



# City of Saint Paul

15 West Kellogg Blvd.  
Saint Paul, MN 55102

## Minutes - Final - Final Legislative Hearings

*Marcia Moermond, Legislative Hearing Officer*  
*Mai Vang, Hearing Coordinator*  
*Jean Birkholz, Hearing Secretary*  
*Mary Erickson, Hearing Secretary*  
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*651-266-8560*

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Tuesday, February 21, 2012

9:00 AM

Room 330 City Hall & Court House

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### 9:00 a.m. Hearings

#### Special Tax Assessments

- 1      **RLH TA 12-97**      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. 1205T, Assessment No. 129004 at 1770 BURNS AVENUE.

Sponsors:      Lantry

*Reduce the assessment from \$783.67 to \$391.83 and spread the payments over 3 years.*

*Moermond follow-up: Upon further review of the correspondence it is clear that a different tree/group of trees is being described. Appellant indicates she got the July 1 notice for "the removal of a tree on the southeast sideyard on the hillside above White Bear Avenue, about 70 feet south of Burns". She removed this tree in a timely manner. A second notice was sent on August 4 which ordered the removal of trees described as "6-7-8-6-6 dbh tree located east side yard on the hill, 20 feet above WHite Bear Ave, near southeast corner of the property." Therefore, she did not remove the trees.*

*The first question is one of notification. Many notices have been sent over the years to this property owner. She has complied with the ordered removal of all trees within the timeline specified. At the same time, it seems that a second notice may have been "lost in the shuffle" of paperwork because of its timing. Additionally, the department has successfully sent notices successfully over the years. There was no returned mail.*

*The second question is whether the City did the work which was ordered. The answer is yes, it did.*

*On balance, I would recommend that the assessment be decreased by half and spread over 3 years.*

**Referred to the 3/21/2012 City Council**

- 2      **RLH TA 12-109**      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1204A2, Assessment No. 128513 at 1305 ALBEMARLE STREET. (Public Hearing continued from February 1)

**Sponsors:** Brendmoen

*No show; approve the assessment.*

**Referred to the City Council due back on 3/7/2012**

- 3      **RLH TA 12-76**      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1203E, Assessment No. 128302 at 1053 BEECH STREET.

**Sponsors:** Lantry

*Rescheduled to March 6. (Note: This is appellant's 3rd rescheduled hearing)*

**Laid Over to the Legislative Hearings due back on 3/6/2012**

- 4      **RLH TA 12-89**      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1204B, Assessment No. 128103 at 472 CASE AVENUE.

**Sponsors:** Brendmoen

*2/24/12- Recommended approval of the assessment. Joel Essling followed up with a summary of the Police Report which is confidential as the matter is under investigation. He is able to say that when the boarding contractor was called to secure the property, there was no resident on site. Therefore, the property would have been unsecure and vacated.*

**Referred to the 3/21/12City Council**

- 5      **RLH TA 12-124**      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1204A, Assessment No. 128503 at 1383 MINNEHAHA AVENUE EAST (Adopted by Council on February 1).

**Sponsors:** Lantry

*Reduce the assessment from \$465 to \$232.50.*

*RE: 1383 Minnehaha Ave E (single family)*

*Randy Westby, owner, appeared.*

*Ms. Moermond:*

- looks as though we need to see a video*
- this is a clean-up; Orders were issued Oct 19, 2011; compliance date Oct 25, 2011*
- work done Oct 26, 2011 by Parks (garbage and lawn mowing)*
- it's a Registered Vacant Building with 11 Work Orders*
- had no video last week*

*Inspector Paula Seeley:*

- cannot find the video*
- have no photos either*

*Ms. Moermond:*

- balancing the history of city having to do clean-ups and Parks saying they did a clean up with the fact that there is no video or photos as evidence*
- a city inspector wrote the Orders - observed noncompliance*
- given the history, she is leaning towards going 50 - 50 on it and getting the Parks crew to submit a report*

Mr. Westby:

- this is not a rental property and never has been (Ms. Moermond noted that wasn't germane to this clean-up)
- at that time, he had workmen there to do the clean-up and he was there himself cleaning up
- anyone coming onto that property at that time would have been able to tell that was what they were doing
- the dumpster was in the garage and work was in progress; we were obviously out there doing the work
- in addition, someone came through the alley overnight and tossed some TV parts, etc., which he took and put into the dumpster
- he lives in North Branch and takes care of his mother, he can't take care of things on the same time frame as the city (there's weather to consider as well as the fact that he needs to arrange for someone to come and sit with his mother while he comes into town to get things done at the house) but he's doing the best he can
- he intends to sell the property
- after his son moved out of the property, he asked the inspector to give him an opportunity to get things cleaned-up; he absolutely refused that
- his grass didn't need to be cut; he wanted to cut it before it go too late in fall
- he asked why he should have to live with an Order when this is not a rental property; and why didn't the neighboring property get ticketed or the people down the block, whoser lawns were a lot higher

Ms. Moermond:

- the deadline to do the work was the 25th; the work wasn't done on the 25th
- a crew went out on the 26th to remove the garbage and on the 27th to mow the lawn
- this was after the deadlines had passed
- noted that an Order applies to everyone whether the property is owner-occupied or rental
- the city must investigate a complaint
- will recommend reducing the assessment by half
- suggested he go to the City Council Public Hearing on Mar 7, 2012

**Referred to the City Council due back on 3/7/2012**

- 6      **RLH TA 12-103**      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1205P, Assessment No. 128404 at 484 ASHLAND AVENUE.

**Sponsors:**      Carter III

*Delete the assessment. (Waiver on file)*

**Referred to the City Council due back on 4/4/2012**

- 7      **RLH TA 12-139**      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1206A, Assessment No. 128505 at 249 BATES AVENUE.

**Sponsors:**      Lantry

*Delete the assessment.*

*RE: 249 Bates Ave (single family)*

*Kris Kujala, Tax Forfeited Land, Ramsey County, appeared.*

*Inspector Joe Yannarely:*

- Summary Abatement Order issued Nov 21, 2011 for garbage, rubbish and brush; compliance Nov 28
- re-checked Nov 29 and found noncompliant
- work was done Dec 2, 2011 at a cost of \$302 plus service chg \$155 = \$457
- new Category 2 Vacant Building

*Ms. Kujala:*

- appealing just to gain more info
- her records show they had been out there several times cleaning up the property
- a recent forfeiture Aug 1, 2011
- tenant was moved out after proper notification
- tenant had large metal play equipment in the back, which the county removed
- the crew have been there doing regular clean-ups
- when they get the Order, they notify their crew immediately; so, they get at it that day or the next
- Nov 23, 2011 crew removed large equipment
- previous to that, they were out for general trash pick-up Nov 4; for snow Nov 21 and Dec 5

*Ms. Moermond:*

- view Video - showed removing trash in yard, brush pile

*Ms. Kujala:*

- thinks it's unreasonable

*Ms. Moermond:*

- checked out photo
- Orders says brush piles; rubbish in back yard
- maybe they didn't see the brush pile
- checked out original photo

*Ms. Kujala:*

- thinks the crew saw the huge metal slide pieces that were lined up against retaining wall and thought that was what they were supposed to pick-up
- doesn't think the crew interpreted "that" as brush pile

*Ms. Moermond:*

- sees 2 things - brush that could easily be construed as a dormant garden in winter, a piece of play equipment.
- will recommend this assessment be deleted

**Referred to the City Council due back on 4/4/2012**

- 8**      [RLH TA 12-118](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1206A, Assessment No.128505 at1025 BRADLEY STREET.

**Sponsors:**      Brendmoen

*Reduce the assessment from \$471.00 to \$300.00*

*RE: 1025 Bradley St (single family)*

*Song Vang, owner, appeared. Mai Vang interpreted.*

*Inspector Paula Seeley:*

- Summary Abatement pre-authorized Work Order mailed Nov 29; compliance date

Dec 3, 2011

- work was done Dec 5, 2011 for a cost of \$316 plus serv chg \$155 = \$471
- sent to Doua Lee / Song Vang, Oakdale
- no returned mail
- entered photos

Ms. Vang:

- this is rental property
- when she received Notice, she told tenants to clean-up
- there was an eviction court hearing for the tenants
- when she went there, she thought the tenants had cleaned up, not the city because she had told them to clean up
- wants a copy of clean up video (city needs a check in advance)

Ms. Moermond:

- viewed video
- will recommend the Council approve the assessment because the city did the work

Ms. Seeley:

- it looks as though a good faith effort had been made; the pile had been larger before

Ms. Moermond:

- will recommend the assessment be reduced from \$471 to \$300
- will send Appellant a copy of the video and photos

**Referred to the City Council due back on 4/4/2012**

- 9      [RLH TA 12-130](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1204, Assessment No. 128803 at 1173 BRADLEY STREET.

**Sponsors:**      Brendmoen

*Delete the assessment (per DSI)*

**Referred to the City Council due back on 4/4/2012**

- 10      [RLH TA 12-143](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1206A, Assessment No. 128505 at 533 CASE AVENUE.

**Sponsors:**      Brendmoen

*Approve the assessment.*

*RE: 533 Case Ave (duplex)*

*Aaron Durkop appeared.*

*Mr. Durkop:*

- noted that the Notices for today's Legislative Hearing said 9:30 a.m. (explains why everyone was late)

*Inspector Paula Seeley:*

- clean up
- Summary Abatement Order issued Nov 21, 2011 to clean-up rubbish in the garage; garage was unsecured
- re-checked on Nov 28; was still there on Nov 29, 2011; issued Work Order
- work done Dec 1, 2011 for a cost of \$444 plus service chg \$155 = \$599

- sent to Property Holdings LLC, Farmington; and Kaizen Property Solutions, LLC, Mpls
- no returned mail
- has been out there twice since then and she calls the property manager to give them a heads-up

*Mr. Durkop:*

- is appealing for information because looking through the maintenance guy's hours, they had sent him out to clean-up so they were surprised and confused to received this
- he didn't see the Work Order; he called and got the Notice last week; he tried to find the Work Order that this was being assessed for or the Abatement
- acknowledges that there was stuff in garage; things in the garage are put there if people overflow the garbage if he doesn't have room on his truck at that time or if it doesn't fit into the garbage can. Instead of going to the dump multiple times, they accumulate it in the garage and come by with a trailer to haul it all away.
- was unaware that the garage was unsecured
- the garage is not rented to the tenants; is not for their use
- they have had history with this tenant; she's been given her last notice; if she doesn't straighten up, he will have to evict her; she leaves things on the porch area
- the maintenance guy was there last week to remove mattresses
- the second this lady puts somethings out, the person across the alley calls the city immediately
- he had 2 pick-up dates to try to take care of all the tenant's garbage last summer; since, he has cancelled the 2nd carrier because she had it under control for a while
- they are surprised that they got a clean-up because they are very aware of the problem and sent someone out right away to take care of it
- as soon as he gets the notice, they guy is sent out that day; he documented the dates he was out there

*Ms. Seeley:*

- has photo; no video today because this wasn't on the agenda
- there was a lot of curious things; trash was overflowing in the container; the vehicle door was left a couple inches open with litter falling out of that; the complainant said you were storing mattresses, broken TVs, speaker, etc. in the garage; the garage door was open
- would not have written Orders on the garage if the door was closed
- there's another Work Order coming (\$150 Ex Consumption)

*Ms. Moermond:*

- the city did provide Notice and there was enough time to handle it; putting the trash, etc., in the garage and leaving the garage door open isn't handling it
- there was also more garbage in the yard
- will recommend this assessment be approved
- Mr. Durkop can go to the City Council Public Hearing for a different outcome

*Mr. Durkop:*

- there was no garbage in the yard for this Work Order and they hadn't left the garage service door open on purpose; someone else did that

**Referred to the City Council due back on 4/4/2012**

11 [RLH TA 12-136](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1204, Assessment No. 128803 at 752 BUSH AVENUE

**Sponsors:** Bostrom

To be referred back to Legislative Hearing on May 1, 2012 and City Council Public Hearing on May 16, 2012.

RE; 752 Bush Ave (2 single family homes on 1 lot)

Mai Vang, tax owner, appeared.

Inspector Joe Yannarely:

- Category 2 Vacant Building since Nov 13, 2008
- there are 2 expired Code Compliance Inspection Reports
- history of Work Orders on the property
- \$1,100 plus service chg \$150 = \$1,250
- they have one pin number for existing primary use - single family dwelling; secondary use - single family dwelling
- listed as 752/754 Bush Ave
- all will be assessed to that one property I.D.
- doesn't see how 754 is relevant to this; buildings are handled separately but the bill goes to the same I.D.
- 754 is on the list as a VB

Ms. Vang:

- is confused; not sure where this amount is coming from
- they are renting out 754; still working on 752
- they are currently a little short of money to get 752 rolling
- they want to get 752 done this summer
- has a letter Nov 14, 2011 that says she needs to pay \$1,100; this other letter says \$1,250
- Jan 14, 2012, she went to Ramsey County Property Tax; they pulled 754 Bush and found \$1,336.90 passed Dec 2011 (last year's)
- really doesn't know "what is what"
- inspector came and said it was OK to rent 754; has Certificate
- is willing to pay for 754

Ms. Moermond:

- work was done on 754; someone is living there; 754 has a Fire C of O
- the files on 752 / 754 are screwed up
- Appellant will have a VB fee for 752 Bush; will be finishing work on it soon
- will be happy to go with a prorated fee on 752 if Appellant can get the work done quickly (expired Code Compliance Report)
- need to get a fresh Code Compliance Inspection Report on 752; get the work done on it and have it approved; then, you'll get the Certificate on it
- the current VB fee pays the fee for 2011 - 2012

Mr. Yannarely:

- Appellant gets a 2 for 1 special on this for the VB fees (all one parcel)
- Code Compliance fees will be separate (one for 754; one for 752)
- after checking the County's records, it looks as though 2 VB fees have been assessed (one says payment date Dec 2; one says Dec 15)
- doesn't look as though Inspector Nelmark closed 754 so, it's possible that there were 2 assessments on there
- 754 should be closed if there's a C of O on it (Aug 2011)
- Mr. Nelmark still has the 754 open as a VB file (just hasn't been there for 6 months; must have thought he closed it)
- we need to cut this down to 1 VB fee
- he sees 2 VB fees under 752 Bush

*Ms. Moermond:*

- will ask for a Staff Report on this one in 2 weeks time (LH Mar 13, 2012)
- if at that time, there are 2 VB fees on this property, she will recommend that this VB fee be deleted
- need homework on this one; will ask for a memo
- will lay this over to Mar 13, 2012; will sort thru it at that time
- in the meantime, let's allow the Appellant to apply for a Code Compliance Inspection Report on 752 Bush and pull any permits that she might be able to

*Follow-Up: Layover to May 1, 2012 and City Council Public Hearing on May 16, 2012, in order that the fee may be decreased if the work is done.*

**Referred to the City Council due back on 4/4/2012**

- 12      [RLH TA 12-138](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1206A, Assessment No. 128505 at 872 DULUTH STREET.

**Sponsors:**      Bostrom

*No show; approve the assessment.*

**Referred to the City Council due back on 4/4/2012**

- 13      [RLH TA 12-140](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1204, Assessment No. 128803 at 872 DULUTH STREET.

**Sponsors:**      Lantry

*No show; approve the assessment.*

**Referred to the City Council due back on 4/4/2012**

- 14      [RLH TA 12-141](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1202E, Assessment No. 128301 at 872 DULUTH STREET.

**Sponsors:**      Bostrom

*Adopted by Council on February 15, 2012. (Appeal was not filed at that time)*

**Withdrawn**

- 15      [RLH TA 12-121](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1206A, Assessment No. 128505 at 759 EDGERTON STREET.

**Sponsors:**      Thune

*Approve the assessment.*

*RE: 759 Edgerton St (multi-family)*

*Nadia Olson appeared.*

*Ms. Olson:*

- she has spoke with the tenant
- tenant cost them at least \$3,000 so, they finally evicted that tenant
- it took 3 dumpsters to clean-up the space
- when they received the assessment Notice, they notified him that it was his



responsibility; he replied that the city showed up one day earlier  
- she doesn't really trust that  
- is there any chance for a reduction because he had already cost them so much money  
- he used to collect junk for his job  
- he's gone now  
- they now put a 3rd dumpster there

Ms. Moermond:

- viewed Video; also has photos  
- there a pretty big pile of mattresses  
- work was done Dec 14, 2011 according to the video  
- the city did have to clean up part of the mess and her question is, "Should the citizens of Saint Paul pay that price or does the assessment belong properly to the property owner"  
- clearly, it belongs to the property owner  
- will recommend this assessment be approved  
- \$358 plus \$155 service chg = \$513

**Referred to the City Council due back on 4/4/2012**

- 16      [RLH TA 12-131](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1204, Assessment No. 128803 at 973 GERANIUM AVENUE EAST.

**Sponsors:**      Bostrom

Approve the assessment.

RE: 973 Geranium Ave E (duplex)

Nadia Olson appeared.

Inspector Joe Yannarely:

- this is a partial Vacant Building fee for a matter that was before the Legislative Hearing Officer Sep 6, 2011 in which it was recommended to cut the assessment in half: "Re-assess second half if work is not completed by Oct 31, 2011."  
- Jan 24, 2012 - Code Compliance Certificate was issued (nearly 3 months after the deadline)  
- cost \$654.94 plus admin fee \$35 = \$689.94

Ms. Olson:

- this is a vacant building  
- he finished and got the final signed off mid-Jan, 2012

Ms. Moermond:

- this is the prorated amount  
- fee is normally \$1,200  
- this has already been here Sep 6, 2011 (if he had gotten done in 6 weeks, she would have made sure it was eliminated)  
- will recommend this assessment be approved

**Referred to the City Council due back on 4/4/2012**

- 17      [RLH TA 12-119](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1206A, Assessment No.128505 at 772 JESSAMINE AVENUE EAST.

**Sponsors:**      Bostrom

*Approve the assessment.*

*RE: 772 Jessamine Ave E (single family)*

*Dominic Mackenroth, owner, appeared.*

*Inspector Paula Seeley:*

- clean-up*
- Summary Abatement Order issued Nov 30; compliance Dec 8, 2011*
- re-checked Dec 12 and found noncompliant; Work Order sent*
- work done Dec 13, 2011 for a cost of \$316 plus service chg \$155 = \$471*
- sent to DMS Home Investors LLC, Saint Paul; Occupant; and Landmark Community Bank N.A., White Bear Township*
- no returned mail*
- Orders were issued Jan 10, 2012 on another Summary Abatement re overflowing garbage*

*Mr. Mackenroth:*

- he received all the Notices and contacted the tenants*
- has a person who specifically cleans up so, he'd like to see the video*
- he sent out this person who verified that it had been taken care of*
- only thing he saw out there were nicely stacked garbage bags that were waiting for the trash hauler to pick up that were additional to the can*
- he believes that the cost to pick up a couple garbage bags is outrageous*

*Viewed video*

*Ms. Moermond:*

- the garbage bags were lying on the ground and owner had Orders to clean-up the garbage*
- there was a comfortable 10 days in which to do that*
- a least one trip by the trash company, if not two, had occurred during that time period*
- she is not clear as to why it couldn't been done*
- leaving it in a pile isn't having it done*
- suggested he get a larger dumpster or another dumpster*
- if tenants store garbage in the house, there will be another problem (Fire C of O inspection)*

*Mr. Mackenroth:*

- the tenants do produce a large amount of garbage*
- wants a copy of the video or photos (took the photos)*
- they will get a larger dumpster*

*Ms. Moermond:*

- will recommend that this assessment be approved*

**Referred to the City Council due back on 4/4/2012**

18 [RLH TA 12-127](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1206A, Assessment No.128505 at 1074 JESSIE STREET.

**Sponsors:** Brendmoen

*No show; approve the assessment.*

**Referred to the City Council due back on 4/4/2012**

- 19      [RLH TA 12-117](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1206A, Assessment No. 128505 at 1182 REANEY AVENUE.

**Sponsors:**      Lantry

*Delete the assessment.*

*RE: 1182 Reaney Ave (duplex)*

*Doug Lapoint, owner, appeared.*

*Inspector Paula Seeley:*

- clean-up*
- Summary Abatement Order issued Nov 3, 2011; compliance date Nov 8,*
- rechecked Nov 9 found noncompliant; Work Order sent*
- work done Dec 2, 2011 for a cost of \$158 plus \$155 service chg = \$443*
- sent to Pascale Lapoint, Doug Lapoint, S. Mpls; and Kula Properties LLC, Fridley*
- Orders were returned Sep 13, 2011 and Nov 13, 2011 from Lapoint*
- they are getting numerous complaints on this property*
- the gap in the Work Order is because Parks said the work had been done by owner*
- there's another one coming up for PAEC*
- this property is on someone's radar*

*Mr. Lapoint:*

- the S. Mpls address is their former primary residence*
- they updated Ramsey County and are now getting correspondence at the correct address*
- they missed an earlier assessment*
- his wife called someone in billing and found out that it had passed but they did get the bill*
- he is not here to dispute anything; just here to understand the process to make sure it doesn't happen again*

*Ms. Moermond:*

- question is, "Did the city provide property notification?" and proper notification is, according to the code, to send it by first class mail to the address of record*

*Mr. Lapoint:*

- here because on several occasions his wife and he spoke with Inspector Jack Reardon and they are surprised by the amount*
- they paid \$50 earlier; and this caught them by surprise*
- at one point, when he spoke with Mr. Reardon, he mentioned that he sent the Parks crew out but they said nothing needed to be cleaned up*
- in this particular case, they sent several letters to the tenant telling her that the city would clean up her stuff but she didn't believe them; she thought they were harassing her*
- also, the items in the yard seemed to be personal items: furniture, bikes, other things and they didn't think they would be "in the right" to remove those themselves*
- Mr. Reardon said that they take videos so, they can do it; Mr. Lapoint asked Mr. Reardon to clean it up*
- he is surprised that the tenant didn't tell him that the city came out to clean-up*
- over the course of several months, the items on the lawn did change as far as he observed*
- tenant is leaving the end of Apr 2012*

*Ms. Moermond:*

- is curious - seems like 3 weeks elapsed between the deadline and when the work was done so, she would like to see the video to confirm that the items in the Work Order were the same as in the clean-up
- viewed video
- the Orders describe something different from what she saw in the video, except for the fact that there were trash bags and they looked like relatively new trash bags - she doesn't think they were the same garbage bags as were written
- she will recommend this assessment be deleted

**Referred to the City Council due back on 4/4/2012**

- 20      [RLH TA 12-128](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1206A, Assessment No. 128505 at 1830 ROBLYN AVENUE.

**Sponsors:**      Stark

Approve the assessment.

RE: 1830 Roblyn Ave (single family)

Jeff McDowell appeared.

Inspector Paula Seeley:

- Summary Abatement Order issued Nov 22, 2011; compliance date Nov 30; rechecked Dec 5
- Work done Dec 7, 2011 for a cost of \$288 plus \$155 serv chg = \$443
- sent to HMS Real Estate LLC, 4983 Chalet Ct, Red Wing, Lillian Forsberg, Inver Grove Hts and Occupant
- garbage, rubbish, garbage needs to be in containers

Mr. McDowell:

- this is a rental
- he received a letter saying there was no garbage pick-up
- the deadline was Nov 30 to provide the name, account # and license of the garbage hauler
- Mr. McDowell contracted with Veolia (has credit card statement Nov 28, 2011, showing that he had the service by the deadline)
- he called Ms. Mitch and told her that he had service and gave her the contractor; so he thought it had been taken care of
- 2 months later he receives a letter charging him \$443 to pick up garbage (surprise)

Ms. Moermond:

- to her it sounds as though there were 2 Orders
- one was to get garbage service; the other was for a clean-up (one we're talking about today)
- viewed Video

Mr. McDowell:

- obviously, the city did some clean-up there
- the city charges \$260/hour so that was supposed to show 2 hours of clean-up?

Ms. Seeley:

- broke down the cost: \$260 to get the truck out there; general refuse (cu yds) \$28 minimum fee; plus \$155 administration fee
- Ms. Mitch spoke with the tenant Dec 8, 2011

Mr. McDowell:

- getting 2 letters was confusing for him
- the talk with the tenants was after the clean-up; also confused

Ms. Moermond:

- it happens a lot where someone gets an Order for both of those things at once
- it was obvious that there was not a licensed hauler
- simultaneously, there's a mess
- one Order says, "Clean up the mess;" the other Order says, "Get garbage service."
- they are distinct Orders
- the responsibility lies with Mr. McDowell on this, not the tenant
- will recommend approval of the assessment

**Referred to the City Council due back on 4/4/2012**

- 21      [RLH TA 12-133](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1207C, Assessment No. 12206 at 998 SCHEFFER AVENUE.

**Sponsors:**      Thune

*DSI added \$450 environment survey to the total assessment; therefore, Real Estate Office will re-notice owner with the correct amount under a new file number.*

**Withdrawn (Real Estate will renotice with correct amount)**

- 22      [RLH TA 12-134](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1204, Assessment No. 128803 at 872 SELBY AVENUE.

**Sponsors:**      Carter III

*No show; approve the assessment.*

**Referred to the City Council due back on 4/4/2012**

- 23      [RLH TA 12-137](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1206A, Assessment No. 128505 at 872 SELBY AVENUE

**Sponsors:**      Carter III

*No show; approve the assessment.*

**Referred to the City Council due back on 4/4/2012**

- 24      [RLH TA 12-129](#)      Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1205P, Assessment No. 128404 at 1186 SEVENTH STREET EAST.

**Sponsors:**      Bostrom

*Delete the assessment as a waiver is on file.*

**Referred to the City Council due back on 4/4/2012**

- 25      [RLH TA 12-132](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1204, Assessment No. 128803 at 1186 SEVENTH STREET EAST.

**Sponsors:**      Bostrom

*Approve the assessment and spread payments over three years.*

*RE: 1186 7th St E (single family)*

*Kevin Menard, owner, appeared.*

*Mr. Menard:*

- has already tried to get a permit but couldn't so*
- he paid for a 2nd Code Compliance Inspection; he had one but it expired 2 months ago*
- he call Rich Singerhouse at the beginning of the year and told him he had money to start fixing the building and a week later he got a letter in the mail saying he wanted to come in (he thought he was going to do an inspection; Ms. Moermond said, "He did."); then he got a letter saying it was changed to a Category 3 VB; and now, he can't pull a permit; Mr. Singerhouse didn't do an inspection - he just came out and took pictures; he thought it was going to be a team inspection*
- asked if the VB fee would be prorated*

*Inspector Joe Yannarely:*

- recently changed to a Category 3 Vacant Building*
- has been on the VB list since Nov 14, 2006*
- VB fee is \$1,100 plus service chg \$150 = \$1,250*
- Code Compliance inspection report expired Nov 2011*
- the Order to Abate a Nuisance Building was issued Feb 14, 2012*
- Mr. Menard is a pre-Bostrom owner; he can pull permits only after he has completed a 'Seeger only' inspection of \$125 and then has submitted a \$5,000 Performance Deposit (Mr. Menard said he has already paid the \$125)*
- this will be scheduled for hearings before Ms. Moermond in Apr 2012, so if Mr. Menard starts the ball rolling: 1) pay the VB fees; 2) get the Code Compliance Inspection Report; 3) start pulling permits - he should be well on his way*
- at the time of the hearing in Apr, Mr. Menard should tell Ms. Moermond that he's fixing up the property*
- VB anniversary date is Nov 14*
- if Ms. Moermond approves the assessment, he will put a note in the file allowing Mr. Menard to pull permits*

*Ms. Moermond:*

- there's 2 kinds of inspections in these types of cases: 1) one is the Code Compliance Inspection, which creates a list of things that need to be done to bring it into compliance; and 2) the inspection Mr. Singerhouse did was an inspection to determine whether or not this bldg constituted a nuisance - and the result was that he said it was a nuisance bldg; therefore, he issued an Order to Abate Nuisance Building, which means if the owner doesn't fix the problem within 30 days, the city is going to initiate a proceeding, which may begin in Apr 2012*
- first, Mr. Menard needs to get his Code Compliance Inspection Report*
- second, he will need to post a \$5,000 Performance Deposit*
- third, then, he can pull permits to actually do the work*
- there will probably be a couple of other things on the list that she will want to see*
- when Mr. Menard gets his building only inspection report back from Mr. Seeger, then, he needs to post the deposit and get to work*
- Mr. Menard will probably be back here at Legislative Hearings in Apr 2012*
- this is a different situation because Mr. Menard has a Category 3 VB (can't prorate it)*
- will recommend this assessment be approved and divided over 3 years on the property taxes*
- it will show up in the computer system as "paid" so Mr. Menard can pull permits*

- need to wait for the Code Compliance Inspection Report to pull permits (can pull the interior demo permit, if needed)

**Referred to the City Council due back on 4/4/2012**

- 26      **RLH TA 12-125**      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1206A, Assessment No. 128505 at 1214-1218 THOMAS AVENUE.

**Sponsors:**      Stark

*No show; approve the assessment.*

**Referred to the City Council due back on 4/4/2012**

- 27      **RLH TA 11-487**      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1202A, Assessment No. 128207 at 1462 UNIVERSITY AVENUE WEST.

**Sponsors:**      Carter III

*No show; approve the assessment.*

**Referred to the City Council due back on 3/7/2012**

- 28      **RLH TA 12-142**      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1204, Assessment No. 128803 at 724 WILSON AVENUE.

**Sponsors:**      Lantry

*To be referred back to Legislative Hearing on May 1, 2012 and City Council Public Hearing on May 16, 2012.*

*RE: 724 Wilson Ave (duplex)*

*Joseph Brennan, owner, appeared.*

*Inspector Joe Yannarely:*

- Vacant Building fee of \$1,100 plus service chg \$150 = \$1,250
- Cat 2 VB since Oct 27, 2008 - anniversary date is due
- there is no Code Compliance Inspection Report for this property
- there is a history of Orders

*Mr. Brennan:*

- is not appealing
- what's odd is that he purchased house about 5 years ago and renovated it for \$40,000 (licensed contractor)
- rented it out and lost in a foreclosure, theoretically
- 2 years went by and then a different bank called him and asked if he wanted the property back
- he bought the house and owns it free and clear (just last week)
- even though he's been the owner for the entire time, it was in foreclosure
- has to put another \$10,000 - \$20,000 back into it
- looking to see what can be done
- the taxes have been paid; the assessments have been paid; the Vacant Building fees have been paid
- his daughter will be living there; she studies at Hamline University
- doesn't know what can be worked out

- it's not a typical 2 yr VB
- there's a water break in one bathroom (they need to be renovated)
- every thing else is pristine with hardwood floors; very nice inside

*Ms. Moermond:*

- this particular VB fee would cover the time period from Oct 2011 - Oct 2012 so that's 3 months in
- don't see a Code Compliance Inspection yet
- need to work thru the Code Compliance items - that will get him the Certificate
- she can recommend that this VB fee be decreased by half if the work can be done by the 6 month juncture (has 90 days)
- Appellant has 90 days to get the Code Compliance Inspection, pull permits, do the work and get the Certificate
- if not done in 90 days, a full year's VB fee will be assessed

*Mr. Brennan:*

- apparently, it takes the inspectors a while to get in
- even though he applied today, he was told that it would take another 30 days before the inspectors could get out there
- secondly, he also wants to finish the basement to expand the living space
- he doesn't see that 90 days would cover all that he needs to get done

*Ms. Moermond:*

- order the Code Compliance right away
- will lay this over for 90 days
- scheduled for May 1, 2012 Legislative Hearing
- at that time, she will check to see if the Code Compliance Certificate has been issued; if it has, she will cut the assessment in half; if it hasn't, she will approve the full assessment
- in the mean time, order the inspection and pull permits

**Referred to the City Council due back on 4/4/2012**

- 29      **RLH AR 12-12**      Ratifying Collection of Vacant Building fees from November 2011. (File No. VB1204, Asmt No. 128803)

**Sponsors:**      Lantry

**Referred to the City Council due back on 4/4/2012**

- 30      **RLH AR 12-13**      Ratifying Demolition services during December 2011 (File No. J1207C, Assessment No. 122006)

**Sponsors:**      Lantry

**Referred to the City Council due back on 4/4/2012**

- 31      **RLH AR 12-14**      Ratifying Property Cleanup Services from November 30 to December 30, 2011 (File No. J1206A, Assessment No. 128505)

**Sponsors:**      Lantry

**Referred to the City Council due back on 4/4/2012**

- 32      **RLH AR 12-15**      Ratifying Trash Hauling services during December 7 to 29, 2011. (File No. J1205G, Assessment No. 128704)



**Sponsors:** Lantry

**Referred to the City Council due back on 4/4/2012**

- 33      **RLH AR 12-16**      Ratifying Graffiti Removal Services from November 28 to December 20, 2011 (File No. J1205P, Assessment No. 128404)

**Sponsors:** Lantry

**Referred to the City Council due back on 4/4/2012**

## 11:00 a.m. Hearings

### Summary Abatement Orders

- 34      **RLH SAO 12-5**      Appeal of William Bond to a Vehicle Abatement Order at 941 PORTLAND AVENUE.

**Sponsors:** Carter III

*No show; deny the appeal.*

*Ms. Vang sent Mr. Bond a confirmation letter February 23 and he responded in an email back stating he was told that by getting tabs on the car he would be in compliance. Inspector Schiller confirmed Ms. Vang that owner now has current tabs; therefore, the order has been withdrawn by the dept.*

**Withdrawn**

### Orders To Vacate, Condemnations and Revocations

- 35      **RLH VO 12-9**      Appeal of Raymond Aguirre to a Revocation of Fire Certificate of Occupancy and Order to Vacate and Vacant Building Registration Notice at 130 SYCAMORE STREET EAST.

**Sponsors:** Carter III

*Deny appeal on the revocation and order to vacate. If code compliance certificate granted within 6 months, reduce vacant building fee by half.*

*RE: 130 Sycamore St E (single family)*

*Raymond Aguirre, owner, appeared.*

*Mr. Aguirre:*

*- this is a brand new house; it's never been occupied*

*Fire Inspector Mike Urmann:*

*- the building was started in 2002*

*- currently, there are no open permits*

*- no work has been done for the last 2 years*

*- building is a Category 2 vacant building and is unoccupied*

*- looking for permits sign offs and approval for all the work*

Mr. Aguirre:

- the house hasn't been touched in the last 2 years
- is just recently getting over a bad hand injury he got at his day job
- has had surgeries the last 2 summers trying to repair it
- he ended up loosing the nerves on the top side of his hand
- is extremely close to getting this done
- plumbing is 100% in and has been inspected
- 90% of this house has been done by himself (except for the parts that need permits)
- he has pulled all the wires for the sockets, electrical cords and light switches down to the box
- he put in all his HVAC ducts to the rooms by himself; he has not put in any HVAC units
- he is asking for an extension through the summer to finish now that his hand has nearly recovered
- it will all be done by summer's end; all permits will have been pulled and finalized at that time
- it's a brand new house that he intends to live in and he wants to do it by the book but this assessment hinders him a little more

Mr. Urmann:

- a bldg permit was expired for no activity so a bldg permit would need to be re-established
- no code compliance inspection has been done on this

Ms. Moermond:

- the key thing next summer would be whether or not the Appellant would need to pay a vacant building fee
- get a code compliance inspection ordered right away
- if the project is finished in 6 months (Aug 1, 2012), she will recommend the vacant bldg fee be cut in half; if the project is not done by Aug 1, Appellant will need to pay the full vacant bldg fee
- she will recommend the Council lay this over

**Referred to the City Council due back on 3/7/2012**

- 36      **RLH VBR 12-12**      Appeal of Robert Andrews, ITN, LLC (on behalf of Twin Cities Real Estate Holdings, LLC) to a Revocation and Vacant Building Registration Requirement at 327-329 AURORA AVENUE.

**Sponsors:**      Carter III

*Waive the vacant building fee for 90 days and Appellant will need to obtain a Code Compliance Inspection. Remain a Category 2 building.*

*RE: 327-329 Aurora Ave (duplex)*

*Robert Andrews, ITN, LLC, on behalf of Twin Cities Real Estate Holdings, LLC, appeared.*

Ms. Moermond:

- recent Revocation followed by a Vacant Building registration

Mr. Andrews:

- all the work is done except for 1 item

Fire Inspector Mike Urmann:

- have met on this before; a ruling was made that all the work and approvals had to

- be done within 90 days or it would go back to the Vacant Buildings Program*
- the work was not completed within that period of time*
- it was referred back to Vacant Buildings for follow-up because it was a Category 2 VB*
- there was another where another extension was granted*
- at this point, there are still open permits without work being completed*
- they cannot go and sign off on it unless the permits are in place*
- there still are outstanding Orders that have not been addressed*
- the first extension was until Sep; then it was extended one more time because we were told it was almost done*
- there were also some ownership issues*

*Mr. Andrews:*

- apologized for being a burden; he is not trying to be difficult*
- they did lose the ball on this on*
- he had to take over 25 duplexes in May from the Bruntjens and T-Krep and they were not ready to handle all of those duplexes*
- also, there has been a lot of disruption in their office; difficult to track everything*
- actually, all the work had been done in the 90 days except for 2 items and those items were not done because they were outside and right before we could tackle them, we had a hard freeze (finishing the soffit and rebuilding the back steps)*
- all inside work is done and there's a new roof for \$10,700; new front steps are done with new footings*
- new post footings in the back of house; new slabs in front of side doors; fixed sills (cement work \$5,300)*
- took down the dilapidated garage, took out demo permit for that*
- all the work has been permitted*
- the roofer never got the final inspection done (he spoke with Virgil this morning and the roofer still hasn't called)*
- he hasn't been able to do the back steps although, it's not really necessary because they already have 2 exits (maybe he'll get rid of the back steps)*
- he has invited Inspector Martin to come back; she said that she can't come back to inspect because it's not a vacant building*
- he was not aware that after the 90 days he was supposed to call Lisa Martin because every time they have inspections or re-inspections, they get a letter from the city (after their hearing, there was no communication from the city whatsoever); so, they just didn't do anything*
- the house is not occupied although, he has a watchman living in 1 unit because they had vandalism - has no tenants*
- hadn't been able to get soffits and back steps down within 90 days because they held back on doing the outside work because they had a tenant in the building with young children and they didn't want things to fall off the roof or them to have to put up with cement work begin done on both entrance doors while they were there*
- the building is in good shape; it's not a Category 2 building*
- feels that this is too severe a penalty for admittedly failing to figure out what he was supposed to do next*
- he has not been in here for any of the other properties they have received in May*
- didn't receive any letter about a hearing for Oct 18 LH (Ms. Moermond stated that he was sent a letter mailed Sep 27, 2011, which said there was going to be a hearing on Oct 18, 2011); Mr. Andrews said he received no letter*

*Ms. Moermond:*

- understands from her notes on Oct 18, that the Appellant hadn't called but Inspector Martin had sent emails and phoned him (Mr. Andrews has no recollection of that)*
- Sep 6, Ms. Moermond asked for a 6-week follow-up; at the 6-week follow-up (Oct 18), the supervisor said, "Inspector Martin's called and written an email - didn't get a*

response and so ... (Mr. Andrews stated that neither he nor his property manager, here, Jane Alter, had received nothing from Inspector Martin)

Mr. Andrews:

- asks why he would spend \$20,000 on this property and then ignore communication from Lisa Martin, whom he knows as a very tough enforcement officer
- he wouldn't snub her; it just doesn't make sense
- he relied on the contractors to pull the permits and have them finalized
- the property's in good shape; no one's been in it so no one has been at risk; it's a safe structure
- thinks this is a very severe penalty for not getting everything just quite right
- recalling the Sep 2011 meeting, he remembers asking, "If after these 90 days, what if there's still something that Inspector Martin doesn't like." Ms. Moermond said that she didn't want Ms. Martin to just throw this building into the vacant building category.

Mr. Urmann:

- he also has similar notes in the file from Ms. Martin
- he spoke with Ms. Martin this morning and she hasn't returned to the building because the procedure is that the permits need to be signed-off before they go back out there (they can't sign off on the work until the permit's been approved)

Mr. Dornfeld:

- he opened this Vacant Building file on Feb 2, 2012 and the property owner did respond immediately when he saw the Vacant Building placards

Mr. Urmann:

- there is no finalized permit for the roof (structural repair)
- the rear exit issue also requires a building permit (photos in file) - porch is actually off the piers (Appellant said that has been taken care of)
- if the work wasn't done after the 90 days, it was supposed to go from Cat 1 to Cat 2; they tried to hold off because of the 2nd extension (Mr. Andrews said he didn't know staff was reviewing things and taking a look at these because if he had known that the roof permit was open and had to be closed, he would have gotten that done earlier. When he communicated on Feb 6, 2012 with an inspector, he said the work permit hadn't even been called.

Ms. Moermond:

- will recommend that Council deny this appeal and that this needs to be a Registered Vacant Building, Category 2; get the Code Compliance Inspection Report and get things signed-off
- will also recommend that the VB fee be waived for 90 days
- City Council Public Hearing Mar 21, 2012

**Referred to the City Council due back on 3/21/2012**

37

[RLH VO 12-11](#)

Appeal of John Thorson to a Correction Notice at 555 SELBY AVENUE.

**Sponsors:** Carter III

*Deny the appeal and grant an extension to March 14, 2012 for compliance. If not in compliance, property must be vacated and building will become registered vacant building.*

*RE: 555 Selby Ave (half double dwelling)*

*John Thorson, owner, and Dave Engstrom, owner and manager of Affordable Properties LLC, appeared.*

*Mr. Engstrom:*

- he is not a contractor but he has one in his employment
- he has renovated and owned 30 properties in Saint Paul, including 3 Category 2s and several Category 1s
- has been asked to assist Mr. Thorson today

*Inspector Matt Dornfeld, Vacant Buildings:*

- Revoked Fire Certificate of Occupancy by Fire Inspector Lisa Martin on Jan 11, 2012
- 16 code violations were documented by Inspector Martin
- Feb 9, 2012 Inspector Dennis Senty opened a Category 2 Vacant Building file
- Inspector Senty's notes: house appears illegally occupied; the C of O Revocation placard posted on front window; extensive deterioration to the roof covering, chimney, exterior masonry, foundation mortar joints, rear deck and roof, chipped peeling paint, extensive rot damage to deck, porch, window frames, trim and other wood surfaces; rear deck missing handrails; missing and damaged storm and screen windows
- Inspector Senty posted Vacant Building placard and took photos
- issued Summary Abatement Order for junk, debris and loose litter throughout yard
- included in the SA Orders - to vacate immediately or all accessible doors and windows will be secured

*Fire Inspector Mike Urmann:*

- this has been going on since Dec 2010
- several Orders have been sent out: Feb 2011; May 2011; Aug 2011; Dec 2011
- Revocation Jan 2012 with no response

*Mr. Thorson:*

- technically, this is a townhome with a covenant for common wall, roof and foundation
- originally, he had lived in this home
- current occupant was a roommate of his then partner and current wife
- he put the house on the market in 2001; didn't receive offers for a sale
- he moved out and the roommate said he would like to stay and rent with the idea that he would attempt to purchase when he could put the financing together
- Aug 2010 he received communication from the Department of Safety and Inspections (DSI) Inspector Martin to have an inspection for C of O
- 2 dates were scheduled; each morning of the scheduled inspections, he received a call from DSI asking to re-schedule
- ultimately, Jan 2011 the inspection was held; he received a Correction Notice for that
- he emailed Inspector Martin asking for some clarification on how to approach some of the things
- Inspector Martin was accommodating both times he asked for an extension
- concurrent to this, his wife, in 2008 developed a seizure disorder (was having upwards of 20-30 seizures a day for 1 1/2 months) and subsequently, lost her employment, which cut their income in half; her unemployment insurance payments ended Oct 2010
- the financial pressure of maintaining 2 properties became a burden and the bank started foreclosure on this property while he was communicating with Inspector Martin
- he received communication from save your home attorneys, etc., that a sheriff's sale was scheduled in Sep 2011 (as did the tenant)
- Feb 15, 2012, he was served a summons from City Mortgage
- he retained an attorney to work with City Mortgage on the summons

- it appears that he is going to be holding the note for this property for a while longer
- he will be making some of the corrections to retain the property

Mr. Erickson:

- there is a question as to whether there was a sheriff's sale and if the writ of redemption is Mar 8, 2012 or not (that research is being done by an attorney)
- the tenant received such notices but because Mr. Thorson received this summons Feb 15, the attorney is questioning it
- he and Mr. Thorson have gone through the list and a number of items have been corrected (immediate safety and health issues)
- there are a number of exterior repairs that would take some time to do
- Mr. Thorson doesn't really know where things are at
- in either case, he will work with Mr. Thorson to try to correct the items on the list
- significant expense has already been put into the building (furnace, kitchen appliances, etc.)
- some things like the roof may have to be worked out with the owner of the other half of this place

Mr. Thorson:

- initial intent was to create a situation where the tenant would have time to purchase the bldg
- they thought the bank would be taking the property on or about Mar 8, 2012, so the tenant has made other arrangements as of Mar 1, 2012
- if the end of the redemption period is Mar 8, 2012, he does not want to redeem the mortgage
- if the summons he received for City Mortgage is the beginning of the redemption period, then he would like to figure out how to redeem the mortgage
- prior to first scheduled inspection, he had Perfection Heating do a Fire and Safety Report (they said they'd FAX it over to DSI)

Mr. Urmann:

- the original Correction Orders have not changed; the 16 items that they have over 1 year ago haven't changed
- they haven't even received documentation of smoke detectors
- considering the pattern here, he has no belief that the city will get compliance in a reasonable amount of time
- haven't even gotten the heating system test report
- these things have been outstanding since Feb 2011
- things may have been done but they have not been allowed in to verify

Ms. Moermond:

- asked Mai Vang to check with City Attorney regarding sheriff's sale
- Ms. Vang found out that there had not been a sheriff's sale on this property
- the Certificate of Occupancy has been Revoked; Feb 1, 2012 is the date
- is happy to extend that date to Mar 1, 2012 for the Vacate date
- if Appellant can get the C of O re-instated in the meantime, great; if he can't.....
- currently, there are enough code violations going on to make this a Category 2 Registered Vacant Building
- some of the exterior things can be done even in winter

Mr. Erickson:

- exterior painting, tuckpointing cannot be done in the winter
- the roof would be difficult and far more expensive

Ms. Moermond:

- outside of the exterior painting and tuckpointing, all other things must be done by

*Mar 1, 2012 (an entire construction season has come and gone since these Orders were issued)*

- after Mar 1, 2012, city staff will confirm that the building has been vacated or Appellant would have called and gotten the C of O issues taken care of
- if the Appellant hasn't done that, then, paperwork will be processed and this will become a registered vacant building with fees to pay annually to get a Code Compliance Inspection Report, address the items on that report and the, the building can be re-occupied

*Mr. Thorson:*

- agrees that he began to attend to these things far too late
- thought the bank would be taking it in Mar 2012
- he appreciates the flexibility for the tenant
- he will make a good faith effort on this; it's unlikely that these things can be accomplished by Mar 1, 2012
- it is unclear to him as to what will happen if he is making significant progress

*Ms. Moermond:*

- will recommend the deadline be Mar 14, 2012 instead of Mar 1, 2012; gives Appellant a couple extra weeks
- City Council Public Hearing is Mar 7, 2012 at 5:30 pm if Appellant is seeking a different outcome
- call Inspector Lisa Martin with progress
- staff will hold off processing the Vacant Building fee until after Mar 14, 2012

*Mr. Dornfeld:*

- will make this a Category 1 Vacant Building so Appellant can pull permits

**Referred to the City Council due back on 3/7/2012**

38

[RLH VO 12-12](#)

Appeal of Alvin Henke to a Fire Certificate of Occupancy Revocation and Order to Vacate at 878-880 DAYTON AVENUE.

**Sponsors:** Carter III

*Deny the appeal and grant an extension to March 16 to get the Fire Certificate of Occupancy reinstated or vacate the property.*

*RE: 878-880 Dayton Ave (two family dwelling)*

*Alvin Henke, Certificate of Occupancy Responsible Party, appeared.*

*Fire Inspector Mike Urmann:*

- didn't see this item on the agenda for today and is not prepped
- will check the file as we go

*Mr. Henke:*

- wants to know what happened - where did the permits go
- he spoke with the plumbing contractor, Ryan Plumbing, who assured him the permits had all been pulled
- the work was done in Dec 2011; inspectors were there in Dec 2011
- he assumed all was taken care of
- he heard nothing until he found this taped to the front door of the property

*Ms. Urmann:*

- notes from inspector Feb 12, 2012: looks as though the plumbing still needs to be approved

- some permits are still pending
- process has been going since Apr 2011
- it probably was Revoked due to the length of time that the Orders have been outstanding, not complied with

Ms. Moermond:

- see that there are 2 plumbing permits out there (gas fitting and plumbing)
- Appellant needs to get inspector back out to look at the plumbing work
- Plumbing Inspector Tom Schweitzer - call him before 9 am
- inspector notes: approved with corrections and Appellant needs to get dryer added to the permit (he told Appellant that Dec 19, 2011 and again Jan 4, 2012) - Mr. Henke says he hadn't heard anything on Jan 4, 2012
- Appellant needs to talk with the permit folks about what he actually needs
- this is an Order of Revocation and Vacate Feb 29, 2012 if this is not squared away
- will grant an extension to Mar 16, 2012 to resolve this matter or to vacate the place

Mr. Urmann:

- the permit for the boiler is not covered under a plumbing permit; it can only be covered under a mechanical permit
- the boiler person may be a plumbing and a mechanical contractor but they have to pull 2 different permits; so they same person may be able to do the work provided he is licensed to do it

**Referred to the City Council due back on 3/7/2012**

## 1:30 p.m. Hearings

### Correction Orders

- 39      **RLH CO 12-5**      Appeal of Robert Metzler to a Correction Notice at 737 VAN BUREN AVENUE.

**Sponsors:**      Carter III

*No show; deny the appeal.*

*On February 22, 2012, owner called indicating he missed the hearing. Rescheduled to February 28 at 11:00 a.m.*

**Referred to the City Council due back on 3/21/2012**

### Window Variances: Hearing Required

- 40      **RLH WP 12-16**      Appeal of Home Depot At Home Services to an Egress Window Non-Compliance Determination at 2051 NORTONIA STREET.

**Sponsors:**      Lantry

*Deny the appeal and grant 90 days to come into compliance.*

*RE: 2051 Nortonia St (single family)*

*Mark Knoll, field supervisor, Home Depot, appeared.*

Ms. Moermond:



- double hung window 12h x 31w
- that's not tall enough to be an egress window

Mr. Knoll:

- believe the homeowner wanted to go like-for-like
- doesn't know why the field inspector, at the time, didn't try to get a variance ahead of time
- we since have put the process in place where they make sure they apply for variance before they go ahead and do it

Ms. Moermond:

- this is half the height that it's supposed to be
- will deny a variance for this window

**Referred to the City Council due back on 3/21/2012**

### Fire Certificates of Occupancy

- 41 [RLH FCO 12-96](#) Appeal of Mitchell Caron to a Fire Certificate of Occupancy Correction Notice at 1787 AMES AVENUE EAST.

**Sponsors:** Bostrom

*Laid over for photos of driveway and yard area so a plan may be developed for the location of a parking area if the zoning code requires parking be available.*

RE: 1787 Ames Ave E (single family)

Mitchell Caron, owner, appeared.

Fire Supervisor Leanna Shaff:

- Fire Certificate of Occupancy inspection conducted Feb 2, 2012 by Inspector James Thomas
- 2 items being appealed:
- #1 all exterior wood surfaces by protected either by painting; (can wait until warmer weather)
- #11 all parking surfaces shall be paved with asphalt, concrete or durable dustless surface; a site plan approval must be obtained before a new surface is applied according to the zoning code; it's currently Class 5
- may not be able to tell where the property line is
- checking aerially, the driveway looks as though it's Mr. Caron's
- the property line looks as though it goes, literally, up to the neighbor's house; their garage doesn't appear to be offset
- this came off the Cat 2 VB list Sep 2008

Mr. Caron:

- this is a shared driveway that actually goes to his neighbor's garage
- he doesn't have a garage - just a couple of parking spots in back
- he doesn't know who has the variance; he guesses that they have the variance because they have a garage
- it goes to the neighbor's garage and also to his back area
- visually, their house is right next to the start of the driveway; it looks as though it's split; their garage is offset from their house
- has not checked to see if there's a corner pin
- asked, "What is the purpose of forcing driveways in that situation?" (Ms. Moermond responded that it's relatively new - in response to some very bad situations)

- nearly his whole back yard is gravel
- it's a rental property; he'll just discontinue the parking back there; although, he may eventually put a garage back there
- it probably will cost 24% of what the house is worth to pave that driveway
- asked why this wouldn't have come up when it was a Category 2 Vacant Building about 2-3 yrs ago? (Ms. Moermond said it should have.)
- would like to get more specific info on what needs to be painted; whole house was painted about 3 yrs ago; he was there with the inspector and the inspector did not point out specific areas at the time; he will paint what is obvious

Ms. Moermond:

- need to get a better visual idea here and also a better idea of ownership
- looks as though neighbor's house and garage is built directly next to the property line
- can't have the whole back yard be gravel
- the driveway needs to be paved, along with a parking space or 2
- she thinks the neighbor has an easement on Mr. Caron's property to use as driveway
- could be a shared expense with the neighbor (Mr. Caron said it's an elderly neighbor who has no money.)
- would like to see the back yard converted to mostly lawn
- will be able to work out some time on the driveway
- need some photos of this to check on erosion and total area of gravel
- will get better information from the inspectors about what they saw and committed to when they signed off on the C of O
- besides the driveway and the equivalent of 2 parking spaces, all the rest must be returned to grass
- the inspection was done in Jan 2008 so, it's possible that everything was snow covered at that time; looking for notes in the file
- will recommend and extension to Jul 1, 2012 to paint and have established grass in the back yard
- will lay this over to Apr 3, 2012 Legislative Hearing afternoon to view the photos of driveway
- will check the zoning code to see if Mr. Caron can remove parking from his parcel; he might have to provide parking (Mr. Caron said it's a double lot - 80 feet of frontage)
- if Mr. Caron doesn't have to provide a parking space, he will need to get a variance from the Board of Zoning Appeals
- he will still have the issue of the neighbor's easement and they will need to settle that privately
- Mr. Caron needs to check his deed
- the City Council could grant this appeal Mar 21, 2012 at 5:30 pm
- do a little site plan of where the parking would go on the property

**Laid Over to the Legislative Hearings due back on 4/3/2012**

42      [RLH FOW 12-64](#)      Appeal of Chou Xiong to a Fire Certificate of Occupancy Correction Notice at 1554 BUSH AVENUE.

**Sponsors:**      Lantry

*Deny the appeal and grant an extension to June 1, 2012 for replacement of windows.*

*RE:1554 Bush Ave (single family)*

*Chou Xiong, owner, appeared.*

Ms. Moermond:

- appealing just the windows (15h x 23w)
- the problem is these windows open to 15 inches in height
- the minimum height she approves is 16 inches
- if Mr. Xiong wants a different outcome, he will need to go to the City Council Public Hearing Mar 21, 2012 at 5:30 pm
- will deny the appeal and grant an extension to Jun 1, 2012 for replacement of windows

Mr. Xiong:

- bought the house not too long ago
- asked if programs were available to help with the expense of these new windows

Ms. Moermond:

- suggested Mr. Xiong contact Jim Yannarely, 266-1138, Ramsey County Public Health or Tchu Yajh, 266-6592, the Department of Planning and Economic Development

**Referred to the City Council due back on 3/21/2012**

- 43      **RLH FCO 12-85**      Appeal of Mary Hannahan/John Clifford to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 762 HOLLY AVENUE.

Sponsors:      Carter III

Grant a 5.5-inch variance on the openable height of the egress windows in the southwest, northwest and northeast bedrooms. Legislative Hearing Officer will recommend up to a 5-inch variance on the basement ceiling height; and this address be removed from the Fire C of O Program with the following conditions: 1) the basement ceiling height must be at least six feet seven inches; and 2) an egress window must be installed in the basement

RE: 762 Holly Ave (single family)

M. Mary Hannahan, owner and John Clifford, Mary's son, appeared.

Ms. Moermond:

- will recommend granting a variance on each egress window
- Appellant wants, also, to be removed from the Fire Certificate of Occupancy Program

Fire Supervisor Leanna Shaff:

- re-inspection number 4 conducted Dec 9, 2011 by Inspector Rick Gavin (Mr. Clifford said that the inspector came out only twice; he called one time)
- deficiency list contains 11 items
- condemnation of the basement for sleeping purposes; if it's used as an office, OK
- some ceilings are low
- needs some guardrails

Mr. Clifford:

- basement ceiling height is 7 feet (new rehabbed basement); there's no bed down there anymore; (a bed had just been stored there)
- no egress window in the basement but he is going to install one this summer
- front step also needs to be fixed
- he re-finished the floor in basement and did drywall (the walls were already there); photos show that
- his brother did the drywall work in basement

- the exterior items are finished except for the concrete

*Ms. Hannahan:*

- bought property in 2003 (signed for it)
- her son makes the mortgage payments
- her son has lived there since 2003

*Ms. Moermond:*

- is confident that the property is going to be transitioning to Mr. Clifford
- will recommend this be removed from the Fire C of O Program with the following conditions:
  - 1) will recommend up to a 5-inch variance for the basement ceiling height
  - 2) install an egress window in the basement
- asked staff to switch this to a code enforcement file and the exterior items will be sent to them
- a new inspector will be assigned with the focus on the exterior
- code requires ceiling heights be 7 feet of higher over at least half the room area

**Referred to the City Council due back on 3/21/2012**

- 44      [RLH FCO 12-80](#)      Appeal of Tom Orloske, on behalf of Eric Orloske, to a Fire Certificate of Occupancy Inspection Correction Notice at 1345 REANEY AVENUE.

**Sponsors:**      Lantry

*Withdrawn by DSI.*

*Property is presently unoccupied. Tenant violators have moved out. Took dogs with them. Per Code Enforcement, they will enforce outstanding orders on addresses. Abate your orders with notes to AMANDA. Owner is out of town and will occupy it himself upon his return.*

**Withdrawn**

## 2:30 p.m. Hearings

### Vacant Building Registrations

- 45      [RLH VBR 12-11](#)      Appeal of Bretta Hebing, on behalf of Tahoe Holdings, to a Vacant Building Registration Notice at 112 LARPENTEUR AVENUE WEST.

**Sponsors:**      Brendmoen

*Waive the Vacant Building Fee for 90 days and if Fire C of O is reinstated, owner doesn't need to obtain a team inspection.*

*RE: 112 Larpenteur Ave W (apartments)*

*Bretta Hebing, Urban Enterprises, C of O Responsible Party, appeared.*

*Ms. Hebing:*

- doesn't know if this meeting is still necessary; she met with Inspector Lisa Martin last week who was going to speak with the building inspector about some of the things that should have been on the initial plan. Ms. Marting was going to get back to her and perhaps Ms. Hebing wouldn't need to come today but she hadn't heard back from Inspector Martin

- had final on bldg inspection on the 6th; had to come back because smoke detectors were missing

*Fire Supervisor Leanna Shaff:*

- this should have been a Category 2 Vacant Building (multiple code violations, etc.) but for some reason, it was made a Cat 1 VB (Ms. Hebing explained that the inspector moved this to a Cat 1 and said they needed to install the smoke detectors; he came back and did a final - should have been finaled out.) (Mr. Dornfeld explained that it was changed to a Cat 1 VB by Mr. Magner and Mr. Ubl because all trade permits had been finaled.)

- all permits are finaled; however, Inspector Martin was out there on Feb 15th and there were a few things not done: 1) no address numbers on the bldg at that time; 2) the dryer vents were not there - dryers are not hooked-up at all and no permits; 3) no emergency lighting in the hallways which is required; 4) several ventilation fans are not working; 5) unit 8 has a plumbing leak in the kitchen; 6) hallway smoke detector on floor 3 was not working; 7) the fire doors don't latch; 8) the fire extinguisher cases are locked up; 8) no exit signs; 9) this is a major remodel where bedrooms were added and the bldg code requires hard wired smoke detectors in certain locations, etc., but those aren't there.

- For a Cat 1 VB, she has a lot of questions; she would not have signed-off on a Fire Certificate of Occupancy.

- this more correctly fits a Cat 2 and a full Code Compliance should have been required

- there wasn't a team inspection before this remodel

*Ms. Hebing:*

- was not expecting her to sign-off; she was waiting to hear from Ms. Martin on her final list

- that's not what she's here for; she's not disputing that

- currently, they are working on all these issues

- she's asking Ms. Moermond to waive the \$1,100 VB fee

- they recognize that there are a lot of things that the inspector didn't catch when he did the final; if he would have caught them, she wouldn't have scheduled with Ms.

Martin

- work was started on this last May or Jun

- 2 tenants were still living there in Mar 2011 when he purchased it; they gave them 60 days Notice to vacate

*Ms. Moermond:*

- it's perfectly fine for this owner to pull permits and work on the property

- not everything that would be required for a Certificate of Occupancy was taken care of under those permits; there is still outstanding work to do

- because this wasn't a Registered Vacant Building when this started, she will recommend that the Vacant Building fee be waived for 90 days; if they can get their C of O re-in-stated in that time period, they won't need to do a team inspection

- they have been working hard to get things done

- have Inspector Martin write up that set of Orders so they can address them

- then, get Ms. Martin to do a final

**Referred to the City Council due back on 3/21/2012**

46      **RLH VBR 12-14**      Appeal of Jarred Johnson to a New Owner Vacant Building Registration Notice and Correction Notice at 685 ORANGE AVENUE EAST.

**Sponsors:**      Bostrom

A Code Compliance Inspection is required by April 1, 2012 or the property will have

to be vacated.

RE: 685 Orange Ave E (single family)

Jarred Johnson, owner, appeared.

Mr. Johnson:

- we recently bought this house in Saint Paul and are new to the procedures
- had been living with in-laws in Coon Rapids

Ms. Moermond:

- this is a Vacant Building issue; Appellant and family are living there

Inspector Matt Dornfeld, filling in for Rich Singerhouse, Vacant Buildings:

- he will be reading from Tom Friel's notes
- this is a Category 2 Vacant Building
- Inspector Ed Smith Condemned the house with a Vacate date of Jun 11, 2011; electrical shut-off
- initial VB inspection took place Jun 30, 2011 noted serious deterioration of eaves; broken and defective storms and screens; side concrete steps crumbling; missing chimney mortar; peeling paint on trim; and lack of electrical service; Cat 2 VB file was opened Jun 30, 2011
- Inspector Friel received a call from Mr. Jarred Johnson, Nov 30, 2011; he said he was buying the house; closed Dec 20, 2011
- Mr. Friel explained in detail the requirements for a Cat 2 VB; he said he did not agree with St. Paul's requirements; Mr. Friel told him that since this was a Condemned property with exterior defects and a number of items marked hazardous on the TISH Report, that he could not change it to a Cat 1 VB. He suggested the owner appeal and gave him the necessary info
- Summary Abatement Order issued Jan 5, 2012 for a large amount of trash and debris on back deck (citizen complaint); owner abated
- Mr. Johnson sent a letter Jan 29, 2012 saying that he and his family had moved into the property; letter in file
- Inspector Friel sent an appointment letter to Mr. Johnson Feb 2, 2012
- Mr. Johnson left voice mail for Mr. Friel saying he could make an inspection on Feb 14, 2012
- when they arrived for inspection Feb 14, they were told that today's appeal had been filed

Ms. Moermond:

- TISH Report is a Truth in Sale and Housing Report (was incumbent upon seller to provide this to Mr. Johnson)

Mr. Johnson:

- bought house from U. S. Bank; Dan McNellis, realtor, represented bank
- bought house without his own representation
- did not receive a TISH Report; only received a Purchase and Sale Agreement
- Reid Soley pointed out that it was a Registered Vacant Building
- the electrical service was on throughout when they first came to see the house in Oct or Nov
- the VB fee was paid because it was assessed against Ramsey County

Mr. Dornfeld:

- when reading the TISH, he looks for "H"s (hazardous):  
#8 - missing jumper over water meter, possible over fusing  
#9 - extension cord wiring

- #17 - installation in scorching condition
- #19 - plastic dryer venting
- #24 - missing trap
- #39 - no smoke detectors installed
- #43 - no GSCI protection
- #44 - improper air gap at toilet ball cock
- #51 - electrical outlets and fixtures; open wiring; light fixture missing; windows
- #62 - no CO detector
- #80 - electrical wiring, outlets and fixtures, extension cord wiring, improper routing

Mr. Johnson:

- all of those items have already been resolved
- the elect meter has not yet been upgraded from 60 amp to 100 amp breaker but A. J. Moore Electrical Company has been hired and paid for coming out and doing all that work under permit (end of this week or next week)
- the new furnace and duct work has been installed by AirTech of Saint Paul; old furnace had been installed in the 80s; he expected them to pull permits
- currently, the electrical is fine; all the extension cord wiring has been removed
- the jumper between the water meter and 2 pipes has been installed
- there are no broken windows; all have been repaired
- roof line has been the same for the last 27 years
- everything that has an "H" on the TISH Report has been fixed
- he's had several contractors come through who have written their habitability reports and statuses saying there is nothing wrong with this house
- nothing wrong with the foundation, structural integrity, lead bearing, electrical, water, plumbing
- they have everything already done; did it very quickly
- entered documents for the addition (only real concern regarding the roof line; rest of house is totally fine)
- roof is totally dry; contractor wrote a letter to that effect
- there are no hazardous conditions whatsoever
- house was built in 1941

Ms. Moermond:

- the first thing she looks for in a case like this is that the electrical work had been done under permit and the work has been inspected and approved
- the furnace work wasn't done under permit
- none of the repairs listed were done under permit
- this is a Registered Vacant Building which was disclosed on the TISH Report
- in the City of Saint Paul, that means that the building has to be code compliant before it can be re-occupied
- looks as though this property had been abandoned (owner died)
- the electricity was off; mail had been piled up; things looked unkempt last summer; there were numerous code violations
- the TISH Report was completed Nov 16, 2011
- Mr. Johnson moved in even though it was in the VB Program and worked on it without permits
- Mr. Johnson mentioned in his appeal that he thought the property was grandfathered into the state bldg code (anything that's not currently code compliant would hold it's code because it was built earlier than the current code was established); in Saint Paul, that is not always true; the egress windows are covered under the Fire Code, which is equally valid as the Building Code. The Fire Code requires that you have to be able to get out of the house; even if the house was built in 1941, you still need a means of egress (Fire Code trumps Bldg Code in that particular instance); many other parts of the bldg would abide by the 1941 code
- if it's not the original furnace, they check back to see if a permit had been pulled for

that furnace

- some things have to be taken care of regardless; for instance, at the foot of stairs, a window needs tempered glass
- the biggest problem here is that Mr. Johnson moved into the bldg before he had permit sign-offs
- this is really a classic case of a bldg needing a Code Compliance Inspection Report

Mr. Johnson:

- A. J. Moore will be upgrading all the electrical and bringing it up to code within a week; they are paying for all the permits that need to be pulled there; he imagines that, for the sake of their own business, they wouldn't install electrical without a permit
- he had called the other electrical contractor and asked, "Did you get a permit?" and they said, "Yes, we are getting a permit" - this was after it was installed. They contended that they could pull a permit after installation.
- he did follow-up with his contractors about permits

Ms. Moermond:

- Mr. Johnson got a letter saying he needed to get a Code Compliance Inspection Report before he moved in; he didn't get a Criminal Citation for living in a Registered Vacant Building
- will need to get a Code Compliance Inspection Report ASAP; if Appellant doesn't have his Code Compliance Certificate issued by Apr 1, 2012, the property will need to be vacated at that time
- there will probably be only a short list
- will be on the City Council Public Hearing Mar 21, 2012

**Referred to the 3/21/2012 City Council**

## Other

## Staff Reports

- 47      **RLH FOW 12-34**      Appeal of Judd Andrews to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 1810 MARSHALL AVENUE.

**Sponsors:**      Stark

*Inspector to re-measure windows.*

**Laid Over to the Legislative Hearings due back on 2/28/2012**

- 48      **RLH VBR 12-8**      Appeal of Ahmed Al-Beheary to a Vacant Building Registration Fee at 622 WINSLOW AVENUE.

**Sponsors:**      Thune

*Laid over for permits to be pulled. Grant extension to July 1, 2012 for exterior items; grant until April 29, 2012 for hazardous items to come into compliance.*

*RE: 622 Winslow Ave (single family)*

*Ahmed Al-Beheary, owner, appeared.*

Ms. Moermond:

- not happy with the electrical



- got Mr. Al-Beheary's email and his photos of home makeovers
- questions: 1) when can Mr. Al-Beheary move in; and 2) does he need a Code Compliance inspection to do that

Mr. Al-Beheary:

- asked to have, if at all possible, this moved to a Category 1 Vacant Building
- if that were not possible, he'd ask to be given 6 months to get the work done, since most of it is exterior and have the VB fee waived
- when he bought the property, it wasn't categorized as a registered vacant building at all and he bought it to rehab it
- by moving it to a Cat 1 VB, it would help him pull all the permits himself (he's a contractor)
- all the issues are petty issues (as a contractor) except for the electrical but he can do that himself
- that's an old TISH Report on the record
- asked to be put on probation for 6 months
- as much as he appreciate the 90 day extension granted by the inspector, it's not enough - he can't do the exterior work in the winter
- he showed Ms. Moermond extensive photos of rehabbed houses on which he was the project manager
- also photos of other properties he's worked on: Hiawatha Towers; private home; a bldg on NW side; a restaurant; River Gate Towers; Arby's in Eden Prairie, etc.
- showed his contractor of the year award plaques from 2009, 2011 (also has one from 2010) - voted by his peers and owners of projects
- currently, lives in Fridley
- this house is very important to him
- he got slaughtered in 2008 when the economy went up-side-down; much of his property was foreclosed upon; had to file bankruptcy; and the house he's living in also was included in the bankruptcy because he couldn't make an agreement with the bank
- his back up plan was to gather as much money as possible and buy a house, so, that's what he did: bought that house for \$25,000 cash and have about \$7,000 worth of materials he'll need for the house to get things done nice so, he can have his family live there
- but now, he's faced with a lot more expense that he budgeted for (VB fee, inspection cost, etc., moving)
- asked if he could open each permit independently without having the Code Compliance inspection?

Ms. Moermond:

- the problem here is that this falls squarely into the definition of a Registered Vacant Building
- she appreciates the urgency, she thinks Mr. Al-Beheary would do a great job
- for permits, you need to specify what the work is for and approximately what it would cost
- electrical are the main hazards on TISH

Matt Dornfeld, Vacant Buildings:

- we could change this to a Cat 1 VB and get him an electrical permit and get all that signed-off on
- need to get the Code Compliance Inspection done (\$447)
- the "Hs" are the major concern on the TISH Report (hazards)
- if this were changed to a Cat 1, he could pull all 4 permits

Mr. Al-Beheary:

- asked would it be satisfactory if he got a licensed electrician to pull the permits

within the next week?

Fire Supervisor Leanna Shaff:

- these electrical items are serious but easily fixable

Ms. Moermond:

- Appellant will need to hire an electrical contractor

- she wants to see all the necessary permits pulled

- all the hazardous items need to be addressed by a contractor

- will lay this matter over for 90 days; if permits have been pulled and closed out - great (she will look in system in 2 wks to check if permits have been pulled for these items in the report); if he has that started, she will withhold the fees; Appellant won't need to do a Code Compliance unless at the end of the 90 time period, he doesn't have sign-offs on his permits

- the hazardous items need to be finished by Apr 29, 2012

- there's a complaint in the system (Dec 28, 2011): noting cracks in the foundation; eroding foundation; gutters; chimney needs tuckpointing; torn screen and broken windows (can go with a mid-summer deadline on these exterior items): Jul 1, 2012

- Appellant can pull only the building permit; others must be pulled by licensed contractors: electrical and plumbing

- this address is now a Cat 1 VB through April 29, 2012

**Laid Over to the Legislative Hearings due back on 3/6/2012**

#### **Window Variances: No Hearing Necessary (CPH 3/21/12)**

- 49      [RLH FOW 12-59](#)      Appeal of William J. Bonin to a Fire Certificate of Occupancy Inspection Correction Notice at 1228 BRADLEY STREET.
- Sponsors:**      Brendmoen
- No hearing necessary; grant a 3.5-inch variance on the openable height of the egress window in the 2nd floor east bedroom.*
- Referred to the City Council due back on 3/21/2012**
- 50      [RLH WP 12-22](#)      Appeal of The Window Store Home Improvements, on behalf of Judy Bollmann, to two Egress Window Non-Compliance Determinations at 910 CASE AVENUE.
- Sponsors:**      Bostrom
- No hearing necessary; grant a 1.2 (1.068) square feet variance on the total glazed area of two double hung replacement windows measuring 24 inches high by 23.594 inches wide; grant a 1.5 (1.517) square feet variance on the total glazed area and an 8-inch variance on the openable height of one double hung replacement window measuring 16 inches high by 31.344 inches wide.*
- Referred to the City Council due back on 3/21/2012**
- 51      [RLH WP 12-17](#)      Appeal of Twin Cities Siding Professionals, on behalf of Mary and Vic Bowman, to an Egress Window Non-Compliance Determination at 1827 ELEANOR AVENUE.
- Sponsors:**      Tolbert
- No hearing necessary; grant a 6.5-inch variance on the openable height of two*

*double hung replacement egress windows measuring 17.5 inches high by 27 inches wide.*

**Referred to the City Council due back on 3/21/2012**

- 52      [RLH WP 12-20](#)      Appeal of Affordable Builders, on behalf of Zachary Thompson, to two Egress Window Non-Compliance Determinations at 1056 FRONT AVENUE.

**Sponsors:**      Carter III

*No hearing necessary; grant a 6.5-inch variance on the openable height of two double hung replacement egress bedroom windows measuring 17.5 inches high by 26 inches wide and 17.5 inches by 25 inches wide.*

**Referred to the City Council due back on 3/21/2012**

- 53      [RLH WP 12-24](#)      Appeal of Angen Xiong to an Egress Window Non-Compliance Determination at 1086 GALTIER STREET.

**Sponsors:**      Brendmoen

*Grant a 6-inch variance on the openable height of one double hung replacement bedroom egress window measuring 18 inches high by 21 inches wide.*

**Referred to the City Council due back on 3/21/2012**

- 54      [RLH FOW 12-67](#)      Appeal of Rachel Allen to a Reinspection Fire Certificate of Occupancy With Deficiencies at 1988 HYACINTH AVENUE EAST.

**Sponsors:**      Bostrom

*No hearing necessary; grant a 2-inch variance on the openable height of the egress windows in the attic and main floor bedrooms.*

**Referred to the City Council due back on 3/21/2012**

- 55      [RLH WP 12-21](#)      Appeal of The Window Store Home Improvements, on behalf of Larry Sklaney, to an Egress Window Non-Compliance Determination at 1200 LARPENTEUR AVENUE EAST.

**Sponsors:**      Bostrom

*No hearing necessary; grant a 4-inch variance on the openable height and a 1.5 square feet total glazed area of three double hung replacement egress bedroom windows measuring 20 inches high by 35.344 inches wide with a total glazed area of 4.909 sq. ft.*

**Referred to the City Council due back on 3/21/2012**

- 56      [RLH WP 12-19](#)      Appeal of Patricia Noren to an Egress Window Non-Compliance Determination at 4 MAYWOOD PLACE.

**Sponsors:**      Brendmoen

*No hearing necessary; grant a 7-inch variance on the openable height of double hung replacement egress bedroom window(s) measuring 17 inches high by 36 inches wide and grant a 3-inch variance on the openable height of double hung replacement egress bedroom window(s) measuring 21 inches high by 37 inches wide.*

**Referred to the City Council due back on 3/21/2012**

- 57      [RLH WP 12-18](#)      Appeal of Renewal by Andersen, on behalf of Carol Engel, to two Egress Window Non-Compliance Determinations at 2053 PALACE AVENUE.
- Sponsors:**      Tolbert
- No hearing necessary; grant a 7-inch variance on the openable height of three replacement bedroom egress windows measuring 17 inches high by 36 inches wide and measuring 17 inches high by 24 inches wide.*
- Referred to the City Council due back on 3/21/2012**
- 
- 58      [RLH FCO 12-99](#)      Appeal of Kendall Burton to a Re-Inspection Fire Certificate of Occupancy Correction Notice With Deficiencies at 1002 SIXTH STREET EAST.
- Sponsors:**      Lantry
- No hearing necessary; grant a variance on the ceiling height issue; grant a 2-inch variance on the openable height of the egress windows in the main floor northeast and south bedrooms; and grant a 6-inch variance on the openable height of the egress window in the upper floor north bedroom.*
- Referred to the City Council due back on 3/21/2012**
- 
- 59      [RLH FOW 12-61](#)      Appeal of Bona Ku to a Fire Certificate of Occupancy Inspection Correction Notice at 324 VAN BUREN AVENUE.
- Sponsors:**      Carter III
- No hearing necessary; grant a 4.5-inch variance on the openable height of the egress windows in the 2nd floor bedrooms.*
- Referred to the City Council due back on 3/21/2012**
- 
- 60      [RLH FOW 12-71](#)      Appeal of Jason Oberhamer to a Fire Certificate of Occupancy Inspection Correction Notice at 967 WAKEFIELD AVENUE.
- Sponsors:**      Lantry
- No hearing necessary; grant a 3-inch variance on the openable height of the main floor northwest bedroom; grant a 5.5-inch variance on the openable height of the egress window in the main floor northeast bedroom; and grant a 4-inch variance on the openable height of the upper floor north and south bedroom.*
- Referred to the City Council due back on 3/21/2012**
- 
- 61      [RLH WP 12-23](#)      Appeal of The Window Store Home Improvements, on behalf of Ronald Scharfe, to an Egress Window Non-Compliance Determination at 1572 WHEELLOCK RIDGE ROAD.
- Sponsors:**      Brendmoen
- No hearing necessary; grant an 8-inch variance on the openable height of two double hung replacement egress bedroom measuring 16 inches high by 31.094 inches wide and a 1.5 sq. ft variance on the total glazed area measuring 3.455 sq. ft.*
- Referred to the City Council due back on 3/21/2012**