

# City of Saint Paul

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



## **Minutes - Final - Final-revised**

**Tuesday, January 11, 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*

*legislativehearings@ci.stpaul.mn.us*

*651-266-8560*

**9:00 a.m. Hearings****Remove/Repair Orders**

- 1      **RES 10-1655**      Ordering razing and removal of the structures at 579 LEXINGTON PKWY SOUTH within fifteen (15) days after the February 2, 2011, City Council Public Hearing.

**Sponsors:**      Harris

**Attachments:**      579 Lexington Pkwy S.Hearing Notice.12-17-10.pdf  
579 Lex Pkwy S.Order to Abate.11-17-10.pdf  
579 Lexington Pkwy S.Photos.11-4-10.pdf  
579 Lex Pkwy S.CodeCompliance Rpt.3-11-10.pdf  
579 Lexington Pkwy S.Photos.2-16-10.pdf  
579 Lexington Pkwy S.R-R Ltr 1-11-11.doc

*Remove within 15 days with no option for repair.*

*No one representing the owner appeared.*

*Matt Miller, holder of Purchase Agreement, appeared. He is asking the City to agree to let him demolish the building after he buys it.*

*Steve Magner, DSI-Vacant Buildings, reported that 579 Lexington Parkway South is a one-story, wood frame, single-family dwelling with a two-stall garage on a lot of 8,712 square feet. It has been a vacant building since February 17, 2010. Current property owner is Citimortgage Inc c/o Associates Financial Services, per Ramsey County records. There have been two (2) Summary Abatement Notices since 2010 and one (1) Work Order for Boarding/Securing. On November 2, 2010, 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 November 17, 2010, with a compliance date of December 17, 2010. As of this date, this property remains in a condition which comprises a nuisance as defined by the legislative code. The Vacant Building registration fees are current. Taxation has placed an estimated market value of \$109,400 on the land and \$72,100 on the building. A Code Compliance Inspection was done on March 11, 2010. As of January 7, 2011, the \$5,000 performance deposit has not been posted. Real Estate taxes are current. Code Enforcement officers estimate the cost to repair this structure to be between \$80,000 and \$90,000; cost of demolition between \$12,000 and \$15,000. DSI is asking that this structure be removed within fifteen (15) days.*

*Amy Spong, PED-HPC, reported that this one-story was built in 1956. It has not been surveyed for any historical significance. It has been altered since it was built. This area was developed later; the structure is not in character with the rest of the homes. There are no Sanborn Insurance Maps available for this area. Demolition would have no adverse effect.*

*Ms. Moermond stated that the only way Mr. Miller could demolish this structure were if he could come to some arrangement with the current owner whereby he could knock it down while under their ownership. Mr. Miller cannot buy it and demolish it himself.*

*Ms. Moermond recommended to removed within fifteen (15) days with no option for repair.*

**Referred to the City Council, due back on 2/2/2011 (Legislative Hearing Officer recommends**

- 2      **RES 10-1657**      Ordering the rehabilitation or razing and removal of the structures at 859 FRONT AVE within fifteen (15) days after the February 2, 2011, City Council Public Hearing.

**Sponsors:**      Helgen

**Attachments:**      859 Front.Hearing Notice.12-17-10.pdf  
859 Front.Order to Abate.10-25-10.pdf  
859 Front.Photos.10-5-10.pdf  
859 Front Ave.R-R Ltr 1-11-11.doc

*The following conditions must be met by January 24, 2011: 1) \$5,000 performance deposit posted; 2) apply for Code Compliance Inspection; 3) show proof of available \$50,000 for project. (CPH February 2, 2011)*

*Soua Vang, owner, appeared.*

*Steve Magner, DSI-Vacant Buildings, reported that 859 Front Avenue is a two-story, wood frame, commercial building with a wood frame one-stall garage, in addition to a wood frame accessory shed on a lot of 6,534 square feet. It has been a Vacant Building since July 19, 2007. The current property owner is Soua Vang, per Ramsey County records. There have been five (5) Summary Abatement Notices since 2007 and two (2) Work Orders issued for: 1) remove tall grass and weeds; and 2) Boarding/Securing. On October 5, 2010, 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 October 25, 2010, with a compliance date of November 29, 2010. As of this date, this property remains in a condition which comprises a nuisance as defined by the legislative code. The Vacant Building registration fees are current. Taxation has placed an estimated market value of \$57,800 on the land and \$49,800 on the building. As of January 7, 2011, a Code Compliance Inspection has not been obtained and the \$5,000 performance deposit has not been posted. Real Estate taxes are current. Code Enforcement officers estimate the cost to repair this structure to exceed \$50,000; cost of demolition between \$10,000 and \$12,000. DSI is requesting that this building be removed within fifteen (15) days.*

*Amy Spong, PED-Historical Preservation Commission (HPC), reported that there is no Sanborn Insurance Map available for this property. It looks as though it was originally a store and flats building. It is at the corner of an entrance to Calvary Cemetery. This area has not been surveyed nor is it in any upcoming survey plans. There have been a lot of alterations; it has lost its integrity. Demolition would have no adverse effect. Zoned: B2.*

*Soua Vang said that as he sees it, he has three (3) options: 1) sell it; 2) fix it up and rent it out; or 3) tear it down and later build a condo on the property. He is leaning toward rehabbing it. Ms. Moermond listed what would be required if he decided to rehab:*

- Apply for a Code Compliance Inspection (to-do list)
- \$5,000 performance deposit
- proof of available funds (\$50,000) to cover the cost of rehab

- provide a Work Plan that addresses the to-do list
- maintain the building

Ms. Moermond stated that Mr. Vang's first step toward rehab is to: 1) post the \$5,000 performance deposit; 2) provide proof of \$50,000; and 3) apply for the Code Compliance Inspection by January 24, 2011. If these things are done, Ms. Moermond will recommend that he get additional time to put together a Work Plan and get bids, etc. A letter will be sent to confirm. (2 addresses: 1) 624 Fuller; and 2) Anoka) The City Council Public Hearing is February 2, 2011. If these three (3) conditions are not met by January 24, 2011, Ms. Moermond will recommend demolition. If Mr. Vang decides to demolish the building himself, he won't need to comply with the aforementioned three (3) conditions but he will need to pull a demolition permit and show Mr. Magner a signed contract with a demolition contractor before the time the City Council gives him to remove it. If not, the City will proceed to hire a demolition contractor, finish the project and assess the cost to the property taxes at 5.5% interest.

**Referred to the City Council, due back on 2/2/2011**

- 3      **RES 10-1658**      Ordering the razing and removal of the structures at 954 GALTIER ST within fifteen (15) days after the February 2, 2011, City Council Public Hearing.

**Sponsors:**      Helgen

**Attachments:**      954 Galtier.Order to Abate.10-15-10.pdf  
                                  954 Galtier.Public Hearing Notice.12-17-10.pdf  
                                  954 Galtier.Photos 2.7-7-10.pdf  
                                  954 Galtier.Photos.7-7-10.pdf  
                                  954 Galtier.Photos.9-21-10.pdf  
                                  954 Galtier St.R-R Ltr 1-11-11.doc

*Remove within 5 days with no option for repair.*

*Wallace Wickard, owner, appeared.*

*Steve Magner, Department of Safety and Inspections (DSI)-Vacant Buildings Program, reported that 954 Galtier Street is a two-story, wood frame, duplex with a two-stall garage on a lot of 6,098 square feet. It has been a vacant building since July 7, 2010. The current property owner is Wallace G. and Kathleen T. Wickard, per Ramsey County records. There have been three (3) Summary Abatement Notices since 2010; and three (3) Work Orders issued for: 1) Emergency Boarding/Securing; 2) garbage/rubbish; and 3) remove tall grass and weeds. On September 25, 2010, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were take. An Order to Abate a Nuisance Building was posted on October 15, 2010 with a compliance date of November 15, 2010. As of this date, this property remains in a condition which comprises a nuisance as defined by the legislative code. The Vacant Building registration fees are current. Taxation has placed an estimated market value of \$55,400 on the land and \$277,600 on the building. As of January 7, 2011, a Code Compliance Inspection has not been obtained. As of January 7, 2011, the \$5,000 performance deposit has not been posted. Real Estate taxes are current. Code Enforcement officers estimate the cost to repair exceeding \$100,000; the cost for demolition between \$10,000 and \$12,000. DSI staff is asking for removal of this building within fifteen (15) days. He added that it looks as though at one time it was up to three (3) separate buildings. In July 2010, a roofing crew was working to put a*

*new roof on the entire structure and there was a structural collapse of the rear section and the City initiated an Emergency Abatement; they removed the back two-thirds (2/3) of the building which left a residential/retail unit on the first floor and a residential unit on the second floor. Mr. Wickard has indicated to him that he doesn't have the resources at this time to rehabilitate the structure and he would like the City to remove the remaining structures on the site. The cost would be added to the taxes. Bids are not yet available.*

*Amy Spong, Planning and Economic Development (PED)-Historic Preservation Commission (HPC), reported that this wood-frame dwelling was built in 1886. No local survey work has been done and it has not been part of any federal project. The structure looks as though it has been altered quite a bit over the years. Because of the loss of integrity, demolition would probably have no adverse impact. The Sanborn Insurance Maps reveal that the center of the building was the dwelling area with a store on one side and a printing business on the other with rooming spaces in the back. Even between 1903 and 1925, there were changes. There was also a very small single-family dwelling and an out building for animals on the site.*

*Mr. Wickard is not objecting to the City demolishing the structure.*

*Ms. Moermond stated that the estimated demolition cost could go up depending if there are hazardous materials that need to be removed, like asbestos. Mr. Wickard responded that the original portion had asbestos siding; the remaining portion also has asbestos siding. Ms. Moermond asked Mr. Magner the cost of Emergency Boarding. He replied: \$40,074. Mr. Wickard added that the portion that collapsed had nine (9) sleeping rooms upstairs and two (2) bedrooms downstairs. There are five (5) addresses: 242 Front, 244 Front, 254 Front and 954 and 965 Galtier.*

*Ms. Moermond stated that this is scheduled at City Council on February 2, 2011. She will recommend that the structure be removed within five (5) days with no option for repair. Mr. Wickard will have five (5) days following the Council's action on February 2, 2011, to remove the building on his own. If he does not remove it within those five (5) days, the City will remove the structure and the cost will be assessed to property taxes. Mr. Magner explained the City's process of demolition.*

**Referred to the City Council, due back on 2/2/2011**

- 4 RES 10-1659** Ordering the razing and removal of the structures at 1268 DESOTO ST within fifteen (15) days after the February 2, 2011, City Council Public Hearing.

**Sponsors:** Helgen

**Attachments:** 1268 Desoto.Hearing Notice.12-17-10.pdf  
1268 Desoto.Order to Abate.10.15.10.pdf  
1268 Desoto.Photos.9-9-10.pdf  
1268 Desoto St.R-R FTA Ltr 1-11-11.doc  
1268 Desoto.Photos.3-29-10.pdf

*Remove within 15 days with no option for repair.*

*No one appeared.*

*Steve Magner, DSI-Vacant Buildings, reported that 1268 DeSoto Street is a one and one-half story, wood frame, single-family dwelling with a one-stall garage on a lot of*

4,792 square feet. It has been a Vacant Building since March 26, 2010. The current property owner is Anna C. Berge, per Ramsey County records. There have been six (6) Summary Abatement Notices since 2010 and eight (8) Work Orders for: 1) Boarding/Securing; 2) remove tall grass and weeds; and 3) garbage/rubbish. On September 9, 2010, 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 October 15, 2010, with a compliance date of November 15, 2010. As of this date, this property remains in a condition which comprises a nuisance as defined by the legislative code. The Vacant Building registration fees are current (gone to assessment). Taxation has placed an estimated market value of \$14,500 on the land and \$112,700 on the building. As of January 7, 2011, a Code Compliance Inspection has not been obtained and the \$5,000 performance deposit has not been posted. Real Estate taxes for 2010 are delinquent in the amount of \$4,553.92 plus penalty and interest. Code Enforcement officers estimate the cost to repair between \$50,000 and \$60,000; the cost to demolish between \$8,000 and \$10,000. DSI is requesting that this structure be removed within fifteen (15) days.

Amy Spong, PED-Historical Preservation Commission (HPC), reported that little of this area had been developed by 1925. This is a cottage dwelling built in 1912. The area has not been identified for any future survey work nor was it identified as a potential historic district in their 1983 survey work. Demolition would have no adverse effect. Zoned R4.

Ms. Moermond recommended the building be removed within fifteen (15) days with no option for repair.

**Referred to the City Council, due back on 2/2/2011**

- 5      **RES 10-1656**      Ordering the razing and removal of the structures at 695 BRADLEY ST within fifteen (15) days after the February 2, 2011, City Council Public Hearing.

**Sponsors:**      Thune

**Attachments:**      695 Bradley.Hearing Notice.12-17-10.pdf  
                                  695 Bradley.Order to Abate.10-25-10.pdf  
                                  695 Bradley.Photos.10-6-10.pdf  
                                  695 Bradley.Order to Vacate.7-8-10.pdf  
                                  695 Bradley.Photos.7-12-10.pdf  
                                  695 Bradley St.R-R FTA Ltr 1-11-11.doc

Remove within 15 days with no option for repair.

No one appeared.

Steve Magner, DSI-Vacant Buildings, reported that 695 Bradley Street is a two-story, wood frame, duplex with a two-stall garage on a lot of 5,227 square feet. It has been a Vacant Building since July 12, 2010. The current property owner is Ken Vue and Tria Yang, per Ramsey County records. There have been four (4) Summary Abatement Notices since 2010 and six (6) Work Orders issued for: 1) remove tall grass and weeds; 2) improperly stored refuse, garbage and misc debris; 3) remove snow/ice; and 4) Boarding/Securing. On October 6, 2010, 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 October 25, 2010, with a compliance date of November 29, 2010. As of this date, this property remains in a condition which comprises a nuisance as defined by the legislative code. The Vacant Building registration fees are current (sent to assessment). Taxation has placed an estimated market value of \$12,000 on the land and \$61,300 on the building. As of January 7, 2011, a Code Compliance inspection has not been obtained; the \$5,000 performance deposit has not been posted. Real Estate taxes are current. Code Enforcement officers estimate the cost to repair this structure to be between \$60,000 and \$80,000; the cost to demolish between \$10,00 and \$12,000. DSI is seeking a resolution to remove this structure within fifteen (15) days.

Amy Spong, PED-Historical Preservation Commission (HPC), reported that there are no Sanborn Insurance Maps for this site. The building was built in 1884. Might have had some Greek Revival styling to it at one point; now, you can't see much of that. The porch has been enclosed. The area is within the Payne-Phalen Survey area beginning in February and March 2011. The property probably would not be identified on its own merit; however, there are some pretty remarkable homes in the near vicinity with projecting bays and corner towers. Demolition will probably have no adverse effect.

Ms. Moermond recommended removal within fifteen (15) days with no option for repair.

**Referred to the City Council, due back on 2/2/2011**

**6**      [ALH 11-43](#)

Appeal of Zach McBroom, Central Bank, to a Vacant Building Registration Notice at 1134 JESSIE STREET.

**Sponsors:**      Helgen

**Attachments:**      [1134 Jessie.appeal.1-5-2011.pdf](#)  
                                 [1134 Jessie St.LH ltr 1-11-11.doc](#)

Change from Cat 2 to Cat 1. Will waive the VB fee until February 28, 2011. If not in compliance, the VB fee will be imposed and the status of the building will be a Category 2.

Zach McBroom, representing Central Bank, owner, appeared.

Appeal of Vacant Building registration/Revocation/Order to Vacate

Steve Magner, DSI-Vacant Buildings, reported that 1134 Jessie is a duplex. It was due for a Certificate of Occupancy inspection in July 2010. The inspector went to the property and spoke with the tenants, both of whom were unaware of the inspection, and they indicated that the property had been taken over by the mortgage company, in this case, Central Bank. They provided the inspector with Zach McBroom's phone number. The inspector called and left a message for Zach. On July 12, 2010, the inspector received an address and mailed Orders (Certificate of Occupancy with deficiencies) to Central Bank. The tenants had allowed the inspector access. A Fire Inspection Correction Notice was sent on July 13, 2010 and says that "your building was inspected on July 8, 2010, for renewal of Fire Certificate of Occupancy. Your Fire approval of occupancy will be granted on compliance with the following deficiency list. Items must be completed prior to the re-inspection date, August 5, 2010 at 10:30 a.m." It lists thirteen (13) violations. It talks about appealing this action and lists the inspector. The standard practice of the City is to inspect the building and issue a deficiency list. The City notifies the owner of record, and they have until the re-inspection date either to make the repairs or identify that they're in the process

of making the repairs so that on the re-inspection date, in this case, August 5, 2010 at 10:30 a.m., those repairs have been completed and the City can issue the Certificate of Occupancy. The address is now considered a certified dwelling. On July 22, 2010, the inspector spoke with Zach at Central Bank, who indicated that tenants in both units would be out by August 15, 2010, and asked to re-schedule until the tenants were gone. The inspector agreed, provided that the smoke detectors and carbon monoxide detectors would be installed. Zach said they were already in place and he would fax a smoke detector affidavit to the inspector. On July 26, 2010, smoke detector affidavit was received. On August 23, 2010, the property owner did not appear for the re-inspection; and the tenant on the lower unit was not aware of the appointment. The tenant in the upper unit was gone. The tenant in the lower unit would be gone by September 1, 2010. The inspector contacted Zach and left a message. On August 24, 2010, Correction Orders were issued; the deficiency was to complete and sign the smoke detector affidavit first noted on June 8, 2010. (The smoke detectors and carbon monoxide detectors had not been in place, even though the City received an affidavit.) Central Bank wanted to have the tenants out by September 1, 2010. On September 21, 2010, Mr. Magner went back and the tenant in the lower unit told him that they would be out by the end of the week. The property owner did not appear for the appointment. The owner called back asking for more time because the tenant in the lower unit keeps postponing leaving. The inspector agreed to one (1) more rescheduled re-appointment and the letter was sent with a new date. On November 1, 2010, the inspector went back out there and found a number of violations and a re-inspection letter with compliance was generated. It was set up for thirty (30) days. The inspector went back out on December 1, 2010, and there was no-entry. The property owner had an incorrect date for the re-inspection. It was re-scheduled with the inspector. On December 16, 2010, the property was sold as is; both units were vacant. The inspector revoked the Certificate of Occupancy and sent out a letter to that effect on December 21, 2010. If a building is unoccupied and it has multiple code violations, standard practice is to not allow certification, so the City revokes any certification.

Mr. McBroom, special assets, Central Bank, acknowledged that this had been a difficult building for Central Bank over the last few months, trying to figure out how to best move forward. He manages a portion of their bank-owned real estate. They have a management company that works for them: Blue Dot. They had a difficult time getting rid of one of the tenants (she didn't leave until mid-Nov). Mr. McBroom stated that it had been his assumption that the detectors had been installed correctly. The bank's next step was to find an owner who would bring the building back up to code, etc. Once the tenant had moved, Blue Dot made many adjustments to ready the property to make sure it was safe and secure. He had the understanding that the City had the understanding that Central Bank was going to make sure the building was safe and secure; and the electrical work was done. Cosmetic fixes that were needed on the property were not done. At the same time, the bank's real estate agent found an individual who is familiar with these types of projects (he owns another building within the city block on which he has done a rehab). Negotiations went quickly and a Purchase Agreement was in place. The individual was set to close December 22 or 23, 2010. Mr. McBroom was under the assumption that the City was aware that Central Bank was going to be selling the property; and that individual would rehab the building in a short period of time and all would be taken care of as needed. The Revocation of Certificate of Occupancy is not as big of an issue to the bank or their buyer as when the property goes onto the Vacant Building list. Then, the bank needs to get a Code Compliance report, which makes it much more difficult for the buyer to come in and make the necessary adjustments to get the property back on its feet. Central Bank got the Vacant Building Notice one day before the proposed closing and threw a wrench into what the bank was trying to do, which was the best for everyone involved: 1) for the bank - they will sell the property



because they cannot maintain the building as a normal home-owner would; and 2) it would alleviate the problems with the City as the buyer who has experience with this type of thing, can come in and rehab the property in a short period of time. Mr. McBloom emailed the inspector explaining that he had assumed the City had the information that the closing would take place that week and it was not going to be a problem or put the building on the Vacant Building list. Apparently, those emails did not get through to the inspector. Mr. McBloom is asking for a grace period (perhaps 90 days) on the Vacant Building registration so that Central Bank could allow their buyer to purchase the property as they had planned. The majority of items on the deficiency list have already been done by Blue Dot Management Company.

Mr. Magner confirmed that an electrical permit had been pulled and finalized. There was a Truth and Housing performed prior to the revocation. It looks as though the applicant was taking the correct steps. Inspectors have not been back to check whether all items have been completed but at least, some of the things have been done. It would be a legitimate sale as a certified building. That would change at the time it became a Vacant Building. Mr. Magner said that unless there are some other mitigating factors, revocation would probably stand but if detail of a signed Purchase Agreement and Truth and Housing was presented to the City and they had a closing date, the Vacant Building Program's normal course of action would be to either: 1) not open the Vacant Building file; or 2) change the Category status to a 1 to allow time for the sale to go through. We would hold the Vacant Building fees at that time.

Ms. Moermond stated that she is troubled that at the very beginning, smoke detectors and carbon monoxide detectors were called out and not addressed, even though an affidavit was signed and returned to the City saying they were addressed. Mr. Magner stated that it's a possibility that the installation took place but the equipment was removed by someone before the inspector came back to re-inspect (he has seen that happen).

Ms. Moermond will recommend changing the Vacant Building status to Category 1; giving the applicant until February 28, 2010, to get the Certificate of Occupancy and waive the Vacant Building registration fee for that time period. If the building is not in compliance by February 28, 2010, the Vacant Building registration fee will be imposed and the building will become a Category 2.

**Referred Under Master Resolution**

## 10:00 a.m. Hearings

- 7      [RES 10-1331](#)      Ordering the razing and removal of the structures at 620 MARYLAND AVENUE EAST within fifteen (15) days after the January 5, 2011, City Council Public Hearing.

**Sponsors:**      Bostrom

**Attachments:** [620 Maryland Ave E.Hearing Notice.11-12-10.pdf](#)  
[620 Maryland Ave E.Order to Abate Nuisance Building.4-11-10.pdf](#)  
[620 Maryland Ave E.Photos.8-11-10.pdf](#)  
[620 Maryland Ave E.Appt Ltr.3-4-10.pdf](#)  
[620 Maryland Ave E.Photos.4-2-10.pdf](#)  
[620 Maryland Ave E.Code Compliance Inspection.1-12-09.pdf](#)  
[620 Maryland Ave E.Summary for Public Hearing.doc](#)  
[620 Maryland Ave E.R-R.12-14-10.Ltr.doc](#)  
[620 Maryland Ave.R-R FTA Ltr 1-11-11.doc](#)

*The following conditions must be met by January 25, 2011: 1) apply for Code Compliance Inspection; 2) pay taxes for 2010; 3) post \$5,000 performance bond; 4) continue to maintain the property. (Back at LH January 25, 2011; at CPH February 2, 2011)*

*Mr. Pompilio Nunez, owner (620 Maryland Ave) and Ms. Delcor Dejvongsa appeared.*

*Ms. Moermond stated that now there is a Warranty Deed (different from the previous hearing on this property) that was posted on July 27, 2010, which preceded the Order to Abate a Nuisance Building posted on August 11, 2010. The transaction happened without a Sales Review, which is required in the code. The Sales Review demonstrates that the purchaser has the capacity to do the rehab, which is almost the same thing as what we are doing in this environment, so the technicality will be ignored.*

*Steve Magner, DSI-Vacant Buildings, reported that 620 Maryland is a two-story, wood frame, single-family dwelling with a two-stall detached garage on a lot of 4,356 square feet. This has been a Vacant Building since March 24, 2008. The current owner was listed as Buy-Rite Companies, per Ramsey County records. There have been ten (10) Summary Abatement Notices since 2008 and nine (9) Work Orders for: 1) removal of tall grass and weeds; 2) removal of improperly stored refuse, garbage and misc debris; 3) removal of snow/ice; 4) Boarding/Securing. On April 1, 2010, 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 11, 2010, with a compliance date of September 20, 2010. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code. The Vacant Building registration fees have gone to assessment. Taxation has placed an estimated market value of \$11,600 on the land and \$48,400 on the building. As of December 9, 2010, a Code Compliance Inspection has not be obtained (previous inspection expired on January 12, 2010). As of December 9, 2010, the \$5,000 performance deposit has not been posted. Real Estate taxes for 2009 and 2010 are delinquent in the amount of \$5,991.12 plus penalty and interest. DSI Code Enforcement officials estimate the repairs starting between \$60,000 and \$80,000; cost of demolition between \$10,000 and \$15,000.*

*Amy Spong, PED-Historic Preservation Commission (HPC), reported that this is an 1890 workers' cottage near the Arlington Library Preservation District as an individual site. It is near a commercial corridor. Demolition would have no adverse effect.*

*Ms. Moermond listed the conditions necessary to obtain a grant of time for rehabbing the building:*

*- proof of funds available to do the work (a sample work sheet was provided for Mr. Nunez)*

*- value of sel/friends/family labor*

- value of his own supplies
  - value of those parts that need to be hired to do (contractors/supplies)
  - work plan (some of the work would be done by Mr. Nunez)
  - pay 2010 taxes (\$3,165.12 before January 21, 2011; \$3,248.48 after January 21, 2011)
  - post \$5,000 performance deposit
  - Code Compliance Inspection applied for (\$426)
- This will go to the City Council February 2, 2011.

Ms. Moermond will schedule this back at Legislative Hearing in two (2) weeks: January 25, 2011. At that time, she expects the following conditions met:

- 1) Apply for Code Compliance Inspection
- 2) Pay 2010 taxes
- 3) Post \$5,000 performance deposit
- 4) continue to maintain the property

At the next LH, she will talk about doing a layover at City Council for a work plan to be developed and for proof of financing to do the whole project. Currently, the project is estimated to cost between \$60,000 and \$80,000. If the Code Compliance Inspection "to-do" list is too extensive, Mr. Nunez can change his mind about the rehab.

Mai Vang verified with Ramsey County that taxes for 2009 have been paid.

A letter of confirmation will be sent to Mr. Nunez.

**Laid Over to the Legislative Hearings, due back on 1/25/2011**

8

**RES 10-1339**

Ordering the razing and removal of the structures at 1066 LAFOND AVE within fifteen (15) days after the January 5, 2011, City Council Public Hearing.

**Sponsors:** Carter III

**Attachments:** [1066 Lafond Ave.Hearing Notice.11-10-10.pdf](#)  
[1066 Lafond Ave.Order to Abate Nuisance Building.9-24-10.pdf](#)  
[1066 Lafond.Photos.9-1-09.pdf](#)  
[1066 Lafond Ave.Appt Ltr.8-28-09.pdf](#)  
[1066 Lafond Ave.Code Compliance Inspection.3-5-10.pdf](#)  
[1066 Lafond Ave.Summary for Public Hearing.doc](#)  
[1066 Lafond Ave.R-R.12-14-10.Ltr.doc](#)

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

Ms. Moermond noted that Paul Delmonte appeared at the City Council Public Hearing indicating that he wanted an opportunity to do the rehab. The Council approved a one-week layover; they closed the public hearing but gave him an opportunity to discuss it at this hearing today. Ms. Moermond explained the basics to Mr. Delmonte at the time. His not being here today is an indication that he's decided not to proceed with the rehab. Ms. Moermond recommends removal within fifteen (15) days with no option for repair.

**Referred to the City Council, due back on 1/12/2011**

**1:30 p.m. Hearings**

**Fire Certificates of Occupancy Correction Orders**

- 9      [ALH 11-7](#)      Appeal of Jamie Pribyl to a Fire Inspection Correction Notice at 1772 MINNEHAHA AVENUE WEST.
- Sponsors:**      Stark
- Attachments:**      [1772 Minnehaha.appeal.12-22-10.pdf](#)  
                                 [1772 Minnehaha Ave W.PC Ltr 1-11-11.doc](#)
- Variance granted on the second floor bedroom windows.*
- Referred Under Master Resolution (Legislative Hearing Officer recommends granting a variance on the second floor bedroom windows)**
- 10      [ALH 11-39](#)      Appeal of Sherri Haldorson to a Fire Inspection Correction Notice at 2108 MAGNOLIA AVENUE EAST.
- Sponsors:**      Bostrom
- Attachments:**      [2108 Magnolia.appeal.1-4-2011.pdf](#)  
                                 [2108 Magnolia Ave E.PC Ltr 1-11-11.doc](#)
- Variance granted on the window dimension and extension granted to February 28, 2011 to complete the remaining items including pulling a permit for the dryer exhaust, capping the gas valve if the range is gas and not electric, having the furnace inspected.*
1. #10 - grant a 2-inch variance on the openable height of the egress windows in the main floor southwest and northwest bedrooms;
  2. #10 - grant a 6-inch variance on the openable height of the egress window in the upper floor bedroom;
  3. #3 – deny the appeal;
  4. #4 – a permit must be pulled for the work;
  5. #5 – need to remove the stove from the basement kitchen. If gas, the gas valve needs to be capped and under permit;
  6. #7 – done per Appellant;
  7. #9 – done per Appellant;
  8. #13 – deny and need to be in compliance;
  9. #12 – grant the appeal
- Referred Under Master Resolution**
- 11      [ALH 11-44](#)      Appeal of Omari Omari to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 1019-1021 CARROLL AVENUE.
- Sponsors:**      Carter III
- Attachments:**      [1019 Carroll.appeal.1-4-2011.pdf](#)  
                                 [1021 Carroll Ave.PC Ltr 1-18-11.doc](#)
- Rescheduled to January 18, 2011.*
- Laid Over to the Legislative Hearings, due back on 1/18/2011**
- 12      [ALH 10-271](#)      Appeal of David Leventhal of Cecil Delicatessen to a Fire Certificate of Occupancy Correction Order at 651 Cleveland Avenue South.

**Sponsors:** Harris

**Attachments:** [651 Cleveland Ave S.Appeal.10-19-10.pdf](#)  
[651 Cleveland Ave S.Fire Inspection Ltr.10-12-10](#)  
[651 Cleveland Ave S.PC ltr.10-26-10.doc](#)  
[651 Cleveland Ave S.PC ltr.12-13-10.doc](#)

## 2:30 p.m. Hearings

### Vacant Building Registrations

- 13 [ALH 11-23](#) Appeal of Tarryl Olson to a Vacant Building Registration Renewal Notice at 1334 BURR STREET.

**Sponsors:** Helgen

**Attachments:** [1334 Burr Street.appeal.12-28-10.pdf](#)

*Order Withdrawn*

**Withdrawn**

- 14 [ALH 11-32](#) Appeal of Pheng Xiong to a Vacant Building Registration Renewal Notice at 1072 MINNEHAHA AVENUE EAST.

**Sponsors:** Lantry

**Attachments:** [1072 Minnehaha.appeal.1-3-2011.pdf](#)  
[1072 Minnehaha Ave E.PC ltr 1-11-11.doc](#)

*Laid over for 60 days. If all the work is completed at that time, the fees will be deleted.*

**Laid Over to the Legislative Hearings, due back on 3/15/2011**

- 15 [ALH 11-49](#) Appeal of Ben Hill to a Vacant Building Registration Notice at 853 CONWAY STREET.

**Sponsors:** Lantry

**Attachments:** [853 Conway.appeal.1-6-2011.pdf](#)  
[853 Conway Street.PC ltr 1-11-11.doc](#)

*MINUTES FOR THIS ADDRESS NOT PROCESSED AT TIME OF PUBLICATION. TO BE PROCESSED AS PDF AND ATTACHED TO THIS RECORD. REFERRAL CHANGED BY LHO TO CITY COUNCIL OF 2/16/11.*

*MIRefer to February 2, 2011 City Council public hearing.*

**Referred to the City Council, due back on 2/2/2011**

- 18 [ALH 10-37](#) Appeal of Steve and Diane Anderson to a HPC Non-Compliance Garage Plan for property at [340 Summit Avenue](#). (Ward 2)

**Sponsors:** Thune

**Attachments:** [340 Summit.Appeal.7-1-10.pdf](#)  
[340 Summit.Letter.7-23-10.doc](#)  
[340 Summit.Fire Deficiency Ltr.10-2-06](#)  
[340 Summit.Appt Ltr.12-5-05](#)

- 16     [ALH 10-422](#)     Appeal of Robert H. Nollet to a Certificate of Occupancy Revocation Vacant Building and Vacant Building Registration Renewal Notice at 676 RIVOLI STREET.

**Sponsors:** Thune

**Attachments:** [676 Rivoli.appeal.11-30-10.pdf](#)  
[676 Rivoli St.PC ltr.12-10-10.doc](#)  
[676 Rivoli St.Revised.PC ltr.12-10-10.doc](#)

*Laid over for 90 days to get the building sold.*

**Laid Over to the Legislative Hearings, due back on 4/12/2011**

- 17     [ALH 11-48](#)     Appeal of Special Tax Assessment for 1028 LOEB STREET for Project #: VB1005, Assessment #: 108898 in Ward 5.

**Sponsors:** Helgen

**Attachments:** [1028 Loeb Street.Minutes.08-17-10](#)  
[1028 Loeb Street.Minutes.08-31-10](#)  
[1028 Loeb Street.Minutes.09-07-10](#)  
[1028 Loeb St.Assess Roll.pdf](#)  
[1028 Loeb St.9-13-10 Ltr.pdf](#)

## House Keeping

- 19     [ALH 10-202](#)     Appeal of Steve Fisher to a Fire Certificate of Occupancy Correction Order at 965 Hague Avenue. (Ward 1)

**Sponsors:** Carter III

**Attachments:** [965 Hague Avenue.Appeal.10-5-10.pdf](#)  
[965 Hague Ave.Fire C of O Ltr.9-20-10](#)  
[965 Hague Ave.Photos.9-20-10](#)

- 20     [ALH 10-417](#)     Appeal of Kwasi Nanyakpe to a Notice of Condemnation Unfit for Human Habitation Order to Vacate and Vacant Building Registration Notice at 330 MAPLE STREET.

**Sponsors:** Lantry

**Attachments:** [330 Maple.appeal.11-30-10.pdf](#)  
[330 Maple St.Vacant Building Registration.11-2-10.DOC](#)  
[330 Maple St.Photos.11-2-10.pdf](#)  
[330 Maple St.Order to Vacate.10-26-10.dot](#)  
[330 Maple St.Summary Abatement Order.11-2-10.DOC](#)  
[330 Maple St.Vehicle Abatement Order.11-2-10.DOC](#)  
[330 Maple St.PC ltr.11-30-10.doc](#)  
[330 Maple St.PC ltr.12-7-10.doc](#)  
[330 Maple St.Power of Atty Affidavit.12-3-10.pdf](#)

- 21 [ALH 10-563](#) Appeal of Don Frable to a Fire Inspection Correction Notice at 1187 WOODBRIDGE AVENUE.

**Sponsors:** Helgen

**Attachments:** [1187 Woodbridge.appeal.12-21-10.pdf](#)  
[1187 Woodbridge St.photos 12-7-10.pdf](#)  
[1187 Woodbridge St-photos.12-28-10.pdf](#)

## No Hearing Necessary

### Window Variances: Fire Certificate of Occupancy

- 22 [ALH 11-8](#) Appeal of Reid and Susan Volkman to a Fire Inspection Correction Notice at 1022 TUSCARORA AVENUE.

**Sponsors:** Thune

**Attachments:** [1022 Tuscarora.appeal.12-17-10.pdf](#)

*No hearing necessary. Grant a 7-inch variance on the openable height of the egress windows in the main floor bedrooms.*

**Referred Under Master Resolution**

- 23 [ALH 11-24](#) Appeal of Tou Ger Vang to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 777 MINNEHAHA AVENUE EAST.

**Sponsors:** Bostrom

**Attachments:** [777 Minnehaha Avenue East.appeal.12-28-11.pdf](#)  
[777 Minnehaha Ave E.Vang PC ltr 1-4-11.doc](#)

*No hearing necessary. Grant a 4.5-inch variance on the openable height of the egress bedroom window in Unit 1*

**Referred Under Master Resolution**

- 24 [ALH 11-25](#) Appeal of Rania Emran to a Fire Inspection Correction Notice at 1786 HAWTHORNE AVENUE EAST.

**Sponsors:** Bostrom

**Attachments:** [1786 Hawthorne.appeal.12-28-10.pdf](#)  
[1786 Hawthorne Ave E.Emran PC ltr 1-4-11.doc](#)

*No hearing necessary. Grant a 6-inch variance on the openable height of the egress window in the north bedroom on the 2nd floor.*

**Referred Under Master Resolution**

- 25      [ALH 11-26](#)      Appeal of Darlene Van Drew to a Fire Inspection Correction Notice at 940 ST. CLAIR AVENUE.

**Sponsors:**      Thune

**Attachments:**      [940 St Clair Avenue.appeal.12-28-10.pdf](#)  
[940 St. Clair Ave.Van Drew PC ltr 1-4-11.doc](#)

*No hearing necessary. Grant a 2-inch variance on the openable height of the egress windows in all bedrooms.*

**Referred Under Master Resolution**

- 26      [ALH 11-29](#)      Appeal of Rick Calkins, REM Ramsey Inc., to a Fire Inspection Correction Notice at 1646 SUBURBAN AVENUE.

**Sponsors:**      Lantry

**Attachments:**      [1646 Suburban Avenue.appeal.12-30-10.pdf](#)  
[1646 Suburban Ave.REM Ramsey PC ltr 1-4-11.doc](#)

*No hearing necessary. Grant a 4-inch variance on the openable height of the egress windows in all bedrooms.*

**Referred Under Master Resolution**

- 27      [ALH 11-37](#)      Appeal of Jason Oberhumer to a Fire Inspection Correction Notice at 1809 RANDOLPH AVENUE.

**Sponsors:**      Harris

**Attachments:**      [1809 Randolph.appeal.1-4-11.pdf](#)  
[1809 Randolph Ave.Oberhamer PC ltr 1-4-11.doc](#)

*No hearing necessary. Grant a 1-in variance on the openable height of the egress windows in the north and south bedrooms in 1809; grant a 1-inch variance on the openable height of the egress windows in the north and south bedrooms in 1811.*

**Referred Under Master Resolution**

- 28      [ALH 11-38](#)      Appeal of Robert Julen; Sibley Manor, Inc.; to a Fire Inspection Correction Notice at 2443 STEWART AVENUE.

**Sponsors:**      Harris

**Attachments:**      [2443 Stewart.appeal.1-3-2011.pdf](#)  
[2443 Stewart Ave.Julen PC ltr 1-4-11.doc](#)

*No hearing necessary. Grant a 3.5-inch variance on the openable width of the egress windows in the first floor south and second floor south bedrooms; grant an*



*8-inch variance on the openable height of the egress window in the second floor north bedroom.*

**Referred Under Master Resolution**

- 29      [ALH 11-46](#)      Appeal of Jenni Xiong to a Fire Inspection Correctiun Notice at 106 MAGNOLIA AVENUE WEST.

**Sponsors:**      Helgen

**Attachments:**      [106 Magnolia.appeal.1-6-2011.pdf](#)  
                                 [106 Magnolia Ave W.Xiong PC ltr 1-4-11.doc](#)

*No hearing necessary. Grant a 2-inch variance on the openable height of the egress window in the 2nd floor south bedroom.*

**Referred Under Master Resolution**

### Window Variances: Building Permits

- 30      [ALH 11-40](#)      Appeal of Bryan Horton, Renewal by Andersen, to an Egress Window Non-Compliance Determination at 1811 ELEANOR AVENUE.

**Sponsors:**      Harris

**Attachments:**      [1811 Eleanor.appeal.1-4-2011.pdf](#)  
                                 [1811 Eleanor Ave.Renewal by Andersen PC ltr 1-4-11.doc](#)

*No hearing necessary. Grant a 6-inch variance on the openable height of one double hung replacement egress bedroom window which measured at 18 inches high by 43 inches wide.*

**Referred Under Master Resolution**

- 31      [ALH 11-42](#)      Appeal of Bryan Horton, Renewal By Andersen, to an Egress Window Non-Compliance Determinations at 1828 MONTREAL AVENUE.

**Sponsors:**      Harris

**Attachments:**      [1828 Montreal.appeal.1-4-2011.pdf](#)  
                                 [1828 Montreal Ave.Andersen Windows PC ltr 1-4-11.doc](#)

*No hearing necessary. Grant a 5 1/8-inch variance on the openable height of three double hung replacement egress bedroom windows which measured at 18 7/8 inches high by 32 inches wide and a 1 1/8-inch variance on the openable height of four double hung replacement egress bedroom windows which measured at 22 7/8 inches high by 24 inches wide.*

**Referred Under Master Resolution**