



City of Saint Paul

City Hall and Court House
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Master

File Number: RLH FCO 16-128

File ID: RLH FCO 16-128	Type: Resolution LH Fire C of O	Status: Passed
Version: 2	Contact Number: 6-8560	In Control: City Council
File Name: 886 Edmund Avenue	File Created: 08/05/2016	Final Action: 10/19/2016

Title: Appeal of Casey A. Swaim to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 886 EDMUND AVENUE.

Notes:

Agenda Date: 10/19/2016

Agenda Number: 43

Sponsors: Thao

Enactment Date:

Attachments: 886 Edmund Ave.appeal.08-05-16, 886 Edmund Ave.Google Map, 886 Edmund Ave.Owner Photos #1.8-16-16, 886 Edmund Ave.Owner Photos #2.8-16-16, 886 Edmund Ave.City Photos.8-16-16, 886 Edmund Ave.Swaim-Quaale Ltr.8-17-16, 886 Edmund Ave.Swaim-Quaale Ltr.9-22-16, 886 Edmund Ave.Swaim-Quaale Revised Ltr.9-22-16, 886 Edmund Ave.Owner Photos.9-20-16, 886 Edmund Ave.photo.9-20-16, 886 Edmund Ave.Site Plan.9-20-16

Financials Included?:

Contact Name: Mai Vang

Hearing Date:

Entered by: kathryn.burger@ci.stpaul.mn.us

Ord Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Legislative Hearings	08/16/2016	Laid Over	Legislative Hearings	09/20/2016		
	Action Text:	Laid Over to the Legislative Hearings due back on 9/20/2016					
	Notes:	Casey A Swaim and Terese M Quaale, owners, appeared.					
		<i>Fire Inspector A J Neis:</i>					
		-Fire Certificate of Occupancy Correction Notice issued by Fire Inspector Laura Huseby					
		-Appellant is appealing 2 items: 1) maintain parking surface; and 2) repair the roof/eaves					
		-photos of parking surface					
		<i>Ms. Swaim:</i>					
		-I have photos of my parking area and other parking surfaces around my neighborhood					
		-the parking area was asphalt; there's a lot to dig up; there's quite a few in the area, including next door, that are in no better shape than that; I don't know why it's such a big deal					
		-this is an inherited houses that we want to					

Ms. Quaale:

-the addresses are on the back of the photos; couldn't get addresses on most of the houses down the alley

Ms. Swaim:

-our ultimate goal is to sell the property to an investor; the repairs will cost more than what we can handle; we can't afford it

-we are really looking to get some kind of extension; this parking thing has really gotten to me

Ms. Moermond:

-asked how much of the back yard is parking; it's looks like a combination of Class 5 and asphalt

Ms. Swaim:

-it was all asphalt; there's a little area of Class 5 that was approved - where the trailer is parked

Mr. Neis:

-that class 5 is maintained very nicely with landscaping timber; looking at the photos, it looks like a lot of the other area ran amouk; some weed killer and more landscaping timber would work

Ms. Swaim:

-there's a metal shed in the corner; outside the chain link fence is parking - pavers up to the back porch and garden behind that thing

-financially, we can't get this done by Sep 15

-our goal is to find an investor, sell it to someone who'd want to assume the repairs

Mr. Neis:

-from the photos, it hard to see how bad the asphalt actually is; weed killer will go a long way to find out what the real condition is; landscape timbers are only about \$2.84 at Home Depot; cleaning the area up will really help

Ms. Moermond:

-concerned that we have to much blacktop surfacing and adding Class 5 is not going to fix this; either you need to do new asphalt or scraping it up and starting with a new kind of surface

-I'm not willing to do a deadline way out into the future; I want something more concrete

-if you don't get an offer that you can accept, you will be holding the bag

-I'd like to see a drawing of the back yard with definite areas outlined

Ms. Swaim:

-we need 2 parking spots for each unit; it's a duplex (4 pkg spots total)

Ms. Moermond:

-we need a plan on how you want to address this

-will Lay this Over for 1 month; during that time, you can take some steps - try some weed killer to see what's underneath for surface (Class 5 or asphalt), landscape timbers, etc.

-in terms of the shingles, eaves, I'm willing to go out to Jul 1, 2017

-want to get something firmer on the parking spaces

Mr. Neis:

-call DSI, 266-8989 and ask for Zoning; they can give you advice on the right depth for a pkg space abutting an alley, etc.

Ms. Moermond:

-Layover to Sep 20 LH; come back with a plan; claim more yard; less asphalt

Layover to September 20 for work plan from owner on how to address the parking surface; grant to July 1, 2017 for compliance on the roof and fascia.

1 Legislative Hearings 09/20/2016 Referred City Council 10/19/2016

Action Text: Referred to the City Council due back on 10/19/2016

Notes: Casey A Swaim & Terese M Quaale, owners, appeared.

Fire Inspector A J Neis:

-update: photos have been entered & we were waiting to get an update from the Appellants

-this is the one where he thought that weed killer could go a long way in cleaning up the parking area; also making some clear, definitive boundaries

Ms. Swaim & Ms. Quaale:

- provided a site plan and photos of what has been done; Mr. Neis also viewed
- we talked about getting rid of the weeds where class 5 was; DONE
- we came up with a plan to get some landscape timbers or something like that to put out 4 feet from the fence, etc.
- this property is currently on the market; and in our disclosure, we said that the new owners would have to be responsible for these Orders
- called Zoning the last day that we were here; pkg spots are 9 x 18
- talked to Jerome Benner about recycled asphalt and he said that we can't use recycled asphalt; you have to use asphalt and you can't use class 5; Jerome send me to Carrie at 266-9074, she said, "No problem as long as it's impervious;" she said the Zoning Code said it was asphalt, concrete or durable dustless surfacing; she sent me back to Jerome in Zoning; he said that recycled asphalt wouldn't be liquid like asphalt; I asked him if he ever saw asphalt being put down or pot holes being filled because that's not a liquid product; he was thinking of tar; then, he sent me to Code Enforcement, who's in the office only between 7 and 9 am daily; then, I called and talked to Maynard, who said that there was no one in the dept who takes calls during the day but he said that I could use tar, cement, pavers, etc. and come down to DSI and someone could answer my question on recycled asphalt; sent me back to Karen Zacho
- asphalt is made up of 4 different products: sand, sand dust, crushed rock (95%); the 4th component is processed crude oil to bind it; as it cools, it hardens; recycled asphalt is ground into aggregate size; then, it's compacted to harden & bind together; I worked in construction for 32 years
- I couldn't get answers on why the city of St. Paul won't use recycled asphalt; most contractors are going green; my preferred product for this job is class 5; my second choice is recycled asphalt (contractors don't always have it & Shifsky had it be they were extended out for the rest of the year)
- when Karen Zacho called back, she said asphalt or concrete, which is a big expense to do that when the house is on the market
- they want the buyer to assume the 2 items on the list

Ms. Moermond:

- you've gone a long way to make things better here
- having a hard time with the fact that 1/3 of the surface is old asphalt underneath; does the whole thing have to become recycled asphalt now?

Ms. Quaale:

- that will all have to be dug out to put asphalt in there
- class 5 is substantially more affordable

Ms. Moermond:

- this has been existing parking for a very long time and it's clear that it wasn't completely covered with asphalt
- would like a little more certainty on the legal interpretation
- if it were simply class 5, I could do that right here; but Zoning's position is it's "asphalt" (has to be re-asphalted); I want to talk to their people
- I will recommend deadlines: Jul 1, 2017 for the roof; and Jun 1, 2017 for the parking; but that doesn't resolve what type of surfacing should be used

Ms. Swaim:

- what do we do about the C of O?

Mr. Neis:

- if there are no outstanding violations, we would approve with corrections

Ms. Moermond:

- will talk to the City Attorney's Office to see what he thinks about the situation

Grant an extension to June 1, 2017 for the parking surface and July 1, 2017 for the roof.

2	City Council	10/19/2016	Adopted	Pass
	Action Text:		Adopted	
2	Mayor's Office	10/21/2016	Signed	

Action Text: Signed

Text of Legislative File RLH FCO 16-128

Appeal of Casey A. Swaim to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 886 EDMUND AVENUE.

WHEREAS, in the matter of the Appeal of Casey A. Swaim to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 886 EDMUND AVENUE, the Legislative Hearing Officer has reviewed the appeal and considered the testimony of City staff and the appellant; and

WHEREAS, the Legislative Hearing Officer recommends that the City Council grant an extension to June 1, 2017 for parking surface compliance and July 1, 2017 for the roof repair or replacement; Now, Therefore, Be It

RESOLVED, that the Saint Paul City Council hereby accepts and adopts the Legislative Hearing Officer's recommendation in this matter.

Roof - appealing for additional time. Also appealing exterior parking spaces. (See attached letter)