



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final Legislative Hearings

Marcia Moermond, Legislative Hearing Officer
Mai Vang, Hearing Coordinator
Jean Birkholz, Hearing Secretary
legislativehearings@ci.stpaul.mn.us
651-266-8585

Tuesday, September 24, 2013

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Remove/Repair Orders

- 1 [RLH RR 13-40](#) Ordering the rehabilitation or razing and removal of the structures at 676 WELLS STREET within fifteen (15) days after the September 18, 2013, City Council Public Hearing. (Public Hearing held September 18 and October 2; laid over from October 2)

Sponsors: Bostrom

- 1) Need \$5,000 performance deposit or bond posted as soon as possible;
- 2) financial documentation to do the rehab (line of credit, construction loan, loan application through non-profit organizations, personal bank account. If personal bank account, must provide an affidavit indicating the funds for the project. Note: a credit card will not be accepted);
- 3) provide general and subcontractor bids; and
- 4) provide detail work plan, including timelines for the completion of the project.

RE: 676 Wells Street (Single Family)

Ronald J. Adams, owner, appeared.

Leslie McMurray, Executive Director, Payne Phalen District 5 Planning Council, appeared.

Karin DuPaul, here on behalf of Friends of Swede Hollow.

Steve Magner, Vacant Buildings, Update:

- since last hearing, their staff has been to the property a number of times, including yesterday, with the boarding contractor re-securing the rear door on the west side and securing the 2nd floor patio door on south side, which had been open to access and were being used
- the fence around the property has been removed; Mr. Adams is not clear as to what has happened to the fence; he said that he'd been away from the property for a few days and then went up north for a while; when he came back, the fence was gone
- while they were there, a couple individuals from the neighborhood (?) strolled through part of the parcel that's owned by Parks and came up the hill and went through the trail behind the parking lot for Johnny Johnson, waited for a while, came back out and entered a vehicle
- the property continues to be, what he considers, a problem
- DSI staff is still concerned with the access to the site and the development that's there on Parks property

- believes that both Parks and HRA are waiting to find out what happens here before anything else is done
- no Performance Deposit or Bond has been posted
- he has not received any other documents
- yesterday, Mr. Adams said that the Bond was no problem; he was going to post that

Mr. Adams:

- is not sure where the Bond goes (he went to talk with the Ward 6 Office and spoke with Scott Renstrom, who referred him to a gentleman in DSI, who referred him to another gentleman; seems like they are not set up to deal with a Bond situation so, he went back to Scott, who said that an insurance agent may be able to do it so, he went to State Farm, where a man referred him to a woman down on Payne Ave named Margaret; he thought they had it done but Margaret called at 2 pm yesterday to say that she couldn't do it
- Aaron Spitzer, Pathfinders Insurance Brokerage, Woodbury, will get it done by noon or 1 pm today; has his phone number

Ms. Moermond:

- asked Mai Vang to provide Mr. Adams with the application form for filing with the city
- a Performance Deposit is preferred; it's much simpler; the Code does allow a Bond in lieu of a Performance Deposit

Mr. Adams:

- entered a rough work plan/time table, which indicates that he hopes to be legal with the house by Nov 1, 2013
- he has both electrical and plumbing contractors, licensed in St. Paul, ready to go; also a construction contractor
- he asked that an inspector from each dept meet with his contractors to lay out more specific requirements; he would arrange that by Oct 4, 2013 and he'd have all his permits pulled (3 or 4 -not quite sure how many will be needed)

Ms. Moermond:

- the Code Compliance Inspection Report is the inspectors' recommendation of what repairs need to be done

Mr. Adams:

- his sister hired an inspector (Truth in Sale of Housing Report) to look at the house, who estimates that there's roughly \$1,000 per permit of work to be done
- re: electrical work - they think most of the work was done but Joseph's Elect just left the project and failed to pull a permit; he needs clarification

Ms. Moermond:

- Oct 2011 an electrical permit was pulled; the Code Compliance Inspection was done Oct 2012 so, any permit work under the old permit would have been captured in latest Code Compliance Inspection Report (anything that wasn't correct is in the Code Compliance list)
- that electrical permit was pulled to work on the service to the property from Xcel; it covered none of the other items in the Code Compliance Inspection Report
- permits give you a year to work on getting the repairs made and getting that permit closed/approved; then, the permit closes
- there has been no official work done to the house; no permit activity
- whomever is hired needs to look at the list, pull a permit and do that work
- a plumbing permit was pulled in Jul 2012 for a water heater replacement; that permit was never finalized and it expired
- since that time, the plumbing list includes a lot more than a water heater replacement

- a building permit was pulled Jun 2012, which also predates the current Code Compliance Inspection, for repairing 2 windows, siding, soffit, fascia, some sheetrock, egress window in the basement (also never finalized/approved) and it doesn't include all of the items on the current building list
- there have been no changes to the house since the current inspection report
- she needs to see contractors' bids from licensed contractors
- she needs to see a work plan for getting it done; all items on the Code Compliance Inspection list
- permits need to be pulled to cover the items on the list
- if a permit isn't finalized, she needs to treat it as not being done or not being done up to Code
- she needs to see that Mr. Adams has the money to pay the contractors for the work (bank account statement; an affidavit from the account holder that these funds will be used for this particular purpose; construction/business loan, etc.)
- staff estimates that more than \$50,000 will be needed for the repairs; she is happy to look at numbers that are different; however, the costs need to be substantiated with concrete bids from licensed contractors, who will pull the permits, do the work and follow through will getting those permits finalized
- needs a concrete timeline on a simple work plan
- does not think that this work can be completed by Nov 1, 2013
- before a permit can even be pulled, she needs to see documentation that the money is there; she hasn't seen documentation of anything

Mr. Adams:

- he and his sister co-own the property; she will finance the work
- a lot of the work has already been done but not inspected; he doesn't believe that it will cost near that number
- he hasn't understood what the city has expected
- he will take all documentation to DSI
- the house has been broken into twice
- then, he thought that he was allowed to go in and paint, etc., during the day but found out that he wasn't allowed in
- apologized for not understanding what all was expected; and said that he's been in shock about all of this

Ms. Moermond:

- reminded Mr. Adams that they had had a conversation about that in terms of his illegal occupation of the structure (he was living there after it had been Condemned and Ordered Vacated); so, he was not allowed access

Mr. Magner:

- at this point, until there's a Bond/Performance Deposit posted and active permits, there's no reason for anyone to be at the property
- the expectation was that Mr. Adams personal items were to be removed almost a month ago

Ms. DuPaul:

- Friends of Swede Hollow advocate for many things; one of which is using the regional trail - sometimes, we take people over to look at Mr. Adams' art work and then we go on the trail so, they have a fairly good knowledge of the property
- some of their board members have gone through Mr. Adams' house a few months ago
- she has seen the pictures; it definitely looks like a house that could be re-done
- the board passed a motion in support of Mr. Adams' rehab efforts, including the park
- the motion is simple - in support of saving the park and the home next door, which is Mr. Adams'

Ms. Moermond:

- representatives of an ad hoc committee of the Payne Phalen District 5 Planning Council attended the last hearing and it wasn't clear how that committee fit into Dist 5 Planning Council's structure

Ms. McMurray:

- briefly explained: the CPEC Committee stands for Community Planning/Economic Committee; they are effectively the Land Use Review Committee of the District 5 Planning Council; they report to the Board of Directors; the ad hoc committee was set up to focus on 680 Wells, prior to legislative hearings; (email) made up of residents who are primarily interested in the park
- confusing aspect of this whole thing is the interrelatedness of the 3 properties and the retaining wall that connects them
- the ad hoc committee came to the first hearing on behalf of Mr. Adams; the CPEC has not yet taken a position on the Condemnation matter

Ms. Moermond:

- what do they mean when they say the "Condemnation"? When the city uses the term, it means having to do with it being "unfit for human habitation" as opposed to "eminent domain" (a taking, which can also be called Condemnation at times, too)

Ms. McMurry:

- thinks that there's been a lot of confusion in the community, which they have tried to correct at the last meeting
- the letter represents public opinion in the neighborhood; there's a sense that the city's action at 676 Wells is sort of tainted by the entrance to mitigate the problem of the retaining wall on the city-owned properties (public perception that ties these issues together)
- there is confusion and it's hard to clarify; that's why the ad hoc committee asked for more time
- a number of people have been to the home at 676 Wells and have felt that it was a better quality home than many homes in the neighborhood
- there was a perception that the house was not a nuisance and the district council has had no complaints about the house whereas they have had complaints about many other houses in that area
- there was a perception that the house contributes to the character of the neighborhood
- the committee thought that there are features in the interior that should be restored and preserved; and that Mr. Adams has been a long time resident of the community
- the general policy of the district council has been to try to preserve homes and keep people in their homes
- those are the sentiments that they expressed and they passed the motion
- Mr. Adams was present at the meeting but he did not generate this list; it came from other people in the community
- there was a sense of confusion about a re-inspection and about what was a current problem at the house; confusion about the \$5,000 Performance Deposit; the \$50,000 estimated cost of repairs; there was just a sense that a re-inspection today might give us a slightly different answer

Mr. Moermond:

- the numbers generated for the estimated cost of repairs comes from DSI staff looking at previous similar cases, the estimated value of the permits, and the evaluation of an educated person in the field; so she looks for substantiation for different estimated costs

Ms. McMurray:

- in your email back to the district, you said that you'd be flexible with time, etc.
- they think it would be helpful if the local CDC could step in and provide assistance and help shepherd the homeowner but he needs to make that request; perhaps Dayton's Bluff Neighborhood Housing could be approached (they have a range of programs so that people can stay in their homes)
- the district council recommends that separate ownerships be kept in mind when dealing with 3 different properties; they don't think that Mr. Adams' case has been helped by the confusion by DSI, the media, etc.

Ms. Moermond:

- Mr. Adams has generated that himself by doing the work on the parcel beside his own; it's his stuff on a different parcel

Mr. Magner:

- for the record, 674 Wells was razed by code enforcement and when the lot was cleared, there was nothing left on that site; Mr. Adams took the liberty to build 2 structures and to terrace the rear of the lot, fence the front, etc., etc. as with 680 Wells and the lots going to the east; again, those were razed and cleared and there was nothing on those lots until Mr. Adams decided to move forward and construct this wall; neither HRA nor Parks nor the school district or DSI had anything to do with that construction; it's all been done by Mr. Adams (and there was no approval for it)

Ms. McMurray:

- just would like any measures that can be taken to be of help; they want to support Mr. Adams and Ms. Woosley - want people to remain in their homes; would like to find any resources they can do that
- the district council doesn't act independently on issues; someone needs to come to them
- there have been no complaints on 676; they hear the opposite
- there is a district council meeting tonight; will provide the board with a staff report on today's findings
- will email their resolution that was ratified

Ms. Moermond:

- she would not recommend a re-inspection happen; there is a current Code Compliance Inspection Report out there and if the work has been done since then, it's not a big deal - it will get looked at and taken into account
- provided Ms. McMurray and Ms. DuPaul with copies of the Code Compliance Report and information on the permits that have been pulled (they were all pulled before the current code compliance inspection)
- is concerned that if there isn't enough money for the \$5,000 Performance Deposit, there may not be enough for finishing the project; this deposit is never waived; if the project is finished within the timeline set, the \$5,000 is refunded plus interest
- there will be no "cooling off period" - there are expectations for continuing the conversation
- the first and foremost expectation is documentation of financial capacity to do the project; if the amount is going to be less than the estimated \$50,000, she needs to see documentation of that
- Ms. Woolsey needs to swear out an affidavit that she is going to put aside this money for that purpose
- the details can be figured out along the way but if the financial piece isn't there, there's not a lot to talk about after that, so, that has to be established first
- ESNDS / Dayton's Bluff NHS may be able to help but they need to be approached by Mr. Adams, so he must contact them and work with them and to bring a representative forward to make her aware of whatever role that they are willing to

play

- it would be fantastic if they were to step up; however, they will be have more requirements
- she needs to see that Mr. Adams is in the game
- she needs to see what's going on
- she needs to see the bids, etc.
- she can't go to the City Council with nothing and ask them to do anything but Order the building down and she won't; she needs something on the table to keep the conversation going

Ms. McMurray:

- there is a great deal of community interest in this case

Ms. DuPaul:

- she is willing to talk with Jim Erchul and John to see if they could work with Mr. Adams; maybe it would be easier (Ms. McMurray: thinks that if there were a team approach in the neighborhood, it would help)

Ms. Moermond:

- she will need to approve a work plan
- needs to see the money by 4:30 p.m. Oct 2, 2013 (CCPH Oct 2, 2013)
- provide her with documentatiion as it's developed
- loan applications; account; affidavit; (evidence to do the project)
- can connect with Mr. Adams and other folks at 4:30 p.m. to walk through all the documentation
- provide documentation to her as it's developed

Referred to the City Council due back on 10/2/2013

2 [RLH RR 13-44](#)

Ordering the razing and removal of the structures at 157 ATWATER STREET within fifteen (15) days after the October 16, 2013, City Council Public Hearing.

Sponsors: Khaliq

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

RE: 157 Atwater Street (Apartments)

Steve Magner, Vacant Buildings:

- *The building is a two-story, multi-unit dwelling on a lot of 4,356 square feet. According to our files, it has been a vacant building since October 17, 2012.*
- *The current property owner is William Fox per AMANDA and Ramsey County Property records.*
- *On July 8, 2013, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on July 11, 2013 with a compliance date of August 10, 2013. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.*
- *Taxation has placed an estimated market value of \$60,000 on the land and \$110,000 on the building.*
- *Real estate taxes are current through the first half of 2013.*
- *The Vacant Building registration fees were paid by assessment on March 1, 2013.*
- *As of September 23, 2013, a Team Inspection has not been done.*
- *As of September 23, 2013, the \$5,000 performance deposit has not been posted.*
- *There have been five (5) SUMMARY ABATEMENT NOTICES since 2012.*
- *There have been four (4) WORK ORDERS issued for:*

- Garbage/rubbish
- Boarding/securing
- Grass/weeds
- Code Enforcement Officers estimate the cost to repair this structure exceeds \$30,000. The estimated cost to demolish exceeds \$15,000.
- DSI, Division of Code Enforcement Resolution submitted for consideration orders the property owner to repair or remove this structure within fifteen (15) days; if not the resolution authorizes the Division of Code Enforcement to demolish and assess the costs to the property

Amy Spong, Heritage Preservation Commission (HPC):

- built before 1903 as a wood frame structure; there's no building permit record
- repair of or garage built in 1903
- mild Greek Revival built as flats; probably a 4 unit in the beginning (4-square, symmetrical)
- has not been inside
- there is no original siding
- it has stucco on the front
- there have been some alterations (parapet roof; rear porch rebuild)
- has a 2-story open front porch
- there was another house on the same lot that has been razed
- there are still some commercial buildings right off Rice St
- a lot of buildings have a similar building date
- not identified in 1983 survey and not part of any recent survey
- demolition would not have an adverse affect; however, they are concerned about loosing housing right behind a commercial corridor; a lot of those blocks get taken up for parking

Mr. Magner:

- looking at the Revocation letter, there's quite a few items (40+)
- has kind of a summary of SPPD action at this property; had many night checks
- has been poorly maintained

Ms. Moermond:

- there is no one here representing the structure
- knowing the past problems of being a problem property and all the physical problems with it, she will recommend that the City Council order the building removed within 15 days with no option for its rehabilitation

Referred to the City Council due back on 10/16/2013

3 [RLH RR 13-45](#)

Ordering the razing and removal of the structures at 461 BEAUMONT STREET within fifteen (15) days after the October 16, 2013, City Council Public Hearing. (To be laid over to November 6, 2013)

Sponsors: Brendmoen

Remove the building within 15 days with no option for repair. (Laid over to Oct 15, 2013 LH to get SHPO information/documentation added to the record.)

RE: 461 Beaumont Street (Single Family)

Theresa M. Yarrusso, owner, appeared along with her nephew.

Ms. Moermond:

- this is a fire damaged structure

Nephew:

- *the house is all cleaned out*

Steve Magner, Vacant Buildings:

- *The building is a two-story, wood frame, single-family dwelling, with a detached, three-stall garage, on a lot of 4,792 square feet. According to our files, it has been a vacant building since July 22, 2013. (On July 9, 2013, property was condemned for materials endangerment and for fire damage to second floor walls, ceiling and roof.)*
- *The current property owner is Theresa M. Yarusso per AMANDA and Ramsey County Property records.*
- *On August 7, 2013, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on August 9, 2013 with a compliance date of August 23, 2013. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.*
- *Taxation has placed an estimated market value of \$7,200 on the land and \$36,600 on the building.*
- *Real estate taxes for the first half of 2013 are delinquent in the amount of \$379.85, which includes penalty and interest.*
- *The Vacant Building registration fees are due and owing in the amount of \$1,440.*
- *As of September 23, 2013, a Code Compliance Inspection has not been done.*
- *As of September 23, 2013, the \$5,000 performance deposit has not been posted.*
- *There have been no SUMMARY ABATEMENT NOTICES since the vacant building file was opened and no WORK ORDERS have been issued. The city did have to board the building on an emergency order as a result of the fire on July 9, 2013.*
- *Code Enforcement Officers estimate the cost to repair this structure exceeds \$50,000. The estimated cost to demolish is \$12,000 to \$15,000.*
- *DSI, Division of Code Enforcement, Resolution submitted for consideration orders the property owner to repair or remove this structure within fifteen (15) days; if not the resolution authorizes the Division of Code Enforcement to demolish and assess the costs to the property.*
- *do not have a bid tab*

Amy Spong, Heritage Preservation Commission (HPC):

- *1864 Greek Revival style structure*
- *surveyed in 1983 and 2011 and recommended for further study*
- *2011 survey: the property appears to be significant and is recommended individually for intensive level survey*
- *early construction and there is a spattering of houses in that neighborhood that also have similar construction dates*
- *has a 2-story bay*
- *originally built on a lot with another single family dwelling (smaller cottage on the back of this property, which has been torn down)*
- *both properties were turned into flats prior to 1925*
- *this property had an open 1-story front porch; also a 1-story kitchen addition on the back and a side porch*
- *over the years, there's been some non-historic additions (stair tower)*
- *there has been a fire since the 2011 recommendation*
- *she hasn't seen the Fire Report so she doesn't know what the damages are*
- *some photos in Amanda*
- *will provide the inventory form for the record*
- *replaced windows and siding (original probably underneath)*
- *there are a lot of integrity questions - its historic features are either covered up or gone*
- *she put in a request for the original inventory form from 1983 and haven't yet received it*

- it is interesting to her that this structure was identified and recommended again for intensive level survey 2 years ago
- this property relates to the larger context studies, *Edge of the Walking City* (provides a broader history of this housing type and establishes the relative significance compared to other properties) - this house relates to a collection of other homes in the area
- is challenging as far as a recommendation goes
- right now, it has potential as an historic resource
- SHIPO - doesn't have the filled-out letter (haven't yet put in their 2011 survey data for them to make any recommendations)
- is fairly confident that SHIPO would say that it's not eligible for the national register and hasn't been identified but they would pick up on the fact that it was identified in 1983

Ms. Moermond:

- would like to lay this matter over for 2 weeks to make sure that we have the addition of the SHIPO review and the 1983 survey
- Councilmember Brendmoen will want to see a bid tab because this is a fire damaged structure; will want to move sooner than later no matter what

Ms. Yarrusso:

- there is a mortgage on the house; she hasn't talked to Interstate TD Investments since shortly after the fire; they wanted her to go to Habitat for Humanity to fix up the house
- she took out a loan, not on the house, but a personal loan; however, she wasn't able to pay on time so they put a lien on the house; the loan was taken out with Beneficial, who then sold it to Interstate TD Investments

Nephew:

- she will need to let the house go back to the State of Minnesota for back taxes (Ramsey County will administer it for the state)

Ms. Yarrusso:

- she has a Confession of Judgement; she paid last year but didn't get it paid this year
- she tried to get Xcel to turn off the gas and electric and she doesn't know if the water has been turned off
- the house has been broken into 3 times since the fire and the copper was taken (Mr. Magner will call Xcel)

Mr. Magner:

- if you have a Confession of Judgement and you fail to meet your obligation, shortened action could start after Oct 15, 2013

Ms. Moermond:

- she will email Kris Kujala, Tax Forfeited Lands, Ramsey County to see what she thinks (need to get her information on the record)

Mr. Magner:

- fix-up costs probably between \$50,000-\$80,000
- doesn't believe the roof has been compromised
- anything can be rehabilitated; it just boils down to cost
- at this point, the house probably needs to be completely gutted; maybe removing some of the additions; stripping the siding (fairly extensive process- doesn't believe that it warrants immediate razing but it will have to be worked through because of the competing interests)

- it is of historic significance; will need to figure out if someone is going to rehab the property
 - there is an avenue to transfer the title to HRA but he has no idea if they'd be interested (but they did spend 15 years in Railroad Island)

Nephew:

- doesn't believe that it would need total gutting; however, it does need new plumbing, new electrical; the 2 furnaces are in good shape
 - they would love to see the building remain and be fixed up because of their family history

Ms. Yarrusso:

- her dad moved into the house when he was 4 years old in 1923; he bought the house in the 50s from his parents, who lived there as far back as anyone can remember; her brothers and sisters moved into the house in 1959 when her grandmother passed away in the house; her mother also passed away in the house in 2000
 - she is currently living with a neighbor and is going through Public Housing to find a place

Ms. Moermond:

- suggested that Ms. Spong take the lead on following up with Roxanne and Marty in PED (their input will go on record in 2 weeks)
 - currently, her recommendation is to Order it Removed within 15 days at CCPH Oct 16, 2013
 - all added information will be discussed in 2 weeks (LH Oct 8, 2013)
 - Fire Report was scanned into the record

Referred to the City Council due back on 10/16/2013 (Legislative Hearing 10/15/13)

4 [RLH RR 13-46](#)

Ordering the razing and removal of the structures at 979 MARYLAND AVENUE EAST within fifteen (15) days after the October 16, 2013 City Council Public Hearing.

Sponsors: Bostrom

The following conditions must be met by October 8, 2013 in order to receive a grant of time for other conditions to be met:

- 1) the property taxes must be paid and brought to current;
- 2) a \$5,000 performance deposit must be posted; and
- 3) the property must be maintained.

RE: 979 Maryland Avenue East

Victor Abalo, cousin of owner Atanta Bello (Le Racleur LLC), appeared. Mr. Bello is in Africa.

Steve Magner, Vacant Buildings:

- The building is a one and three-quarter story, wood frame, duplex, with a detached, oversized, one-stall garage, on a lot of 4,792 square feet. According to our files, it has been a vacant building since April 8, 2011. (Note: This building was a Category 2 vacant building referred by Fire C of O; file was opened December 3, 2007. A Code Compliance Inspection was done on January 27, 2009 and the new owner went through sale review which was approved on June 5, 2009. Since the property had been vacant for more than one year, it was required to be de-converted from a

duplex to a single-family residence. A Certificate of Code Compliance was issued on December 17, 2009 as a duplex; the vacant building file was closed on December 29, 2009. The property owner never obtained a Certificate of Occupancy and the property was never occupied. Fire C of O again referred the property to the Vacant Building Program on April 8, 2013.)

- *Since it's been rehabilitated, there's been significant damage to the house, primarily due to water.*
- *The current property owner is Le Racleur LLC per AMANDA and Ramsey County Property records.*
- *On June 26, 2013, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on July 16, 2013 with a compliance date of August 15, 2013. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.*
- *Taxation has placed an estimated market value of \$8,800 on the land and \$41,200 on the building.*
- *Real estate taxes for 2010, 2011 and 2012 are delinquent in the amount of \$19,314.34; taxes for the first half of 2013 are due in the amount of \$2,460.87, which includes penalty and interest. (Property is scheduled for tax forfeiture July 31, 2014.)*
- *The Vacant Building registration fees were paid by assessment on April 30, 2013.*
- *A Code Compliance Inspection was done on January 27, 2009 which has since expired.*
- *As of September 23, 2013, the \$5,000 performance deposit has not been posted.*
- *There have been thirteen (13) SUMMARY ABATEMENT NOTICES since 2011.*
- *There have been fourteen (14) WORK ORDERS issued for:*
 - *Garbage/rubbish*
 - *Boarding/securing*
 - *Grass/weeds*
- *Code Enforcement Officers estimate the cost to repair this structure exceeds \$50,000. The estimated cost to demolish exceeds \$12,000.*
- *DSI, Division of Code Enforcement, Resolution submitted for consideration orders the property owner to repair or remove this structure within fifteen (15) days; if not the resolution authorizes the Division of Code Enforcement to demolish and assess the costs to the property.*

Amy Spong, Heritage Preservation Commission (HPC):

- *built in 1914 in the vernacular style with some shingle style element*
- *1 3/4 story; the upper story is all shingled; the wood story is wood clapboard (one of a few houses that hasn't been covered up with a synthetic siding)*
- *changes: 1935 alteration noted in the permit cards; the front porch has been enclosed; no original windows*
- *this area was last surveyed in 1983 (Maryland Ave was the cut-off for the 2011 survey)*
- *in 1983, it was not identified*
- *no Sanborn Insurance Map for this area*
- *there's a few infills otherwise the block is fairly intact*
- *there is extensive water damage and no record of a fire*
- *demolition would not have an adverse affect*

Mr. Abalo:

- *Mr. Bello is not very communicative with Mr. Abalo concerning this property; he can't get a hold of him*
- *people want to buy the property (Ms. Moermond: this property cannot be sold until the nuisance is taken care of)*
- *it would take a lot of money to fix it up*

Mr. Magner:

- before a rehabilitation can even start, there are \$22,000 in taxes alone to be paid

Ms. Moermond:

- it appears that no one has been maintaining the property very well; there have been a lot of Orders

- taxes haven't been paid, which looks as though the owner is walking away from the property

- there is no current Code Compliance Inspection Report so, she doesn't know what's going on with it (it looks as though there's been significant water infiltration and extensive mold damage)

- no Performance Deposit has been posted (required in order to get time to do the work)

- if the owner wants to rehab, she would need to see: 1) how it will be financed; the taxes paid; and a work plan for the rehab)

- \$75,000 minimum investment for everything

Mr. Abalo:

- will try to get in touch of Mr. Abalo and he will speak with his family

Ms. Moermond:

- if the back taxes are paid, the Performance Deposit paid and the property maintained by Oct 8, 2013, she would be able to recommend the owner gets time to figure out the other pieces; otherwise, she would recommend the house be removed

- City Council Public Hearing Oct 16, 2013

- will be approximately \$25,000 to come up with

- will send letter to confirm

- leave your email address as well as Mr. Bello's email address in Africa

LHO Note: as of 3 p.m. 10/9/13 none of the 3 conditions have been met.

Referred to the City Council due back on 10/16/2013

11:00 a.m. Hearings

Summary Abatement Orders

- 5 [RLH SAO 13-42](#) Appeal of Charles W. Belcher to a Summary Abatement Order and Vehicle Abatement Order at 863 ROSE AVENUE EAST.

Sponsors: Bostrom

Grant extension until October 18, 2013 for the vehicles and clean-up to come into compliance; grant extension until June 1, 2014 for the driveway to come into compliance.

RE: 863 Rose Avenue East (Single Family)

Charles W. Belcher, owner, appeared.

Inspector Paula Seeley:

- got complaint Aug 30: open trailer full of junk and cars in the yard

- she went out and found a white Chrysler with expired tabs on an unapproved surface; looked inoperable; also found a large commercial truck with commercial plates and expired tabs on an unapproved surface, illegally parked in a residential

zoning district

- wrote a *Summary Abatement* on carpeting, torn tarp, an abandoned dog kennel with improper storage in it; some other rubbish on the back porch
- there is an approved site plan, dated 2002, approved by Cynthia Skally for class 5, which is not being maintained (photos); new ordinance changed surface to asphalt, concrete or approved pavers

Mr. Belcher:

- has started to clean up the back but someone slit his tires (other neighbors' tires were slit, too)
- he tore his rotary cuff in one shoulder and also may have torn the rotary cuff in his other shoulder and is worried about his prostate; he can't lift things that are too heavy right now; he has some property tax money coming, so, he will hire someone to help him change the tires on his car; he may need surgery
- each year, he treats the driveway for weeds
- he uses the truck for his business, his livelihood; has had it 7-10 years and it's never been an issue being parked back there; 3-4 years ago, he was caught in a sweep; inspector said the truck was fine there; the truck is not considered a commercial vehicle anymore; it has different plates

Ms. Seeley:

- it has YH in the plate number
- the height and weight of the truck determines a commercial vehicle

Mr. Belcher:

- the truck isn't that heavy; he doesn't haul heavy stuff in it
- it's just big and old
- he has a beautiful front yard but the back yard is a different issue; he has dogs
- right now, he is doing what he can but is limited by his arms; hasn't been able to work 5-6 weeks now
- he really needs more time to do the clean-up; as soon as he gets the money, he will get people to help him clean-up and the problem will be gone
- the alley surface is asphalt
- there are 2 gates through which the truck goes

Ms. Moermond:

- the City Council Public Hearing is Oct 16, 2013
- she will recommend that they give you until close of business Oct 18, 2013 to come into compliance; the commercial truck can't be there nor can it be out front
- the class 5 surface is not acceptable; it's so very deteriorated
- she is flexible about keeping class 5 parking surfaces if the alley is also class 5; in this case, it's an asphalt alley
- Mr. Belcher can ask the City Council for a different outcome
- the deadline for coming into compliance with an asphalt parking pad will be Jun 1, 2014

Mr. Belcher:

- he doesn't have the funds to change his parking pad to asphalt right now
- wishes that Ms. Moermond could give him more time just in case he doesn't get the property tax return check in a timely manner

Referred to the City Council due back on 10/16/2013

Correction Orders

Orders To Vacate, Condemnations and Revocations

- 7 [RLH VO 13-44](#) Appeal of Ogheueovoh Gbejeowoh to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1148 MAGNOLIA AVENUE EAST.

Sponsors: Bostrom

Grant extension until November 30, 2013 for tenant(s) to vacate the property.

RE: 1148 Magnolia Avenue East (Single Family)

No one appeared.

Fire Inspector A. J. Neis:

- Inspector Brian Tonnacour went back out and took photos*
- this is also a Fannie Mae property managed by Carrington*
- inspector accessed the interior*
- inspector is comfortable extending the vacate date to Nov 30, 2013*

Ms. Moermond:

- will recommend denying the appeal and granting an extension to Nov 30, 2013 to vacate*

Referred to the City Council due back on 10/16/2013

- 8 [RLH VO 13-46](#) Appeal of Rasheeda Lilley to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 586 HAZEL STREET NORTH.

Sponsors: Lantry

Grant the appeal on the condition that the windows and heating source on the 2nd floor are taken care of by October 31, 2013. (Tenant(s) must not use the 2nd floor bedroom for sleeping purposes)

RE: 586 Hazel Street North (Single Family)

Rasheeda Lilley, tenant, appeared.

Fire Inspector A. J. Neis:

- Revocation of a Fire Certificate of Occupancy / Order to Vacate by Fire Inspector Sean Westenhofer*
- he identified 7 code violations*
- the property is in foreclosure, owned by Fannie Mae; Carrington Property Services, manages; however, they don't really do much fixing on the properties that they manage, they maintain them*
- this C of O inspection process started in May, 2013 with Orders having been issued to Carrington Properties with 27 code violations; re-inspection made Jun 27, 2013 - some of the work had been completed; 9 items remained*
- another letter was issued Jun 27, 2013 with an extension granted until Sep 10, 2013, at which time, the inspector Revoked the C of O and Ordered it vacated*
- 7 violations remain: 1st fl-repair window sash to remain open properly; 1st fl kitchen-discontinue use of extension cords and microwave should plug directly into an approved outlet; 2nd fl -repair damaged egress window (may require a permit); 2nd fl - no permanent source of heat on 2nd fl - provide and maintain a minimum of*

68 degrees F in all habitable rooms at all times; dryer vent needs to be properly secured; garage-repair cracked and damaged foundation and overhead door; provide/maintain suitable ground cover on all exterior areas to control erosion
- Carrington has been managing the property since May

Ms. Lilley:

- single mom with 5 children (2 months, 6, 8, 14, 16) and cannot move by Oct 1, 2013
- she is stuck in the middle
- Carrington isn't doing the Section 8 updates either
- Section 8 was paying the rent
- she got a phone call from Sean Westenhofer, who said that he spoke with Carrington and they told him that they weren't going to do the updates
- 2 weeks later, she got a call from Section 8, who said that Carrington hadn't done the Section 8 updates, either and they were giving her until Oct 31, 2013 to vacate the property because they would not be paying for it

Mr. Neis:

- Section 8 is ordering the vacate on Oct 31, 2013 because that's when their housing voucher is up
- based on the Orders, he doesn't see any life safety hazards
- he would be willing to amend their vacate date to match Section 8's Oct 31, 2013

Ms. Lilley:

- she is asking Section 8 for more time, as well so that she'd be able to get a deposit and time to get another place
- John, the property manager, called her about 3 weeks ago and told her that Fannie Mae no longer wanted to renew her lease; her lease is up at the end of this month but she hasn't received anything in writing
- she and the baby sleep on the 2nd floor
- the crank on one window is a little stripped
- she has 4 other bedrooms (2 on the 1st floor; 2 in the basement; has egress window)
- she did get a phone call from Carrington this morning asking if they could come by tomorrow to take pictures of what needs to be repaired so, they may be trying to do something

Ms. Moermond:

- inclined to go with the Oct 31st deadline; if they can get the repairs done, it's a moot issue
- the violations that jump out at her are #1 - #4 (windows need to stay open; the crank needs to work and there needs to be a permanent heat source)

Ms. Lilley:

- she has been in that house for 6 years and the heat upstairs has worked for them; the landlord fixed radiator heaters to the floor
- they are not trying to remain in the house; she wants to move but they need time
- according to Section 8, she can extend the vacate date out 90 days from Oct 31, 2013

Ms. Moermond:

- she is not happy with the heat situation; her preference is to not have that space heater going (they are temporary); it's a fire hazard with people sleeping in the room (Ms. Lilley: she and the baby can move to another bedroom)

Mr. Neis:

- the house is a 1 1/2 story; the 2nd floor was not intended to be used as living space

and that's why there's no heat up there
- is more concerned about the space heater since it's been affixed to the floor for the last 5 years; he would like to see it disconnected and thrown away
- if the Appellant is looking to stay longer, some of the repairs can be taken care of very easily (unplug the microwave; secure the vent with metal straps; get some sash clips to screw into the window jams)

Ms. Moermond:

- don't use the space heater
- will grant an extension on the vacate date on the condition that items #1,2,3 and 5 are taken care of by Oct 31, 2013 (tenant can then remain longer)
- if that's done, the Fire C of O would be re-instated and we could work on the other items with a Correction Order

Referred to the City Council due back on 10/16/2013

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 9 [RLH FCO 13-198](#) Appeal of Kathryn Ramirez to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 351 RAMSEY STREET.

Sponsors: Thune

Grant extension until November 1, 2013 for compliance except for the painting which is granted until August 1, 2014.

RE: 351 Ramsey Street (Single Family)

Manuel and Kathryn Ramirez, owners, appeared.

The Ramirez' entered a work plan.

Fire Inspector Leanna Shaff:

- photos in Amanda
- went out to property and noted that the rear porch on the side of the house is pretty shaky and saggy; it appears that the footing for one of the posts has sunk
- the porch flooring and supporting members look to be deteriorated, rotting
- paint on exterior siding is weather worn and chipped and peeling; very apparent on trim boards

Mr. Ramirez:

- one of those posts either broke or rotted away; the one right next to the steps
- carpenter said they needed a post right next to the house, one 4 feet away from the house and one where there's no post at all
- their handyman will be back tomorrow

Ms. Shaff:

- since this is a structural issue and the porch is attached to the house, a permit will be required

Ms. Moermond:

- is taking into account that the handyman is out of town
- the plan looks good to go; appointments on the 25th and 26th of Sep and handyman

will be coming back tomorrow
- the deadline for this is Nov 1, 2013
- the exterior painting deadline is Aug 1, 2014
- City Council Public Hearing is Oct 16, 2013

Referred to the City Council due back on 10/16/2013

10 [RLH FCO](#)
[13-208](#)

Appeal of Marcia Lowry to a Fire Inspection Correction Notice at 1859 SAINT CLAIR AVENUE.

Sponsors: Tolbert

Grant extension until November 22, 2013 for compliance. If the work is not done, enforcement action will be taken.

RE: 1859 Saint Clair Avenue (Duplex)

No one appeared.

Fire Inspector Leanna Shaff:

- took photos and added them to Amanda*
- rear porch/steps - there's a lot of rotted wood behind that stucco and there's holes in the stucco*
- the porch assembly is peeling away*
- the sidewalk is coming away from the structure*
- the brick fascia is coming off in multiple locations on the side of the house*
- the stairs are also peeling apart; a lot of freeze/thaw could make them pop*
- the porch assembly and steps won't fall off immediately but they will eventually, sooner than later*
- the guardrail will be in danger of failure*

Ms. Moermond:

- will make sure Ms. Shaff's more recent photos get attached to the file*

Ms. Shaff:

- was not inside*
- thinks it's an up/down duplex but not sure*
- stucco repair can't be done in the winter*

Ms. Moermond:

- will grant an extension of 2 months, until Nov 22, 2013*

Referred to the City Council due back on 10/16/2013

11 [RLH FCO](#)
[13-214](#)

Appeal of R David Reynolds to a Fire Inspection Correction Notice at 1246 UNIVERSITY AVENUE WEST.

Sponsors: Khaliq

Grant extension until December 1, 2013 to remove the tank and Halon; grant extension until May 1, 2014 for removal of the pipes connecting to the Halon System. Security gate was to have been removed by Sept 24, 2013.

RE: 1246 University Avenue West (Commercial)

R. David Reynolds, owner, appeared.

Ms. Moermond:

- looking at the Halon System that removes oxygen
- it needs to be either removed or maintained

Fire Inspector Leanna Shaff:

- the Appellant would like to remove the tank and leaving the system in case he has a tenant who would like it there; you can't buy Halon anymore and those heads aren't good for anything else; so, if it's there, it has to be maintained or removed, entirely

Mr. Reynolds:

- he had previously said that he'd be willing to remove the tank of gas but not everything

Ms. Shaff:

- the complete Halon System needs to be removed so that there's not an assumption of safety

Mr. Reynolds:

- had someone come to estimate what it would cost to have the system inspected; his answer was \$1,000/year
- the guy hasn't given him a price for what he would charge to pull the Halon System out completely
- it's just him and his desk using this space; he feels as though someone is walking around with a stick hitting him over and over again
- he's not bothering anyone and is paying \$120,000 - \$130,000 in taxes on the building with just his office in there; he just wants to be left alone

Ms. Moermond:

- explained that it's not personal; these are state laws based on international codes; there are costs of doing business and costs of maintaining property
- the options here are pull it or maintain it
- thinks that she can stage an abandonment (partial pull) but needs an end game (all equipment out)

Mr. Reynolds:

- he would like this to be done when he's not there; perhaps, when he's on vacation
- he can have it pulled in 6-8 months
- pulling the tank and the piping going to the heads is fairly straight forward; the tougher part is the part that goes through the cement walls to the shut-off valves; at least the head and wiring needs to go
- the person who works on their jet and is certified to take apart and put back together a jet engine could probably remove it
- he will be leaving this weekend and be gone for a while
- is asking for a couple of months to do the partial pull

Ms. Shaff:

- it will take a professional to make sure that it's dismantled properly; that the apparatus is free from Halon
- the city would require that a knowledgeable person, who is licensed to do the work, be hired to remove the system (Halon is a hazardous gas)

Ms. Moermond:

- will recommend that the Halon tank and heads be removed by Dec 1, 2013; the rest of the system and conduits by May 1, 2014

Referred to the City Council due back on 10/16/2013

2:30 p.m. Hearings**Vacant Building Registrations****12** [RLH VBR 13-51](#) Appeal of Rhonda Paoli to a Vacant Building Registration Fee at 113 ANNAPOLIS STREET EAST.

Sponsors: Thune

Waive the vacant building fee until January 1, 2014. If the repairs are not done, VB fee will be processed.

RE: 113 Annapolis Street East (Mixed)

Rhonda Paoli appeared.

Inspector Matt Dornfeld, Vacant Buildings:

- *appealing the Vacant Building Registration fee*
- *this is a Category 2 VB since Aug 22, 2008*
- *team inspection performed Jun 16, 2011*
- *Ms. Paoli went through the sale review approval process Aug 30, 2011*
- *have been a few neighborhood complaints about junk and refuse in the yard since then but no work orders have been needed*
- *recently, there was a double fee by a warm air ventilation inspector, Gary Rheinsberg (no notes left, 9-16-113)*
- *it's mixed-use dwelling; was commercial/residential; now trying to make it 100% commercial*

Ms. Paoli:

- *purchased building a couple of years ago*
- *she is a designer and her partner is a contractor and they started a business*
- *they rehab houses and some commercial*
- *the property is unique - a storefront with a house attached; they figured that it would be perfect for their business space*
- *they have had problems with cash flow so they are doing a lot of sweat equity; have pulled the necessary permits to complete the list*
- *Mr. Jim Seeger has come out a couple of times to make recommendations and clarifications*
- *they expect to be done in about 1 month (they made some design changes)*
- *the neighborhood is unique but she has heard a lot of negative stories about it*
- *they are waiting on finals on mechanical, electrical; then, Jim Seeger will final out everything*
- *they are waiting on the windows and doors (more expensive than anticipated), which are on order (2 weeks)*
- *are making improvements as they have cash*

Ms. Moermond:

- *based on the deadlines, she will ask the City Council to waive the VB fee until Jan 1, 2014; if not done, the fee will be processed as a tax assessment*
- *CCPH Oct 16, 2013*

Referred to the City Council due back on 10/16/2013

Staff Reports

13 [RLH FCO
13-206](#)

Appeal of Brett King to a Correction Notice - Complaint Inspection at
586 REANEY AVENUE.

Sponsors: Bostrom

*Grant extension until close of business on November 8, 2013 to get the driveway
done. If not done, enforcement action can be taken.*

RE: 586 Reaney Avenue (Apartments)

No one appeared.

Ms. Moermond:

- they were supposed to submit a plan and she doesn't have one

Ms. Shaff:

- looks as though the exterior painting is being completed

*- also, doesn't see a site plan, which we were going to run by zoning and Public
Works*

Ms. Moermond:

*- she wanted to give them enough time but the cold weather is upon us and if it isn't
done quickly, we're looking at next year*

*- will recommend they have until Nov 8 to get the driveway done; if it's not done,
enforcement action can be taken*

Referred to the City Council due back on 10/16/2013