



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
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Mary Erickson, Hearing Secretary
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651-266-8560

Tuesday, April 26, 2011

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Remove/Repair Orders

- 1 RLH RR 11-14 Resolution ordering the rehabilitation or wrecking and removal of the structures at 845 AGATE ST within fifteen (15) days after the May 18, 2011, City Council Public Hearing.

Sponsors: Helgen

Remove the structure within fifteen (15) days with no option for rehabilitation.

RE: 845 Agate Street

No one appeared.

Steve Magner, the Department of Safety and Inspections (DSI), reported that the building is a one story wood frame single-family dwelling on a lot of 7,405 square feet which has been vacant since March 24, 2008. The current property owner is Luke B. Scott / Jeske Scott per Ramsey County records. There have been nine (9) Summary Abatement Notices that have resulted in nine (9) Work Orders since 2008 for:

- removal of tall grass/weeds*
- removal of garbage/rubbish*
- removal of snow/ice*
- boarding/securing*

On January 27, 2011, 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 February 14, 2011 with a compliance date of March 16, 2011. As of this date, this property remains in a condition which comprises a nuisance as defined by the legislative code. The Vacant Building registration fees went to assessment on April 14, 2010. Taxation has placed an estimated market value of \$16,500 on the land and \$51,800 on the building. A Code Compliance Inspection was done on April 22, 2010. (Expired code compliance from 3/20/09) As of April 22, 2011, the \$5,000 performance bond has not been posted. Real Estate taxes are delinquent for 2009 and 2010 in the amount of \$4,733.66 plus penalty and interest. (Subject to tax forfeiture 2013) Code Enforcement officers estimate the cost to repair this structure to exceed \$50,000; the cost of demolition to exceed \$12,000.

Ms. Moermond asked if he had bids on the demo. Mr. Magner said that there were not attached to the file.

Christine Boulware, Heritage Preservation Commission (HPC), reported that this is a red one-story brick gable frame building was probably built in the 1870s; however, there is not firm confirmation. It has not lost all of its characteristics. There's a lot of infill. The property is on a steep slope with a tall retaining wall in the front. The porch has been enclosed and asbestos siding has been installed. Based on the visuals, Ms. Boulware would encourage rehab; but due to the context there, if someone isn't really interested in rehabbing the property, demolition would have no effect.

Referred to the 5/18/2011 City Council Public Hearing.

- 2 **RLH RR 11-12** Ordering the rehabilitation or razing and removal of the structures at 695 BRADLEY ST within fifteen (15) days after the May 18, 2011, City Council Public Hearing.

Sponsors: Thune

Remove the structure within fifteen (15) days with no option for rehabilitation.

RE: 695 Bradley Street

No one appeared.

Mr. Steve Magner, the Department of Safety and Inspections (DSI), reported that the Legislative Hearing has already been done on this. No one appeared. It was his recollection that Ms. Moermond recommended to remove the building. For some reason, it was brought back again.

Ms. Moermond asked Mr. Magner to iterate the differences in the notifications were. Mr. Magner responded that the same set of people were notified. He sees no changes.

Christine Boulware, Heritage Preservation Commission (HPC), reported that this is in Railroad Island and part of the Legacy Survey area that's being done by Historic Saint Paul. It has had multiple additions and currently is adjacent to a parking lot. The original owner was G. H. Johnson; the builder was A. O. Pearson. This property was owned by Frank Yarruso starting in 1936. Based on the condition, the HPC would allow for demolition; there would be no adverse effect. The integrity of the property has been compromised. There is an historic resource across the street. HPC recommend that property be rehabilitated.

Referred to the 5/18/2011 City Council Public Hearing.

- 3 **RLH RR 11-10** Resolution ordering the rehabilitation or razing and removal of the structures at 600 HATCH AVE within fifteen (15) days after the May 18, 2011, City Council Public Hearing.

Sponsors: Helgen

Remove the structure within fifteen (15) days with no option for rehabilitation.

RE: 600 Hatch Avenue

No one appeared.

Mr. Steve Magner, the Department of Safety and Inspections (DSI), reported that this building is a one story wood frame single-family dwelling on a lot of 6,098 square feet and has been vacant since October 27, 2010. The current property owner is BJS Properties LLC per Ramsey County records. There were no Summary Abatement Notices since 2010 and no Work Orders issued. On December 22, 2010, 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 February 7, 2011 with a compliance date of March 14, 2011. As of this date, this property remains in a condition which comprises a nuisance as defined by the legislative code. The Vacant Building registration fees in the amount of \$1,100 were paid on October 27, 2010. Taxation has placed an estimated market value of \$21,500 on the land and \$58,900 on this building. As of April 22, 2011, a Code Compliance Inspection has not been obtained and the \$5,000 performance bond has not been posted. Real Estate taxes for 2010 are delinquent in the amount of \$1,658.54 plus penalty and interest. Code Enforcement officers estimate the cost to repair this structure to exceed \$60,000; the cost to demolish between \$10,000 and \$12,000.

Ms. Christine Boulware, Heritage Preservation Commission (HPC), reported that this is a one-story, 13-foot wide house, shot-gun style. It's one (1) of two (2) houses on the same block. It was constructed behind a commercial building in 1913 by the Pioneer Labor and Building Company. These were spec houses. Demolition will have no adverse effect.

Referred to the 5/18/2011 City Council Public Hearing.

- 4 **RLH RR 11-11** Ordering the rehabilitation or wrecking and removal of the structures at 604 HATCH AVE within fifteen (15) days after the May 18, 2011, City Council Public Hearing.

Sponsors: Helgen

Remove the structure within fifteen (15) days with no option for rehabilitation.

RE: 604 Hatch Avenue

No one appeared.

Mr. Steve Magner, the Department of Safety and Inspections (DSI), reported that the building is a one story wood frame single-family dwelling on a lot of 3,049 square feet and has been vacant since November 9, 2010. The current property owner is BJS Investments LLC per Ramsey County records. There have been two (2) Summary Abatement Notices since 2010 with no Work Orders being issued. On December 22, 2010, 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 February 7, 2011 with a compliance date of March 14, 2011. As of this date, this property remains in a condition which comprises a nuisance as defined by the legislative code. The Vacant Building registration fee has been waived through April 13, 2011. Taxation has placed an estimated market value of \$12,800 on the land and \$59,200 on the building. As of April 22, 2011, a Code Compliance Inspection has not been obtained and the \$5,000 performance bond has not been posted. Real Estate taxes are current. Code Enforcement officers estimate the cost to repair this structure to exceed \$60,000; the cost to demolish between \$10,000 and \$12,000.

Ms. Christine Boulware, Heritage Preservation Commission (HPC), reported that this is a one-story, 13-foot wide house, shot-gun style. It's one (1) of two (2) houses on

the same block. It was constructed behind a commercial building in 1913 by the Pioneer Labor and Building Company. These were spec houses. Demolition will have no adverse effect.

Ms. Moermond requested staff to get interior photographs.

Referred to the 5/18/2011 City Council Public Hearing.

- 5 [RLH RR 11-13](#) Resolution ordering the rehabilitation or razing and removal of the structures at 763 FOURTH STREET EAST within fifteen (15) days after the May 18, 2011, City Council Public Hearing.

Sponsors: Lantry

Lay Over to June 14, 2011 Legislative Hearing; July 6, 2011 City Council Public Hearing.

RE: 763 Fourth Street East

Sheila Fricke and Charlie Golden, neighbors, appeared.

Mr. Steve Magner, the Department of Safety and Inspections, reported that this building is a two-story wood frame duplex on a lot of 4,792 square feet. It has been vacant since August 6, 2008. The current property owner is Ya Heu per Ramsey County records. There have been nine (9) Summary Abatement Notices since 2008 and eleven (11) Work Orders issued for:

- removal of tall grass and weeds*
- improperly stored refuse, garbage and misc debris*
- removal of snow/ice*
- boarding/securing*

On January 25, 2011, 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 February 14, 2011 with a compliance date of March 16, 2011. As of this date, this property remains in a condition which comprises a nuisance as defined by the legislative code. The Vacant Building registration fees went to assessment on August 20, 2010. Taxation has placed an estimated market value of \$16,500 on the land and \$51,800 on the building. As of April 22, 2011, a Code Compliance Inspection has not been obtained and the \$5,000 performance bond has not been posted. Real Estate taxes are delinquent for 2009 in the amount of \$2,063.30 and 2010 in the amount of \$6,201 plus penalty and interest. (Subject to tax forfeiture 8/1/11) Code Enforcement officers estimate the cost to repair this structure to be between \$40,000 to \$60,000; estimated cost to demolish: \$10,000 to \$12,000. Bids are not back on the demo.

Christine Boulware, Heritage Preservation Commission (HPC), reported that this property is known as the Julius Coney House. It was constructed in 1888 as a one and one-half story L-shaped cottage. It has cement asbestos over clapboard and a limestone foundation. It is considered contributing to the Dayton's Bluff Historic District. She has a letter from the state Historic Preservation Office regarding this property. It states that " the home at 763 East Fourth Street has received local designation as a contributing element in the Dayton's Bluff Historic District. Therefore, we feel that it's important that the proposed demolition be reviewed by Heritage Preservation Commission under the adopted policies and procedures of that commission." Ms. Boulware is currently working with the HRA on three (3) other properties on Fourth Street, as well as two (2) other HRA properties, one on the corner of Fourth and Bates and the other one between Fourth and Fifth on Maple.

Ms. Boulware thinks that this house retains a lot of integrity even though it is covered and has had windows replaced. The basic shape and form is there. Much of the work that has been done could be easily reversed. She thinks it would be a good candidate to be rehabbed to a single family home. She asked that this be forwarded to the HPC for review on May 12, 2011. She is also willing to contact Sheri Pemberton to see if this is something that the HRA may want to look at.

Ms. Moermond noted that this structure has been converted to a duplex. Because the lot size is so small, it would need to be deconverted to a single family home were it to be rehabilitated.

Ms. Fricke stated that she lives on Maple Street, right around the corner from this house. It's been vacant for about three (3) years and the windows have been left open on the top floor. She has made numerous calls about the snow, garbage, unauthorized people in the house, etc. She thinks that this house should be torn down. The rehabilitation process is very, very slow. Some of these homes have been vacant three (3), four (4), five (5), six (6) and seven (7) years. Neighbors get tired of looking at so many deteriorating houses for so long. Neighbors get tired of taking care of them - calling the City. They are constantly policing the neighborhood. She would prefer to see it taken down.

Ms. Golden stated she lives on 805 East Fourth Street, down the block on the same side as this house. She has lived there since 1998 in the house that her husband grew up in. She has called on this particular property hundreds of times. She is stunned to find out that this house is a duplex; it's so small. She and Shiela live in this neighborhood and she has great respect for Christine's efforts in terms of saving these properties. However, she would love to see their property values stabilize. She and her husband have lost over \$100,000 in property value. Now, there are over 800 foreclosed homes in Dayton's Bluff. The owner of this house hasn't taken care of things and so the neighbors have spent a lot of time policing, which isn't the neighbors' job. All this deterioration in the neighborhood attracts low life, just what you don't want in your neighborhood. The City shouldn't allow things to get to that point. It doesn't speak well of the City's inspection services. She would like to see it razed. She and other neighbors have put thousands of dollars into their homes and they don't deserve to be surrounded by this type of deterioration.

Mr. Magner added that there appears to have been a sale around July 2003.

Ms. Moermond will lay this matter over. There seems to be a lot of different pieces converging on this particular property; it is more than reasonable to give a chance for them to come together. It is scheduled to be forfeited for back taxes on August 1, 2011. The County has a program whereby they can do the rehab. If we send them a letter right now and put them on notice that the expectation is that this house would be rehabbed in a time certain, they would need to do that - respond to that concern. That is the cheapest way to go and also the quickest solution. She will expect to get a report back from the HPC after they hear it on May 12, 2011. Ms. Boulware responded that a report could be obtained either the Friday or Monday after the 12th. Ms. Moermond will email councilmembers. Ms. Moermond will ask the City Council to lay the matter over for a month (Legislative Hearing on June 14, 2011; City Council - July 6, 2011). Ms. Moermond will send a letter to Ramsey County, Sheri Pemberton, District 4, etc. Mr. Magner asked whether in the letter, she would ask them whether this property was available for the 4R Program. Ms. Moermond replied, "Yes." Also, is there a time period that the County must wait after forfeiture before it can be part of the 4R Program. Ms. Moermond stated that a large record should be created for the 4R Program; the commissioner who represents this area should be copied along with the councilmember and Sheri Pemberton. She noted

that she will work with Mai Vang on the structure of this letter. If the commissioner or councilmember doesn't seem to have an interest in rehabbing this structure, then she would expect to proceed to demolition.

Referred to the 5/18/11 City Council Public Hearing (Legislative Hearing Officer recommends referring back to Legislative Hearing on June 14, 2011 and CC July 6, 2011).

- 6 **RLH RR 11-15** Resolution ordering the rehabilitation or wrecking and removal of the structures at 1407-1415 MARSHALL AVE within fifteen (15) days after the May 18, 2011, City Council Public Hearing.

Sponsors: Carter III

Recommendation is forthcoming. The following conditions must be met:

1. Provide Work Plan by May 11, 2011
2. Team Inspection done before May 18, 2011
3. Bond posted before May 18, 2011
4. Have all bids submitted by May 18, 2011
5. Proof of financial ability for repair
6. Proof of financial ability for demo
7. Keep up maintenance of property
8. Coordinate with Fire the costs, if any, of their use of the site for training
9. Vacant Building fee due next month needs to be paid
10. Provide documentation on the use of the rehabbed building

Time will be granted for the removal of two (2) structures (considering June 30, 2011) and the rehab of the pole barn (considering October 1, 2011).

RE: 1407 - 1415 Marshall Avenue

*Eric LaMott, Vice President of Administration, Concordia University, appeared.
Jim Orchard, Director of Operations, Concordia University, appeared.*

Mr. Steve Magner, the Department of Safety and Inspections (DSI), reported that this is one (1) location with two (2) addresses and two (2) pins. It was originally the Corning Donahue facility, a stone-brick company. 1407 Marshall is a one-story commercial building with an attached wood-frame warehouse on a lot of 24,829 square feet. 1415 Marshall is a one-story wood frame commercial building with an attached wood-frame warehouse, a wood-frame bank of garage stalls and a one-story metal accessory warehouse. The property has been vacant since June 26, 2008. The current property owner is Concordia University Saint Paul per Ramsey Council records. Since 2008, the City has issued seventeen (17) Abatement Notices which resulted in sixteen (16) Work Orders for

- removal of tall grass/weeds*
- removal of garbage/rubbish*
- removal of snow/ice*
- removal of vehicles*
- boarding/securing*

On January 11, 2011, an inspection of the buildings 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 February 8, 2011 with a compliance date of March 14, 2011. As of this date, this property remains in a condition which comprises a nuisance as defined by the legislative code. The Vacant Building registration fee went to assessment on July 9, 2010. Taxation has placed an estimated market value for 1407 Marshall of \$225,000 on the land and

\$378,700 on the buildings. The estimated market value for 1415 Marshall is \$619,400 on the land and \$35,200 on the buildings. As of April 22, 2011, a team inspection has not been obtained for either property and the \$5,000 performance bond has not been posted. Real Estate taxes for both parcels are current. Code Enforcement officers estimate the cost to repair 1407 Marshall to exceed \$100,000 with a demolition cost of \$20,000 - \$25,000. The estimated cost to repair 1415 Marshall is between \$125,000 and \$150,000 with a demolition cost of \$40,000 - \$45,000.

Mr. Magner explained that after the business had been shut down (owners walked away), DSI opened a file. There was no representation from an owner. At that time, the owner was alive; now, deceased. Subsequently, DSI received numerous complaints, so they started the abatement procedure. During that time, DSI staff had been contacted by Concordia University, indicating that they were in negotiations to acquire the property, so they wanted to know what the City was doing with it at the time. Staff informed Concordia that DSI was going to proceed to legislative hearings. Mr. Magner's understanding is that Concordia plans to remove the majority of the buildings with the exception of the 1980s metal clad building (pole frame style) that is located at the rear of the property (north east end). They plan to keep that building, make the necessary improvements to obtain a Certificate of Occupancy and use it as storage for equipment. They City is OK with that providing that: 1) all other buildings on the property are removed; and 2) they submit plans indicating how they intend to remediate the building they are keeping. The building will need to be inspected by the C of O staff and a Code Compliance obtained or they need to submit plans for rehabilitating the structure to meet the minimum requirements.

Christine Boulware, Heritage Preservation Commission (HPC), reported that the structure on 1407 Marshall Avenue was constructed in 1922. It's a wood frame single bay. The original owner was Minnesota Lime and Cement Company. It's in an industrial area facing the railroad tracks. The set back is shallow; the front is flat - a 4-part addition was constructed in a colonial revival style of the 1930s. The original wood siding has been covered. Demolition would have no adverse effect. She has no information on 1415 Marshall Avenue.

Mr. LaMott stated that Concordia bought the property about one month ago and intends to remove the older buildings and keep the pole barn for storage purposes. They will rehabilitate it to meet code. They have secured bids which they are currently analyzing. The rest of the property will be turned into green space. They intend to complete this within the next two (2) - three (3) months. Concordia has contacted the Fire Department to see whether they are interested in doing training in the pole barn facility.

Ms. Moermond asked Mr. Magner to describe the condition of the pole barn. Mr. Magner explained that it is a standard pole frame structure. The poles are timbers that are buried in the ground and extend above the ground to the height of the grade. Each of the timbers is attached to a roof truss. The building is clad with metal siding. This site as a whole is a nuisance; however, he thinks that it would work to pass a resolution to remove and repair the site, removing all of the buildings (90 days) with the exception of the pole barn and then give Concordia 180 days to rehabilitate the pole barn. If nothing has been done in 180 days, then the City would come in and remove everything with an option not to remove the pole barn. That way the City can use their bids either way. The bids are in the record; he will email them to Ms. Moermond. Mr. Magner guesses that rehabilitation of the pole barn, specifically, based on the most minimal use, (getting the C of O) would probably cost less than to remove the building.

Ms. Moermond noted that the property needs a team inspection for the pole barn. Concordia was asked to contact Pat Fish (266-8942) to coordinate a Certificate of Occupancy inspection. Concordia's contractor needs to give the City a bid. Concordia needs to provide a commitment of money. Ms. Moermond said a letter of commitment would be required for the necessary amount of money.

Mr. Magner stated that if Fire uses the site as a training area, they will need to have surveys and abatements done before. They won't just burn the building down but probably practice through smoke and maybe minimal flame. He listed what is needed: 1) team inspection; 2) contractor's estimates for rehabilitation; 3) commitment letter; 4) staggard resolution with two (2) time frames (90 days should accomplish the goal of removing the buildings and 180 days for rehabilitation).

Ms. Moermond stated the following requirements::

- team inspection done by before May 18, 2011
- \$5,000 bond posted by May 18, 2011
- bid to do rehab by (wasn't given)
- need to see cash set aside for rehab
- need to see cash set aside for demo
- continue maintenance
- coordinate with Fire the costs, if any, of their use of the site for training
- vacant building fee due next month needs to be paid
- provide work plan to Ms. Moermond by May 11, 2011
- provide documentation on what the rehabbed building will be used for

She is considering a deadline of June 30, 2011 to have the demolition done (will decide after reviewing the work plan due on May 11, 2011). Will be on the City Council's public hearing agenda on May 18, 2011.

Mike Madden, District 13 Land Use Committee member and resident, addressed the hearing. As a resident, he commented that back in 2003, Concordia University bought a water utility with a Hamline address. As part of that Purchase Agreement, there is a clause that Concordia University would be respectful of the City's desires for Ayd Mill Road and would not contest eminent domain proceedings for that property or any adjacent properties. It appears to him that this property is being purchased to subsequently, hand over to the City for whatever arrangements that were made at that time. Mr. LaMott responded that there are no such clauses and no such agreements with the City. Mr. Madden stated that he will provide Ms. Moermond with a copy of that Purchase Agreement. Also, back in 1999, Concordia University issued a written position statement on Ayd Mill Road that said they were opposed to the two-lane alternative and the foul-lane alternative unless they went under ground because it was their desire to expand westward. They also stated in that position paper that enthusiastically supported the linear park alternative because it would not have that extention to I-94 therefore it would not impede their westward expansion. Ms. Moermond asked Mr. Madden to provide her with his documents by May 6 or 9, 2011. He responded that he would bring both a copy of the Purchase Agreement and the written position statement tomorrow.

Referred to the 5/18/2011 City Council Public Hearing.

7 [SR 11-25](#)

Reviewing progress of rehabilitation for 1456 COHANSEY STREET.

Sponsors: Helgen

Need written report on progress on the rehabilitation of the building.

RE: 456 Cohansey Street

Mr. Steve Magner, the Department of Safety and Inspections (DSI), reported that the last time this address was before the Legislative Hearing Officer on March 22, 2011, finishing the repairs on this property was discussed. The owner, Richard Bedner, and his attorney were present. A building permit and an electrical permit were pulled in November 2010; those are the only permits that were pulled. Mr. Bedner had submitted a spread sheet. Mr. Magner does not think that Mr. Seager has been back there to re-inspect. The electrical permit is the same as before; it had been inspected back in December and they re-energized the system but it hasn't been finalized. DSI is unaware of any other progress that has been made.

Ms. Moermond stated that Mai Vang will send Mr. Bedner and Mr. Boyle a letter indicating that the City had anticipated more permit activity by now and requesting a report back from them within two (2) weeks.

Mr. Magner noted that on the first floor, gas piping was to be completed by March 25, 2011. Exterior lawn hydrants were supposed to be completed by April 15, 2011. The water heater venting was to be completed by April 15, 2011. There should at least have been a plumbing permit pulled.

Laid Over to the Legislative Hearings due back on 5/10/2011 (Housekeeping -need written update of progress)

11:00 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

88 [RLH VO 11-8](#) Appeal of James Swartwood to a Condemnation and Order to Vacate 697 WESTERN AVENUE NORTH.

Sponsors: Carter III

Deny appeal. Grant extension to May 16, 2011 at which time all interior work needs to be completed; all exterior work (item #2) needs to be complete by June 30, 2011.

James Swartwood, owner, appeared.

Mike Urmann, Fire Inspector reported that the second floor (attic) with improper egress is being occupied by three (3) young people; the first floor is occupied by two (2) adults and one (1) child. The building is large enough for four (4) people, not six (6).

Mr. Swartwood stated that the tenants have received notice to be out by May 1, 2011 because having people occupy the attic is breaking their lease. He said that he has repeatedly told them that the attic was not to be used because it doesn't have proper egress. Finally, they now have a social worker, Jennifer Lenz, who is also trying to make them aware of this problem. They are severely challenged mentally. They have at least three (3) lease violations. Mr. Swartwood started the eviction process this week since the tenants refuse to comply. He entered photos into the record and said the house is in pretty good shape. Mr. Urmann noted that the pictures in the file were taken on April 11, 2011 with the latest set of Orders. The photos show the 18 outstanding violations in the building including plumbing, electrical, broken doors, front porch and the upstairs. The appellant stated that he thinks most of those issues are currently under control. Mr. Urmann noted that some of the outstanding Orders would have to be done by a licensed contractor under permit and, according to the system, Mr. Swartwood has not pulled any permits since March 9, 2011. The

appellant argued that there was no need for a plumbing permit. Saint Paul Regional Water Services had not turned a valve on all the way so there was not sufficient pressure. Last week, they turned it on. He can't paint on the porch until the weather permits. He also has a master electrician. Mr. Urmann pointed out that #4 refers to corroded and rotted pipes that need replacing by a licensed plumber (not part of the City water problem). Electrical fixtures need to be fixed by a licensed electrician. Any time electrical work is done, it has to be done under permit.

Ms. Moermond stated that the record shows that a Certificate of Occupancy had been issued in April 2010. She noted that she is lacking confidence right now that if further action isn't taken this would be resolved. Mr. Swartwood repeated that he is evicting the tenants; he thinks the issue can be resolved this week.

Ms. Moermond stated that with respect to the Notice of Condemnation, Order to Vacate (not touching the eviction), she will recommend that the City Council grant an extension on the vacate date to May 16, 2011; and everything needs to be done at that time or it needs to be vacated except for the exterior work in item #2 (exterior painting), which will need to be done by June 30, 2011. City Council public hearing on Wednesday, May 4, 2011. Ms. Moermond added that no one should be occupying the second floor; however, make sure that a smoke detector and a carbon monoxide detector are installed there within 24 hours.

Referred to the 5/4/2011 City Council Public Hearing.

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 9 [ALH 11-467](#) Appeal of David Boyd to a Fire Inspection Correction Notice at 1655 CRAIG PLACE.

Sponsors: Bostrom

Deny appeal. Grant a 90-day extension to remove window(s) from the 3-season porch and replace the furnace. (James Thomas)

RE: 1655 Craig Place (rescheduled from April 19, 2011)

David Boyd, owner, appeared.

Mr. Boyd is appealing yesterday's revised Order, item #2 Bedrooms- north side and middle - R 310.1 " Emergency escape and rescue required. Basements and every sleeping room shall have at least one operable emergency and rescue opening. Such opening shall open directly into a public street, public alley, yard or court." In this case, both of these bedrooms' escape windows exit and open into an enclosed porch. Mr. Boyd states in the appeal that he doesn't have the money at this time to install another window in the bedroom, especially within the 30-day notice. Nor does he want to tear off the three season porch, which would reduce the value of the home.

Inspector Leanna Shaff, Fire, reported that this is a Fire Certificate of Occupancy inspection conducted by James Thomas. The codes require that emergency escape openings (known as egress windows) to directly outside. They cannot open into another enclosed area. The only way that would be OK under the code would be if there was a different occupancy separation, typically a one-hour separation. Windows don't typically need that type of thing. But in a single-family, duplex or a residential

application, they cannot exit into an enclosed porch.

Ms. Moermond asked Mr. Boyd to draw a sketch of the floor plan of the area in question to help her get an idea of what it looks like. The diagram and some photos were entered. Ms. Moermond noted that one of the bedrooms has a second window that opens into the yard, so that one's OK. The middle bedroom has only the one window that opens into the porch. Ms. Moermond stated that it has never been OK with the fire code to have an exit through another space, so this situation is not code compliant. Mr. Boyd commented that a 2-story house would be more dangerous than this situation. Ms. Shaff explained that the code is clear. The window must go directly outside.

Ms. Moermond asked if there was a bedroom in the basement or if anyone slept down there. Mr. Boyd responded that no one should be sleeping in the basement; that would violate the lease agreement. Ms. Moermond stated that there should be nothing in the basement that looks as though someone is sleeping down there.

Ms. Moermond will recommend denying the appeal. Mr. Boyd can bring it to the City Council public hearing on May 4, 2011; they have the authority to allow it.

Mr. Boyd asked if taking out some of the windows in the 3-season enclosed porch would solve the problem. Ms. Moermond said that would do.

Referred to the City Council due back on 5/4/2011

10 [RLH WP 11-7](#)

Appeal of Minnesota Exteriors, representing Adam and Alita LaBrie, to an Egress Window Non-Compliance Determination at 1140 JACKSON STREET.

Sponsors: Helgen

Grant a 3.5-inch variance on the openable height of two double hung replacement egress bedroom windows measuring 20.5 inches high by 31.5 inches wide. Deny a variance on the one double hung replacement egress bedroom window measuring 13 inches high by 31.5 inches wide; however, contractors indicated that a casement window will go in as a replacement. (bldg official)

RE: 1140 Jackson Street

Steven Schiltz and Chip Hanson appeared.

Ms. Moermond stated that she is comfortable with a variance on two (2) of the windows, not on the third. The appellants responded that they will replace that window with a casement window (36 inches wide x 30 inches high).

Referred to the City Council due back on 5/18/2011

11 [RLH WP 11-6](#)

Appeal of Erika Hanson to an Egress Window Non-Compliance Determination at 2157 TEMPLE COURT.

Sponsors: Stark

Deny the variance on the three double hung replacement egress bedroom windows. (Virgil Thomas)

RE: 2157 Temple Court

Erika Hanson appeared.

Ms. Moermond noted that this is where we have a window opening of 12 inches in height; it's not a big enough space to get a body through. 24 inches is required.

Ms. Hanson stated that these windows are in bedrooms which have two (2) windows each. All the windows are the same size. She is going to replace one window in each bedroom with an egress window. Ms. Moermond responded that was fine; only one window needs to be large enough. She added that Ms. Hanson should take photos of the spaces and window openings with a measuring tape and submit them.

Referred to the City Council due back on 5/18/2011

- 12 [RLH FOW 11-8](#) Appeal of Lynne Dressen to a Fire Inspection Correction Notice at 1665 MARGARET STREET.

Sponsors: Lantry

Grant an 8-inch variance on the openable height of the egress window in the southwest side bedroom and denying the appeal on the egress windows in the northeast and northwest side bedrooms and granting an extension for 90 days to come into compliance. (James Thomas)

RE: 1665 Margaret Street

No one appeared.

Inspector Shaff stated that this was an appeal for egress windows for items #1 and #2. She reported that Ms. Moermond granted a variance on item #1(SW bedroom window) is 18-inches high x 40-inches wide. Ms. Moermond wanted a hearing on Item #2 (NE and NW bedrooms). Those windows opening height is 13-inches x opening width of 30-inches. When Mai Vang talked with the appellant, the appellant asked for more time to install new egress windows.

Ms. Moermond stated that if the appellant does not want a hearing, she will recommend 90 days to come into compliance. If the appellant wants a hearing, it may change Ms. Moermond's recommendation.

Referred to the City Council due back on 5/18/2011

- 13 [RLH FCO 11-11](#) Appeal of Russell Senn to a Fire Inspection Correction Notice at 231 LEXINGTON PARKWAY NORTH.

Sponsors: Carter III

Grant a .5-inch variance on the openable height of the egress window in the first floor bedroom. Deny the egress window in the third floor bedroom measuring 11.5 inches high by 25 inches wide and grant an extension for 90 days to come into compliance. She granted him until May 17, 2011 to come into compliance on the rest of the Correction Notice. (Rick Gavin)

RE: 231 Lexington Parkway

Russell Senn, owner, appeared.

Ms. Leanna Shaff, Fire Inspector, reported that a Fire Certificate of Occupancy inspection was conducted on April 6, 2011 by inspector Rick Gavin. The item in question is the 3rd floor window in item #11. The code requires a minimum opening height of 24 inches, a minimum opening width of 20 inches. The third floor window is

a double hung that opens 11 1/2 inches high x 25 inches wide (3.9 sq. ft. glazed). The appeal says that it's being replaced by a casement window. Ms. Moermond stated that was fine; however he may still need a variance. Mr. Senn said that the casement is 29-inch wide by 30-inch high. Ms. Moermond said that he may need a small variance on it, though. If the City does not issue him a building permit, they will give him a form with the reason on it. He can bring that in and appeal it. It will be process through the legislative hearing process.

Ms. Moermond will grant a .5-inch variance on the openable height of the egress window in the first floor bedroom.

Referred to the City Council due back on 5/18/2011

- 14 [RLH FCO 11-12](#) Appeal of Kyle Dalton, Azingo LLC, to a Fire Inspection Correction Notice at 2007 MINNEHAHA AVENUE EAST.

Sponsors: Lantry

Grant a 1-inch variance on the openable height of the egress windows in the main floor southwest and northwest bedrooms. Deny a variance on the ceiling height issue in the upper floor room and shall not be used as sleeping room (the bed must be removed). The gas meter (Item 5) is forthcoming (LHO to review gas meter code). If denied on gas meter, LHO will recommend 6 months for compliance. (Wayne Spiering)

RE: 2007 Minnehaha Avenue East

Kyle Dalton, Azingo LLC, appeared.

Ms. Moermond noted that the windows are fine but the ceiling height on the upper floor is not. Mr. Dalton responded that he is looking to use that upper floor as "habitable space" not as a bedroom. He entered a photo of the space.

Ms. Leanna Shaff, Fire Inspection, reported that this is part of a Fire Certificate of Occupancy inspection conducted on April 6, 2011 by Inspector Wayne Spiering. Item #8: the code requires all habitable areasto have a ceiling height of at least seven (7) feet over half the floor area. The room dimension is 26 feet x 5 feet, 8 inches (149 1/2 square feet). The ceiling height is 77 inches (6 1/2 feet). She stated that currently, there is a bed there with bedding. Mr. Dalton replied that there are boxes on it, not bedding; it's not being used as a bedroom. That's in the lease document. He explained that he rents to two (2) brothers who just moved out of their parents' home and they are using the upstairs as storage. There are two (2) bedrooms on the main floor. Mr. Dalton stated that he would have the guys move the beds into the basement.

Mr. Dalton asked about item #5: the gas meter. He noted that the meter is in the front of the house near the driveway and a landscaped wall. It will cost \$500 for Xcel to put in a meter guard. Ms. Moermond asked Mr. Dalton to provide a diagram (entered). Ms. Shaff noted that the Fire code requires gas meter protection from impact. Ms. Moermond will review the Fire code on this item; her recommendation will be forthcoming. She will grant until May 17, 2011 for re-inspection.

Referred to the City Council due back on 5/18/2011

- 15 [RLH FOW 11-7](#) Appeal of Joe Palen to a Fire Inspection Correction Notice at 1505 OLD HUDSON ROAD.

Sponsors: Lantry

Deny appeal on the window and sill height and grant an extension for 90 days to come into compliance. Appellant must install a step full width (9-10" in length, 11 depth) below the egress bedroom window. (Wayne Spiering)

RE: 1505 Old Hudson Road

Joe Palen, Bralen Companies, appeared.

Ms. Moermond noted that this appeal concerns a window 15.5 inches wide x 22 inches high. Requirement is 24 inches high x 20 inches wide. There's an extra 2.5 inches in width, but it's short by 11.5 inches in the other dimension. It needs to be able to open farther. Mr. Palen asked how he could modify the existing window. The sill height is 56 inches high, too. Mr. Palen said he could build stoops. Ms. Moermond said she could go one (1) step the full width of the window (9 or 10 inches in height; 11 inches deep). Ms. Moermond said she won't recommend a variance on the windows. Mr. Palen suggested adding another window; Ms. Moermond said that would work if the dimensions were large enough. One (1) legal egress from each sleeping room is needed. Ms. Moermond will grant 90 days for Mr. Palen to come into compliance.

Referred to the 5/18/2011 City Council

16 [RLH FCO 11-5](#)

Appeal of James Schoffman to a Fire Inspection Correction Notice at 1012 ROSS AVENUE.

Sponsors: Bostrom

Grant appeal on driveway for now (could be written in the future). Grant extension to August 1, 2011 for exterior painting. (James Thomas)

RE: 1012 Ross Avenue

James Schoffman appeared.

Ms. Moermond asked Mr. Schoffman about the parking surface of the driveway. M. Schoffman described the driveway as 2-car wide parking in the back. He has owned the property for many years and the driveway has always been as it is. He was shocked at the write-up from the Fire Marshal because it's not a safety issue, i.e., egress window, carbon monoxide escaping furnace, etc. He entered photos and said that it's not a sloppy place to park. Ms. Moermond stated that the look is an unusual class 5; it looks as though there are no rocks in it. It looks compacted. Mr. Schoffman said that he called for an estimate to re-grade and pave the driveway. The amount is \$8,500. The photos showed a very well kept driveway. The homes are very close together and the grade runs toward the neighbors and he does not want a problem with the neighbor. Any type of run-off will effect them.

Ms. Leanna Shaff, Fire inspector, reported that this Correction Notice is from a Certificate of Occupancy inspection on April 15, 2011 by James Thomas. The code requires that all parking spaces shall be paved with asphalt, concrete or durable dustless surfacing.

Ms. Moermond will recommend that the City Council grant an appeal with the provision that it could be re-written at the time of the next inspection; she will also recommend granting an extension to August 1, 2011 for exterior painting.

Referred to the City Council due back on 5/18/2011

- 17 [RLH FCO 11-6](#) Appeal of Georgina E. Frankel to a Fire Inspection Correction Notice at 1439 PALACE AVENUE.

Sponsors: Harris

Grant a 3.5-inch variance on the openable height of the egress window in the north bedroom, grant a 3-inch variance on the openable height of the egress window in the south bedroom (item #3). Deny appeal and grant 90-day extension on one-inch throw single cylinder deadbolt lock on front door (item #4).

RE: 1439 Palace Avenue

Georgina Frankel, owner, appeared.

Leanna Shaff, Fire inspector, reported that this is from a Fire Certificate of Occupancy inspection conducted on April 15, 2011 by Inspector Rick Gavin. The appellant is appealing items # 3 and #4. She said there are double hung windows. In the north sleeping room, they are 20.5 inches high by 29 inches wide; in the south sleeping room, they are 21 inches high by 29 inches wide. Item #4 requires a 1-inch single throw cylinder deadbolt lock; the current lock has a .5 inch throw. Photos are attached.

Ms. Moermond will recommend granting a 3.5-inch variance on the openable height of the egress window in the north bedroom, granting a 3-inch variance on the openable height of the egress window in the south bedroom (item #3). She will recommend denial of the .5-inch throw on the deadbolt. That's an important safety concern and it's not that major of a fix. Ms. Frankel asked if she could leave the current hardware in and install a 1-inch throw deadbolt above it. Ms. Moermond responded that she could or maybe a larger throw can be installed into the original deadbolt. Ms. Moermond will deny the appeal on item #4 and grant a 90-day extension on installing a one-inch throw single cylinder deadbolt on the front door.

Referred to the City Council due back on 5/18/2011

- 18 [RLH FCO 11-88](#) Appeal of Brian Cox to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 1013 MARGARET STREET.

Sponsors: Lantry

Deny appeal and grant extension to July 1, 2011 to complete items #1, #2 and #3. Deny appeal and grant extension to September 1, 2011 to complete items #4 and #6. Grant until June 1, 2011 for the dryer vent. (James Thomas)

RE: 1013 Margaret Street

Brian Cox, owner, appeared.

Ms. Leanna Shaff, Fire Inspection, reported that this is from a re-inspection of a Fire Certificate of Occupancy conducted on January 6, 2011 by Inspector James Thomas.

Mr. Cox explained that when this started, he had 15 items. Ms. Moermond had granted an appeal to re-do some of these in May or June. The tenants are behind in rent again, so, he has been short money. The inspectors shut-off the furnace; they are using heaters temporarily. The new furnace will cost \$8,000. He is asking for more time. Items #1, #2 and #3 are all outside. Photos were viewed from October 1,

2010.

Ms. Moermond stated that she will give the appellant one last shot at this. She will recommend denying the appeal and granting an extension to July 1, 2011 to complete items #1, #2 and #3. If Mr. Cox is non-compliant with those, the department is fully authorized to take future enforcement action. She noted that she has seen criminal tags being issued in these types of situations.

Ms. Shaff noted that per the report, the furnace has carbon monoxide and gas leaking from the furnace. Ms. Moermond will recommend denying the appeal and granting an extension to September 1, 2011 to complete items #4 and #6.

Mr. Cox stated that the tenant had a dryer installed. He asked if they were required to vent it, also. Ms. Moermond responded that the venting of the dryer is his responsibility. Disconnecting the dryer is an issue between him and his tenant; however, if a vent is not working or adequate, the dryer must be removed. The vent needs to be fixed or the dryer must be removed. Ms. Moermond will grant until June 1, 2011 for the dryer vent to be installed.

Referred to the City Council due back on 5/18/2011

- 19 **RLH FCO 11-14** Appeal of Ron Staeheli to a Correction Notice-Reinspection Complaint at 633 PALACE AVENUE.

Sponsors: Thune

Decision forthcoming. Ms. Moermond is looking for a written report from Inspector Imbertson.

RE: 633 Palace Avenue

Ron Staeheli, owner, appeared.

Ms. Leanna Shaff, Fire Inspection, reported that a Fire Certificate of Occupancy re-inspection was conducted on March 4, 2011 by Inspector Mitch Imbertson.

Ms. Moermond continued to say that the appeal says the conditions haven't changed since the last C or O inspection and Mr. Staeheli thinks that there's an excessive charge on the C of O invoice. Mr. Staeheli explained that it took some time to get the last C of O inspection done. Mr. Staeheli believes that Inspector Imbertson left there on either February 11 or 12, 2011, and signed off on everything. Two (2) weeks later, the tenants' two (2) pit bulls got out and attacked people in the street. The tenants came to him saying that Animal Control said the fence around the back yard wasn't tall enough from keeping the pit bulls from jumping out. It needed to be fixed. Also, the front porch door needs to be fixed. It is a glass door that doesn't need a latch. The tenants keep putting their leashed pit bulls onto the porch. The pit bulls run through the front door to attack whatever they may see outside. The tenants asked Mr. Staeheli to put a latch on the door. He said that he wouldn't and told them to put it on. The tenants weren't happy with that and subsequently called the City to make a complaint that the front door didn't latch. He stated that this was the same door with the same latch that the same inspector walked through four (4) times within the last six (6) months and it was fine but because of the complaint, now, it isn't. Everything remains the same but since the complaint, the inspector came and suddenly, everything needs attention.

Ms. Shaff, searching in STAMP, did not see multiple trips to this address. Inspector Imbertson should be here at re-scheduling, she said.

Ms. Moermond stated that she will ask for a written report from Inspector Imbertson. She will be looking as past Orders on this; some of these items may be maintenance so the condition would change.

Mr. Staeheli stated if this comes up later, he intends to limit their access to the back yard. The neighbor has grandchildren that she cannot let play in her back yard because of the pit bulls. He intends to take down the back fence so that the tenants can't just let their dogs out back there.

Referred to the City Council due back on 5/18/2011

- 20 [RLH FCO 11-10](#) Appeal of Mary Hooper to a Fire Inspection Correction Notice at 1952 ORANGE AVENUE EAST.

Sponsors: Bostrom

Appeal granted on furnace. Grant a 2-inch variance on the openable height of the egress bedroom window. Grant extension to August 1, 2011 to do exterior painting and repair the steps. (James Thomas)

RE: 1952 Orange Avenue

Mary Hooper, homesteader, appeared.

Inspector Shaff, Fire, reported that a Fire Certificate of Occupancy inspection was conducted on April 8, 2011 by Inspector Thomas. There are ten (10) items on the list.

Ms. Hooper stated that she doesn't understand why she is here. She doesn't pay rent; the house is not a rental. Her son owns the house. Ms. Shaff responded that although this house is not a rental unit, the City Ordinance addresses this type of situation as "Non-owner occupied." The code requires that all homes that are Non-owner occupied are subject to inspection. It is not the owner's primary residence. This is a relative homestead.

Ms. Moermond asked if Ms. Hooper was in any way dependent on her son. Ms. Hooper replied, "No."

Ms. Hooper said that all the items are being addressed; contractors are lined-up. The furnace is only four (4) months old. Ms. Moermond will recommend the appeal on the furnace be granted and she will recommend granting an extension to August 1, 2011 to do exterior painting and repair of the steps. She will also grant a variance on the openable height of the egress bedroom window.

Ms. Moermond added that she doesn't think that these violations rise to a level lower than a class B. If this list gets done in good shape, she will also recommend that DSI make this a class A property (hybrid position).

Referred to the City Council due back on 5/18/2011

2:30 p.m. Hearings

Vacant Building Registrations

- 21 [RLH VBR 11-32](#) Appeal of Paul Mai to a Vacant Building Registration Notice at 457 LAWSON

AVENUE WEST.

Sponsors: Helgen

Deny appeal. Waive the Registered Vacant Building fee for 90-days.

RE: 457 Lawson Avenue West

Paul Mai, owner, appeared.

Ms. Leanna Shaff, Fire Inspection, reported that Fire Safety and Inspections received a complaint (referral) on February 7, 2011 about a pipe in the bedroom leaking; a kitchen pipe leaking; kitchen stove burners not working. On February 22, 2011, the toilet had been backed-up for three (3) days and the landlord will not fix. On February 10, 2011, Inspector Martin met with the tenants and wrote Orders. The property was also missing smoke detectors, which, then, were provided by the inspector. SMERLS was putting together a TRA at that time. Later, in that inspection process (March 7, 2011), Inspector Martin's notes say, " The tenants will be moving at the end of the month. Section 8 denied payment as inspection had failed. Toilet flushes slow; smoke detectors and CO. No issues resolved." There seems to be quite a bit going on at this property. Inspector Martin has created a 23 item list from a Fire Certificate of Occupancy inspection. Many are exterior: screens, glass, garbage. Interior includes: damaged electrical fixtures, extension cords, obstructed exits, bathroom floor, broken refrigerator and stove, guardrails, handrails, ceilings, dryer vents, some plumbing issues, etc.

Ms. Moermond referred to the February 10, 2011 Correction Order with the first scheduled follow-up inspection on March 7, 2011 - what happened with that? Ms. Shaff responded that the inspection had taken place. Inspector Singerhouse entered a Revocation letter dated March 1, 2011 which says that an inspection took place on March 8, 2011. Ms. Shaff had no explanation for that. Ms. Moermond asked for a copy of that. It appears under the C of O in STAMP. In AMANDA it says that the letter was generated on March 17, 2011. They viewed photos.

Ms. Moermond reiterated that the Fire C of O was revoked and it was ordered vacated. She asked whether the building was vacated based on that revocation. Ms. Shaff responded that she believes that the vacation resulted because Section 8 wasn't paying any more for failure to pass their inspections.

Mr. Singerhouse stated that Inspector Kalas on April 7, 2011, opened a Category 2 Vacant Building file based on the Revocation of the Fire Certificate of Occupancy. He also issued a Work Order (4-12-11) to clean up the trash and garbage, inside and out.

Mr. Mai explained that he hadn't known anything about an inspection. He blamed the tenant for the problems, who then calls for an inspection. As an example, he installed smoke detectors, which she removed and then called for an inspection. She took out a plumbing seal and called for an inspection. The renter has created a lot of problems. He had always passed inspections before this renter came. He said he is fine with fixing the small things but not the whole list because he doesn't have money for all of that. There are no major items on the Section 8 list.

Ms. Moermond stated that there are a few things in play when one is appealing a Vacant Building registration. First, is the annual VB fee (\$1,100). The definition of a Vacant Building in the City's code lists the following characteristics:

- unoccupied and unsecured (after one year)*
- unoccupied and unsecured by other than normal means*

- unoccupied and dangerous
- unoccupied and condemned (ordered vacated because the C of O was revoked)
- unoccupied and multiple housing or building code violations
The last one applies here because there are so many violations (category 2 registered VB). This property needs a Code Compliance inspection. It will cost \$426). That list of items will need to be addressed in order to be re-rented. All rental property has to have these things addressed.

Mr. Mai stated that in order to repair everything on the list, it will cost about \$20,000. He lost his occupation and is unable to pay for that.

Ms. Moermond will recommend denying this appeal and waiving the VB fee for 90 days. The City Council public hearing will be on May 18, 2011 at 5:30 p.m.

Referred to the City Council due back on 5/18/2011

- 22 **RLH VBR 11-33** Appeal of John Norris to a Vacant Building Registration Notice at 315 LARCH STREET.

Sponsors: Helgen

Rescheduled from April 26 to May 3, 2011.

Laid Over to the Legislative Hearings due back on 5/3/2011

Staff Reports

- 23 [ALH 11-156](#) Appeal of Aija S. Gravitis to a Correction Notice at 973 BRADLEY STREET.

Sponsors: Helgen

Inspection made April 22, 2011; appellant in compliance. File closed.

Withdrawn

- 24 [RLH FCO 11-7](#) Appeal of Guillermo Segui to a Fire Inspection Correction Notice at 1368 MARGARET STREET.

Sponsors: Lantry

Grant 5-inch variance on the ceiling height issue in the upper level.

RE: 1368 Margaret Street

Inspector Shaff stated this is the case where it had the T-shaped upper level and Ms. Moermond had wanted inspector Spiering to get more accurate measurements because we wanted to know what percentage of the ceiling was at 79 inches. She reported that the total, starting at where the ceiling height is five (5) feet is 236 square feet. The area of the ceiling where it is at 79 inches is 104 square feet. So, 44 percent of the ceiling in that T-shaped upper level is at 79 inches (5 inches short of 7 feet).

Ms. Moermond stated that she will recommend a variance.

Referred to the City Council due back on 5/18/2011

- 25 [RLH FCO 11-8](#) Appeal of Zoua Lo to a Fire Inspection Correction Notice at 1800 WILSON AVENUE.
- Sponsors:** Lantry
- Grant extension to July 1, 2011 to repair foundation for porch and sidewalk. Grant an 8-inch variance on the openable height of the egress windows in all bedrooms.*
- RE: 1800 Wilson Avenue*
- Zoua Lo appeared.*
- Ms. Leanna Shaff, Fire Inspection, stated that Ms. Moermond had questions on the foundation. She located photos of the foundation, porch and sidewalk. Actually, the foundation for an elevated sidewalk is deteriorating.*
- Ms. Moermond stated she is comfortable saying that the Order was written correctly about the condition of the cement but not about it's location. It's not a key foundation element, but it is in horrible condition and needs to be addressed. It undermines the sidewalk in this condition. It needs to be filled in with additional cement to provide added support. The original Order gave one (1) month to repair the entire list of corrections. She will go out to July 1, 2011. Ms. Shaff noted that concrete is good under compression but brittle under tension. She suggested that a concrete contractor would be able to provide some suggestions for repair, at least, for a temporary fix.*
- The appellant stated that neither she or her husband currently have jobs; they cannot afford to replace the foundation. Ms. Moermond responded that they need not replace it, but temporarily fix it - to reinforce it so that the sidewalk doesn't fail.*
- Referred to the City Council due back on 5/18/2011**

Window Variances: No Hearing Necessary

- 26 [RLH FOW 11-6](#) Appeal of Garnet Real Estate Services, representing Kevin J. Wood, to a Fire Inspection Correction Notice at 1151 BREEN STREET.
- Sponsors:** Bostrom
- Grant a 1-inch variance on the openable height of the egress window in the attic bedroom. (J. Thomas)*
- Referred to the City Council due back on 5/18/2011**
- 27 [RLH WP 11-8](#) Appeal of Jim Fitzenberger to an Egress Window Non-Compliance Determination at 1123 MINNEHAHA AVENUE WEST.
- Sponsors:** Stark
- Grant a 4-inch variance on the openable height of one double hung replacement egress bedroom window. (Ken Eggers).*
- Referred to the City Council due back on 5/18/2011**