That was an addition from the Fire Marshall to insure that it was a second story entrance to the unit for the policy but it was not supported under the building or fire code. The code was very specific that the unit had to be under 500 sq. ft. to meet those requirements. The International Code is what they are under now. The Uniform Building and Fire Code was when the policy was written. The International Code does not allow that exception anymore under the law. It only allows for one exit from the third floor if the building is fully sprinkled. A code-compliant egress window would also be required.

Andy Dawkins, attorney representing the appellant, distributed an inspection appointment and reviewed the materials. The property was purchased by the Scotts in 1992 and has been inspected many times since then. There have been no changes to the occupancy or the structure and it has always been approved. It was only during the latest inspection that they "got tripped up" on the issue of the 500 versus 2000 sq. ft. Dawkins said at the previous hearing he said he wanted to see what the city policy is so his clients can have due and proper notice of what the requirements are. If they are in compliance with what the city has on its web site, he feels they should be able to go by that. He questioned when all the changes took place, why the information is still on the city's web site, and why Ms. Fish inspected and approved the property.

Mr. Urmann said the Code says the first floor and second floor can have one exit up to the second floor up to 2000 sq. ft. It does not address up to the third floor. The pre-inspection check list is currently being reviewed by inspection staff for errors and also to clarify some of the information. It is no longer available on the web site. Ms. Scott said the information was on the web site as of this date.

Mr. Dawkins asked Mr. Urmann if it was the 2000 sq. ft. requirement that is incorrect on the city's web page. Mr. Urmann responded "yes, up to the second story." Anything above the second story is not addressed by 2000 sq. ft. The policy says if the doorway is on the second floor and the city is considering it a second floor unit.

Mr. Scott said the 500 sq. ft. doesn't apply in this case because the city is saying it is a second floor unit because the door is on the second floor so the 2000 sq. ft applies. This is what he was told by Pat Fish in 1992 and it's the same policy as of today.

Mr. Urmann said he was not in a position to testify as to what another inspector said. Right now they are looking at what the Code allows and doesn't allow. The Code and policy specifically says that room allowance would have to be under 500 sq. ft. and have a doorway on the second floor. The policy never addressed it as a second story unit but only the allowance for the second exit.

Mr. and Mrs. Scott disputed that the requirements outlined by Inspector Urmann were in the Fire Marshall's policy. Mr. Dawkins said he requested the information in advance so he would have an understanding of it prior to this hearing.

Marcia Moermond, Legislative Hearing Officer, told the Scotts the representation of Pat Fish in 1992 and the fact that the web site is not up-to-date are both reasonable arguments that they should be allowed a variance in this circumstance. The Fire Code staff are saying it doesn't make a difference if the web site needs to be updated or in 1992 a mistake was made by an inspector, but right now by the Safety Code it would be required and she needs to balance those two things in her recommendation to the City Council. Ms. Moermond concurred that the appellants should be allowed to review the materials and put additional comments on the record if they wish. She said she doesn't want to come to a conclusion too quickly on this matter if they have more arguments to make.

Mr. Scott said when he met with Pat Fish, she said her department didn't necessarily agree with the policy on the pre-inspection report but they had been given that policy by the City Council. Ms. Moermond responded that it was a mis-statement. The Fire Code is a state code; the City Council is the appeals body hearing.

Mr. Dawkins said he feels it's a legitimate position for the Scotts to take that the City has to have a clear policy in place somewhere for people to follow.

Ms. Moermond said there is state law on this matter – the Minnesota State Fire Code – it is not something the city promulgates. The mistake is that the web page didn't characterize the fullness of the state law and it needs to be corrected and specifically address third floor spaces.

Ms. Scott said because the residence is on Summit Avenue, there may be a problem with the Heritage Preservation Commission (HPC) and changing the exterior of the house. Ms. Moermond referred them to Christine Boulware, HPC staff person, who she said will work with them on design.

*This matter was laid over to the January 18 Legislative Hearings.
Laid over to January 25, 2011 Legislative Hearings.*

Laid Over to the Legislative Hearings, due back on 1/25/2011

- 14 [ALH 10-569](#) Appeal of Chuck Yang to a Fire Inspection Correction Notice at 1468 FREMONT AVENUE.

Sponsors: Lantry

Attachments: [1468 Fremont.appeal.12-17-10.pdf](#)
 [1468 Fremont Ave.PC Ltr 1-4-11.doc](#)

Appeal granted on removal from Certificate of Occupancy property; appeal denied on compliance with existing six (6) months extension granted except Items 1, 3, 9 and 10 where compliance will be within one month. Steps must be installed to address the sill height issue.

Marcia Moermond, Legislative Hearing Officer, noted that Mr. Yang was only appealing the egress windows. Mr. Yang said it's only one window upstairs. He said this property is only for his family's use but Inspector Spiering told him the inspection was being done because he was not occupying the property. Yang said he and some members of his extended family live in two residences.

Ms. Moermond said they were dealing with the egress windows and whether or not they should be in the certificate of occupancy program.

Inspector Urmann noted that the slider window in the main floor northwest bedroom measures 14w x 20h openable and the sill height is 56 inches which is over the minimum sill height. The main floor southwest bedroom has an awning window which measures 14.5h x 39w openable and the sill height is 56 inches. The main floor southeast bedroom is an awning type and is 14.5h x 39w openable and sill height of 56 inches. On the second floor is a slider measuring 14w x 20h openable and 56 inch sill height. The certificate of occupancy is a non-owner occupied property according to both Ramsey County and City records. The owner of record has a Lake Elmo address so it's required by Code to be inspected as a non-owner occupied property. They look at the owner of record and address and if there is a question as to the owner of record, they are requested to provide a copy of the registered deed, a copy of a utility bill, and a driver's license showing that property address. This information has not been provided by the Yangs.

Ms. Moermond question Mr. Yang regarding who lives in the two homes. Mr. Yang said he, his wife, and their children live in the Lino Lakes residence. One of his sons, sometimes his wife, and his wife's parents live at the Fremont home. According to the Ramsey County tax records, it's shown as homesteaded. Lor Yang said she stays at the Fremont home about three days per week and some weekends because her parents are both disabled.

Mr. Yang said they grow their vegetables for the farmers' markets at the Lino Lakes property and they are closer to the field living there.

Mr. Urmann said State Fire Code requires that even a single family owner-occupied structure comply with the egress windows.

Ms. Moermond told the Yangs she agreed that they should not be in the fire certificate of occupancy program and she will see that they're removed from it. She would like to get them on a program to address the violations that do exist in the home. The biggest problem is the windows. The dimension should be at least 16 in. high or 16 in. wide. Two are awing windows and they are not allowed under the code. The sliders would be allowed if they were high enough. In all cases with the

windows, the sill is too high. Replacement windows still may not meet the dimensions but she would be willing to grant a variance. She told him to see what kind of windows he can get to fit in those spaces. She feels a new window will get them closer without having to cut into the house. They may also have to install one or two steps in order to reach the window.

Mr. Urmann said he checked the records and found there were no permits for installation of windows. Also, in going through the written orders, it will not be in the Certificate of Occupancy program. There are 15 violations listed. Two of those (No. 14 & 15) involve the heating system test report and the smoke detector affidavit. All others would need to be complied with. He asked Ms. Moermond if she would like a follow-up on those to insure compliance. Ms. Moermond said she felt it could be turned over to Code Enforcement at this point. She told the Yangs it will be changed from fire inspectors, who handle rental properties, to those who handle owner-occupied properties. They will still have to complete the list of violations except they won't have to do an affidavit regarding the smoke detectors and they won't have to do a fuel burning equipment report. She gave them six months to come into compliance on all other items, she will waive the appeal fee for the window permit if it is denied, and she wants the window opening to be at least 16" high if they can get more width.

Mr. Urmann said with respect to the door closure between the garage and the residence, an extension cord for the wash machine and range, and a carbon monoxide detector (Items 1, 3, 9, 10), these are immediate life-safety issues and an extension should not be granted.

Ms. Moermond said she will try to have it inspected in a month to see if the above issues are addressed.

Appeal granted on removal from Certificate of Occupancy property; appeal denied on compliance with existing six (6) months extension granted except Items 1, 3, 9 and 10 where compliance will be within one month. Steps must be installed to address the sill height issue.

Referred Under Master Resolution

- 15 [ALH 11-1](#) Appeal of David Trepanier to a Re-inspection Fire Certificate of Occupancy with Deficiencies at 1525 PACIFIC STREET.

Sponsors: Lantry

Attachments: [1525 Pacific St.Appeal.12-20-10.pdf](#)
 [1525 Pacific St.PC Ltr 1-4-11.doc](#)

No show; deny the appeal.

Referred Under Master Resolution

- 16 [ALH 11-2](#) Appeal of Antonio Chavez to a Re-inspection Fire Certificate of Occupancy with Deficiencies at 1730 FIFTH STREET EAST.

Sponsors: Lantry

Attachments: [1730 5th St E.Appeal.12-20-10.pdf](#)
 [1730 Fifth Street E.PC Ltr 1-4-11.doc](#)

Deny and grant one month for compliance.

Marcia Moermond, Legislative Hearing Officer, asked Mr. Chavez what things he needs a contractor for. He said he thought it included a permit for a water heater test, and a furnace exhaust. Ms. Moermond asked if he needed to hire someone to seal the junction boxes.

Inspector Urmann said a permit or license contractor is not required to place a cover plate over electrical wiring. He concurred that the issues that look like they need a contractor are the heating system test report and the installation of the water heater which was done without a permit. The exposed wiring in Item 5 would also require an electrical permit.

Mr. Chavez said this is a single-family home and his siblings are living there and they do pay some rent. He said by mid-February he should be able to afford permits.

Ms. Moermond denied the appeal and granted a one-month extension to make the corrections.

Referred Under Master Resolution

17 [ALH 11-3](#)

Appeal of David R. Busch, DRB #24, LLC to a Re-inspection Fire Certificate of Occupancy with Deficiencies at 651 SHERBURNE AVENUE.

Sponsors: Carter III

Attachments: [651 Sherburne Ave.Appeal.12-20-10.pdf](#)
[651 Sherburne Ave.PC Ltr 1-4-11.doc](#)

Grant a variance on the ceiling height issue in the 2nd floor, center bedroom (30% at 7' or more); grant a variance on the ceiling height issue in the south bedroom (50% at 7' or more); and deny the ceiling height issue in the north bedroom (14% at 7' or more). Deny the egress window in the south bedroom as it was appealed and acted on by the City Council.

Marcia Moermond, Legislative Hearing Officer, said these issues were addressed at a May 4, 2010 hearing.

Inspector Urmann said there is a ceiling height issue and an egress window issue. The egress window is 20w x17h openable. The ceiling height is 7 feet in the center with 42w x 13l and the square footage is 130 sq. ft. There is an Issue in the north and south bedrooms with the ceiling height.

Ms. Moermond granted a variance on the ceiling height issue in the 2nd floor, center bedroom (30% at 7ft. or more); granted a variance on the ceiling height issue in the south bedroom (50% at 7ft. or more); and denied the ceiling height issue in the north bedroom (14% at 7' or more). Also denied the egress window in the south bedroom as it was appealed and acted on by the City Council.

Referred Under Master Resolution

18 [ALH 11-7](#)

Appeal of Jamie Pribyl to a Fire Inspection Correction Notice at 1772 MINNEHAHA AVENUE WEST.

Sponsors: Stark

Attachments: [1772 Minnehaha.appeal.12-22-10.pdf](#)
[1772 Minnehaha Ave W.PC Ltr 1-11-11.doc](#)

Rescheduled to January 11, 2011.

Rescheduled to the Legislative Hearings, due back on 1/11/2011

19 [ALH 11-12](#)

Appeal of Mark Cady to a Re-inspection Fire Certificate of Occupancy With Deficiencies at 2006 SELBY AVENUE.

Sponsors: Stark

Attachments: [2006 Selby.appeal.12-16-10.pdf](#)
[2006 Selby Ave.PC Ltr 1-4-11.doc](#)

Grant a 1.5-inch variance on the openable height of the egress horizontal slider window in the lower unit, NE bedroom; deny the appeal on the sill height issue and steps must be permanently affixed under the escape window and must come up from the floor within an eight inch maximum rise and a nine inch maximum run. The width should equal the width of the openable area of the window.

Marcia Moermond, Legislative Hearing Officer, said she will recommend a variance on the window in the northeast bedroom in the lower unit. The problem will be with the sill height which is 60 inches. Mr. Cady said he installed a 12 inch x 12 inch step but the inspector was not satisfied with that saying it had to be standard steps. This is an emergency exit only and he feels it should be acceptable. This room has two other exits, one is three feet from the front door and the other is 12 feet from the back door. Ms. Moermond said that doesn't count because a person has to through a hallway to get to the other side. She said she looks for steps to accommodate a little more than what the shortfall is. This is a 12 inch shortfall so she would want to see him accommodate 12 or more inches.

Ms. Moermond granted a 1.5-inch variance on the openable height of the egress horizontal slider window in the lower unit, NE bedroom; denied the appeal on the sill height issue and steps must be permanently affixed under the escape window and must come up from the floor within an eight inch maximum rise and a nine inch maximum run. The width should equal the width of the openable area of the window.

Referred Under Master Resolution

20 [ALH 11-17](#)

Appeal of Birch Terrace to a Fire Inspection Correction Notice at 1622 ENGLEWOOD AVENUE.

Sponsors: Stark

Attachments: [1622 Englewood.appeal.12-23-10.pdf](#)
[1622 Englewood Ave.PC Ltr 1-4-11.doc](#)

Grant the appeal on the illegal door lock issue. Laid over to January 18, 2011 for City mechanical inspector feedback on the exhaust duct vents. (housekeeping)

Inspector Urmann said in speaking with the inspector of this property, Carver Isabell, it appears it is an appeal pertaining to a number of door locks, one of them being a chain lock, and a flexible connection in the exhaust for a dryer vent. The inspector said there are three locks on one door and the code allows for two locks. A chain lock or night latch would be allowed if there were only two locks.

With respect to the dryer exhaust, the code allows the use of the approved flexible connection for what's called under the mechanical code, "transition." The transitions are only turns or connections from the appliance and not to exceed six inches in distance. The one at this property is well in excess of six inches. The inspector says that the majority of the dryer vent is flexible connection so it exceeds what is allowed under the mechanical code.

Mr. Carlson responded that there are only two locks – a deadbolt and a safety chain only. When the inspector was there, he never said there were three locks but only that the safety chain had to be removed. He said he read the code and safety chains are allowed. This is a sliding chain. Mr. Urmann asked Carlson if the doorknob locks and Carlson said no.

Ms. Moermond said she would grant the appeal and if the orders are re-written, they should be accompanied by a photograph.

With respect to the flexible duct connector, Mr. Carlson said the code allows up to six feet of flexible transition duct, not six inches. He cited from the Uniform Mechanical Code: "An approved flexible duct connector of not more than six feet in length may be used to connect the dryer to the vent pipe. The International Building Code allows up to eight feet of flexible dryer transition pipe.

Mr. Urmann said the direction from the mechanical people in DSI is that they will allow six inches for the transition otherwise they want it to be galvanized or solidified.

Mr. Carlson again said both the Uniform Mechanical and International Building Codes allow six feet and eight feet. The flexible connector serves a valuable purpose. Washers and dryers both vibrate as they're running and the connections to them are rubber hoses and flexible gas lines in order to accommodate the vibrations. The Code citation is 504.3.2.1.

Ms. Moermond said she will lay the matter over two weeks and put it on the agenda as a housekeeping item. She will talk with the mechanical inspectors prior to the meeting.

Ms. Moermond told Carlson he could provide feedback on his interaction with the inspector.

Laid Over to the Legislative Hearings, due back on 1/18/2011

21 [ALH 11-20](#)

Appeal of Wilson Simon to a Fire Inspection Correction Notice at 2554 COMO AVENUE.

Sponsors: Stark

Attachments: [2554 Como.appeal.12-27-10.pdf](#)
[2554 Como Ave.PC Ltr 1-4-11.doc](#)

Laid over to the January 18, 2011 Legislative Hearings for more feedback on relevant occupancy and zoning definitions.

Inspector Urmann said he was the inspector for this property and issued the orders. The basics of the inspection was on the certificate of occupancy where an illegal use was found for a portion of the building which is a mixed commercial/residential. It is believed the upper portion of the building was used for "T-Shirt Works," a commercial use and assembly use. A stage with lights had been installed. Further investigation was done after he left the sight and he was able to obtain websites and videos saying

it was a place for parties and events. That caused the issuance of a condemnation order for that use but not for the residential use that is there because that is an approved use. There is only one exit out of the space and that is the same exit that is used by residential space. There are electrical issues, extension cords, wiring that was done by the occupant or someone other than a licensed electrician, and storage of flammable and combustible liquids within a space that is not separated by the required fire separation. Urmann said he was not discussing things going on with the bar, Station 280, on the first floor because that is not an illegal occupancy and it's not being addressed at this time.

Wilson Simon said when he took possession of this property five years ago, the understanding was that the second floor, where he lives, was mixed residential/commercial. The prior tenants had music rehearsals and recordings there. Mr. Simon said he also works in music and is a touring production person with various responsibilities. He knew the former tenants so he met with them and agreed to take the space. The lease he signed said "industrial building lease – recording facility, band practice, band equipment storage, and apartment." That led him to believe what he was doing was ok. He said he had utility statements that are split between the side he lives on and the commercial side. He noted that the zoning information has it listed as I1 Industrial Commercial Mixed Residential. It does not specify upstairs or downstairs. Fire Marshall Kevin Charpdelaine came through first and he thought they were on the same page as he asked him to put in fire exit signs and smoke detectors which he did. The occupancy statements for the 15-years lease always stated that it was a restaurant on the bottom and a dwelling on the top. It also lists an office which he felt a studio space might be called. Over the last couple of years, he's been developing this property with the thought of opening a rehearsal/recording studio. He held five or six private parties/open houses. He now know that is considered "assembly" but he never charged for anything or sold anything. He has a lot of music equipment, it's a 9,000 sq. ft. space and that's part of the reason he took it. He has bands that he has worked with rehearse there. Based on information Mr. Urmann pulled from web sites about parties, he said Simon was operating a business. Mr. Simon said he is not but he understands how it could be construed as that. In the order, Mr. Urmann is asking for compliance based on it being an assembly. He hoped it could be a place where he could live on one side and bands could rehearse on the other.

Mr. Urmann said it appeared it was a mixed use in a space where it was not separated for the use. In his research of the site, he found videos of it being used as an assembly hall and a band space where the space was being used for a party and a large assembly. Evidence supports what is written. In the orders, he wrote condemnation of that use. If it is not code compliant, then it can no longer be used in that way. If it is going to be used in that way, it has to be brought into compliance. He said he was not condemning the residential use but only the use of the commercial space in a space that is not separated and does not have proper exit.

Mr. Simon said with regard to the band that Mr. Urmann saw on YouTube, it's a local international band called Atmosphere and he has toured with them for the past three years. He said he did not think it was an issue because the prior tenants had done this kind of thing on a monthly basis with a whole lot of people.

Ms. Moermond asked Mr. Simon to describe what he wants to have there. He said he would like to have rehearsal music, recording. He is not looking for a bar, cabaret, a venue but just a space with offices where a band could come in and rehearse and no more than one at a time. The kind of appeal to it is one band is not competing with bands on all four sides.

There was one call for police and the police did not find a problem. There were no sales taking place.

Tom Tamaro said Wilson Simon has been a model tenant whereas previously there were many problems with the tenant. There have been no issues with police calls or noise.

Mr. Urmann said in order for the space to be used for rehearsals, he would have to bring in a licensed architect and a design consultant to design the space to code and provide plans for approval and permits that would have to deal with fire separations between his residential and his commercial use.

Mr. Tamaro noted that there had been no problems with previous inspectors.

Ms. Moermond asked Mr. Simon if he has any scheduled events or people coming over. Mr. Simon said he has disassembled all of his gear and started selling it because when he talked to an architect about what it would take to bring it up to code, Urmann disagreed with things he was told so he feels stonewalled and that he doesn't have a chance.

Ms. Moermond laid the matter over two weeks to allow the appellant to talk to additional people and see if they can get a better answer. She suggested talking to a project facilitator in the Department of Safety and Inspections as they would have training in each of these areas and may be able to help them problem solve better. She did not think they qualified for a home occupation permit but said they should check into it and see what their options are. She told him they have the zoning and the use of the building to deal with.

Laid Over to the Legislative Hearings, due back on 1/18/2011

2:30 p.m. Hearings

Vacant Building Registrations

- 22 [ALH 10-365](#) Appeal of Robert Metzler to a Fire Inspection Correction Notice at **737 VAN BUREN AVENUE.**

Sponsors: Carter III

Attachments: [737 Van Buren.appeal.11-5-10.pdf](#)
[737 Van Buren Ave.Fire C of O.10-8-10.dot](#)
[737 Van Buren Ave.Photos.10-8-10.pdf](#)
[737 Van Buren Ave.PC ltr.11-16-10.doc](#)
[737 Van Buren Ave.Photos.12-14-10.pdf](#)
[737 Van Buren.PC Ltr 1-4-11.doc](#)

Deny the appeal on exemption from Certificate of Occupancy program; grant extension on items in Metzler work plan except for painting, roof, and foundation which shall be completed by June 30, 2011.

Inspector Urmann said when this was in a Legislative Hearing previously, direction was given to Mr. Metzler to do some corrections and they would not be considered to be on the vacant buildings list if they were in compliance and if permits were pulled for the work. At the last inspection by Lisa Martin, there was no compliance and no permits pulled and signed off. Therefore, it passed the date for compliance. It is now

felt that the second floor is occupied by separate occupants. There is a full kitchen set up, a bed, and personal belongings in the second story. It is a duplex.

Mr. Metzler responded that he is living alone on the first floor and there is no one on the second floor. He said it is a single-family home and not a duplex. He said he has done the work plans. He presented a copy of the state statute and Ms. Moermond told him they are not talking about homesteading. The definition in the City Code is "owner occupation" and not "homesteading." Mr. Metzler said it appears there is a conflict between state statute and city ordinance. Ms. Moermond said there is a conflict in the definition and not the application. Homesteading is meant to apply to taxes only. Whether or not a property is occupied by the owner is the determination that is used on whether or not a property should be in the fire certificate of occupancy program.

Mr. Metzler said he would like to have a City Council hearing. He said he had two work plans – 1) if she had agreed with the state statute; and 2) had she not agreed. He gave her the second work plan which he itemized. He asked that Items 5-9 be removed from the correction orders saying there is nothing wrong with them.

Ms. Moermond denied the appeal on exemption from the Certificate of Occupancy program; granted an extension on items in Metzler's work plan except for painting, roof, and foundation which shall be completed by June 30, 2011. She suggested a public hearing before the City Council on February 2, 2011 and told him to get any materials to her ten days prior.

Referred to the City Council, due back on 2/2/2011

23 [ALH 10-422](#)

Appeal of Robert H. Nollet to a Certificate of Occupancy Revocation Vacant Building and Vacant Building Registration Renewal Notice at 676 RIVOLI STREET.

Sponsors: Thune

Attachments: [676 Rivoli.appeal.11-30-10.pdf](#)
[676 Rivoli St.PC ltr.12-10-10.doc](#)
[676 Rivoli St.Revised.PC ltr.12-10-10.doc](#)

Rescheduled to January 11, 2011 Legislative Hearings.

Laid Over to the Legislative Hearings, due back on 1/11/2011

24 [ALH 10-554](#)

Appeal of Todd R. Larsen to a Vacant Building Registration Renewal Notice at 1194 PACIFIC STREET.

Sponsors: Lantry

Attachments: [1194 Pacific.appeal.12-21-10.pdf](#)
[1194 Pacific St.PC Ltr 1-4-11.doc](#)

Supervisor Rich Singerhouse will inspect the building to re-evaluate its categorization. If Category 2 when inspected, Appellant will need to complete items on Code Compliance inspection. (Forthcoming on this issue).

Inspector Rich Singerhouse said vacant building was opened on December 17, 2007. There was a short period where it became a HUD house but it has been vacant ever since.

Mr. Larsen said he did not know the property was on the vacant building list. He made the offer in October through an agent based in the northwest Twin Cities area as he was originally looking for property in that area. He did not close on the property until March and during that time, he was not notified that it was a vacant building or of any of the other restrictions. After the closing, the vacant building fee came up in May. He appealed that and on the day of the scheduled hearing, he was told it was taken care of and he did not hear anymore on the property until November. At that time, more language was added including that a gas valve needed to be installed and restrictions on sale. He said he is not looking to add on to the house or that kind of a project; he is not dragging his feet but he is just not informed.

Marcia Moermond, Legislative Hearing Officer, said because it was purchased from the federal government it wasn't required of them to inform him that it was a registered vacant building because to them it didn't matter.

Mr. Larsen said the extra cost of \$1100 seems excessive. Ms. Moermond explained the costs for managing the vacant building program includes inspecting vacant properties every two weeks, doing night checks at least once a week to make sure that buildings are secured and no one is living in them, and different kinds of associated enforcement activities. That program's cost is divided over all the vacant buildings that are in the program and it is how they arrive at the fee so everyone pays evenly. Mr. Larsen said he paid the \$1100 vacant building fee from last year. Ms. Moermond said technically, HUD should have paid it. A Code Compliance was not conducted. Mr. Larsen said as far as the code compliance, a letter dated November 21 is the first information he received on it. Ms. Moermond said the vacant building fee was due in December and Larsen said he is appealing that.

Ms. Moermond asked when the house will be ready to be occupied. Mr. Larson said he bought it as a place to have his things but not to live there full time. He has paid for the property so if there is any thing that needs to be done, he has to make sure he has the money. He looked into a variance for bringing the garage to a lower elevation but he has to get design and pricing before making a decision on that. Ms. Moermond said normally she would look for a work plan for repairs. Looking at the work plan and a person keeping up with where they are supposed to be with it means evaporating vacant building fees. She also noted that this has been a vacant building for a couple of years and the requirements have been out there. If it was found today that the building is empty, the next question would be whether there are significant code violations that would justify putting it in the vacant building program.

Mr. Singerhouse said that Inspector Nelmark didn't list many things on the exterior, only the porch and some railings. He did not know about the interior,

Mr. Larsen said the power and gas were on when he bought it. The driveway was gone and the stairs were torn up. He knew that was an issue but the interior does not appear to have problems. He asked for time to come up with a plan to complete the work. Mr. Singerhouse said he will set up a time for an inspection of the interior.

Ms. Moermond said if the property looks good it may qualify to be a Category I Vacant Building instead of a Category II. Category I means it can be occupied but the inspector will make that determination. Regarding the vacant building registration bill, she will lay it over until the tax assessment comes forward. Once she gets feedback as to whether it should be a Category I or not, then she can decide about rescheduling it. She will see if the rating can be changed. She told Mr. Larsen he will receive an assessment letter and a postcard. He is to return the postcard and she can talk about the bill at that point as they'll have better information at that time and

can possibly reduce the assessment. If the property is still a Category II after Mr. Singerhouse inspects it, Larsen will need to get a code compliance inspection which will cost \$426 and that will be the first step toward bringing it into code compliance.

Item is Laid Over to the Legislative Hearings, due back on 1/25/2011(Staff Report)

25 [ALH 11-9](#)

Appeal of Joyce M. Perkins to a Vacant Building Registration Notice at 674 RIVOLI STREET.

Sponsors: Thune

Attachments: [674 Rivoli.appeal.12-17-10.pdf](#)
[674 Rivoli St.PC Ltr 1-4-11.doc](#)

Deny the appeal. Everything must be done in accordance with the Code Compliance Inspection Report.

Marcia Moermond, Legislative Hearing Officer, noted that this property is a condemnation and there is a requirement that it be in the vacant building program.

Inspector Singerhouse said the Certificate of Occupancy was revoked on 12/01/10 and vacant building was opened on 12/03/10. A Code Compliance was just completed.

Ms. Perkins said this property has been her income for several years. Her last tenant was behind on her rent, she was anticipating assistance but it didn't come through so she had to ask her to move out. Problems arose over that and, as a result, the inspection started. She hired someone to do the repairs but inspector Kelly Booker kept adding things to the list because things were not done when her repair person said they were. Everything has now been taken care of from the initial list but because of talk of vacant building status, she has moved the upstairs renter (Section 8) to a hotel with the hope of getting things resolved. She said she would like to get out of the vacant building status and get back to where she was. It's a very small duplex but she was told she had to have two furnaces. Section 8 had given their approval two months prior.

Ms. Moermond told Ms. Perkins she should meet with the building inspector and discuss how her list fits together with the fire certificate of occupancy list; look at the two lists and see what needs to be done.

Ms. Perkins asked what she can do to get her tenant back in. Ms. Moermond said when she gets the code compliance list, she needs to quickly address it. Ms. Perkins said she has concerns about putting in two separate furnaces, fire doors, etc. because the city is planning to remove many of the homes on Rivoli Street so she found it senseless to be putting so much money into it.

Mr. Singerhouse said a Code Compliance will have to be completed before it can be occupied.

Appeal denied. Everything must be done in accordance with the Code Compliance Inspection Report.

Referred Under Master Resolution

26 [ALH 11-10](#)

Appeal of Leonard N. Anderson to a Vacant Building Registration Notice at 559 McKnight Road South.

Sponsors: Lantry

Attachments: [559 Mcknight.appeal.12-22-10.pdf](#)
[559 McKnight Rd S.PC Ltr 1-4-11.doc](#)

No one appeared. Deny the appeal.

Referred Under Master Resolution

27 [ALH 10-552](#) Appeal of Robert Casselman to a Code Compliance Report at 838 GOODRICH AVENUE.

Sponsors: Thune

Attachments: [838 Goodrich.appeal.12-21-10.pdf](#)
[838-840 Goodrich Ave.12-21-10.doc](#)
[838-840 Goodrich Ave.PC Ltr 1-4-11.doc](#)

Appeal partially granted, pending outcome of Planning Commissions' process. Per agreement between Legislative Hearing Officer and Building Official, Appellant may proceed to pull permits to replace windows, insulate and repair boiler in the property.

Mr. Casselman said he has the code compliance. This is a duplex which was built in 1924 and now the City is saying it is not a duplex. He started the process on November 17, 2010 asking for a Code Compliance. He wanted the permit to get started but he was refused. On December 1 he had 52 windows delivered and he'd like to get started but he's now facing the issue of the duplex status because of non-conforming use. In 1975, when the City put its zoning in place, they said the area was R and anything other than a single family dwelling is a non-conforming use. If a property is vacant for more than 365 days, it goes away.

Ms. Moermond asked if this was a small lot – under 5,000 sq. ft. Mr. Casselman said it's 40 x 150, 6,000 sq. ft.

Mr. Casselman said it's been vacant for awhile. He bought it for his daughter several years ago, it's gutted to the studs, the plumbing has been cut in the kitchen, permits were pulled and it's completely rewired, and the windows are waiting to be installed. He wants to foam the exterior walls, repair or replace the boilers, and go through the process to bring it back to a duplex registration. He will be transferring title to his daughter eventually.

Inspection Singerhouse said Mr. Casselman can see if it can be reclassified.

Ms. Moermond telephoned Jim Bluhm, Building Official and relayed that right now there is nothing that should stop him from doing the three things that he wants to do. Whether it's a single-family home or a duplex makes no difference with the windows, the boiler repair, or insulating. The question is whether he can do it himself or if he must hire a contractor. A contractor will be needed for the boiler repair. She gave him Mr. Bluhm's phone number and e-mail address and also told him he can talk to Wendy Lane, head of zoning enforcement, about the zoning issue. It could be a Planning Commission decision to get the zoning designation lifted.

Ms. Moermond partially granted the appeal pending outcome of the Planning Commissions' process. Per agreement between Legislative Hearing Officer and Building Official, appellant may proceed to pull permits to replace windows, insulate and repair boiler in the property.

Referred Under Master Resolution**3:00 p.m. Hearings****Laid Over Items (Housekeeping)**

- 28 [ALH 10-37](#) Appeal of Steve and Diane Anderson to a HPC Non-Compliance Garage Plan for property at [340 Summit Avenue](#). (Ward 2)
- Sponsors: Thune
- Attachments: [340 Summit.Appeal.7-1-10.pdf](#)
 [340 Summit.Letter.7-23-10.doc](#)
 [340 Summit.Fire Deficiency Ltr.10-2-06](#)
 [340 Summit.Appt Ltr.12-5-05](#)
- 29 [ALH 10-202](#) Appeal of Steve Fisher to a Fire Certificate of Occupancy Correction Order at 965 Hague Avenue. (Ward 1)
- Sponsors: Carter III
- Attachments: [965 Hague Avenue.Appeal.10-5-10.pdf](#)
 [965 Hague Ave.Fire C of O Ltr.9-20-10](#)
 [965 Hague Ave.Photos.9-20-10](#)
- 30 [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.
- Sponsors: Lantry
- Attachments: [330 Maple.appeal.11-30-10.pdf](#)
 [330 Maple St.Vacant Building Registration.11-2-10.DOC](#)
 [330 Maple St.Photos.11-2-10.pdf](#)
 [330 Maple St.Order to Vacate.10-26-10.dot](#)
 [330 Maple St.Summary Abatement Order.11-2-10.DOC](#)
 [330 Maple St.Vehicle Abatement Order.11-2-10.DOC](#)
 [330 Maple St.PC Ltr.11-30-10.doc](#)
 [330 Maple St.PC Ltr.12-7-10.doc](#)
 [330 Maple St.Power of Atty Affidavit.12-3-10.pdf](#)
- 31 [ALH 10-563](#) Appeal of Don Frable to a Fire Inspection Correction Notice at 1187 WOODBRIDGE AVENUE.
- Sponsors: Helgen
- Attachments: [1187 Woodbridge.appeal.12-21-10.pdf](#)
 [1187 Woodbridge St.photos 12-7-10.pdf](#)
 [1187 Woodbridge St-photos.12-28-10.pdf](#)

No Hearing Necessary

Window Variances: Fire Certificate of Occupancy

- 32 [ALH 11-11](#) Appeal of Amanda Welliver to a Fire Inspection Correction Notice at 1595 BERKELEY AVENUE.
- Sponsors: Harris
- Attachments: [1595 Berkeley.appeal.12-20-10.pdf](#)
 [1595 Berkeley Ave.PC ltr 1-4-11.doc](#)
- Grant a 3.5-inch variance on the openable height of the egress windows in the first floor and second floor bedrooms; a 3-inch variance on the openable height of the egress window in the second floor west bedroom; and a 6-inch variance on the openable height of the egress window in the second floor north bedroom.*
- Referred Under Master Resolution**
- 33 [ALH 11-15](#) Appeal of John Ryan to a Fire Inspection Correction Notice at 1319 LINCOLN AVENUE.
- Sponsors: Harris
- Attachments: [1319 Lincoln.appeal.12-23-10.pdf](#)
 [1319 Lincoln Ave.PC ltr 1-4-11.doc](#)
- Grant a 3-inch variance on the openable height of the egress windows in the north lower level and north upper level bedrooms; grant a 4-inch variance on the openable height of the egress window in the south lower level bedroom; and grant a 1.5-inch variance on the openable height of the egress window in the south upper level bedroom.*
- Referred Under Master Resolution**
- 34 [ALH 11-27](#) Appeal of Patrick T. Igo to a Correction Notice-Complaint Inspection at 385 ASHLAND AVENUE.
- Sponsors: Carter III
- Attachments: [385 Ashland Avenue.Appeal.12-27-10.pdf](#)
 [385 Ashland Ave.PC Ltr 1-4-11.doc](#)
- Grant a 3-inch variance on the openable width of the egress window in the front bedroom and a 4-inch variance on the openable width of the egress window in the side bedroom.*
- Referred Under Master Resolution**

Window Variances: Building Permits

- 35 [ALH 10-570](#) Appeal of Tracy Anderson, Pella Windows and Doors, to an Egress Window Non-Compliance Determination at 815 IOWA AVENUE WEST.
- Sponsors: Helgen

Attachments: [815 Iowa Ave.appeal.12-17-10.pdf](#)
[815 Iowa Ave W.PC ltr 1-4-11.doc](#)

Grant a 3-inch variance on the openable height of four double hung replacement egress bedroom windows which measured at 21h by 36w; 21h by 28w; 21h by 28w; and 21h by 24w.

Referred Under Master Resolution

- 36 [ALH 11-4](#) Appeal of Dan Parker, Custom Remodelers, to an Egress Window Non-Compliance Determination at 442 WHITE BEAR AVENUE NORTH.

Sponsors: Lantry

Attachments: [442 White Bear Ave.Appeal.12-14-10.pdf](#)
[442 White Bear Ave N.PC ltr 1-4-11.doc](#)

Grant a 3-inch variance on the openable height of two double hung replacement egress bedroom windows which measured at 21 inches high by 31 inches wide.

Referred Under Master Resolution

- 37 [ALH 11-13](#) Appeal of Daniel Schmidt and Jim Yannarely, St. Paul Ramsey County Department of Public Health, to two Egress Window Non-Compliance Determinations at 775 SHERBURNE AVENUE.

Sponsors: Carter III

Attachments: [775 Sherburne.appeal.12-21-10.pdf](#)
[775 Sherburne Ave.PC ltr 1-4-11.doc](#)
[775 Sherburne Ave.REVISED PC ltr 1-4-11.doc](#)

Grant a 1.94-inch variance on the openable height of one double hung replacement egress bedroom window which measured at 22.06 inches high by 23.21 inches wide and a 4-inch variance on the openable height of two double hung replacement egress bedroom window which measured at 20 inches high by 19.59 inches wide.

Referred Under Master Resolution

- 38 [ALH 11-30](#) Appeal of Paul Swetland to an Egress Window Non-Compliance Determination at 129 BATES AVENUE.

Sponsors: Lantry

Attachments: [129 Bates Avenue.appeal.12-30-10.pdf](#)
[129 Bates Ave.PC Ltr 1-4-11.doc](#)

Grant a 3-inch variance on the openable height of two double hung replacement egress bedroom windows which measured at 21 inches high by 30 inches wide.

Referred Under Master Resolution