



CITY OF SAINT PAUL
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January 8, 2012

Juley Viger
2837 – 30th Ave S
Minneapolis, MN 55406

VIA EMAIL: juleyviger@gmail.com

RE: Appeal for property at 730 Como Avenue

Dear Ms. Viger:

This correspondence serves several purposes. First, it is to confirm that on January 3, 2012 at the Legislative Hearing, I recommended that the City Council grant an extension to February 1, 2012 to vacate the illegal third unit. However, on January 4, 2012, after further review of the file, I amended the vacate date to March 1, 2012. The City Council heard the item on January 4, 2012 and laid it over 1 week in order that you may submit a complete application for the Board of Zoning Appeals to consider your request to make this a legal triplex. The Council did not indicate a particular outcome would be forthcoming at its January 11, 2012 meeting as a result of filing a complete application. I note that a complete application was submitted by you to the Department of Safety and Inspections on Friday January 6, 2012.

The second matter I would like to address is your letter to the Council of January 4, 2012, in which there are some inaccuracies. To clarify, my recommendation to the Council was always that the unit should be vacated. The council indicated they may consider alternative or delayed enforcement measures if you were to file an appeal with the Board of Zoning Appeals in a timely fashion. You did not do this by January 3, 2012. Therefore, I reported this to the City Council and noted my recommendation that the illegal third unit should be vacated had not changed.

You also expressed frustration with correspondence related to your hearings. I think perhaps your frustration arises out of a lack of clarity about the appeals process itself. As indicated on the appeal form and as also stated in the legislative hearing, my job is to prepare a record and recommendation for the City Council to consider for your appeal. The City Council is the decision maker. Following the legislative hearing, you received a letter from Mai Vang outlining my recommendation to the City Council. This letter was sent fully week in advance of the Council's public hearing. From your letter, it appears you had an expectation that following the Council's public hearing, Council or Legislative Hearing staff would send you a letter in follow-up outlining next steps. This

is not the City Council's practice. However, you were present, so there is an expectation that you are clear on the subsequent hearings.

You were correct that your appeal did not appear on my agenda for January 3, 2012. This is my error, as I prepared the agenda while other staff was away for the holidays. I would note that your appeal was accommodated and there was no need for delay or re-scheduling.

I hope that this letter addresses the concerns you raised, and wish you well with you ownership and management of 730 Como Avenue.

Sincerely,

/s/

Marcia Moermond
Legislative Hearing Officer

c: City Council (email)