



# City of Saint Paul

15 West Kellogg Blvd.  
Saint Paul, MN 55102

## Minutes - Final

### Legislative Hearings

*Marcia Moermond, Legislative Hearing Officer*  
*Mai Vang, Hearing Coordinator*  
*Jean Birkholz, Hearing Secretary*  
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*651-266-8585*

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Tuesday, May 10, 2016

9:00 AM

Room 330 City Hall & Court House

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#### 9:00 a.m. Hearings

##### Remove/Repair Orders

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

**Sponsors:** Stark

*Richard Ayd, owner, appeared together with Lauren Lightner, House Calls, Ramsey County.*

*Mr. Ayd entered a payment plan with Ramsey County for property tax pay down for past assessments. He has paid his 2016 property taxes.*

*Inspector Steve Magner, Vacant Buildings:*

*-for clarification, you went to Ramsey County and talked with them about doing, what they call, a Confession of Judgment, to pay back the outstanding property taxes; this document states that you did a 10-year Confession of Judgment; it remains in homestead status; there's a 5% interest so you'd be paying \$1353.36 a year for 10 years; this not the actual Confession of Judgment document; this is a printout of Mr. Ayd's taxes and some quick calculations from staff who were there at the time; this is a thumbnail sketch; we will need a copy of the actual Confession of Judgment when you have it; (it was scanned)*

*Mr. Ayd:*

*-I was at the county yesterday and no one was there to do the actual Confession of Judgment document; I need to make an appointment with them for when the right person is there*

*Mr. Magner:*

*-read letter to Mr. Ayd dated Apr 27, 2016 (attached) referring this matter back to LH May 10, 2016; please provide: 1) commitment letter from your brother for rehabbing the structure; 2) develop payment plan with Ramsey Co for delinquent real estate taxes owed and provide documentation; 3) develop work plan including timelines to clean the interior of the property; and 4) contact Matt Dornfeld to gain access to the property for belongings. Note: the exterior of the property needs to be maintained -since then, an email was sent Fri May 6 to Mr. Ayd reminding him of the LH on May*

*10 and the conditions that need to be met*

*Mr. Ayd:*

*-he did receive the email*

*-at first, his brother agreed but later he said that he did not want to commit; then, he talked with his case manager, Shiela Greaser, Mental Health Resources (he sees he once a week because he is going to be calling the people, who will be doing the work; all I need to do is tell Ms. Greaser that he had done that); Lauren Lightner, House Calls, is here with me today; and she also can do that - she can verify that I have called the people to do the work*

*-he has also hired Jim \_\_\_\_\_, who does maintenance work at Zion Lutheran Church, 1697 Lafond Ave, across the street from Mr. Ayd's home; he will cut Mr. Ayd's grass and shovel snow*

*Ms. Nhia Vang:*

*-is not sure that Mr. Ayd can take on the roll of managing what all needs to be done; was hoping that he'd have someone to help guide him through completion*

*Ms. Lightner:*

*-House Calls is a voluntary program with limited means; at the most, we are able to provide between \$500 - \$750 for sanitation services to clean-up; we do have social workers on staff who can check in with Mr. Ayd to see how things are going*

*-we do help with roll-offs and dumpsters*

*-we will continue to follow-up*

*Mr. Magner:*

*-in his experience, House Calls does not go to the level of doing the whole program; they do a great job bringing people who need assistance to other resources, who can take over*

*-earlier in these hearings we discussed the need to have a 3rd independent professional party, who can step in and do this; time after time, we've proven in our documentation, that Mr. Ayd is not capable of doing this*

*-Mr. Ayd needs to seek professional advise if his brother or other relative is not willing to do this - someone who can oversee the whole project*

*Mr. Ayd:*

*-he will talk with brother again about this*

*-reminded staff that all of the major interior work has been completed; Snelling Companies installed a new furnace and new hot water heater; they put in all new wiring, kitchen and bathroom light fixtures; they just never took out a permit or had anyone come back to reinspect their final work; Tshida Bros Plumbing has already put in a new toilet, sink, tub in the bathroom and a shower surround in the basement; all I need to do is have them come back out and check their work again and take out the permit and meet with the inspector*

*Ms. Nhia Vang:*

*-the place needs to be cleaned out first; inspectors can't go out there until it's all cleaned out*

*Mr. Ayd:*

*-I have been asking for the boards to be removed so that I can get in there and clean it out*

*Ms. Nhia Vang:*

*-I need to have a schedule - a work plan you need to develop to clean out the interior*

*-have you contacted Mr. Dornfeld?*

Mr. Ayd:

-from what I understand, Mr. Dornfeld was only going to let me in for an hour to get out things that I might need; that's not what I want; I want to be able to get in there every day and start working

-I purposely took an apartment a block away from my house so that I can walk over and do the work everyday; I'm unemployed; I'm able to be there everyday

Mr. Magner:

-doesn't know that DSI has the ability to go out there everyday to open and close the house up; that's why he believes that we need someone to manage this project; he if could work with a for profit or nonprofit or volunteer organization that would commit to doing these things

-he doesn't believe that Mr. Ayd understands what the city is looking for; we need someone who will step in and say, "The city is going to open the property up to us and we are going to be able to do this work; we will come out a 9 am everyday and let Richard in; and Richard is going to \_\_\_\_ on that day and at 4 pm, we will come back and make sure that Richard is not there any more."

-and if the City suspects that Mr. Ayd is there after 4 pm, illegally again, the city will go to that responsible party and ask them to open up the house so the city can take a look because the possibility to re-offend is very easy in this case; the city does not want that to occur and to have the legal system resolve this issue

Ms. Nhia Vang:

-supports what Mr. Magner has said

-the city wants to make sure that Mr. Ayd can move back into his home

-hoped that he's reached out to Southern Minnesota Regional Legal Services (SMRLS) and his church

-wants to give Mr. Ayd a hard deadline to meet; needs a commitment from someone to take control of the clean-out and finishing the rehab project

Mr. Magner:

-a good faith effort has to be made

-thinks that 2 weeks seems to be a reasonable enough time to get the Confession of Judgment and to find a 3rd party to take control of this project

-doesn't think the Council can move forward with granting time because we don't have a code compliance inspection report and we can't do a code compliance inspection until the clean-out is done and we can't do the clean-out until Mr. Ayd finds someone he can trust to take control of the property in order to accomplish that goal

-if Mr. Ayd can't come back in 2 weeks with a Work Plan to do the clean-out and a 3rd party to control this operation, he doesn't think we're ever going to move forward

Ms. Nhia Vang:

-will Lay this matter over to May 24, 2016

Owner will need to provide a copy of the Confession of Judgment from Ramsey County Property Tax Records and provide a 3rd party work plan to address the clean out of the property so that a code compliance inspection can be obtained to conduct inspections.

**Laid Over to the Legislative Hearings due back on 5/24/2016**

**2**      [RLH RR 16-8](#)

Ordering the rehabilitation or razing and removal of the structures at 595 JESSAMINE AVENUE EAST within fifteen (15) days after the March 16, 2016, City Council Public Hearing. (Amend to remove the building within 15 days with no option for repair)

**Sponsors:** Bostrom

*Rescheduled per owner's request.*

**Laid Over to the Legislative Hearings due back on 5/24/2016**

**3** [RLH RR 16-9](#)

Ordering the rehabilitation or razing and removal of the structures at 839 THOMAS AVENUE within fifteen (15) days after the March 16, 2016, City Council Public Hearing. (Public hearing continued from May 4) (Amend to remove or repair within 45 days)

**Sponsors:** Thao

*John McKusick, McKusick Building Services LLC, owner.  
Jared Goerlitz, PFB Law, appeared on behalf of JN Homes LLC.*

*Inspector Steve Magner, Vacant Buildings:  
-this was laid over; read letter of Apr 14, 2016 (attached)  
-conditions: revised work plan with names & bids for electrical, plumbing and heating; affidavit of dedicated funds; and financial documentation  
-also read email sent by Mai Vang, reminding Appellant of the next LH and noting that the revised Work Plan that had been submitted by Mr. McKusick is insufficient, etc.*

*Ms. Nhia Vang:  
-asked about the changes/deviations to the Work Plan*

*Mr. McKusick:  
-the only difference from the previous Work Plan relates to the boiler; he had 3 Master Boiler guys come out; the changes that the city ordered for them are very costly; these contractors said that there's nothing wrong with the boiler; nothing wrong with the radiator; their professional opinion is that it needs the Orsat, a pressure check and do a couple of changes mandated in the code compliance; so, we will leave the boiler in the house; there is no exposed asbestos and no asbestos insulation*

*Ms. Nhia Vang:  
-asked if there were a copy of that report*

*Mr. McKusick:  
-there's no report; he's a certified inspector and has done an inspection of it  
-the asbestos issue came up if he were to remove the boiler, which he is not going to do; he will not be disturbing anything*

*Ms. Nhia Vang:  
-compared his total estimated amount for the rehab (\$8,000) with the city's (\$30,000)*

*Mr. McKusick:  
-he's done a line-by-line itemization of everything that needs to be done on the property; the city has not done that; they just came up with \$30,000 total*

*Ms. Nhia Vang:  
-doesn't see a labor breakdown in his Work Plan*

*Mr. Steve Magner:  
-the Work Plan that you provided just provides the total cost; he'd like to see the document broken down into 2 different categories: 1) material; and 2) labor; we need*

*clarification*

*-when the city is talking about estimating the cost of a job, we're looking at comparable jobs that are done paid with prevailing wages; he can't pay anyone \$10/hr to do anything; it's just impossible; he understands that Mr. McKusick is not paying himself prevailing wages and he doesn't have a problem with that but he doesn't know anyone who does a job for \$10/hr*

*-he recommends that Mr. McKusick take back this Work Plan and split out the 3 categories; you focus on the building section that you are going to do; you put down the cost of the material and a reasonable prevailing wage for the labor, like \$25/hr; and give us a bid from Snelling to the the heating, plumbing and electrical; then, we can review it*

*Ms. Nhia Vang:*

*-would like to see Snelling's estimates attached to this Work Plan*

*Mr. McKusick:*

*-thought he'd have his estimates from Snelling by now; although, this LH was changed from the original date of May 17 (Mai Vang send an email that said May 17 would not work and suggested I come today, May 10, 2016); I would have been ready to go on the 17th*

*Ms. Nhia Vang:*

*-will Lay this Over again to allow time for missing documents; waiting for Appellant to show financial commitment from the bank*

*Mr. McKusick:*

*-I have those funds; I didn't get the email that this was insufficient and all the verbiage that was in Mr. Magner's email*

*Mr. Magner:*

*-there's been a change with the boiler; now, it will not be removed, so it will be repaired*

*-he will not be required to show us the available funds to pay himself*

*-we'll be looking for a hard, fast dollar amount from Snelling for plumbing, heating & electrical; whatever it costs to do the Orsat Test, other repairs; material costs plus the total of those costs; and whatever you will need to come with (supplies already purchased can be deducted from the materials cost); and show us how you will be paying them on a contract*

*-let's do this ASAP so that we can review it; may not need another hearing*

*Mr. McKusick:*

*-noted that he did his Work Plan, to the T, of the example Work Plan that Mai gave him*

*Ms. Nhia Vang:*

*Owner to provide a revised work plan to include total cost and total material and labor cost for each of the items; need itemized bid(s) from Snelling Co; will need financial documentation and revised letter of affidavit after owner comes up with cost to do the repair. If everything is approved, a hearing may not be necessary.*

**Laid Over to the Legislative Hearings due back on 5/24/2016**

**4**      [RLH RR 16-15](#)

Ordering the rehabilitation or razing and removal of the structures at 1325 ARKWRIGHT STREET within fifteen (15) days after the May 18, 2016, City Council Public Hearing.

Sponsors: Brendmoen

*Florence M. Matadi, owner, appeared.*

*Inspector Steve Magner, Vacant Buildings:*

- The building is a one-story wood frame single-family dwelling with an attached two-stall garage on a lot of 12,632 square feet. According to our files, it has been a vacant building since November 26, 2013 due to a fire.*
- The current property owner is Jacob M. Matadi and Florence H. Matadi per AMANDA and Ramsey County Property records.*
- On February 24, 2016 an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on March 7, 2016 with a compliance date of March 22, 2016. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.*
- Taxation has placed an estimated market value of \$21,300 on the land and \$23,700 on the building.*
- Real estate taxes for 2014 and 2015 are delinquent in the amount of \$6,356.22, which includes penalty and interest. The property is scheduled for tax forfeiture in 2018.*
- The Vacant Building registration fees were paid by assessment on January 6, 2016.*
- As of April 25, 2016, a Code Compliance Inspection has not been done.*
- As of April 25, 2016, the \$5,000 performance deposit has not been posted.*
- There have been fifteen (15) SUMMARY ABATEMENT NOTICES since 2013.*
- There have been seventeen (17) WORK ORDERS issued for:*
  - Garbage/rubbish*
  - Boarding/securing*
  - Grass/weeds*
- Code Enforcement Officers estimate the cost to repair this structure is \$50,000 to \$75,000. The estimated cost to demolish is \$12,000 to \$15,000.*

*Amy Spong, Heritage Preservation Commission (HPC):*

- ranch style built in 1959*
- last time this neighborhood was surveyed for historic resource potential was in 1983; it would not have been surveyed at that time because it was not 50 years or older; we have no updated historic survey*
- staff noted that although there is no national register or local designation potential on this property for historic designation, there is a park across the street and there is fire damage from 2013; appears to be a lack of integrity from an historic perspective, as well*
- demolition will not have an adverse historic effect*
- SHPO - not eligible for the national register*

*Ms. Matadi:*

- after the fire, she had nowhere to go; she was a single parent and overwhelmed; she moved away to FL for a while; now, she is back in MN but she has no permanent address, as yet*
- wants to move back in but due to the fire, she can't yet*
- asking for time*
- she is working on cleaning the yard; then, the interior*
- needs someone to help her through the process; talked with her church and other charitable resources but it's not easy to discuss this over the phone; people can't see what you're going through*
- can be contacted by phone and by email*

*Mr. Magner:*

- fire Nov 2013; damages of \$150,000*

*Ms. Matadi:*

*-insurance company said that the house was not livable; hasn't received a settlement payout from them yet; it's in limbo; working with a lawyer  
-is very frustrated  
-if she can get 6 months, she can come up with something*

*Ms. Nhia Vang:*

*-6 months is a very long time  
-she cannot lay this over for an indefinite period of time; she needs to make sure things are moving forward and needs to have a clear understanding of where Ms. Matadi is in the process*

*Ms. Moermond:*

*-a couple of things strike her about Ms. Matadi's case: to her, it seems as though your main goal is around getting permanent housing, not necessarily getting this house back again  
-it will take about \$150,000 of costs to get back for a house that's currently valued at \$23,000 (before the fire, maybe \$125,000); you'd be paying out more than the house is worth  
-advised that she talk with an attorney, a contractor and the insurance company; concerned that she needs those advisors fast  
-since Ms. Matadi is not currently employed, she referred her to Southern Minnesota Regional Legal Services (SMRLS) who can help with getting a pro bono attorney  
-SMRLS does intakes a couple times a week; call them today and get in; they can guide you through this*

*Mr. Magner:*

*-reading the fire investigator's report (last page); it indicates that they interviewed the owner, Jacob Matadi, said they purchased the house 1999; that they had been behind in payments for some time; they filed for bankruptcy several months ago and that they do not have insurance  
-if Ms. Matadi believes they actually did have insurance, they need to seek legal counsel to gain those funds; but putting those funds back into the property might not be the best  
-city staff was under the assumption that at some time, this will be rehabilitated; so, we did not move as quickly as we normally do  
-inspector's notes: we've had some contact with property owner asking for extensions on the rehab  
-now, it's 2 1/2 yrs since the fire and if we don't have a dedicated plan for rehabilitation, DSI would like to have a resolution to remove the building*

*Ms. Moermond:*

*-the record of how many times the city has had to go out to maintain this property looks as though no one cares enough about the property; it hasn't been a good neighbor; this is a problem; it's a bad sign; this property hasn't been a good neighbor in the community  
-all we can use to judge future performance is past performance and past performance is bad  
-there's a Vacant Building fee on this, as well  
-a lot of money involved in this: the best estimate of rehab = \$50,000 - \$75,000; \$5,000 performance deposit, returnable upon completion of the work in a timely fashion; the back taxes need to be paid (scheduled to forfeit in 2018 (\$6,356); total \$85,000 - \$87,000 range*

*Mr. Magner:*

-plus \$2,336 in 2016 taxes due next week for the first half of 2016; and \$500 for the code compliance inspection  
 -we've sent the VB fee to assessments; DSI might be able to remove the VB fee if we were moving forward with an Order to Remove  
 -noted that DSI's estimate for rehab is smaller for this project because they don't have a current code compliance inspection report and they don't know the extent of the fire damage; once there's a current code compliance, the rehab estimate will be re-evaluated

Ms. Moermond:

-provided the Appellant with a copy of the Fire Investigator's Report

Ms. Nhia Vang:

-will Lay this Over for 2 weeks to May 24, 2016 LH

Mr. Magner:

-DSI needs to wait to see if the insurance is going to pay out first; if there's no financial avenue, we know where we need to go

Ms. Nhia Vang:

Owner needs to consult with legal aid to address the insurance situation related to the fire at the property; obtain a code compliance inspection; pay outstanding property taxes; post a \$5,000 performance deposit; and the property must be maintained.

**Laid Over to the Legislative Hearings due back on 5/24/2016**

- 5 [RLH TA 16-250](#) Ratifying the Appealed Special Tax Assessment for Property at 1325 ARKWRIGHT STREET (File No. VB1607C, Assessment No. 168818).

**Sponsors:** Brendmoen

See RR 16-15 for minutes

**Laid Over to the Legislative Hearings due back on 5/24/2016**

- 6 [RLH RR 16-16](#) Ordering the razing and removal of the structures at 808 JACKSON STREET within fifteen (15) days after the June 1, 2016, City Council Public Hearing.

**Sponsors:** Brendmoen

*Inspector Steve Magner, Vacant Buildings:*

-The building is a two-story, wood frame, single-family dwelling with a detached wood shed on a lot of 3,049 square feet. According to our files, it has been a vacant building since August 7, 2015.

-The current property owner is George T. Hummel and Sharon D. Hummel per AMANDA and Ramsey County Property records.

-On February 24, 2016 an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on March 7, 2016 with a compliance date of April 6, 2016. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.

-Taxation has placed an estimated market value of \$7,300 on the land and \$26,800 on the building.

-Real estate taxes for the second half of 2015 are delinquent in the amount of



\$368.40, which includes penalty and interest. Taxes for the first half of 2016 have not yet been paid.

-The Vacant Building registration fees were paid by check on September 14, 2015.

-As of May 9, 2016, a Code Compliance Inspection has not been done.

-As of May 9, 2016, the \$5,000 performance deposit has not been posted.

-There have been four (4) SUMMARY ABATEMENT NOTICES since 2015.

-There have been four (4) WORK ORDERS issued for:

- Garbage/rubbish
- Boarding/securing
- Grass/weeds

-Code Enforcement Officers estimate the cost to repair this structure is \$50,000 to \$60,000. The estimated cost to demolish is \$12,000 to \$15,000.

-DSI, Division of Code Enforcement Resolution submitted for consideration orders the property owner to repair or remove this structure within fifteen (15) days; if not the resolution authorizes the Division of Code Enforcement to demolish and assess the costs to the property.

*Amy Spong, Heritage Preservation Commission (HPC):*

-known as the P. Weber House; street originally Cortland Street, then changed to Jackson Street

-constructed in 1892; shows detailing of the late Victorian era; Classical Revival style

-still a Sunburst pattern above the windows on the end gable in front lot the house

-it sits on a coarse limestone foundation

-identical to neighboring structure at 806 Jackson; originally, there were 3 dwellings on one parcel (typical thing at the time of construction)

-most of the windows appear to have been replaced at some point

-original wood siding is wrapped in cement asbestos shingles

-porch has been enclosed - some alterations over the years

-there is likely a lot of detailing underneath the shingles

-surveyed last in 1983; to the south of this is the Jackson St Railroad Shops; across the street from Oakland Cemetery, St. Paul's only designated historic landscape; it was designed by Horace Cleveland, a prominent landscape architect, who also did Central Park, etc.,

-this could also be part of the Jackson Street Shops Development (Railroad); there's not enough information at this time

-was not identified in 1983; other parts of this neighborhood were identified in 1983 as having some potential for historic designation

-demolition would not have an adverse effect; although, she is somewhat hesitant because we have not formally evaluated it

-SHPO - not eligible for national register based on the information they have

*Mr. Magner:*

-the house to the south of this one got rehabilitated 3-4 years ago and was sold; then, it was sold again; he was there during the renovation; at that time, the owner said,

"Why don't you tear the one down next door." (Shingles were flying off the roof)

-this house is worse than the other 2 properties

*Ms. Nhia Vang:*

- will recommend ordering this building removed within 15 days with no option for its rehabilitation.

Remove the building within 15 days with no option for repair. (Owner did not appear.)

**Referred to the City Council due back on 6/1/2016**

STREET EAST within fifteen (15) days after the June 1, 2016, City Council Public Hearing.

Sponsors: Brendmoen

*Joseph Arias, neighbor, appeared.*

*Inspector Steve Magner, Vacant Buildings:*

*-The building is a one and one-half story, wood frame, single-family dwelling on a lot of 4,356 square feet. According to our files, it has been a vacant building since June 12, 2015.*

*-The current property owner is Henry A. Lezer per AMANDA and Ramsey County Property records.*

*-On February 17, 2016 an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on March 7, 2016 with a compliance date of April 6, 2016. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.*

*-Taxation has placed an estimated market value of \$10,400 on the land and \$29,400 on the building.*

*-Real estate taxes for 2015 are delinquent in the amount of \$899.16, which includes penalty and interest. Taxes for the first half of 2016 have not yet been paid.*

*-The Vacant Building registration fees were paid by assessment on July 31, 2015.*

*-As of May 9, 2016, a Code Compliance Inspection has not been done.*

*-As of May 9, 2016, the \$5,000 performance deposit has not been posted.*

*-There have been three (3) SUMMARY ABATEMENT NOTICES since 2015.*

*-There have been three (3) WORK ORDERS issued for:*

- Garbage/rubbish*
- Boarding/securing*
- Grass/weeds*

*-Code Enforcement Officers estimate the cost to repair this structure exceeds \$100,000. The estimated cost to demolish exceeds \$15,000.*

*-DSI, Division of Code Enforcement Resolution submitted for consideration orders the property owner to repair or remove this structure within fifteen (15) days; if not the resolution authorizes the Division of Code Enforcement to demolish and assess the costs to the property.*

*Amy Spong, Heritage Preservation Commission (HPC):*

*-known as the John Carter House after the original owner built it in 1888*

*-has Italianate detailing that is still present on it*

*-2 story house on a coarse limestone foundation*

*-window openings symmetrical with some original early 2 over 2 double hung; much of the early window/door trim appears to be intact; however, in poor condition*

*-there was a full width front porch that had been removed at some time*

*-original wood siding is currently wrapped or covered by a combination of aluminum and some asbestos shingles*

*-some replacement windows and doors*

*-area had most been settled in the 1870-1880s; it's right across the street from the Oakland Cemetery, which was founded in 1853 and established in 1855*

*-this was behind a very prominent commercial building known as the Ackerman Ruggers Sylvan Grocery Store, the only commercial building designed by an actual architect; however, it was also a Vacant Building several years ago and was torn down*

*-there are still some very early landmark churches in this neighborhood but most of the oldest housing is around the Oakland Cemetery area*

*-last historical survey done in 1983; this building was not identified as a potential historic resource or in a potential historic district*

-with the front porch lost and the siding covered, etc., some of the historic integrity has been impacted  
-demolition will have no adverse effect  
-SHPO- not eligible for national register

Mr. Arias:

-he owns the vacant lots on either side of this property, the corner lot on Jackson & Sycamore and the lot on the other side of the building at 76 Sycamore  
-has an interest in taking over this property, whenever it's available

Mr. Magner:

-for clarification: today, we're here for making a determination for whether a recommendation goes to the City Council to Order the owner to Remove or Repair the structure; if the owner isn't here, his assumption is that the hearing officers will make a recommendation to remove the building; currently, under city law, you could not acquire this parcel as it currently exists because there's a prohibition on transfer of property when it's a Category 3 VB, which is this situation; but if the city were to pass a resolution to remove it and we hired a contractor to tear it down and assess the cost onto the property taxes - once that was done, you could buy it from the owner or you could wait until it goes tax forfeit and buy it from the county

Mr. Arias:

-from the past, he knew the owners from taking care of his adjacent properties; he knew them when they still lived there; over time, they moved and he hasn't talked with them recently  
-he called the number on the Notice on the building and was told that only the bank could give him information about acquiring the property  
-doesn't know the extent of the needed repairs; he can see that it needs tender loving care, which would have been beneficial over time; now, he is sure that it would be more costly; probably would be better to demolish

Ms. Nhia Vang:

-the city does not own this property; need to contact the owners if you want to purchase it

Ms. Moermond:

-the county might eventually be the owner but not yet

Ms. Nhia Vang:

- will recommend ordering this building removed within 15 days with no option for its rehabilitation.

Remove the building within 15 days with no option for repair. (Owner did not appear.)  
Remove the building within 15 days with no option for repair. (Owner did not appear; neighbor appeared.)

**Referred to the City Council due back on 6/1/2016**

## 11:00 a.m. Hearings

### Summary Abatement Orders

- 8 [RLH SAO 16-15](#) Appeal of Clifford Scott to a Summary Abatement Order at 434 FRY STREET.

Sponsors: Stark

*Clifford Scott, owner, appeared.*

*Inspector Paula Seeley:*

*-Summary Abatement Order*

*-we received a complaint about the excessive amount of wood/debris in the rear yard*

*-Inspector Lisa Martin sent an Order Aug 20, 2015*

*-including removal of all tree stumps and wood; and removal of unsecured rotted frame in back yard next to the garage*

*Mr. Scott:*

*-made a couple of calls to the inspector to get some clarification; he didn't know exactly what some of the words in the Order meant; there was nothing rotten or unsecured; needed clarification of fire wood storage; he requested return communication but didn't get any*

*-has retained an attorney for this, who could not be here today, s, he's requesting a continuation*

*Ms. Seeley:*

*-years ago she dealt with this and the whole back yard was full; has become a nuisance with the excessive amount of storage*

*-wood needs to be split and elevated; can be only a certain height and amount*

*-Ms. Martin did not indicate that she had gone into the back yard*

*Mr. Scott:*

*-the huge tree stump, etc. has all been picked up*

*-years ago, the city did come and take away about 3/4 of his wood and charged him \$2000 for that; it was all inside the wood shed; he did not understand why that had to be done*

*Ms. Seeley:*

*-hasn't been out here lately, but by the looks of the shed, it looks like it really needs work*

*-if you're going to store anything in any type of building, it needs to be secured*

*Mr. Scott:*

*-first he needs time to find out the exact specifications: amount, height, etc; I been here before, thinking I complied and yet the city took my wood; I need to have a more precise description of what I have to do to be in compliance*

*-all the wood is on pallets in the shed; all split and off the ground*

*Ms. Seeley:*

*-I'll have Inspector Martin go out and take better pictures*

*Mr. Scott:*

*-all the wood that was within the area on the ground is off the ground, split and stacked*

*Ms. Nhia Vang:*

*-will Lay this Over for 1 week so Ms. Martin can go back out to take better pictures; we may not need a hearing on May 17*

*Mr. Scott:*

*-I'd like to have the assurance that Ms. Martin will answer my questions because I want to be in compliance*

*-I need to know everything about stacking wood, etc.*

Ms. Moermond:

-6 foot high; elevated off the ground; neatly stacked

Ms. Nhia Vang:

Inspector Martin will reinspect to make sure the wood is stacked neatly and elevated off the ground; will need to take more photos and provide them on May 17. A hearing may not be necessary if owner is in compliance.

**Laid Over to the Legislative Hearings due back on 5/17/2016**

## 11:30 a.m. Hearings

### Orders To Vacate, Condemnations and Revocations (Code Enforcement)

- 9 [RLH VO 16-19](#) Appeal of Nancy Barnes to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 1159 PASCAL STREET NORTH.

**Sponsors:** Stark

Nancy Barnes, owner, appeared.

Ms. Moermond:

-there's a Vacate Order on this property which is a big deal because of the work that wasn't done; it should have been done

-because this is a Vacate Order, her recommendation goes in front of City Council Public Hearing

-she needs to make a decision about where things are going to be at between now and when that it does go to CCPH (a temporary decision if there needs to be one)

Inspector Paula Seeley:

-she went back out there because the ball got dropped; she was supposed to be in compliance at an earlier hearing - have a loan secured with a plan to move forward;

as of the 20th, there was no plan; in her notes, either on the 19th or 20th, she met a gentleman from the Housing Resource Center out there; they did a walk through of the house; he said that he couldn't touch it for less than \$25,000

-she took photos; there are combustibles all around the furnace and water heater; the back deck is so deteriorated that if someone steps on it, it's gonna go; the spiral staircase is in bad shape; kids can fall through; the dryer vent is totally illegal and there are a lot of clothes shoved in the vent; there are a lot of hazards - a lot of it electrical; and the beam has been cut to put in the spiral staircase for which there was no permit

Ms. Moermond:

-when code enforcement writes a Vacate Order, they split out the principal violations from the other code violations

-the principal violations here are: structural; electrical; fire hazards - storage around; the venting is all messed up on the furnace/water heater

Ms. Barnes:

-asked how that was possible when the furnace vent had been inspected twice and it never came up; Ms. Martin didn't see it; the fire inspector didn't see it

-she removed everything that was in that room that day

*Ms. Seeley:*

*-the fire inspector wrote up the vent, too*

*Ms. Barnes:*

*-she spoke with Tony at ReBuilding Twin Cities Together, who said that she hadn't gotten the full story from you; what he told you was that there was a 2-year waiting list, not that he wouldn't help me*

*-she does have the lender, Nicolle Meyer, Neighborhood Works*

*-her son turned 18 on May 3, 2016 so, she had to go to his school to get a letter saying that he was a full time student; he has to get an I.D.*

*-Ms. Meyer said that the building manager in charge of getting the bids would be calling her by the end of the week if she has certain things in by tomorrow*

*-she was under the impression from the last hearing that another inspector was coming out to do a re-inspection and then she would find out what she had to get an estimate for in order to get lending; she didn't know it was the same list - that's not what she understood*

*-she has no desire not to do this; she was waiting for the inspector; that's what she understood'*

*-she got insurance yesterday - that was the last thing she had to do*

*Ms. Moermond:*

*-she is looking for a plan for getting this house fixed; it's not safe to live in*

*Ms. Barnes:*

*-has a letter from the city' structural engineer, Brian Karpen, who checked out the floor jack in between the opening and the main floor where the stairs are, and he says that there's no immediate danger there; and although it needs to be addressed, there is no absolute reason that we have to leave; your structural engineer was there twice; she brought up the letter for Ms. Moermond (attached & scanned); Ms. Moermond read that email*

*Ms. Seeley:*

*-he said that right now, it's not going to go anywhere but it needs a permit and needs to be done*

*Ms. Barnes:*

*-she only wants to fix her house; it's been in her family 6 1/2 generations; she doesn't want to lose her house*

*-guesses that she just misunderstood Ms. Moermond at the last hearing*

*-Neighborhood Works are willing to loan her the money now; she will be working with them*

*-there are no small children in the house; her twins are 16 years old*

*Ms. Moermond:*

*-asked that Ms. Meyer, Neighborhood Works, or one of their representatives could attend the next hearing; wants assurances that they are going forward; contractors with bids, timelines, etc.*

*Ms. Seeley:*

*-noted that Ms. Barnes did not need a permit to demolish the deck but she would need a permit to re-build the steps*

*-asked if she could contact Ms. Meyer (Yes)*

*Ms. Nhia Vang:*

*-need a permit for #1*

-to fix the electrical wires, you'll need a permit  
 -need permit for all the replacement windows  
 -#10, #12 & #13 need a permit

Ms. Moermond:

-going forward, the dryer will not be used; if a vent is to be installed, it will need a permit  
 -leave the furnace shut off (putting a band-aid it on it for a couple of weeks to get estimates going)  
 -let's get Ms. Meyer involved right away  
 -while this is under appeal, enforcement is stayed; you are in limbo for a couple of weeks

Ms. Nhia Vang:

-will Lay this Over for 2 weeks to May 24, 2016 LH; in the meantime, you can make repairs to those items that don't need permits  
 -City Council Public Hearing Jun 1, 2016

Need to get Nicole Meyer from NeighborWorks involved.

**Laid Over to the Legislative Hearings due back on 5/24/2016**

## 1:30 p.m. Hearings

### Fire Certificates of Occupancy

- 10 [RLH FCO 16-59](#) Appeal of Josie Macey Daly to a Re-inspection Fire Certificate of Occupancy With Deficiencies at 1817 ASHLAND AVENUE.

**Sponsors:** Stark

Josie (Josephine) Macey Daly, owner, appeared.

Fire Inspector A.J. Neis:

-Fire Certificate of Occupancy Inspection Correction Notice issued by Fire Inspector Robert Corey on Apr 14, 2016  
 -this was laid over regarding some driveway issues & parking issues with the neighboring property; also having a dumpster too close to the property  
 -has spoken with Ms. Daly today; the dumpster issue has since been corrected; Ms. Daly contacted her trash company, they have provided trash receptacles instead of the dumpster (code permitted)  
 -the driveway is clearly Ms. Daly's; however, the neighboring property uses that apron/driveway to get onto their property for unapproved parking spaces  
 -drew up some diagrams (not to scale); they all viewed the sketches

Ms. Daly:

-my driveway is concrete up to a point; the rest needs to be repaired

Mr. Neis:

-Ms. Daly's driveway needs to be repaired where it's spalling  
 -she has had a survey completed; it's her driveway; the neighbor does not have any driveway on his land; he has only a walkway - 5 ft, so, he use that as parking space at all  
 -Orders have been issued to the neighboring property  
 -Ms. Daley will need to put in some type of grass and repair that portion of the

concrete, which would give a distinct line

Ms. Daly:

-they own the building next door also; in between the 2 buildings, she would like to bring it only a certain way back (showed Ms. Vang on a diagram); Mr. Neis explained what should be concrete and what should be grass and what area could be used as parking for her tenants

Mr. Neis:

-because of the situation, she does not need a permit (dig out the class 5 and sod) and patch the pavement  
-could put up a fence, if she wants to (would need a permit)  
-he will go out and take a look or advise Mr. Corey on this

Ms. Nhia Vang

Grant owner 60 days to July 11, 2016 to come into compliance with repairing the concrete driveway and resodding the areas between the neighbor's property and owner's driveway. Deadline for neighboring property owner at 100 Fairview is May 28, 2016 as written in the Order.

**Referred to the City Council due back on 6/1/2016**

**11**     [RLH FCO 16-62](#)     Appeal of Milton Investment to a Fire Inspection Correction Notice at 2228 CARTER AVENUE.

**Sponsors:**     Stark

Milton Investment, Heather O'Malley owner, and her husband Steve O'Malley, appeared.

Fire Inspector A.J. Neis:

-Fire Certificate of Occupancy Correction Notice issued by Fire Inspector Laura Huseby; inspection originally conducted on Apr 14, 2016; re-inspection scheduled for May 23  
-appealing because owner needs clarifications of deficiencies; a grant of time for doing the repairs, noting a financial burden  
-clarification of #1 and #2  
-#1-entry to the Thistle Shop: (a.) it appears that the concrete block exterior entry wall is crumbling; (b.) the existing retaining wall around the parking lots is crumbling due to excessive tree root system and age; checked out the photos

Ms. O'Malley:

-she spoke with Ms. Huseby about the wall that is deteriorated; also the city sidewalk; they go together and needs to know about how much repair work that she needs to do; she had Public Works out last summer a couple of time to address the sidewalk situation; she is on a 4-year rotation so, there's 3 years left before PW comes back to repair the public sidewalk; the repairs that she does have to coincide with what PW does  
-concern to be clarified also: getting this all done by May 25, 2016

Mr. Neis:

-where the wall is cracked, some material could be taken off and then patched to hold it back together; would not necessarily mean a full re-construction  
-rear parking lot; there was a retaining wall with roots coming out; either part of that wall had been taken out or the roots had pushed hard against it and then taken out; now, it's susceptible to erosion and the wall is greatly deteriorated; clearly, that needs



to be corrected

Ms. O'Malley:

-photo; she explained that it's actually 2 walls; showed what was remaining from what had been removed last fall; the trees that were there have been taken out; the roots have been taken out, too; the wall behind it - the original wall is part of the old city alley and another wall was built on top of that; showed what was left - the original wall -the limestone wall gets a lot of wear & tear when snow is piled on it and drive into it; she wants something that's a lot less trouble and something besides a pretty wall

Mr. Neis:

-suggested that the inspector go back out to verify on May 23, 2016 and report back on the retaining wall (inspector won't charge a re-inspection fee); inspector will give Ms. O'Malley more definitive instructions about what needs to be done; find out if the wall is acceptable now that you've cleaned out those trees

Ms. O'Malley:

-needs at least 60 days to do the patching of the Thistle

Mr. Neis:

-doesn't look as though it's going to collapse in 60 days  
-it looks as though the limestone retaining wall is deteriorating, as well (Ms. O'Malley: was not discussed at the inspection but they would like to get rid of that wall completely and put asphalt across the top when they re-do that parking lot); Mr. Neis: would need a site plan from Zoning; advised consulting with some type of private engineer/contractor)  
-since the parking lot was not listed as a violation; it's a matter of getting the wall fixed (priority at this time)

Ms. Nhia Vang:

-will grant 60 days for that; deadline Jul 11, 2016

Mr. Neis:

-#2 - there's a lot of peeling paint on the out building; wood has pulled away and is rotted; needs to get clean-up and painted

Ms. O'Malley:

-the out building belongs to the restaurant; it's where they store their uniforms; it's on my property; at one time, this was a cedar building so, it was not painted

Mr. Neis:

-once cedar becomes deteriorated, you need to replace the cedar boards; rotted fascia boards need to be repaired and maintained  
-on her building, he thinks that Ms. Huseby was referring to the trim, the doors - cracked & peeling

Ms. O'Malley:

-has a meeting with Muffuletta and corporate tomorrow; this is their responsibility; has photos; wants to explain to them what they need to do with the out building  
-she paints one side of her buildings each year

Mr. Neis:

-would like to go out to look at this building; he will go out instead of Inspector Huseby at 11 am on May 23; will not charge for the re-inspection; he will be more of a consult and just verify the painting; at that point, he could check off other interior items

Ms. Nhia Vang:

-Laid Over to May 24, 2016 for Mr. Neis' report

-Appellant only needs to come back here on May 24 if she disagrees with what Mr. Neis might point out

Supervisor Neis will take a second look at the property on May 23 at 11:00 a.m. to clarify items owners are not sure of.

**Laid Over to the Legislative Hearings due back on 5/24/2016**

12 [RLH FCO 16-61](#) Appeal of Ben Greiling to a Re-inspection Fire Certificate of Occupancy with Deficiencies at 982 CONWAY STREET.

**Sponsors:** Prince

Ben Greiling, owner, appeared.

Fire Inspector A.J. Neis:

-Fire Inspection Correction Notice issued by Fire Inspector Daniel Klein on Apr 25, 2016

-#2 is being appealed: parking space shall be paved with approved durable, dustless surface

-photos in file of driveway, which is a mixture of class 5, weeds, not very well kept

-alley abutting the driveway is an approved paved surface; code requires that any driveway shall be maintained with a durable, dustless (asphalt or similar type surface) if abutting an alleyway with a paved surface

-in this case, the driveway/parking surface does not meet that requirement nor is the current surface maintained as is

Mr. Greiling:

-this is his first house

-has done water mitigation things to help improve the storm water run-off by adding a rain garden and replacing a little piece of walk way

-the driveway that had been there was half concrete, half dirt; he decided to remove all the concrete and put in class 5 gravel about 4 years ago with the idea that the city was promoting pervious surfaces to help with storm water run-offs

-he was not aware that class 5 gravel was not acceptable/code

-calling attention to the city's inconsistencies of city policies; on one hand, they spend a lot of money to add rain gardens, etc;

-using class 5 is an affordable way to provide a pervious surface to help improve storm water run-off

Ms. Nhia Vang:

-asked if he consulted with Zoning before he removed the concrete and added class 5

Mr. Greiling:

-he did not consult Zoning

Mr. Neis:

-he sent an email - if this is truly about water run-off, some say class 5 is pervious but there are other issues when it comes to water run-off with class 5, especially when it's abutting an improved alley surface (asphalt, concrete); when you do get excessive rain causing run-off, that class 5 sand, silt, goes onto the asphalt, which ends up into the storm sewer, which can deter the intended purpose

-if you are looking for a pervious surface to help limit water run-off and meet code, they do make pervious asphalt surfaces that can be used but they cost more money

*(an approved method of compliance)*

*Mr. Greiling:*

*-he hasn't seen run-off in that particular spot  
-wondering if in the future, there may be more flexibility in allowing a parking pad or a very small driveway to be gravel rather than for a long driveway, which creates more dust*

*Ms. Nhia Vang:*

*-the answer to that is out of her reach  
-suggested talking with Zoning to get their suggestions  
-will deny this appeal and grant 60 days to come into compliance*

*Deny the appeal and grant an extension to July 11, 2016 to address the driveway by submitting a site plan to Zoning for approval.*

*05-25/2016 / FU: Grant until July 11, 2016 to allow Class 5 to be used for the parking surface provided some sort of separation between the parking area and the grass area are created to denote clean boundaries; it is properly maintained and be cleared of weeds and grass; and, a site plan submitted to Zoning Site Plan Review to address erosion and water run-off to mitigate further erosion to the improved alley.*

**Referred to the City Council due back on 6/1/2016**

**13**     [RLH FCO 16-53](#)

Appeal of Justin Bloyer, Quetico Property Management, to a Correction Notice-Complaint Inspection at 46 GEORGE STREET WEST.

**Sponsors:**         Noecker

*Rescheduled per owner's request.*

**Laid Over to the Legislative Hearings due back on 5/17/2016**

**14**     [RLH FCO 16-60](#)

Appeal of Joe Smith to a Fire Certificate of Occupancy Approval with Corrections at 318 KING STREET WEST.

**Sponsors:**         Noecker

*Joe Smith, owner, appeared.*

*Fire Inspector A.J. Neis:*

*-Fire Certificate of Occupancy Inspection approved with Corrections  
-1 remaining violation: the inspector has the open Order to have the roof permit work inspected and approved  
-we can't do a full sign-off on the building until all the work is completed  
-the permit on the roof repair was pulled in Jun 2015  
-it sounds like the property owner is trying to re-do the roof in sections rather than all at once*

*Mr. Smith:*

*-this is a registered triplex and he lives in Apartment #1  
-for the last 5 years, he has lived in this house  
-it's not the typical tear-off the old shingles, put on new shingles roof  
-he is doing it himself  
-house is 125 years old; and 2/3 of the living space is directly underneath the roof  
-he could just re-shingle but he chose to do a tear-off first*

-in speaking with the inspector, he found that he needed to do an "undented roof system, " which is approved in today's code; it entails quite a bit more than just putting shingles on; structurally, the roof now may hold a greater snow load, so it needs to be strengthened; it needs a considerable amount of insulation, a stiffer board insulation; new sheathing; finally, ice/water shield and shingles; that's why it's taken so long and why he's doing it one section at a time

-Isaac Stensland is the inspector and he is aware of the time it's taken and he's not concerned about the timeline as long as he keeps working at it; however, Mr. Smith is concerned because based on how it's going, he divided the roof into 14 sections, of which 3 1/2 are completed; it takes about 1 month to do a section, which puts the deadline into next year

-is asking how he can structure this so that the city isn't pushing him to finish it much sooner; he does not want to be in trouble

-realistically, he has 5 months that he can work on it during the year

Ms. Nhia Vang:

-so, it won't be done until some time next year

Mr. Neis:

-this building has had an excellent track record with his office; either there have been no violations during an inspection or just very few minor ones and the inspections were approved with Corrections

-there are no leaks on the roof

-currently, he has a valid C of O

Mr. Smith:

-he works with a double tarp system on the section that's open

Mr. Neis:

-would have no issue if this were to be completed before the snow flies; he is confident that it will be completed

Mr. Smith:

-if a hard completion date were necessary, he'd say the end of Nov 2017

-it's not an issue if he needs to open up another permit

Mr. Neis:

-wants to consult with Inspector Isaac Stensland and his boss, Steve Ubl, to see if they have an issue with that; if Isaac is comfortable handling this project under permit only, he has no problem closing the file

Ms. Nhia Vang:

Supervisor Neis will consult with Building Inspector, Isaac Stensland regarding the roof. If building inspector is handling the roof issue, Fire C of O staff will close their file. Staff report will be given at the next hearing.

**Laid Over to the Legislative Hearings due back on 5/17/2016**

**15**     [RLH FCO 16-63](#)

Appeal of May Vue to a Fire Inspection Correction Notice at 1388 PROSPERITY AVENUE.

Sponsors:         Bostrom

May Vue, owner, appeared.

Fire Inspector A.J. Neis:

-Fire Certificate of Occupancy Correction Notice issued by Fire Inspector Joe Pettiford on Apr 20, 2016 with re-inspection scheduled for May 23, 2016  
 -doesn't know what is being appealed; just know that there have been some medical/financial problems  
 -currently, there are 11 code violations cited

Ms. Vue:

-asked for a year extension on the roof; have had a lot of repairs this year; roof is not leaking

Mr. Neis:

-checked out photos in the file  
 -will need to consult the building official, Steve Ubl  
 -concerned that shingles are curled and even though, it's not leaking, you could possibly have the underlay absorbing all the water, which could be rotting out the trusses underneath

Ms. Nhia Vang:

-suggested that she get a professional opinion from a roofing contractor

Mr. Neis:

-acknowledged that a roofing contractor will very likely say that it needs to be done now; however, he is not opposed to allow additional time for this one item; noted that there may be an additional expense if she waits another year  
 -a little history; about every other year there's complaints about dumping; was a fire at the building in 2004

Ms. Nhia Vang:

Deny appeal but grant until May 10, 2017 to come into compliance with the roof on the condition that it doesn't leak before that.

**Referred to the City Council due back on 6/1/2016**

**16**     [RLH FCO 16-66](#)     Appeal of Ain Dah Yung Center to a Fire Inspection Correction Notice at 1212 RAYMOND AVENUE.

**Sponsors:**     Stark

Angela Gaughier & Susan Jacobson, Ain Dah Yung Center/Our Home Shelter, appeared.

Fire Inspector A.J. Neis:

-there a 6 bedrooms in this nonprofit residential facility; there's a 7th room but it's not actually a bedroom for residents; staff has a bedroom (optional) for overnight shift  
 -Ms. Huseby wanted to consult with him and may have sent out the modified letter of May 3, 2016

Ms. Jacobson:

-Ms. Huseby knew that we were submitted an appeal regarding the bedroom; she came back out again after to do the reinspection of the other things  
 -we corrected the other items on the original list  
 -are appealing the retaining wall, asphalt driveway and the bedroom  
 -hoping to get an extension on the asphalt driveway to Jul 2016  
 -hoping to get an extension on the retaining wall to Sep, 2016 to allow us to fund raise and obtain bids

Ms. Nhia Vang:

-need to consult with Zoning on the driveway; they'll need to see a site plan to approve

Mr. Nies:

-staff report:

-appealed is the intervening spaces with the bedrooms; on 2nd floor, the issue is that you can't pass from 1 bedroom to another (where staff are currently sleeping)

-photos

-the double bedrooms were approved; however, it appears that at some point, doors were added, which caused this problem; if those doors were removed and the wall restored, it would no longer be in violation; further more, those doors being there also caused there to be no egress in the staff bedroom area (another red flag); each bedroom needs a separate entrance

Ms. Nhia Vang:

-will grant time for that

Ms. Gaughier:

-we will submit a grant proposal; don't know if it will go through for a retaining wall; working on bids now

Ms. Nhia Vang:

-will grant until Sep 16, 2016 for the retaining wall; until Jul 11, 2016 for the driveway

Deny appeal but grant extension until July 11, 2016 for Items 1 and 3; grant until September 16 for the retaining wall.

**Referred to the City Council due back on 6/1/2016**

17 [RLH CO 16-17](#)

Appeal of Hanz and Heidi Lehrke to a Fire Inspection Correction Notice at 1871 STILLWATER AVENUE.

**Sponsors:** Bostrom

Hanz Lehrke, owner, appeared.

Fire Inspector A.J. Neis:

-Fire Certificate of Occupancy Inspection Correction Notice issued by Fire Inspector Joe Pettiford on Apr 4, 2016; reinspection May 4, 2016

-appealing the driveway (should be a durable dustless surface) and has a question

-they've owned the property for quite some time and believes that the driveway should be grandfathered-in; it's gravel

Mr. Lehrke:

-his wife bought this property while he was overseas in 2004

-a fire inspector has been out 3 times; there was never an issue with the driveway/parking area

-just about everyone else has a gravel driveway on this same alley

-submitted photos of other driveways on the same block

-would like to see this waived; never been called before

Mr. Neis:

-looking at history: was certified by our office in 2011 with no mention of the driveway; also inspected in 2010 with no mention of the driveway; why now? I don't have an answer; only that different inspectors have different eyes; however, it is a violation

*-the improved alley looks deteriorated; the asphalt is broken and was filled-in with class 5*  
*-there is no garage on this property*  
*-there is a car in this photo and was there over the winter (perhaps was the red flag) with no tabs, parked on the grass*

*Mr. Lehrke:*

*-we were planning to put on new class 5 this year and cleaning it up but they had a lot more repairs to do this year*

*Ms. Nhia Vang:*

*-get that car moved; keep that grass in there; clean-up with clear boundaries*

*Mr. Lehrke:*

*-waiting another week for windows to arrive; after they are installed, everything else will be done*

*-he will be gone all of Jun; would like to push the deadline to the 2nd week in Jul*

*Ms. Nhia Vang:*

*-will grant until Jul 11, 2016 to come into compliance*

*Grant until July 11, 2016 for the use of Class 5 parking surface but the owner will need to put some sort of separation between the parking area and grass area (clean boundaries).*

**Referred to the City Council due back on 6/1/2016**

## **2:30 p.m. Hearings**

### **Vacant Building Registrations (NONE)**