



City of Saint Paul

City Hall and Court House
15 West Kellogg
Boulevard
Phone: 651-266-8560

Master

File Number: RLH VBR 11-33

File ID: RLH VBR 11-33 **Type:** Resolution LH Vacant **Status:** Passed
Building Registration

Version: 2 **Contact In Control:** City Council

Number:

File Created: 04/18/2011

File Name: 07/06/2011 **Final Action:** 315 Larch Street

Title: Appeal of John Norris to a Vacant Building Registration Notice at 315 LARCH STREET.

Notes: Appellant checked deficiency list as being appealed, but that document is a year old. Staff put a checkmark next to the Vacant Building Registration Notice as it is the only document that is timely.

Agenda Date: 07/06/2011

Indexes: 18 **Agenda Number:** Vacant Building Registration; Ward - 5

Sponsors: Helgen **Enactment Date:**

Attachments: 315 Larch LUTF Letter April 2011.pdf, 315 **Financials**
Included?:

Larch.appeal.4-26-11.pdf, 315 Larch St.Norris Ltr
5-10-11.doc, 315 Larch St.photos.5-10-10.pdf, 315
Larch St.photos.4-11-11.pdf, 315 Larch St.Duggins
Ltr.5-27-11.pdf, 315 Larch St.Duggins Letter
5-31-11.pdf, 315 Larch St.Minutes 5-10-11.pdf, 315
Larch St.Documents.pdf, 315 Larch Street
testimony.pdf

Contact Name: **Hearing Date:**
Entered by: Racquel.Naylor@ci.stpaul.mn.us **Ord Effective Date:**

Approval History

Version	Date	Approver	Action
1	04/20/2011	Moermond, Marcia	Approve



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2	05/25/2011	Moermond, Marcia	Approve
2	05/26/2011	Lee Helgen	Approve

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Legislative Hearings	04/26/2011	Laid Over	Legislative Hearings	05/03/2011		
	Action Text:	Laid Over to the Legislative Hearings due back on 5/3/2011					
	Notes:	<i>Rescheduled from April 26 to May 3, 2011.</i>					
1	Legislative Hearings	05/03/2011	Laid Over	Legislative Hearings	05/10/2011		
	Action Text:	Laid over to the 5/10/2011 Legislative Hearings					
2	Legislative Hearings	05/10/2011	Referred	City Council	06/01/2011		
	Action Text:	Referred to the City Council due back on 6/1/2011					
	Notes:	<i>See May 10, 2011 Legislative Hearing Minutes via attachment.</i>					
2	City Council	06/01/2011	Continue Public Hearing	City Council	06/15/2011		Pass
	Action Text:	Public hearing continued to June 15					
	Notes:	<i>Legislative Hearing Officer Marcia Moermond said the attorney for the appellant had requested a two week layover because the appellant had been mugged at his home the previous day and felt it was imperative that he attend the hearing.</i>					
		<i>No one appeared in opposition; Councilmember Helgen moved to continue the public hearing to June 15.</i>					
		Yea: 7	Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune, and Councilmember Stark				
		Nay: 0					
2	City Council	06/15/2011	Continue Public Hearing	City Council	07/06/2011		Pass
	Action Text:	Public hearing continued to July 6					
	Notes:	<i>Legislative Hearing Officer Marcia Moermond requested a two week layover. She said the appellant was unable to attend the public hearing. She noted that this was the second continuation at the appellant's request and no further continuations would be allowed.</i>					
		<i>No one appeared in opposition; Councilmember Helgen moved to continue the public hearing to July 6.</i>					
		Yea: 6	Councilmember Bostrom, Councilmember Carter III, Councilmember Helgen, City Council President Lantry, Councilmember Thune, and				



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Councilmember Stark
Nay: 0

Absent: 1 Councilmember Harris

2 City Council 07/06/2011 Adopted Pass

Action Text: Adopted (appeal denied)

Notes: *Legislative Hearing Officer Marcia Moermond said the Council had denied the appeal on the condemnation and order to vacate the previous summer, and was now considering the appeal of the vacant building registration. She said it was clear the building should be in the registered vacant building program as it was condemned, not occupied, and didn't have a Certificate of Occupancy. At Councilmember Helgen's request she clarified that what was before the Council was the vacant building status and fee.*

In opposition:

Terry Duggins, attorney for John Norris, Sr. and John Norris, Jr., distributed and reviewed material related to attempts to come into compliance with orders. He said they hadn't been able to find an engineer to do a code analysis, and were still waiting for clarification on what that was.

In response to a question by Council President Lantry, Mr Norris said the date of the deficiency list was May 2010. Council President Lantry asked whether the building was occupied. Mr. Duggins said there was a business there.

Mr. Duggins said they were waiting for clarification on just five items. He said they'd been there 20 years with no problems.

John Norris, Jr. said Inspector Neese was being nitpicky, and items that had been corrected continued to appear on the deficiency list.

Mr. Duggins said going forward would have the effect of putting Mr. Norris out of business. He said they were asking for clarification and then 90 days to complete the corrections.

Councilmember Helgen moved to close the public hearing. Yeas - 6 Nays - 0 (Councilmember Harris not present for vote)

Councilmember Helgen referred to the photos in the packet showing a shed structure with no real roof, and general clutter including a variety of different materials. He said he felt it was a vacant building and the fee should be paid, and the appellant should continue to work with DSI to get the Certificate of Occupancy. Ms. Moermond clarified the engineering report requirement.

Council President Lantry noted that the photos in the file were from a year ago and from April.

Councilmember Helgen moved to adopt the recommendation of the Legislative Hearing Officer (the building is a registered vacant building, the fee must be paid, and the Certificate of Occupancy must be reinstated).

Yea: 7 Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune, and Councilmember Stark

Nay: 0



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2 Mayor's Office 07/11/2011 Signed
Action Text: Signed

Text of Legislative File RLH VBR 11-33

Appeal of John Norris to a Vacant Building Registration Notice at 315 LARCH STREET.

Verbal only - no paperwork

Not sure what appealing. Need answers from inspector

Haven't any knowledge of how this is done. Counsel is out of town until 5-5-11.