

City of Saint Paul

*15 West Kellogg Blvd.
Saint Paul, MN 55102*



Minutes - Final - Final

Tuesday, August 9, 2011

9:00 AM

Room 330 City Hall & Court House

Legislative Hearings

Marcia Moermond, Legislative Hearing Officer

Mai Vang, Hearing Coordinator

Jean Birkholz, Hearing Secretary

Mary Erickson, Hearing Secretary

legislativehearings@ci.stpaul.mn.us

651-266-8560

9:00 a.m. Hearings

Remove/Repair Orders

- 1 [RLH RR 11-41](#) Ordering the rehabilitation or razing and removal of the structures at 580 MINNEHAHA AVENUE EAST within fifteen (15) days after the August 17, 2011, City Council Public Hearing.

Sponsors: Bostrom

Attachments: [580 Minnehaha Ave E Order to Abate.5-19-11](#)
[580 Minnehaha Ave E Public Hearing Notice.6-24-11](#)
[580 Minnehaha Ave E.Ling Ltr 7-25-11.pdf](#)
[580 Minnehaha Ave E.Photos.3-17-11.pdf](#)
[580 Minnehaha Ave E.2011 July CPED Minutes.pdf](#)
[580 Minnehaha Ave E.R-R Simek Ltr 7-26-11.doc](#)
[580 Minnehaha Ave E.Neighbor Ltr.7-12-11.pdf](#)
[580 Minnehaha Ave E.Ltr of Concern.7-12-11.pdf](#)
[580 Minnehaha Ave E.Police Calls.2007-2011.pdf](#)
[580 Minnehaha Ave EAssignment of Mortgage.12-31-10.pdf](#)
[580 Minnehaha Ave E Photos.3-5-10](#)
[580 Minnehaha Ave E.Photos.7-26-11.pdf](#)
[580 Minnehaha Ave E.Severson et al Ltr.7-25-11](#)
[580 Minnehaha Ave E.Work Plan Attachments.8-9-11.pdf](#)
[580 Minnehaha Ave E.Proposed Operations Manual.8-2-11.pdf](#)
[580 Minnehaha Ave E.Operations Manual Addendum.8-3-11.pdf](#)
[580 Minnehaha Ave E.Crime Free Multi Housing Lease Info.8-3-11.pdf](#)

Ms. Moermond recommends that the City Council grant 120 days for the rehabilitation of the building with a 60-day progress report. Ms. Moermond is also requesting the following conditions be met by Tuesday, August 15:

- 1) provide garbage pick-up twice a week;
- 2) screen garbage area;
- 3) 2nd drive to be removed and turned into green space at Minnehaha Avenue to include permanent tables or benches;
- 4) provide signed contract between the contractor and the property owner; and
- 5) provide signed contract between the management company and the property owner.

RE: 580 Minnehaha Ave E (apartment - 7 units)

Doug Simek, developer-owner, appeared
Clint Blazer and DeLisa Collette, Halvorson Blazer Group, building management company

Steve Magner, Vacant Buildings:
- LH on Jul 26, 2011
- subsequent letter from Mai Vang read into record (Ms. Moermond recommended a layover to LH Aug 9, 2011)

- Ms. Moermond requested the following conditions be met by Fri Aug 5, 2011 for review:

- 1) develop a written plan to mitigate the problem behaviors at the property
 - 2) develop a plan for on-going management, i.e., garbage pick-up, more greenspace for the children, decrease the density of units by one or two
 - 3) itemize Work Plan including timelines for rehabilitation of building
 - 4) develop a long term plan consistent with the Crime Free Multi Housing Training Program, which is provided by the FORCE units of the City of Saint Paul Police Department
- City Council public hearing scheduled for Aug 17, 2011 at 5:30 pm in Council Chambers

Mr. Simek:

- he forwarded Ms. Moermond a copy of the Management Plan on Fri, Aug 5, 2011
- has procedures to mitigate problem behaviors
- provided Ms. Moermond with copies of documents along with an Operational Manual/Employee Manual of management company
- entered short addendums for this specific property (mitigating severe issues with residents)
- has a commercial construction loan \$200,000; \$142,000 available credit left

Mr. Blazer:

- owns the management company; has been managing properties for about 30 yrs.
- manage about 2000 units in the Twin Cities and have turned around a lot of properties, primarily in Mpls, Brooklyn Park
- their screening service searches all seven counties
- they look for convictions and charges
- served on the Mpls License Review Board for 8 yrs
- teaches Crime Free Multi Housing
- are a court appointed receiver manager (that's how they got this property for MN Housing Finance Agency and Chase Bank since it was vacant)
- are confident they can manage the property to the standards of Saint Paul (have 400-500 units in Saint Paul, alone)
- they ordered the Cat 2 inspection for this bldg
- their screening service keeps the data base of all the people they have accepted into their buildings; if they are arrested for something, the screening company notified them
- generally, they don't operate properties with high police calls

Ms. Moermond:

- finds the documents partially acceptable (Mr. Magner thinks it hits all the high spots)
- re: #2 decreasing density; adding greenspace to the site, especially for the small children

Mr. Magner:

- questions: re: Aug 3, letter from Mai Vang #2
- garbage pick-up and general property maintenance
- reminds him of a bldg on Sherburne they wanted to save (wasn't the bldg, per se, that gave them problems but how it interacted with the community)
 - improvements that were made at that property have abated the prior issues/problems (since then, he has not heard of any further problems with that bldg)
 - a hidden area was turned into a courtyard for people to be outside and not just hanging on the corner; lighting and cameras on that bldg also helped stem some of the issues
- the driveway circling the building has always been a problem - he suggests eliminating the Minnhaha Ave entrance and change the parking where the refuse can

be stored away from the residential units and away from neighbors, perhaps on the west side of the garages

- on-site caretaker will probably eliminate a lot of problems (issues raised by constituents probably will be resolved by having an on-site caretaker)*
- will be up to Mr. Simek to see if he wants to make the necessary changes to address concerns*

Mr. Simek:

- entered procedures for this specific properties*
- will find the right tenant to fit for on-site caretaker of the property-will be employee of management company (it will be their responsibility to police the grounds for litter)*
- will have a proper size dumpster there for trash*
- will work with the garbage hauler as to how frequent they need to come (once or twice a week)*
- garbage area is currently not screened*
- spoke with Merrick across the street - they have a playground that is currently underutilized and have given permission for his tenants to use their playground / possibly converting part of parking area to greenspace (has a concern about children disturbing some of the units)*
- decreasing density from 7 units will be the main point of contention*
- will look into putting in a screened garbage area*
- Mary Messington, Merrick, (been there for 20 yrs) was very happy to see that something was happening with this bldg; in her opinion, the problems have really taken place over the last 10 yrs, coinciding with the ownership of the previous owner*
- believes that a lot of these issues are addressed with proper management*
- has found that proper management and proper screening really reduces these negative issues (has 15 yrs experience owning/managing rental property in Saint Paul)*
- Halvorson Blazer Group has worked not only with suburban properties but also inner city properties that have a lot of issues going on*
- they are active in working with social service agencies; police calls decrease dramatically when they take over*
- is asking for 90 days to complete the rehab*

Ms. Moermond:

- small children can't cross the street by themselves to go to the playground; they need greenspace on site (a big issue for the neighbors)*
- there's been a past issue with garbage; she's not convinced that a plan to continue along the same lines will mitigate the problem*
(there are a lot of apartments here and there has also been a lot of dumping; and there's no change in density according to Mr. Simek's plan)
- she is looking for twice a week garbage pick-up and a screened garbage area; also more pro-active management of the situation than has been the case in the past*
- looking for the second drive to be completely removed and turned into green space with landscaping and perhaps cement tables, chairs, bench*
- there is adequate parking and she believes that the appellant has sufficient funds to make these things happen*
- would like to see signed contracts with contractors*
- would like to see a signed contract with Halvorson Blazer*
- looking for these by the end of the day next Tue, Aug 16, 2011*
- is comfortable recommending 4 months to complete the rehab, inclusive of getting the second drive removed*
- will need a 60-day follow-up to see how things are progressing*

Referred to the City Council due back on 8/17/2011

FOURTH STREET EAST within fifteen (15) days after the May 18, 2011 City Council Public Hearing. (Public hearing continued from May 18) (To be referred back to Legislative Hearing on August 9, 2011 and City Council public hearing on August 17, 2011)

Sponsors: Lantry

Attachments: [763 4th St.Order to Abate.2-14-11.DOC](#)
[763 4th St.Hearing Notice.3-25-11.DOC](#)
[763 Fourth St. E.Photos 9-09-10.pdf](#)
[763 Fourth St E.Bid.pdf](#)
[763 Fourth St E.HPC 5-12-11.pdf](#)
[763 Fourth St E.Memo 8-10-11.doc](#)

No one appeared. Ms. Moermond's recommendation is forthcoming.

RE: 763 Fourth St E (duplex)

Steve Magner, Vacant Buildings:

- Council laid this over to LH on Jul 6, 2011
- originally heard on Apr 26, 2011 - Recommendation was to Remove within 15 days
- after the May 18, 2011 City Council public hearing, it was referred back to LH on Aug 9, 2011 (CCPH Aug 17, 2011)

Christine Boulware, Heritage Preservation Commission:

- HPC reviewed
- property is already located in a Heritage Preservation District
- she faxed a copy of the resolution in which the HPC recommended that demolition should be avoided and that the City should continue to look for a suitable way to rehab the property; it is considered to contribute to the character of Dayton's Bluff Historic District.
- HPC recommends that the bldg not be removed
- HPC recommends that the DSI Code Enforcement Division contract with an organization such as Historic Saint Paul or an historic architect or structural engineer with expertise in historic preservation to complete an historic structures investigation and appraisal, ideally occurring prior to the June Legislative Hearing in light of the expressed concern from the neighbors that will include a recommendation on the feasibility to restore the property in a manner that complies with the Preservation Program for the district, the City's authority to abate nuisance conditions under Chap. 45.08c; the Legislative Code allows for the cost of investigation, inspection or appraisal to be paid by the property owner - the result and report recommendations will be considered by the HPC and the HPC recommendations shall be included in the Legislative Hearing Officer's recommendation (May 12, 2011 HPC hearing)
- were waiting to see if this went tax forfeit

Mr. Magner:

- have not yet received notification from Ramsey County tax forfeited lands on properties that were forfeited on Aug 1, 2011
- at the Apr, 2011 LH, real estate taxes for 2009 were delinquent in the amount of \$2,063; in 2010, they were delinquent in the amount of \$6,201 (subject to forfeit Aug 1, 2011)
- if it is forfeited, Ramsey County can put it into the 4-R Program

Ms. Moermond:

- asked Mai Vang to call Kris Kujala, Ramsey County
- wants to double check with Kris Kujala because of recent tax errors

Mai Vang:

- On August 10, 2011, Kris Kujala, Ramsey County Tax Forfeited Land, left me a message stating that the above-referenced property just went into forfeiture. They were in the field on August 8 reviewing the property but have not done interior inspection of it. They are still trying to figure out which properties will need to be maintained, which are scheduled for public hearings, and which are to be demoed. She is not sure what the plans are on the new forfeiture properties yet as they are still in the review stage.

Ms. Moermond's recommendation is forthcoming.

Referred to the City Council due back on 8/17/2011

- 3 [RLH RR 11-45](#) Ordering the rehabilitation or razing and removal of the structures at 755 ANDREW STREET within fifteen (15) days after the September 7, 2011 City Council Public Hearing.

Sponsors: Thune

Attachments: [755 Andrew St Order to Abate.pdf](#)
[755 Andrew St Public Hearing Notice.pdf](#)
[755 Andrew St Photos.pdf](#)
[755 Andrew St.FTA Ltr 8-11-11.pdf](#)
[755 Andrew St.Bid Tab.pdf](#)

No one appeared. Remove the building within 15 days with no option for repair.

RE: 755 Andrew St (single family)

No one appeared.

Steve Magner, Vacant Buildings:

- 1 1/2 story wood frame and masonry single family dwelling with a detached 2-stall garage on a lot of 4,792 sq ft
- vacant since Jun 24, 2010
- owner is Anthony C Lee / Elizabeth C Vitela, per Ramsey County
- May 10, 2011, inspection of building was conducted; list of deficiencies which constitute a nuisance condition was developed; photos taken
- Order to Abate Nuisance Building posted May 31, 2011; compliance date Jun 30, 2011
- as of this date, property remains in a condition which comprises a nuisance as defined by the legislative code
- estimated market value \$19,200 on land; \$72,900 on building
- taxes are current
- VB fees went to assessment Jul 22, 2011 and are pending for 30 days to Aug 21, 2011
- Code Compliance Inspection has not been done; \$5,000 Performance Deposit has not been posted
- 7 Summary Abatement notices since 2010
- 7 Work Orders: 1) boarding/securing; 2) garbage/rubbish; 3) grass/weeds; 4) snow/ice
- estimated cost to repair: \$80,000-\$90,000; estimated cost to demolish: \$10,000-\$12,000
- DSI recommends removal of the building

Christine Boulware, Heritage Preservation Commission (HPC):

- has been stuccoed
- no Sanford map
- first bldg permit pulled 1923
- has original windows
- HPC staff would allow for demolition

Ms. Moermond:

- will recommend removal of the building within 15 days with no option for rehabilitation

Referred to the City Council due back on 9/7/2011

- 4 [RLH RR 11-47](#) Ordering the rehabilitation or razing and removal of the structures at 1695 BUSH AVENUE within fifteen (15) days after the September 7, 2011, City Council Public Hearing.

Sponsors: Lantry

Attachments: [1695 Bush Ave Order to Abate a Nuisance.pdf](#)
[1695 Bush Ave Public Hearing Notice.pdf](#)
[1695 Bush Ave.Remove-Repair Ltrs.pdf](#)
[1695 Bush.Photos Part 1.pdf](#)
[1695 Bush.Photos Part 2.pdf](#)
[1695 Bush Ave.Bid Tabs 8-23-11.pdf](#)

No show. Ms. Moermond will recommend to the City Council that this building be removed within 15 days with no option for repair.

RE: 1695 Bush Ave (single family)

Jesse Mitchell, appeared. (He is no longer the owner and wanted that to go on record.)

Mr. Mitchell:

- he is no longer the owner
- spoke with Mr. Magner about this
- this property was surrendered in his bankruptcy in Dec 2010 to Chase Bank
- not sure why the bank hasn't taken over
- he has no access or interest in this bldg

Ms. Moermond:

- noted that Wilmington Finance, Division of AIG Federal Savings is listed in the record

Steve Magner, Vacant Buildings:

- 2-story wood frame single family dwelling on a lot of 5,227 sq ft
- vacant since Jun 24, 2020
- Ramsey County still lists Jesse D Mitchell as the owner
- May 25, 2011: inspection conducted, a list of deficiencies which constitute a nuisance condition was developed; photos taken
- Order to Abate Nuisance Building posted Jun 6, 2011; compliance date Jul 7, 2011
- estimated market value of the land: \$13,500; building: \$43,700
- taxes current

- VB feed paid by assessment Nov 18, 2010
- Aug 5, 2011, Code Compliance Inspection has not been done; \$5,000 Performance Bond not posted
- 4 Summary Abatement Notices since 2010
- 5 Work Orders for garbage/rubbish
- estimated cost to repair exceeds \$75,000; estimated cost to demolish between \$10,000 - \$12,000
- DSI recommends removing the bldg

Christine Boulware, Heritage Preservation Commission (HPC):

- 1914 structure
- has some unique features
- staff would encourage rehab but will allow for demo

Ms. Moermond:

- no show hearing
- will recommend removal of the building within 15 days with no option for rehabilitation

Referred to the City Council due back on 9/7/2011

- 5 [RLH RR 11-48](#) Ordering the rehabilitation or razing and removal of the structures at 554 CHARLES AVENUE within fifteen (15) days after the September 7, 2011, City Council Public Hearing.

Sponsors: Carter III

Attachments: [554 Charles Ave Order to Abate.pdf](#)
 [554 Charles Ave Public Hearing Notice.pdf](#)
 [554 Charles Ave Expired Code Compliance Report.pdf](#)
 [554 Charles Ave Photos.pdf](#)
 [554 Charles Ave.8-9-11 Remove-Repair Ltrs.pdf](#)
 [554 Charles Ave.Documents 8-29-11.pdf](#)
 [554 Charles Ave.R-R FTA Ltr 8-18-11.doc](#)
 [554 Charles Ave.Bid Tab.pdf](#)

No one appeared. Ms. Moermond will recommend to the City Council that the building be removed within 15 days with no option for repair.

RE: 554 Charles Ave (single family)

No one appeared.

Steve Magner, Vacant Buildings:

- 2 story wood frame duplex on a lot of 2,178 sq ft
- vacant since Jun 19, 2007
- Ramsey County lists current property owner as K 3 Investment
- May 17, 2011, inspection was conducted; list of deficiencies which constitute a nuisance condition was developed; photos taken
- Order to Abate Nuisance building posted May 31, 2001; compliance date Jun 30, 2011
- as of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code
- estimated market value \$9,400 on land; \$41,600 on building
- taxes for 2010 are delinquent in the amount of \$3,733.03 and for first half of 2011 in

the amount of #2,582.80, plus penalty and interest

- VB fees were paid by assessment on Jul 22, 2011
- Code Compliance Inspection was done Sep 28, 2009 and has expired; \$5,000 Performance Deposit has not been posted
- 16 Summary Abatement Notices since 2007
- 20 Work Orders: 1) garbage/rubbish; 2) grass/weeds; 3) snow/ice; 4) boarding/securing
- estimated cost to repair exceeds \$60,000; estimated cost to demolish between \$10,000-\$12,000

Christine Boulware, Heritage Preservation Commission (HPC):

- built 1902
- retains open front porch
- loss of some of the decorative detail
- original clapboard covered by vinyl siding
- located in the 1983 identified Frogtown potential historic district and is in the footprint of the 2011 Legacy Survey area of the neighborhood
- integrity on the context of the footprint
- not individually eligible; would contribute to the context of the historic district in the area
- HPC staff strongly encourages rehab based on its contribution to the immediate neighborhood

Ms. Moermond:

- no show; no one's come forward
- will recommend removal of the building within 15 days with no option for rehabilitation

On August 19, an attorney representing the owner called and indicated the owner missed the August 9 hearing; therefore, he asked to reschedule.

Laid Over to the Legislative Hearings due back on 8/23/2011

- 6 [RLH RR 11-49](#) Ordering the rehabilitation or razing and removal of the structures at 978 DESOTO STREET within fifteen (15) days after the September 7, 2011, City Council Public Hearing.

Sponsors: Helgen

Attachments: [978 Desoto St Order to Abate.pdf](#)
[978 Desoto St Public Hearing Notice.pdf](#)
[978 Desoto St Photos.pdf](#)
[978 Desoto St.8-9-11 Remove-Repair Ltrs.pdf](#)
[978 Desoto St.Bid Tabs 8-23-11.pdf](#)

No one appeared. Ms. Moermond will recommend to the City Council that the building be removed within 15 days with no option for repair.

RE: 978 Desoto St (single family)

Steve Magner, Vacant Buildings:

- 1 1/2 story wood frame single family dwelling with an accessory shed on a lot of 4,792 sq ft
- vacant since Nov 28, 2007
- Ramsey County lists current property owner as Prism Real Estate Inc.

- May 19, 2011: inspection was conducted; list of deficiencies which constitute a nuisance condition was developed; photos taken
- Order to Abate Nuisance Building posted Jun 6, 2011; compliance date Jul 7, 2011
- as of today, property remains in a condition which comprises a nuisance as defined by the legislative code
- estimated market value: \$9,700 on land; \$30,300 on building
- taxes are due as follows: a confession of judgment for 2010 taxes was executed in Apr 2011 for a total of \$3,323.99 (includes interest to 8/31/11); first half of 2011 is due in the amount of \$1,554.30
- VB fees were paid by assessment Dec 15, 2010
- Code Compliance Inspection was done Jul 27, 2009 and has expired; \$5,000 Performance Deposit has not been posted
- 12 Summary Abatement Notices since 2007
- 11 Work Orders for: 1) garbage/rubbish; 2) grass/weeds; 3) snow/ice; 4) boarding/securing
- estimated cost to repair exceeds \$45,000; estimated cost to demolish \$8,000-\$10,000
- DSI recommends removal of the building within 15 days

Christine Boulware, Heritage Preservation Commission (HPC):

- worker's cottage constructed in 1887 with 1895 addition
- loss of original wrap around front porch
- original siding has recently been covered
- HPC staff encourages rehab but will allow for demolition

Ms. Moermond:

- will recommend removal of the building within 15 days with no option for rehabilitation

Referred to the City Council due back on 9/7/2011

- 7 [RLH RR 11-50](#) Ordering the rehabilitation or razing and removal of the structures at 722 LAFOND AVENUE within fifteen (15) days after the September 7, 2011, City Council Public Hearing.

Sponsors: Carter III

Attachments: [722 Lafond Ave Order to Abate.pdf](#)
[722 Lafond Ave Public Hearing Notice.pdf](#)
[722 Lafond Ave.8-9-11 Remove-Repair Ltrs.pdf](#)
[722 Lafond Ave. Photos.pdf](#)
[722 Lafond Ave.Bid Tabs 8-23-11.pdf](#)

No show. Ms. Moermond will recommend to the City Council that this building be removed within 15 days with no option for repair.

RE: 722 Lafond Ave (single family)

Shaun Rioux, no longer the owner - going through bankruptcy, appeared.

Mr. Rioux:

- had been the owner
- was foreclosed on
- going through bankruptcy
- contacted Bank of America

- would really like to have rehab the structure but wasn't getting help from the banks

Ms. Moermond:

- looks as though the City had notified Household Industrial Finance and American Equity Mortgage
- it would be their responsibility to forward information to whomever they sold the loan to

Steve Magner, Vacant Buildings:

- 1 1/2 story wood frame single family dwelling with a detached one-stall garage on a lot of 4,792 sq ft
- vacant since Sep 25, 2009
- Ramsey County still lists Shaun S. Rioux as the property owner
- May 19, 2011: inspection of the bldg conducted; list of deficiencies which constitute a nuisance condition was developed; photos taken
- Order to Abate Nuisance Building posted Jun 6, 2011; compliance date Jul 7, 2011
- as of today, property remains in a condition which comprises a nuisance as defined by the legislative code
- estimated market value: \$15,300 on land; \$86,700 on building
- taxes are current
- VB fees were paid by assessment Oct 18, 2010
- Code Compliance Inspection has not been done; \$5,000 Performance Bond has not been posted
- 11 Summary Abatement Notices since 2009
- 12 Work Orders for: 1) garbage/rubbish; 2) grass/weeds; 3) boarding/securing; 4) snow/ice
- estimated cost of repair exceeds \$50,000; estimated cost of demolition exceeds \$10,000
- DSI recommends removing the building within 15 days

Christine Boulware, Heritage Preservation Commission (HPC):

- built in 1900
- stucco covers original clapboard
- 1 story rear addition
- in 2011 Legacy Survey area for Frogtown
- porch has been enclosed
- does contribute to the context of the neighborhood
- across the street is a church and a vacant lot
- HPC staff encourages rehab for context but would allow for demolition

Ms. Moermond:

- no show hearing; no active interest in rehab
- will recommend the structure be removed within 15 days with no option for rehabilitation

Referred to the City Council due back on 9/7/2011

8

[RLH RR 11-51](#)

Ordering the rehabilitation or razing and removal of the structures at 1825 MARYLAND AVENUE EAST within fifteen (15) days after the September 7, 2011, City Council Public Hearing.

Sponsors: Bostrom

Attachments: [1825 Maryland Ave E Order to Abate.pdf](#)
[1825 Maryland Ave E Public Hearing Notice.pdf](#)
[1825 Maryland Ave E Code Compliance Report.pdf](#)
[1825 Maryland Ave E Photos.pdf](#)
[1825 Maryland Ave E.8-9-11 Remove-Repair Ltrs.pdf](#)
[1825 Maryland Ave E.Bid Tab.pdf](#)

No one appeared. Ms. Moermond will recommend that the City Council remove the building within 15 days with no option for repair.

RE: 1825 Maryland Ave E (single family)

Steve Magner, Vacant Buildings:

- 1 1/2 story wood frame single-family dwelling on a lot of 4,792 sq ft
- vacant since Feb 25, 2010
- Ramsey County lists the current property owner as Federal National Mortgage Assoc
- May 25, 2011, inspection of building conducted; list of deficiencies which constitute a nuisance condition was developed; photos taken
- Order to Abate Nuisance Building posted Jun 6, 2011; compliance date Jul 7, 2011
- as of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code
- estimated market value of land \$19,600; of building \$41,800
- taxes are current
- VB fees were paid by assessment on Mar 23, 2011
- Code Compliance Inspection was done Apr 21, 2010 and has expired; \$5,000 Performance deposit has not been posted
- 10 Summary Abatement Notices since 2010
- 13 Work Orders for 1) garbage/rubbish; 2) grass/weeds; 3) snow/ice
- estimated cost to repair exceeds \$40,000; estimated cost to demolish \$8,000-\$10,000
- DSI recommends removal of the building within 15 days

Christine Boulware, Heritage Preservation Commission (HPC):

- bungalow constructed in 1922
- front porch has been enclosed
- lot of similar aged housing in the neighborhood with varying degrees of integrity
- has had some alterations to the front porch but retains original windows
- hard to say whether this would contribute to a district in Saint Paul as this area has never been surveyed
- HPC staff will allow for demolition with no adverse affect

Ms. Moermond:

- will recommend removing the building within 15 days with no option for rehabilitation

Referred to the City Council due back on 9/7/2011

- 9 [RLH RR 11-52](#) Ordering the rehabilitation or razing and removal of the structures at 1440 ROBLYN AVENUE within fifteen (15) days after the September 7, 2011, City Council Public Hearing.

Sponsors: Carter III

Attachments: [1440 Roblyn Ave Order to Abate.pdf](#)
[1440 Roblyn Ave Public Hearing Notice.pdf](#)
[1440 Roblyn Ave Photos.pdf](#)
[1440 Roblyn Ave.8-9-11 Remove-Repair Ltrs.pdf](#)
[1440 Roblyn Ave.Bid Tab.pdf](#)
[1440 Roblyn.DSI Site Plan Meeting Notes.9-15-11.pdf](#)

Ms. Moermond's recommendation is forthcoming. In the meantime, Ms. Moermond requests that documentations be turned in by August 31, 2011. If the condition is met, Ms. Moermond will continue the City Council public hearing to Wednesday, September 21, 2011.

RE: 1440 Roblyn Ave

Frederick Thorne, owner, appeared.

Steve Magner, Vacant Buildings:

- one story wood frame dwelling that is split in half sitting on steel beams and rollers on a lot of 3,485 sq ft (house was moved to property from Stillwater approximately 3 years ago)*
- vacant since Aug 6, 2010*
- Frederick W. Thorne listed as current owner in Ramsey County records*
- May 24, 2011, inspection was conducted; list of deficiencies which constitute a nuisance condition was developed; photos taken*
- Order to Abate Nuisance Building posted May 31, 2011; compliance date Jun 30, 2011*
- as of today, the property remains in a condition which comprises a nuisance as defined by the legislative code*
- estimated market value: \$97,200 on land; (Note: 3 parcels for this property were combined into one parcel and a new PIN has been assigned.)*
- taxes are current*
- VB fees were paid by assessment Oct 22, 2010 (are due and owing for 2011-2012 on Aug 6, 2011)*
- Code Compliance Inspection has not been done; \$5,000 Performance Bond has not been posted*
- 5 Summary Abatement Notices since 2010*
- 2 Work Orders issued for: 1) garbage/rubbish; and 2) grass/weeds*
- estimated cost of repair: \$100,000; estimated cost of demolition: \$6,000-\$8,000*

Mr. Thorne:

- Mar 10, 2010 he dropped off plans at the architect and met with a woman and paid the fee for site plan review (16 sets of drawings)*
- this structure was moved out of Oakdale per customer, whose financing fell through at the last minute*
- he adopted the structure to set up in the City of Saint Paul*
- just got the final drawings from the engineering dept Aug 4, 2011 (site plan, drainage and survey)*
- intentions are to begin pulling permits to finish the project*
- he didn't need any variances on the project*
- is 3 weeks away (Aug 31, 2011) from being able to present all the necessary plans that the City needs for this project (they are still drawing up the garbage plan; the tree plan; the air conditioning plan)*
- the engineering plan is done; site plan is done; foundation plan is done; survey is done; drainage plan is done*

Mr. Magner:

- been dealing with this project for quite a while
- his staff has given Mr. Thorne ample opportunity to submit documents
- part of the issue is that this is a residential structure and it's sitting on an I-1 zoned lot
- it can't be used for residential so, for rehabilitation purposes, DSI needs all plans, a build out, and site plan review
- there's quite a bit of red tape that goes along with completing this project
- asks that any time granted for completion of the project be given only after the complete package of documents has been submitted to DSI (is concerned with this process moving out of this hearing stage and onto the Council if all the necessary documents hadn't been submitted to DSI)
- email from Dan Lundgren, Jul 15, 2011 was read:

My name is Dan Lundgren and my girlfriend is Becky Gross. We are the potential owners of 1454 Roblyn. We'd like to share our thoughts about 1440 Roblyn. Becky's father, Richard, owned this house (1454 Roblyn) for 30+ years. Becky and her 2 sisters were born and raised in the house. Richard turned down multiple offers to buy this house so that it would not be torn down by the owner of the house on 1440 Roblyn. We will not sell this house.

The house on 1440 Roblyn has become a safety hazard. The building shows signs of rot and structural proponent due to infestation. There are light switches hanging from the bottom. From what I can tell without going inside the house, the copper plumbing, electrical have been stolen. There are also signs of someone living in or around it. The house on 1440 Roblyn has become a health hazard. There is fiberglass insulation that has fallen from the bottom of the house. There are multiple rat and bird nests. The disease these rodents carry can make people very sick and even bring death upon them.

The house on 1440 Roblyn is a major eye soar and has impacted the value of our house, too. Our business concerns the house on 1440 Roblyn has destroyed the area and will continue to do so until it's removed. We will be gathering support. Sincerely, Dan Lundgren and Becky Gross

Mr. Thorne:

- has been in contact with that family over the years
- the trustee of the estate never expressed concern or problem with this property until now
- has been through the house at 1454 Roblyn and it should be condemned; it's full of asbestos
- his building is a 6 year old building, built in Stillwater, maybe 8 yrs old
- he wants to finish the project
- re abatement orders, they put a fence up around the property to keep people out; has lawn service; if there's trash, he picks it up
- the site was originally all woods, overgrown ground cover, trash everywhere; mattresses and furniture, too - they cleaned up the site
- he owns the adjacent property, as well
- has known the Gross family for about 60 yrs
- this the first he's heard of a problem
- the site doesn't need rezoning; it's zoned commercial
- the bldg will be commercial on the bottom and 2 residential units above
- DSI staff has already determined what the allowable use of this is; they gave me the I-1 zoning ; they OK'd everything

Mr. Magner;

- zoning in STAMP shows I - 1
- once a complete package is submitted to the building official, staff will make the determination of allowable use
- typically, I-1 zoning consists of: television/radio transmitters; public utilities; gun

shops; auto body; commercial parking facilities; bus garages; airport; heliport; railroad yard; warehousing; wholesaling; retail; storage facilities; micro brews;
- Mr. Thorne's falls under mixed residential use

Ms. Moermond:

- is seeing a bldg permit that had been denied in the file (appellant didn't have the proper documentation- permit application was put on hold)
- every necessary piece of documentation needs to be turned into the City by Aug 31, 2011
- if it's turned in by then, she will recommend the public hearing at City Council be re-scheduled from Sep 7, 2011 to Sep 28, 2011
- will talk with Jim Bloom Sep 1, 2011 and if he says all necessary documents are in, she will recommend granting additional time to get the project reviewed
- her recommendation will be forthcoming

Referred to the City Council due back on 9/7/2011

10 [RLH RR 11-53](#)

Ordering the rehabilitation or razing and removal of the structures at 601 ROSE AVENUE EAST within fifteen (15) days after the September 7, 2011, City Council Public Hearing.

Sponsors: Bostrom

Attachments: [601 Rose Ave E Order to Abate.pdf](#)
[601 Rose Ave E Public Hearing Notice.pdf](#)
[601 Rose Ave E Photos.pdf](#)
[601 Rose Ave.8-9-11 Remove-Repair Ltrs.pdf](#)
[601 Rose Ave.Bid Tab.pdf](#)

No one appeared. Ms. Moermond will recommend that the City Council remove the building within 15 days with no option for repair.

RE: 601 Rose Ave E (single family)

Steve Magner, Vacant Buildings:

- 1 1/2 story wood frame single family dwelling with a single-stall garage on a lot of 3,920 sq ft
- vacant since Nov 16, 2010
- Ramsey County lists Patricia J. B. Ward as owner
- May 18, 2011, inspection conducted; list of deficiencies which constitute a nuisance condition was developed; photos taken
- Order to Abate Nuisance Building posted Jun 6, 2011; compliance date Jul 7, 2011
- as of this date, property remains in a condition which comprises a nuisance as defined by legislative code
- estimated market value on land \$8,100; on building \$31,900
- taxes for 2010 are delinquent in the amount of \$2,874.54 and for first half of 2011 in the amount of \$1,112.10 plus penalty and interest (scheduled to go tax forfeit 2014)
- VB fees paid by assessment Jan 25, 2011
- Code Compliance Inspection has not been done; \$5,000 Performance Deposit has not been posted
- 5 Summary Abatement Notices since 2010
- 6 Work Orders issued for: 1) garbage/rubbish; 2) boarding/securing; 3) grass/weeds
- estimated cost to repair exceeds \$50,000; estimated cost to demolish between \$10,000 and \$12,000
- DSI recommends removal within 15 days

Christine Boulware, Heritage Preservation Commission (HPC):

- constructed in 1909
- front porch has been enclosed
- not original siding over clapboard
- detached garage in alley with not original windows
- located in the Legacy Survey area - Payne Phalen
- would be potential to contribute to historic district
- wouldn't be considered individually
- because of its potential the neighborhood in context, HPC staff would strongly encourage rehab

Ms. Moermond:

- taxes haven't been paid and it appears to be completely abandoned
- will recommend to remove within 15 days with no option for rehabilitation

Referred to the City Council due back on 9/7/2011

11:00 a.m. Hearings

Summary Abatement Orders

- 11 [RLH SAO 11-18](#) Appeal of Theresa Bellaphant to a Notice to Cut Tall Grass and/or Weeds at 825 FREMONT AVENUE.

Sponsors: Lantry

Attachments: [825 Fremont.appeal.7-1-11.pdf](#)
 [825 Fremont Ave.Bellaphant Ltr 7-12-11.doc](#)
 [825 Fremont.Aerial View.8-9-11.pdf](#)

The property owner has cut the boulevard and so issue is resolved. Steve Magner spoke to Kyle Lundgren, City Attorney, and he indicated that it is the responsibility of the owner of the property to maintain the boulevard.

Withdrawn

- 12 [RLH VO 11-47](#) Appeal of Ken Ostlie to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 402 MINNEHAHA AVENUE WEST.

Sponsors: Carter III

Attachments: [402 Minnehaha West.appeal.7-11-11.pdf](#)
 [402 Minnehaha Ave W.Photos.7-6-11.pdf](#)
 [402 Minnehaha Ave W.Ostlie Ltr 8-3-11.doc](#)
 [402 Minnehaha Ave W.Document 1.pdf](#)
 [402 Minnehaha Ave W.Letter 7-26-11.pdf](#)
 [402 Minnehaha Ave W.Work Plan.pdf](#)
 [402 Minnehaha Ave W.Staff Notes.8-9-11.pdf](#)

Grant the appeal if permits are pulled. If not pulled, will do a layover to September 7, 2011 City Council public hearing.

RE: 402 Minnehaha Ave W (duplex)

Ken Ostlie, owner, appeared.

Ms. Moermond:

- Fire Inspector Urmann had said that it was Condemned because of multi violations, noting a lot of electrical issues, etc. (she read into record)

Mr. Ostlie:

- entered materials for Ms. Moermond's review (summary, background info; Xcel's spreadsheet of Work Plan; contractors scheduled this week; proposal for Code Compliance issues; Sandstrom Windows meeting to do final; roofing estimate; electrical contractor's estimate; note from House Calls Program)
- electrical permits will be pulled shortly
- smoke alarms were present in lower unit; new set was installed in upper unit
- carbon monoxide detector was put into basement
- dryer was connected (Capital Heating will be putting in the venting)
- plumber confirmed but hasn't pulled any permits yet
- waiting on bids: 1) wall board; 2) basement steps
- sister is living there
- his wife is systematically going through the whole lower unit to make sure that it's totally clean
- is confident that they will have all their bids in and permits pulled by the time City Council meets on this

Ms. Moermond:

- not seeing bldg permits pulled for items that are complete; electrical, in particular
- is very pleased with Mr. Ostlie's Work Plan
- will recommend the Council grant the appeal; if permits are not pulled, she will ask the Council to Layover it over for a couple more weeks to allow this to be done correctly.

Referred to the City Council due back on 8/17/2011

Orders To Vacate, Condemnations and Revocations

- 13 [RLH VO 11-54](#) Appeal of Joe Taylor to a Certificate of Occupancy Revocation and Order to Vacate at 1199 BURR STREET.

Sponsors: Helgen

Attachments: [1199 Burr.appeal.8-01-11.pdf](#)
 [1199 Burr Ave.Taylor Ltr 8-17-11.doc](#)

Ms. Moermond recommend the appeal be granted - everything has been addressed.
(Inspector Kelly Booker)

RE: 1199 Burr St (duplex)

Joe Taylor, Tahote Corp, appeared; does not live at this property

Mr. Taylor:

- has several properties in Saint Paul
- has been trying to change the listed property manager from Town Development - Philip Black - for a long time (that's why he's here; he's not appealing)
- he fired that company after Mr. Black had gone through the property for initial inspection
- Mr. Taylor never received a deficiency list

- Ms. Booker had been emailing to Mr. Black the deficiency list as well as scheduled appointments, not to him (2 no shows)
- tenant had called him when Ms. Booker posted the Revocation on Jul 27, 2011
- Jul 28, he sent Ms. Booker the Orset's for both furnaces, a change of address form and the smoke detector affidavit (he received confirmation of that email from Ms. Booker on Jul 29, 2011)
- all 15 items on the list have been taken care of (left Ms. Booker a message when he couldn't get a hold of her)
- changed out the window in Unit 1
- will be happy to pay any fees connected with this

Fire Inspector Urmann:

- provided Ms. Moermond with the notes from Inspector Booker
- there was no notification of an ownership change or a management change in writing to Fire Division as required by Chap 40
- because of the length of time and the outstanding Orders on the property, it became necessary to Revoke as an enforcement issue on this property for non-compliance
- re-inspection scheduled for Sep 1, 2011 at 10:15 am; if all is complete, the Revocation will be lifted and an approval will be in order

Ms. Moermond:

- back in Mar-Apr, 2011, Philip Black was making appointments
- Mr. Taylor acquired the property in May, 2011 (he spoke to Ms. Booker in Jun 2011, who said she would send Mr. Taylor the notification; but instead, it went to Philip Black, Town Development and he didn't relay the message to Mr. Taylor)
- will recommend granting this appeal; everything has been taken care of

Referred to the City Council due back on 9/7/2011

14 [RLH VO 11-48](#)

Appeal of Ryan Mahoney to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1746 LAUREL AVENUE. (Request layover to September 7, 2011)

Sponsors: Stark

Attachments: [1746 Laurel.appeal.7-14-11.pdf](#)
[1746 Laurel Ave.Mahoney Ltr 8-3-11.doc](#)

Ms. Moermond recommends that the City Council laid over the matter to September 7, 2011 City Council public hearing.

RE: 1746 Laurel Ave (duplex)

Ryan Mahoney, tenant, appeared.

Mr. Mahoney:

- did not file a TRA because the landlord is taking action; he has contractors on site; they've completed almost all the work
- all work will be done by the end of this week
- has photos
- the contractor is making sure that everything will be done that's needed
- permits are being pulled today
- the re-inspection has been re-scheduled for Sep 1, 2011

Steve Magner:

- for the record, 2 mechanical permits, an electrical permit, a plumbing permit and 2 bldg permits have been pulled

Ms. Moermond:

- at the City Council public hearing on Aug 17, 2011, she will recommend they Lay this matter over to Sep 7, 2011
- Mai Vang will send a letter to the owner, Wesley Schochet, as well as to Ryan Mahoney

Referred to the City Council due back on 8/17/2011

15 [RLH VO 11-51](#)

Appeal of Greg and Brenda Saura, Champion Holdings, to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate plus Vacant Building Registration Notice at 1227 GALTIER STREET.

Sponsors: Helgen

Attachments: [1227 Galtier.appeal.7-27-11.pdf](#)
[1227 Galtier St.Basement Egress Opening Blockage.8-9-11.pdf](#)
[1227 Galtier St.Inspector Notes.8-9-11.pdf](#)
[1227 Galtier St.Photos.7-22-11.pdf](#)
[1227 Galtier St.Photos.8-9-11.pdf](#)
[1227 Galtier St.Sauro Ltr 8-17-11.doc](#)
[1227 Galtier.Photos 2.8-9-11.pdf](#)

Ms. Moermond recommended changing from Category 2 to Category 1 and will waive the Vacant Building fee for 90 days if the Appellant can get the Fire Certificate of Occupancy done by Sep 30, 2011. If the work is not done, it will be a Category 2 and Appellant will need to obtain a Code Compliance Inspection. (Lisa Martin and Matt Dornfeld)

RE: 1227 Galtier St (single family)

Brenda Sauro, Champion Holdings, appeared.

Fire Inspector Urmann:

- this started with a Certificate of Occupancy Condemnation - it got a referral because the power in the bldg was off
- inspector went and did find the power off; also, did a basic inspection of the bldg; the bldg was occupied
- photos in file; most of violations were photographed (Jul and one added today)
- provided notes to Ms. Moermond
- because of the number of violations in the bldg, including the power being off, it became necessary to Condemn the property until it was brought into compliance
- once it was vacated, it was referred to VB Program with multiple violations
- the power has since been restored and the Deficiency List is under appeal
- there's mold and mildew in the walls - it has to be removed and the walls need to be replaced
- the loft had been used; it's the owner's responsibility to make sure that it is used as designed, not as a bedroom (noted in #21)

Ms. Sauro:

- tenants had been referred to them by Catholic Charities as a homeless family; tenants were supposed to pay for all utilities
- Catholic Charities inspected property last Oct, 2010 and everything was fine; they also met with the tenants monthly; there were never any issues
- tenants were current with rent
- she was out of town from Jul 5 - Jul 18, 2011 at which time they had the Correction

Notice in the mail saying the power was off

- she called Xcel who said they couldn't talk about it because the account wasn't in their name
- she called tenants, who said they couldn't pay (Sun night)
- Mon morning, she called the City on this issue
- Xcel started service again on Tue, 2011, since the account was now in their name; they called the City
- Xcel didn't show up on Tue; when called, they said that they wouldn't restore the power as long as the tenants were still living there
- called the City Wed am and informed them; got a call back that the property was Condemned and the tenants needed to vacate that day
- she called the tenants and told them - they started working with the housing service and were made homeless again - got their bill paid with Xcel and vacated the property Wed Jul 20 at 10 pm
- was re-inspected Fri; tenants hadn't cleaned the unit; hadn't used the dehumidifier in basement (smelled mill dewey)
- she has had the unit cleaned and brought in industrial dehumidifiers in the basement; carpet has been ripped out and will be replaced
- they bought the unit in 2009 as a newly renovated unit; they've had it inspected bi-monthly by Orkin
- believes that when the tenants got behind, they didn't want to tell her
- all of her calls to the Fire Inspector were not returned; no one would talk to them about what was going on with this property
- had a contractor go through it; most of it is punch list type stuff - not a big deal
- windows are old double-hung and didn't open; would replace it, if necessary
- they paid tenants past due water bill
- very frustrating for a landlord to put these people back into the system; their goal had been to help out a family
- started cosmetic repairs
- loft area is for storage, not sleeping; tenants are very aware of that
- the front bedroom has always opened to the porch
- the egress ladder in the basement is in the same place as when the C of O was approved at the first inspection (nothing's changed)
(Mr. Urmann stated that the ladder is positioned directly in front of the window, obstructed by the open window)
- the free standing platform was there when they bought it and also approved in 2009

Ms. Moermond:

- asked whether there are other violations that merit Condemnation? (Mr. Urmann: exit obstructions - non-openable window; ladder obstruction)
- asked if this were the first Fire C of O on this property? (Mr. Urmann: believes that it is)

Steve Magner, Vacant Buildings:

- Cat 2 registered VB
- purchased by Matt O'Hara who rehabbed it in 2009
- issued a Code Compliance Certificate in 2009; then the C of O would have been issued automatically and given a Class C for one year
- this is a first full inspection since the Code Compliance (was due for a full C of O Nov 24, 2010)

Ms. Moermond:

- letter would be sent telling of a C of O inspection or a complaint would come in, as this
- at this point, Ms. Sauro is appealing the requirement that this property be in the VB Program which means you have an annual fee of \$1,100

- you also need to get a Code Compliance inspection and address all the items on that inspection list before the property can be re-occupied
- the Fire C of O list is quite extensive and would go away if she did the Code Compliance inspection
- if Ms. Sauro can get the Fire C of O re-instated by Sep 30, 2011, she will recommend keeping this property out of the VB Program and waive the VB fee for 90 days
- if Ms. Sauro is unable to do that, she will need to get the Code Compliance inspection and address the items on that list
- DSI will change this from a Cat 2 to a Cat 1 in order to pull permits tomorrow

Referred to the City Council due back on 9/7/2011

1:30 p.m. Hearings

Window Variances: Hearing Required

- 16 [RLH FOW
11-104](#) Appeal of Mary Fasching to an Egress Window Non-Compliance Determination at 1486 IGLEHART AVENUE.

Sponsors: Carter III

Attachments: [1486 Iglehart.appeal.7-13-11.pdf](#)

No one appeared. However, appellant called to reschedule.

Laid Over to the Legislative Hearings due back on 8/16/2011

Fire Certificates of Occupancy

- 17 [RLH FCO
11-341](#) Appeal of Matt Reem to a Correction Order at 1034 EUCLID STREET.

Sponsors: Lantry

Attachments: [1034 Euclid.appeal.7-28-11.pdf](#)
[1034 Euclid St.Reem Ltr 8-17-11.doc](#)

Deny the appeal and grant an extension to November 1, 2011 for site plan to Zoning (Wayne Spiering)

RE: 1034 Euclid St (single-family)

Matt Reem, owner, appeared.

Fire Inspector Leanna Shaff:

- photos in AMANDA under C of O photo documents
- Fire Certificate of Occupancy inspection conducted June 7, 2011 by Inspector Wayne Spiering
- appealed Item #3-exterior driveway that is overgrown and not maintained

Mr. Reem:

- entered his updated photos including photos of 6 other driveways in the immediate alley that look like his
- he trimmed the vines and cut the grass

- passed inspection except for the driveway
- is not trying to get out of anything but his bids have come in from \$2,000 - \$3,400 to pave that space
- asking to add Class 5 instead of paving
- tenant is not using the garage or the parking pad

Ms. Moermond:

- parking pad is in very bad shape; could do a Class 5 surface but it appears that the alley itself is asphalt
- driveway apron has some overgrowth
- appellant needs to get a site plan and get zoning approval to expand the parking (decide by Nov 1, 2011)
- if appellant decides to get zoning approval for a parking pad and is willing to asphalt it, he can or if he decides to let it go back to grass, he will need to put actual dirt or sod down (by Nov 1, 2011)
- also pave what is not grass between the apron and the alley by Nov 1, 2011.

Referred to the City Council due back on 9/7/2011

18 [RLH FCO
11-193](#)

Appeal of Daniel P. McGowan to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 1324 SAINT CLAIR AVENUE.

Sponsors: Harris

Attachments: [1324 St Clair.appeal.6-15-11.pdf](#)
[1324 St. Clair Ave.McGowan Ltr 7-12-11.doc](#)
[1324 St Clair.Photos.4-25-11.pdf](#)
[1324 St. Clair Ave.McGowan Ltr 8-17-11.doc](#)
[1324 St Clair Ave.Photos #3.8-9-11.pdf](#)
[1324 St Clair Ave.Photos#1.8-8-11.pdf](#)
[1324 St Clair Ave.Photos#2.8-9-11.pdf](#)

August 2, 2011 LH: Grant a 2-inch variance on the openable height of the first floor north bedroom egress window; grant a 7-inch variance on the openable height of the second floor south bedroom egress window; deny a variance on the second floor north bedroom window unless Appellant can demonstrate that the window opens to 16 inches; forthcoming on the garage issue. (CPH 8/17) (Inspector Rick Gavin)

August 9, 2011 LH: deny the appeal on the garage issue and grant an extension to November 1, 2011; deny the appeal on a variance on the second floor north bedroom window and grant an extension of 90 days to come into compliance.

RE: 1324 Saint Clair Ave (single family)

Dan McGowan, owner, appeared.

Fire Inspector Leanna Shaff:

- photos are in AMANDA (Inspector was to take photos of the garage)
- was re-inspected May 25, 2011 by Inspector Rick Gavin
- 2 items were under appeal: 1) painting of the garage; and 2) first floor windows

Mr. McGowan:

- want to fix the garage but still hasn't determined whether to tear it down and replace it or fix it
- he doesn't want to paint it before he makes that determination

Ms. Moermond:

- thinks the garage needs painting
- will recommend denying the appeal of the garage and grant an extension to Nov 1, 2011 to fix the garage and paint it; it's a criminal tax after that for non-compliance
- will recommend denying the appeal on the window; perhaps a handyman can get the second floor north bedroom window to open to 16 inches; if he needs to replace it, she will grant an extension of 90 days
- suggested appellant go to the City Council Public Hearing Aug 17, 2011 at 5:30 pm

Referred to the City Council due back on 9/7/2011

19 [RLH FCO
11-217](#)

Appeal of Mark Muckerheide to a Fire Certificate of Occupancy Inspection Correction Notice at 389 HERSCHEL STREET.

Sponsors: Stark

Attachments: [389 Herschel.appeal.6-29-11.pdf](#)
[389 Herschel St.Muckerheide Ltr 8-3-11.doc](#)
[389 Herschel St.Muckerheide Ltr 8-9-11.doc](#)

Grant a 6-inch variance on the openable height of the egress window in the first floor rear bedroom and a 2-inch variance on the openable height of the egress window in the 3rd floor bedroom; grant the appeal on the parking issue on the condition that the garage is being used as an accessory structure only. (Inspector Mitchell Imbertson)

RE: 389 Herschel St (single family)

Ms. Muckerheide, owner, appeared.

Fire Inspector Leanna Shaff:

- Fire Certificate of Occupancy inspection was down Jun 20, 2011 by Inspector Mitch Imbertson
- appealed item #13- driveway - just grass

Ms. Muckerheide:

- driveway has always been just grass
- garage is not used for parking but for storage only

Ms. Moermond:

- the City can treat this garage like an accessory structure which would not need a driveway as long as the garage is used for only storage
- will recommend granting the appeal on the driveway issue

Referred to the City Council due back on 9/7/2011

20 [RLH FCO
11-220](#)

Appeal of Martin R. Russo to a Fire Certificate of Occupancy Inspection Correction Notice at 1015 BURNS AVENUE.

Sponsors: Lantry

Attachments: [1015 Burns.appeal.6-29-11.pdf](#)
[1015 Burns Ave.Photos.7-11-11](#)
[1015 Burns Ave.Russo Ltr 7-12-11.doc](#)
[1015 Burns Ave,Appellant Statement.7-12-11.pdf](#)

August 2 LH: Grant a 4.5-inch variance on the openable height of the main floor southwest bedroom egress windows; grant a 2-inch variance on the openable height

of the upper floor bedroom egress windows; grant the appeal on the driveway on the condition that Appellant repair the driveway by adding more Class 5; forthcoming on the basement wash machine issue (need to consult with Building Officials) - CPH 8/17 (Inspector Wayne Spiering)

August 9 LH: deny the appeal on the basement wash machine and grant an extension for 90 days.

RE: 1015 Burns Ave (single family)

Martin Russo, owner, appeared.

Mr. Russo:

- I put Class 5 on the driveway
- other issue is the floor drain in the basement
- got estimates in excess of \$2,000 to bring the situation brought up to code (Bruce Nelson Plumbing)
- the estimator suggested that he install a secure floor drain might do the job
- was hoping he could do some of this work himself; a plumber told him he could not - it must be a licensed plumber
- has Purchase Agreement with tenant and her dad is interested in seeing that this also gets done

Ms. Moermond:

- did get feedback from the bldg official about this floor drain and there is nothing in code that would exempt this case
- viewed photos

Fire Inspector Leanna Shaff:

- inspector's orders talk about the basement machine discharging into a basin which drains to a floor drain (not up to plumbing code)

Ms. Moermond:

- will recommend granting 90 days extension to get this plumbing issue resolved

Referred to the City Council due back on 8/17/2011

21 [RLH FCO
11-256](#)

Appeal of Margaret Uriah to a Fire Certificate of Occupancy Reinspection at 624 JAMES AVENUE.

Sponsors: Thune

Attachments: [624 James.appeal.7-18-11.pdf](#)
[624 James Ave.Uriah Ltr 8-9-11.doc](#)

Ms. Moermond will Deny the appeal and grant an extension for 90 days to come into compliance on the window in the upper unit, southeast bedroom. (Inspector William Beumer)

RE: 624 James Ave (duplex)

Margaret Uriah

Fire Inspector Leanna Shaff:

- Fire C of O - appealing egress window in upper unit bedroom 14.5h x 28w

Ms. Moermond:

- good looking windows; look relatively new
- sliders may work in their place

Ms. Uriah:

- the windows are quite new
- entered photos
- tenants need that room for their dad
- will recommend granting a 90 day extension to replace windows

Referred to the City Council due back on 9/7/2011

22 [RLH FCO
11-250](#)

Appeal of Candance Brown to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 861 LAFOND AVENUE.

Sponsors: Carter III

Attachments: [861 Lafond.appeal.7-19-11.pdf](#)
 [861 Lafond Ave.Brown Ltr 8-9-11.doc](#)

Grant the appeal on the front steps handrail issue. (Inspector Mitch Imbertson)

RE: 861 Lafond Ave (single family)

Roxanne Bye, sister of owner, Candance Brown, appeared.

Ms. Bye:

- her sister bought the house for Ms. Bye to live in
- house built in 1900
- first ever Fire inspection that went in excess of \$1,500 in repairs
- is appealing the railing requirement - doesn't see where she can put on
- also, how is a handrail going to do any good stepping into the house?
- the inspector knocked and opened the door from the bottom step (has photos)

Fire Inspector Leanna Shaff:

- re-inspection of Fire C of O Jun 27, 2011 by Inspector Mitch Imbertson
- approved handrail is required on the front with the railing between 34h - 38h running the entire length (code looks at having more than 3 steps and the stoop is considered another step, even though it's short)

- Ms. Moermond:

- viewed the photos and will recommend that the appellant be granted the appeal (3 1/3 steps is extremely close)
- moving forward, however, if modified, will need a railing

Referred to the City Council due back on 9/7/2011

23 [RLH FCO
11-261](#)

Appeal of Mark Kneer and Dan Gelb on behalf of Quality Residences, LLC, to a Fire Certificate of Occupancy Correction Notice at 983 MARYLAND AVENUE.

Sponsors: Bostrom

Attachments: [983 Maryland.appeal.7-18-11.pdf](#)

Inspector Mike Cassidy indicated that the 2nd floor south bedroom window is abated. As to the east bedroom, the window would not open. Laid over to get measurements. (Mike Cassidy)

Laid Over to the Legislative Hearings due back on 8/16/2011

24 [RLH FCO
11-273](#)

Appeal of Wengler FLP (John Wengler) to a Fire Certificate of Occupancy Correction Notice at 841 GRAND AVENUE.

Sponsors: Thune

Attachments: [841 Grand.appeal.8-9-11.pdf](#)
[841 Grand Ave.Ltr 8-25-11.doc](#)
[841 Grand Ave.Photos.8-22-11.pdf](#)

Laid over as housekeeping. Inspector will take pictures of the south basement south door, guardrail on third floor and dryer exhaust duct for review. (Inspector Rick Gavin)

RE: 841 Grand Ave (commercial/apartment)

John Wengler, Wengler Family Limited Partnership (FLP), appeared.

Fire Inspector Leanna Shaff:

- Fire Certificate of Occupancy inspection conducted Jul 21 by Inspector Rick Gavin
- appealing 3 items: 1,6,11
- #1 basement south door - repair and maintain the door frame
- #6 on 3rd floor - provide an approved guardrail (spiral staircase with gap at the top)
- #11 dryer exhaust duct must be metal with smooth interior finish (accordion type)
- no photos

Mr. Wengler:

- re: exterior door - the door is never used; because of all the rain and humidity, the door swells up and sticks a little tiny bit; as soon as it dries out, it's fine (it's the outside humidity that effects it; not the inside); he has never opened that door; he doesn't have keys for it; you access it from the inside
- in case of a fire, anyone could get out of it (it's not stuck; just swelled up)
- there's no rot on it
- re: guardrail - the spiral staircase was put in as an emergency egress probably ordered by the fire marshal many years ago because there was only one point of egress at that time for the third floor and there is a guardrail at the top
- re: dryer exhaust duct - it's solid aluminum 4" duct
- his maintenance person toured the building with the inspector while he went to the hardware store to get some batteries

Ms. Moermond:

- re: guardrail - she needs photos; asked that Inspector Gavin take some photos and send them in
- re: dryer duct - needs photos of the dryer duct, also
- photos will be taken
- will also ask inspector what he thinks needs to be repaired with the door
- will lay this matter over for 2 weeks (Aug 23, 2011 LH)

Laid Over to the Legislative Hearings due back on 8/23/2011

25 [RLH FCO
11-275](#)

Appeal of Como Dale Management to an Egress Window Non-Compliance Determination at 1749 MONTANA AVENUE EAST.

Sponsors: Bostrom

Attachments: [1749 Montana.appeal.8-01-11.pdf](#)
[1749 Montana Ave E.Como-Dale Ltr 8-9-11.doc](#)
[1749 Montana Ave E.Diagram.8-9-11.pdf](#)

Grant the appeal on the sill height issue for the life of the building because of the radiators in front of the windows. (Inspector James Thomas)

RE: 1749 Montana Ave E (apartments 20-49 units)

Ms. Doe, Como Dale Management, appeared.

Fire Inspector Leanna Shaff:

- egress windows are non-compliant
- complaint in one unit on other issues
- unit 106 has some things in front of an escape window; inspector is having difficulty measuring the window
- units 2,3,4,5,6,7 and all basement apt windows for egress have sill heights of 51.5 inches (Ms. Doe said that was an error - there are 3 one-bed units in basement level and the sill height in those is 39.5 inches; she doesn't know where he got 51.5 in the basement)
- maximum sill height for egress/escape windows is 48 inches

Ms. Doe:

- entered a sketch to show Ms. Moermond the windows in the 2-bed units: two windows together about 64 inches wide, there's a radiator running in front of it (long baseboard metal radiators)
- living room window in the 2-bed units is also at the 39.5 inch height
- the building was built in 1964 and some of the windows have radiators running in front of them; if she must put in a step, she knows that the tenants will use that step for storage and they're a tripping hazard (units are quite small)

Ms. Moermond:

- will recommend that the appellant be granted her appeal on the window sill height for the life of the building because of the radiators in front of them (a variance of 3.5 inches)

Referred to the City Council due back on 9/7/2011

26 [RLH FCO
11-389](#)

Appeal of Bridgitte Bachmeier, WA Dorsey House Condo Associations, to a Reinspection Fire Certificate of Occupancy with Deficiencies at 457-459 PORTLAND AVENUE.

Sponsors: Carter III

Attachments: [457 Portland.appeal.7-14-11.pdf](#)

Rescheduled to September 20 per owner's request.

Laid Over to the City Council due back on 9/20/2011

27 [RLH FCO
11-241](#)

Appeal of Song Lor to a Fire Certificate of Occupancy Inspection Correction Notice at 1044 FOURTH STREET EAST.

Sponsors: Lantry

Attachments: [1044 4th.appeal.7-12-11.pdf](#)
[1044 4th St E.Lor Ltr 8-9-11.doc](#)
[1044 4th St E.Diagram.8-9-11.pdf](#)
[1044 4th St E.Photos.7-1-11.pdf](#)

Laid over for code enforcement and fire inspectors to visit site to determine the ownership of the retaining wall; grant the appeal on the ceiling height in the basement; and grant an 5.5-inch variance on the openable height of the egress window in the main floor southwest bedroom; grant a 2-inch variance on the openable height of the egress windows in the main floor northwest bedroom. (Wayne Spiering)

*1044 Fourth St East
LH minutes
Aug 9, 2011*

Song Lor, owner, appeared.

Ms. Moermond:

- #3 – ceiling height in basement
- #10 – egress windows – recommends windows appeal be granted
- #14 – retaining wall maintenance (has a bow in it)

Fire Inspector Leanna Shaff:

- photos are in AMANDA
- Fire C of O inspection conducted Jun 29, 2011 by Inspector Wayne Spiering

Ms. Lor:

- is rental property
- is not sure if the retaining wall is hers or the neighbor's, 1042 Fourth St E, probably
- neighbor's land is much higher than hers; seems as though the retaining wall is holding up their land
- has spoken to someone at Title 1, who tried to get in touch with someone at Ramsey County to see if they could get an abstract to find out if the retaining wall is hers or the neighbor's; he found no answers for her
- entered photos
- doesn't know the neighbor next door
- re: the basement ceiling height is 6 ft, 9 in across the entire area and was like that when Ms. Lor purchased the property

Ms. Moermond:

- having the property surveyed might help
- metal markers are usually buried into the corners of the property (metal detectors may help to find them)
- suggested that someone from Fire and someone from Code Enforcement take a look at this
- will recommend a 3 inch variance for basement ceiling height
- will recommend a Layover to September 6, 2011 to see if inspectors can determine who owns the retaining wall; if it's found to be on Ms. Lor's property, she will recommend granting time to repair/replace it. If it is found to be on the neighbor's property, Ms. Moermond will grant the appeal and the neighbors will need to repair/replace it. An agreement could be made with the neighbors to split the cost.
- will have inspectors report back to her Aug 30, 2011

Laid Over to the Legislative Hearings due back on 9/6/2011

28 [RLH FCO
11-262](#)

Appeal of Rose Lewis to a Fire Certificate of Occupancy Correction Notice at 662 SURREY AVENUE.

Sponsors: Lantry

Attachments: [662 Surrey.appeal.7-20-11.pdf](#)

Deny the appeal and grant an extension to August 31, 2011 to reduce the volume of combustible materials to 25%. (Inspector Sean Westenhofer)

RE: 662 Surrey Ave (apartments 1-9 units)

Rose Lewis, tenant, appeared together with Vanessa.

Fire Inspector Shaff:

- Fire Certificate of Occupancy conducted Jul 11, 2011 by Inspector Sean Westenhofer*
- appealed items: removing materials that are blocking the exits, particularly the north entry and the path; and the amount of the interior storage*
- in a conversation with Inspector Westenhofer, he said he had to turn sideways and shuffle through - difficult for egress width, especially if there are emergency responders coming through.*
- reduce combustible materials by 25 percent (a maize of material)*
- he spoke with Ms. Lewis about seeing a significant reduction of combustible materials in granting more time*
- no photos; she asked the inspector why there were no photos and didn't get a comprehensive answer; she believes that he was trying to be sensitive, however, she trusts his judgment*
- inspector said that if there were more room in the garage for storage, it would free up room in the house*
- inspector is not opposed to granting Ms. Lewis more time, with progress checks and a definite end date*
- will re-inspect Aug 11, 2011*

Ms. Moermond:

- sees that Ms. Lewis' property management company is also asking her to reduce items in the place*
- wants to know if she has a plan to reduce materials*

Ms. Lewis:

- has 2 daughters, ages 10 and 11 and every 6 months, they are growing out of the old and need new*
- the place has had several management companies over the past 5 years*
- last year Pam, who has been there a long time left the company and they have had 4 different people since then*
- every year she has more than one inspection*
- she is physically challenged and it's difficult for her (has an appointment today to get a PCA and some help)*
- the place is small, probably only 1000 sq ft but is good housing for them*
- Jim Urchel, director of Dayton's Bluff Neighborhood Housing Services, has been great and on top of things*
- previous trouble with mold in the house (they thought she had caused it) but it was mice that came in and ate through the wall*
- took 3 months to get rid of the mice*
- young (21) management person at the time made her stack her furniture up off the floor for 3 months, so, her kids slept on the floor*

- they get certification every year for Section 42 - inspections every year
- wanted to thank Inspector Sean who said, "You've got to do something."
- church is at her house doing a yard sale; her girls are having heartbreak getting rid of their things
- is asking for more time to get things done, just in case
- is a chaplain and a pastor
- have a piano and organ in their living room (10 x 13)
- entered photos
- in garage, there's a lot of files (lots of paper); it is being addressed; bikes are hung
- she got rid of 2 rooms of furniture; only has medical equipment, Bibles, Christian movies, two kids and kid's toys
- has 4 people working with her to see that she doesn't get into this situation again
- Inspector Westenhofer was concerned about stacked combustible materials

Ms. Moermond:

- would like to have photographs; currently, she has nothing to measure 25% against
- a difficult situation
- gathers that Inspector Westenhofer wants Ms. Lewis to succeed
- wants to create measurable goals for Ms. Lewis to meet until it's manageable
- is concerned that she will find herself in this type of situation again
- is comfortable recommending 25% of material removed by Aug 31, 2011

Referred to the City Council due back on 9/7/2011

2:30 p.m. Hearings

Vacant Building Registrations

- 29 [RLH VBR 11-58](#) Appeal of Salvador Chyerez to a Vacant Building Registration Requirement at 1008 SIXTH STREET EAST.

Sponsors: Lantry

Attachments: [1008 6th.appeal.8-01-11.pdf](#)

Supervisor Rich Singerhouse, Dept of Safety and Inspections, did a 30 day waiver on his fees. Withdrawn. (VB staff)

Withdrawn

Window Variances: No Hearing Necessary

- 30 [RLH WP 11-50](#) Appeal of Derek Tanbeg for The Window Store Home Improvement, on behalf of John Goolshy, to an Egress Window Non-Compliance Determination at 607 ALDINE STREET.

Sponsors: Stark

Attachments: [607 Aldine.appeal.7-25-11.pdf](#)

Grant a 5-inch variance on the openable height of one double hung replacement egress window measuring 19.93 inches high by 29.34 inches wide.

Referred to the City Council due back on 9/7/2011

- 31 [RLH WP 11-47](#) Appeal of Victoria Boller LaBerg to an Egress Window Non-Compliance Determination at 1163 EDMUND AVENUE.
- Sponsors:** Stark
- Attachments:** [1163 Edmund.appeal.8-9-11.pdf](#)
- Grant a 4-inch variance on the openable height of the five double-hung windows measuring 20 inches high by 21.344 inches wide and 20 inches high by 23.344 inches wide.*
- Referred to the City Council due back on 9/7/2011**
- 32 [RLH FOW](#) Appeal of Scott Gerry to an Egress Window Non-Compliance Determination
[11-115](#) at 1967 FREEMONT AVENUE.
- Sponsors:** Lantry
- Attachments:** [1967 Fremont.appeal.8-9-11.pdf](#)
- Grant a 4-inch variance on the openable height of the double-hung windows in the southeast and southwest bedrooms.*
- Referred to the City Council due back on 9/7/2011**
- 33 [RLH WP 11-51](#) Appeal of Sheila Moore for Capital Siding Windows and Construction, on behalf of Robert and Mary Kuhl, to an Egress Window Non-Compliance Determination at 1804 HIGHLAND PARKWAY.
- Sponsors:** Harris
- Attachments:** [1804 Highland.appeal.7-25-11.pdf](#)
- Grant a 5-inch variance on the openable height of 2 double-hung replacement egress bedroom windows measuring 19.93 inches high by 26.375 inches wide.*
- Referred to the City Council due back on 9/7/2011**
- 34 [RLH FCO](#) Appeal of Conrad Preiner to a Fire Certificate of Occupancy Correction
[11-288](#) Notice at 1210 MAGNOLIA AVENUE EAST.
- Sponsors:** Bostrom
- Attachments:** [1210 Magnolia.appeal.8-9-11.pdf](#)
- Grant a 4-inch variance on the openable height in each bedroom (referring to the windows measuring 20.5 inches openable height X 23.5 inches openable width).*
- Referred to the City Council due back on 9/7/2011**
- 35 [RLH FCO](#) Appeal of Tony Fares to a Correction Order at 805 ROBERT STREET.
[11-258](#)
- Sponsors:** Thune
- Attachments:** [805 Robert.appeal.7-18-11.pdf](#)

Grant a 3.5-inch variance on the openable height of both the double hung north and west windows in the northwest sleeping room.

Referred to the City Council due back on 9/7/2011

36 [RLH FCO](#)
[11-265](#)

Appeal of Wendy Teeters to a Fire Certificate of Occupancy Correction Notice at 365 SHERBURNE AVENUE.

Sponsors: Carter III

Attachments: [365 Sherburne.appeal.7-25-11.pdf](#)

Grant a 3-inch variance in the openable width of the casement egress window in the upper unit, middle bedroom (for the window measuring 43 inches in height by 17 inches in width).

Referred to the City Council due back on 9/7/2011

37 [RLH FOW](#)
[11-118](#)

Appeal of Wendy Teeters to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 1843 STILLWATER AVENUE (appealing windows only).

Sponsors: Bostrom

Attachments: [1843 Stillwater.appeal.8-2-11.pdf](#)

Grant a 5-inch variance on the openable height of the double-hung windows in the bedrooms (referring to the windows measuring 19 inches openable height and 29 inches openable width).

Referred to the City Council due back on 9/7/2011

38 [RLH FOW](#)
[11-119](#)

Appeal of Wendy Teeters to a Fire Certificate of Occupancy Inspection Correction Notice at 603 VAN BUREN AVENUE.

Sponsors: Carter III

Attachments: [603 Van Buren.appeal.8-2-11.pdf](#)

Grant a 6-inch variance on the openable height of the double hung window in the bedroom.

Referred to the City Council due back on 9/7/2011