



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final - Final Legislative Hearings

Marcia Moermond, Legislative Hearing Officer
Mai Vang, Hearing Coordinator
Jean Birkholz, Hearing Secretary
Mary Erickson, Hearing Secretary
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651-266-8560

Tuesday, January 24, 2012

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Remove/Repair Orders

- 1 [RLH RR 11-98](#) Ordering the rehabilitation or razing and removal of the structures at 315 LARCH STREET within fifteen (15) days after the February 1, 2012, City Council Public Hearing.

Sponsors: Brendmoen

Attachments: [315 Larch St.Order to Abate a Nuisance.10-21-11](#)
[315 Larch St.Public Hearing Notification.12-16-11](#)
[315 Larch St.Photos 4-8-11.pdf](#)
[315 Larch St.Norris 1-12-12.doc](#)
[315 Larch St.Land Use January 2012.pdf](#)
[315 Larch St.Duggins Ltr 1-25-12.doc](#)

To be referred back to Legislative Hearing on February 28, 2012 and City Council Public Hearing on March 7, 2012.

RE: 315 Larch St (warehouse/transportation)

John Norris, Jr., owner's son and Terry Duggins, attorney, appeared.

Steve Magner, Vacant Buildings:

- commercial property with a 1 one-story metal clad warehouse structure, 6 semi-truck trailers, 2 heavy-storage tanks, 4 light-storage tanks, an office trailer and multiple metal canopies or roof structures made out of metal racking and sheeting on a lot of 25,700 sq ft*
- has been ordered vacant since Apr 8, 2011*
- current owner, John E. Norris, per Ramsey County*
- Oct 5, 2011, inspection of building conducted; list of deficiencies which constitute a nuisance condition developed; photos taken*
- Order to Abate Nuisance Building posted Oct 21, 2011; compliance date Nov 21, 2011*
- as of this date, property remains in a condition which comprises a nuisance as defined by the legislative code*
- estimated market value \$176,200 on land; \$23,800 on buildings*

- real estate taxes are current
- vacant building fess were paid by assessment Jul 22, 2011
- as of Jan 9, 2012, a Team Inspection has not been done; \$5,000 performance deposit has not been posted
- there's been 1 Summary Abatement since 2011 and no Work Orders issued
- estimated cost to repair this structure exceeds \$100,000; estimated cost to demolish between \$50,000 - \$75,000
- letter dated Jan 12, 2012, sent to John E. Norris, Sr. and John Norris, Jr.

Dear Mr. Norris: This letter is to confirm that on Jan 10, 2012 at the Legislative Hearing, Marcia Moermond, the Legislative Hearing Officer, requested that you post a \$5,000 Performance Deposit between Jan 24, and Feb 1, 2012 if you intend to rehabilitate the buildings. She also stated that she would like to see a plan with a timeline to get things done in 6 months. In the meantime, you need to go through Site Plan Review, Larry Zangs, 375 Jackson St, Ste 220, for ideas and expectations for this project; and it will be laid over to Tue, Jan 24, 2012 at 9:00 a.m., Room 330 City Hall for future discussions. City Council Public Hearing is scheduled for Wed, Feb 1, 2012 at 5:30 p.m. in Room 300. If you have any questions, contact me 266-8563. Sincerely, Mai Vang.

Ms. Moermond:

- there is a letter from the District Council (a new letter based on an old meeting)
- she asked the District Council to revisit this if they wanted input into the process
- the Land Use Committee of the District Council talked about it; they will send forward their thoughts to the District Council Board, which will be submitting something into the record along the way (it will be copied to Mr. Duggins)
- check the city website for anything relating to 315 Larch St
- for future communication from the Department of Safety and Inspections (DSI), we will communicate with Mr. Duggins and copy the Norris'
- directed Mai Vang to do a related file link so that all the old materials on the Fire Certificate of Occupancy and Revocation are linked to this record
- there was a long laundry list on the C of O report
- re: Code Analysis - she would prefer not to go through a punch list on this but rather treat this as a new permit
- building index cards showed that there were permits in 1967, 1977 and 1987 for several different structures on the site (covers some of the bldgs on the site; probably not all of them)
- is there a permit on the trailer conversion into a building (Mr. Norris said that it was there when they bought the place in the late 1980s)
- this was a former factory/foundry site located adjacent to the railroad tracks

Mr. Duggins:

- they are 90% done with the list that was generated in 2010
- they got an excerpt from that list from the city of things that they thought were still there
- then, they met on the site with city staff and went through it from one end to the other
- as of today, Mr. Norris Sr has been able to get the L. S. Black Company, forensic engineers, who are going to inspect the property for code compliance
- they had talked to about 5 different firms and they did not know exactly what would be acceptable; Black understands
- they expect a report within 2-3 weeks, and they would like a week to review what the report says and prepare the timeline that Ms. Moermond has requested so that it's not a timeline based on something that Mr. Norris Sr. is not familiar with.
- as of today, the Norris' have removed both of the canopies between the trailers, which was discussed when city staff was out there; they filled 2 more 30-yard dumpsters of misc. steel and had them removed; there are 5 pick-up loads of steel

motors and mixed metals that have been recycled; they removed 557 gallons of heating oil and 25+ tires

- basically, all hydraulic compressors, vegetable and motor oils have been removed
- there is an additional 30 barrels and 90% of all electric motors and valves that have been removed, recycled, salvaged, etc.
- they have eliminated most of the HIV fixtures and lamps to the tune of about 80%
- those things came up during the 2-hour walk through with city staff
- they would like to get a 4-week layover for time to get the L. S. Black Report looked at and work out a timeline as well as sketches of the property, which will be current information that everyone is working from

Ms. Moermond:

- would like to have the code analysis reviewed by the city's site plan and plan review staff

Mr. Duggins:

- as soon as they get the code analysis, they will get a copy to Ms. Moermond ahead of this 4-week layover

Ms. Moermond:

- it's very important that they get those documents
- scheduled for public hearing at City Council Feb 1, 2012
- at that time, she will ask them to lay this over to Mar 7, 2012, 5:30 p.m. to see how much farther along we are at that point
- we can look at it again here at LH on Tue Feb 28 at 9:00 a.m.
- Mai Vang will follow up with a letter

Referred to the 2/01/2012 City Council ue back on 2/1/2012

2 [RLH RR 12-1](#)

Ordering the rehabilitation or razing and removal of the structures at 1084 FIFTH STREET EAST within fifteen (15) days after the February 15, 2012, City Council Public Hearing.

Sponsors: Lantry

Attachments: [1084 5th St E.Order to Abate.11-15-11](#)
[1084 5th St E.Public Hearing Notification.12-30-11](#)
[1084 5th St E.Expired Code Compliance.1-21-09](#)
[1084 5th St E.Photos.2007-2011](#)
[1084 Fifth St E.FTA.Ltr 1-26-12.doc](#)

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

RE: 1084 5th St E (single family)

No one appeared.

Steve Magner, Vacant Buildings:

- 1-story wood frame single-family dwelling with detached 1-stall garage on lot of 4,792 sq ft
- vacant since Mar 19, 2007
- current property owner listed as Mark Alan Govednik per Ramsey County
- Nov 2, 2011, inspection of building conducted; list of deficiencies which constitute a nuisance condition developed; photos taken
- Order to Abate Nuisance Building posted Nov 15, 2012; compliance date Dec 15,

2011

- as of this date, property remains in a condition which comprises a nuisance as defined by legislative code
- estimated market value \$21,800 on land; \$11,900 on building
- real estate taxes for 2011 are delinquent in amount of \$2,722.02 plus penalty and interest
- Vacant Building registration fees were paid by assessmeny on Apr 22, 2011
- Code Compliance inspection done Jan 21, 2009, which has since expired
- \$5,000 performance deposit has not been posted
- 16 Summary Abatements since 2007
- 14 Work Orders for garbage/rubbish; boarding/securing; grass/weeds
- estimated cost to repair exceeds \$50,000; estimated cost to demolish between \$10,000 - \$15,000
- recommends removing this structure
- owner has been paying the taxes up to this point but not maintaining the property

Amy Spong, Heritage Preservation Commission (HPC):

- outside the Dayton's Bluff Historic District by a few blocks
- 1916 bungalow style
- contractor was Holm Building Company
- original owner was F. S. Kalmar
- Sanborn Insurance map for this are shows 5 bungalow structures all the same size; similar front porches, etc.
- block face still has 4 of these bungalows still in tact
- the immediate area has a very similar character
- has not been surveyed as part of the 1983 Survey nor when Dayton's Bluff Historic District was established
- is representative of the area
- an enclosed front porch; still has the lapsiding
- individually, has no potential for historic designation and likely, there isn't potential for an historic district there
- hesitant to recommend demolition as not having an adverse effect because there is this nice little collection of bungalows there
- interior photos - still looks pretty good; still a lot of original there; trim work still in tact; 3 over 1 wood sash windows still present
- she recommends encouraging rehab, if possible

Ms. Moermond:

- looks as though this home is owned outright
- will recommend the City Council order this building removed with no option for rehabilitation

Referred to the 2/15/2012 City Council

3 [RLH RR 12-2](#)

Ordering the rehabilitation or razing and removal of the structures at 686 IVY AVENUE EAST within fifteen (15) days after the February 15, 2012, City Council Public Hearing.

Sponsors: Bostrom

Attachments: [686 Ivy Ave E.Order to Abate.11-15-11](#)
[686 Ivy Ave E.Public Hearing Notification.12-30-11](#)
[686 Ivy Ave E.Photos.2008-2011](#)
[686 Ivy Ave E.FTA.Ltr 1-26-12.](#)

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

RE: 686 Ivy Ave E (single family)

No one appeared.

Steve Magner, Vacant Buildings:

- 1 1/2 story wood frame single-family dwelling with a 3-stall detached garage with an attached shed on a lot of 4,792 sq ft*
- vacant since Dec 24, 2008*
- current property owner is The Bank of New York Mellon per Ramsey County*
- Oct 20, 2011, inspection of building conducted; list of deficiencies which constitute a nuisance was developed; photos taken*
- Order to Abate Nuisance Building posted Nov 15, 2011; compliance date Dec 15, 2011*
- as of this date, property remains in a condition which comprises a nuisance as defined by legislative code*
- estimated market value \$12,900 on land; \$37,100 on building*
- real estate taxes are current*
- Vacant Building registration fees were paid by check Jan 23, 2012*
- Code Compliance inspection has not been done*
- \$5,000 performance deposit has not been posted*
- 14 Summary Abatements since 2008*
- 22 Work Orders issued for: garbage/rubbish; boarding/securing; grass/weeds; snow/ice (WOs time span - Dec 30, 2008 - Nov 17, 2011)*
- estimated cost to repair exceeds \$50,000; estimated cost to demolish exceeds \$12,000*
- recommends removing the building*

Ms. Amy Spong, Heritage Preservation Commission (HPC):

- 1906 vernacular property (early simple house)*
- has a concrete block early-formed porch piers (probably was built as an open porch; has been enclosed)*
- vinyl siding covering potentially, the original lap siding*
- original contractor was Andersen; original owner was Lars Alm (early settlement in Payne Phalen neighborhood)*
- is outside the 2011 Survey Area; it has never been surveyed*
- is set up on a hill*
- has a concrete block retaining wall all along the front of the property*
- doesn't think it has any potential individual historic designation nor as a part of any historic district*
- neighborhood is fairly in tact*
- demolition would not have an adverse effect*

Ms. Moermond:

- will recommend the Council order this building removed with no option for rehabilitation in 15 days*

Referred to the 2/15/2012 City Council

4 [RLH RR 12-3](#)

Ordering the rehabilitation or razing and removal of the structures at 1333 MARGARET STREET within fifteen (15) days after the February 15, 2012, City Council Public Hearing.

Sponsors: Lantry

Attachments: [1333 Margaret St.Order to Abate a Nuisance.pdf](#)
[1333 Margaret St.Public Hearing Notification.pdf](#)
[1333 Margaret St.Expired Code Compliance.pdf](#)
[1333 Margaret St.Photos.pdf](#)
[1333 Margaret St.Larsen Ltr 1-26-12.doc](#)
[1333 Margaret St.Financial Plan.2-13-12.pdf](#)
[1333 Margaret St.Work Plan & Taxes Paid.2-13-12.pdf](#)
[1333 Margaret St.Affidavit.2-13-12.pdf](#)
[1333 Margaret St.Revised Work Plan.2-15-12.pdf](#)
[1333 Margaret.Remove or Repair Resolution.4-9-08.pdf](#)
[1333 Margaret.Work Plans.2008.pdf](#)
[1333 Margaret .LH Correspondence.3-12-08.pdf](#)

Laid over to Legislative Hearing on February 14. Must provide the following conditions by February 13:

- 1) property taxes must be paid;*
- 2) work plan, reflecting everything in the old Code Compliance Inspection Report;*
- 3) financial plan showing at least \$50,000 available for the project*

RE: 1333 Margaret St (single family)

Jon Larsen, owner, appeared.

Steve Magner, Vacant Buildings:

- 2-story wood frame single family dwelling with detached 3-stall garage on a lot of 5,227 sq ft*
- vacant since Sep 26, 2006*
- current property owner, Jon N. Larsen*
- Nov 15, 2011 inspection conducted; list of deficiencies which constitute a nuisance condition developed; photographs taken*
- Order to Abate Nuisance Building posted Nov 22, 2011; compliance date Dec 22, 2011*
- as of this date, property remains in a condition which comprises a nuisance as defined by legislative code*
- estimated market value of \$21,800 on land; \$6,100 on building*
- real estate taxes are delinquent for 2010 in amount of \$3,075.27 and for 2011 in amount of \$2,473.72, totaling \$5,548.99 plus penalty and interest (Note: property scheduled to go tax forfeit Jul 2012)*
- Vacant Building Registration fees paid by assessment Oct 28, 2011*
- Code Compliance Inspection was done Feb 14, 2008 and has since expired. A new Code Compliance Inspection was applied for Jan 11, 2012 but has not yet been conducted*
- \$5,000 Performance Deposit was posted*
- 3 Summary Abatement Notices since 2006; no Work Orders issued*
- estimated cost to repair exceeds \$50,000; estimated cost to demolish is from \$10,000 - \$12,000*
- in 2008, Mr. Larsen had a building permit and an electrical permit, both have gone inactive*

Ms. Moermond:

- looks like the copper's been stripped (Mr. Larsen said it had not been; the house has very little copper)*

Amy Spong, Heritage Preservation Commission (HPC):

- 1 1/2 story wood frame built 1905 (permit index card) or 1909 (another source) early worker's cottage
- Sanborn Insurance map not available
- it's a block outside the last Sanborn Ins map
- it is in the 1928 Hopkins Plat Book
- a mix of new and older construction on these 2 block faces; no distinct style or context
- appears from the photos of Nov 2011 that there's a rehab in process
- much of the interior appears gutted
- narrow lap original wood siding is present underneath synthetic siding
- has not been surveyed as part of any Saint Paul initiative survey work
- is well outside the established Dayton's Bluff Historic District
- demo will not have an adverse effect from an historic perspective

Mr. Larsen:

- purchased it in 2008 or 2009 because he likes to work on houses; do construction
- he started it: brought in 100 amp service; had the roof re-shingled; painted the exterior and bought new windows
- he also has been maintaining the grass and sidewalks
- he has been at fault but not negligent; trying to be responsible to the neighbors
- he got side-tracked with a project that took a lot longer than it should have and went through some personal grief; then, had a hard time getting back on task
- he had a potential buyer, a licensed contractor, and then found out that he couldn't sell it
- he would like to be able to finish the job; he's posted the \$5,000 Performance Deposit within the last 3 weeks and also applied for a Code Compliance inspection Jan 11, 2012
- he would like to move into it after it is finished
- he owns the house outright; he bought it from a bank

Ms. Moermond:

- clearly, there has been no lack of maintenance on the property
- noticed taxes are delinquent
- she needs to make sure that the Appellant has enough money to finish the project
- reminded the Appellant that this is a Category 3 Vacant Building so, he can't sell it until the nuisance condition is abated, either by way of repairing it or removing it

Mr. Magner:

- perhaps, the previous owner might have gone through foreclosure

Mr. Larsen:

- has \$15,000 - \$20,000 in real funds available without going to a bank to get a loan
- he owns a snow-plowing and maintenance business and has no debt with the business
- he is trying to sell some of his equipment to help with available funds
- he also doesn't want to own a vacant lot that he owes more money on
- the door to sell the house is still open but he really wants to move into it himself
- thinks that \$50,000 to finish rehabbing the house seems very high to him; he estimates the rehab at \$20,000
- it needs new plumbing and a little bit of duct work and the electrical brought up to code
- the new inspection might bring up other things that he's not aware of

Mr. Magner:

- this is the 2nd time we have done this
- went thru LH process early 2008 after Mr. Larsen purchased the property

- he was given 180 days to repair it
- ultimately, the bond was forfeited and they never moved ahead with a resolution to remove the property; however, the resolution was drafted to do so
- found a document from Mr. Larsen dated Mar 10, 2008 that says the roof replacement was going to be \$8,000; to make all other building sections code compliant \$25,000; electrical \$3,000; plumbing \$4,000; heating \$3,000; misc. \$5,000 = \$48,000 total estimated cost. Redline Properties LLC estimated: \$49,500.
- however, since permits had never been signed-off, DSI does not know what's completed and what is yet to do
- if Appellant is planning to save the bldg and if he is planning to provide a new Work Plan, he can take the original estimate, identify what's been done and what needs to be signed-off, DSI won't agree with that provided the work has been done to code (which would fill in some of the blanks for the \$50,000); it's up to the City Council to decide if they will give you a second chance

Mr. Larsen:

- many of the licensed subcontractors for electrical and plumbing are charging a lot less money now
- he has pictures everything on the roof that proves it was done to code
- he lost his bond and it's his own fault but he remembers that at the hearing it was said, "If things run late, don't worry about your bond." (Ms. Moermond responded that if you pull your permit - there's 6 months on the permit; if you're more than halfway done at the 6 month juncture, the building official has the ability to extend that permit another 6 months; and the bond runs with that. If the Appellant had been halfway done in 6 months, both the bond and the permits would have been extended.)

Ms. Moermond:

- if Mr. Larsen brings in a Work Plan that demonstrates that funds have been expended and the work has been completed - that's great! It's money that can come off the top of this; if he can demonstrate the amount of "in kind" money, great! She will have a very high level of scrutiny on this because she saw it 3 years ago and it should have been demolished

Mr. Magner:

- reminded the hearing, that Chapter 33 allows the City Council to set this bond up to \$10,000
- his original bond was remitted to the city Mar 19, 2008; it wasn't forfeited until Dec 2009 (the city did give him more than 180 days)
- once Mr. Larsen gets the final Code Compliance inspection report, he amend his old bids

Ms. Moermond:

- needs the previous bids and resolution for the record from Mr. Magner
- scheduled to go to City Council Public Hearing Feb 15, 2012
- she would like to see the following documents no later than Mon, Feb 13, 2012:
 - real estate taxes paid
 - work plan, reflecting everything in the old Code Compliance Inspection Report;
 - financial plan showing at least \$50,000 available for the project
 - this will be reviewed at the legislative hearing Feb 14, 2012

Referred to the 2/15/2012 City Council

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[RLH RR 12-4](#)

Ordering the rehabilitation or razing and removal of the structures at 939-941 THIRD STREET EAST within fifteen (15) days after the February 15, 2012, City Council Public Hearing.

Sponsors: Lantry

Attachments: [939-941 3rd St E.Order to Abate a Nuisance.11-15-11](#)
[939-941 3rd St E.Public Hearing Notice.12-30-11](#)
[939-941 3rd St E.Photos10-10>11-11](#)
[939-941 Third St.Danielson Ltr 1-26-12.doc](#)
[939-941 Third St E.Emai and Affidavitl.2-14-12.pdf](#)
[939-941 Third St E.Work Plan.2-15-2012.pdf](#)
[939-941 Third St E.Williamson Letter.2-15-2012.pdf](#)

Must meet the following conditions:

- 1) *obtain a Code Compliance Inspection;*
- 2) *provide a work plan, including timelines;*
- 3) *provide financial information such as construction loan, a line of credit or bank statement showing \$40,000 to \$60,000;*
- 4) *post the performance deposit*
- 5) *contact someone to bring back the historical characteristics.*

If conditions are met, Ms. Moermond will recommend laying the matter to Legislative Hearing on February 21.

RE: 939-941 Third St (4-plex)

Brian Danielson, special credit services officer, Alaris Financial, Grand Forks ND; and Ray Williamson, Dakota Property, court appointed receiver, appeared. Alaris is foreclosing on Red Branch Financial Corp

Steve Magner, Vacant Buildings:

- *believes that Red Branch was financier for Sherburne (Black Sands) - Mike Duty*
- *2-story wood frame multi-family dwelling with a detached 2-stall garage on a lot of 5,227 sq ft*
- *vacant since Oct 7, 2010*
- *property owner listed as Red Branch Financial Corp*
- *Oct 12, 2011 inspection was conducted; list of deficiencies which constitute nuisance conditions developed; photos taken*
- *Order to Abate a Nuisance Building posted Nov 15, 2011; compliance date Dec 15, 2011*
- *as of this date, property remains in a condition which comprises a nuisance as defined by legislative code*
- *estimated market value \$60,000 on land; \$101,500 on building*
- *real estate taxes are current*
- *Vacant Building registration fees were paid by assessment Oct 28, 2011*
- *Code Compliance inspection has not been done; \$5,000 performance deposit has not been posted*
- *9 Summary Abatements since 2007*
- *9 Work Orders for garbage/rubbish; boarding/securing; grass/weeds; snow/ice*
- *estimated cost to repair exceeds \$50,000; estimated cost to demolish between \$15,000-\$20,000*
- *this is the second time it's been a vacant building*
- *property was purchased from Vang Lor at that time; a rehabilitation occurred; permits were finalized by Red Branch; subsequently they were issued a Certificate of Occupancy, which was ultimately Revoked Mar 2010*

Ms. Amy Spong, Heritage Preservation Commission (HPC):

- 1908 commercial flat roof building
- Sanborn Insurance Map - looks like it was built as a wood frame store - 2- story with a 1-story bldg to the side of it and a wood frame porch at the back
- the pictures today look as though the lower floor is brick with shingles on the upper floor
- early neighborhood commercial node intersection (a lot of them have changed to residential over the years); indicative of historic context
- the building itself has had a lot of alteration
- is just outside the Dayton's Bluff Historic District
- wasn't surveyed
- the level of alterations on the building would not make it eligible for historical designation
- demolition would not have an adverse effect
- just a few blocks from here is a good example of a commercial building that was turned into all housing - 800 Third St E
- if Alaris could go a little further than just bringing it up to code (make it more attractive and friendly) in this prominent space, it would help a lot; rehab in a way that provides more equity to the property

Mr. Danielson:

- entered documents
- the goal of the bank is to repair the property and put it up for sale
- he estimated the cost between \$40,000-\$60,00
- an appraised value as if repaired is \$115,000
- foreclosure by action is occurring now
- should have sheriff's sale end of Feb-early Mar 2012
- can not move to a 5-week redemption; it will require a 6-month redemption (based on his discussions with attorney)
- Red Branch Financial has not filed bankruptcy; Mr. Duty has filed Chap 7 bankruptcy

Mr. Williamson:

- tries to follow the guidance of how the bank wants to proceed
- has not ordered a Code Compliance inspection report yet

Ms. Moermond:

- sees a prominent and somewhat ugly property in relation to the neighborhood
- it needs a Code Compliance inspection done forthwith
- she needs to see a Work Plan (general contractor has gone thru it)
- general contractor probably provided a construction statement, which can be amended to include anything different from the Code Compliance inspection report
- she needs to see that Alaris is willing to spend \$40,000-\$60,000 on this project (affidavit)
- wonders whether Alaris is willing to undertake this project prior to taking possession of the property after the redemption period

Mr. Danielson:

- the mandate from the FDIC is that if there's a dollar's worth of equity, they have to pursue the actual sale and completion of the project
- feels they have a good appraiser; he had 2 appraisal's done: 1) as is- completed last week \$35,000; 2) as if repaired - \$115,000; mortgage is \$124,000
- would probably not be able to get their money back if Red Branch (Mr. Duty) would be able to redeem the mortgage
- Alaris would have to pay Dakota Property (Mr. Williamson)

Mr. Magner:

- generally, under MN State law, you are able to proceed with a 5-week redemption even prior to the sheriff's sale so that when the sheriff's sale is conducted, the 5-week redemption would kick in and it would expedite this process (Ms. Moermond added that you can seek it; whether or not the court chooses to grant it is completely up to the court)

Ms. Moermond:

- the best the city can do is give Alaris a recommendation for 6 months to rehab the property
- suggests an architect take a look at this building to find out what's going on underneath the siding, etc.
- the Upper Swede Hollow Neighborhood Association had input on the 800 Third St E building
- get the \$5,000 performance deposit posted
- code compliance inspection completed
- submit a Work Plan with timelines and costs
- affidavit for \$50,000-\$60,000 designated to the rehab from Alaris
- connect with an architect or someone who could talk about what's underneath this and how much of a job it would be to bring back some of it's historic character or at least, to make it less of an eye soar on the corner, which will add to the cost of the rehab
- if those things are done, then she will lay this over for another 2-4 weeks to give Alaris a chance to figure out where it can go
- those items should be taken care of at the City Council Public Hearing Feb 15, 2012
- she will ask Council to lay this over to Feb 21, 2012 legislative hearing
- suggested Mr. Danielson ask his attorney double check to see what's possible about a shortened redemption time period
- Mai Vang will send a letter

Referred to the 2/15/2012 City Council

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[SR 11-25](#)

Reviewing progress of rehabilitation for 1456 COHANSEY STREET.

Sponsors: Brendmoen

Attachments: [1456 Cohansey St.R-R Ltr 3-8-11.doc](#)
[1456 Cohansey St.R-R Ltr 3-22-11.doc](#)
[1456 Cohansey St.R-R Ltr 4-26-11.doc](#)
[1456 Cohansey St.Burning Fuel Report 3-25-11.pdf](#)
[1456 Cohansey St.Boyle Ltr 4-25-11.pdf](#)
[1456 Cohansey St.Boyle Ltr 5-10-11.pdf](#)
[1456 Cohansey St.Boyle Letter 5-26-11.pdf](#)
[1456 Cohansey St.Minutes 5-10-11.pdf](#)
[1456 Cohansey St.Boyle Ltr 7-25-11.pdf](#)
[1456 Cohansey St.R-R Ltr 8-3-11.doc](#)
[1456 Cohansey St.R-R Ltr 10-26-11.doc](#)
[1456 Cohansey St.R-R Ltr 10-31-11.doc](#)
[1456 Cohansey St.R-R Ltr 11-29-11.doc](#)
[1456 Cohansey St.R-R Ltr 1-26-12.doc](#)

Needs final sign-off.

RE: 1456 Cohansey St (single family) Staff Report

Steve Magner, Vacant Buildings;

- update from the Department of Safety and Inspections: they are trying to obtain sign-offs
- DSI gave them a 30-day extension on the performance deposit and the fees to complete the project
- his understanding after talking with his staff, who emailed Mr. Boyle, owner's legal representative, the project is done - they need to contractors in to sign off the permits

Ms. Moermond:

- would like to do a 6-week layover to Mar 13, 2012 Legislative Hearing

Laid over to the 3/13/2012 Legislative Hearings

Tax Forfeit Repurchase Applications

- 7 [RLH OA 12-11](#) Making recommendation to Ramsey County on the application of Citi Mortgage for repurchase of tax forfeited property at 107 HOYT AVENUE WEST.
- Sponsors:** Brendmoen
- Attachments:** [107 Hoyt Ave W.RCTax Forfiet Repurchase Ap.1-19-12.pdf](#)
 [107 Hoyt Ave W.STAMP History Page.1-21-12.pdf](#)
- Recommendation Forthcoming*
- No one appeared*
- Inspector Steve Magner:*
- Referred to the 2/15/2012 City Council**
- 8 [RLH OA 12-13](#) Making recommendation to Ramsey County on the application of Stephanie A Carlson (formerly Vasquez) for repurchase of tax forfeited property at 1148 HOYT AVENUE.
- Sponsors:** Brendmoen
- Attachments:** [1148 Hoyt Ave.RC Tax Forfeit Repurchase Ap.1-19-12.pdf](#)
 [1148 Hoyt Ave W.STAMP History Page.1-21-11.pdf](#)
- Recommendation Forthcoming*
- No one appeared*
- Magner:*
- Only big issue is that there is a sewer warning and an inactive permit.
 - No code actions.
- Referred to the 2/15/2012 City Council**
- 9 [RLH OA 12-12](#) Making recommendation to Ramsey County on the application of US Bancorp Service Providers, LLC for repurchase of tax forfeited property at 308 JENKS AVENUE.

Sponsors: Brendmoen

Attachments: [308 Jenks Ave.RC Tax Forfeit Repurchase Ap.1-19-12.pdf](#)
[308 Jenks Ave.Fire C of O.3-14-11.pdf](#)

Forthcoming

No one appeared

Inspector Steve Magner:
- No code actions since 2002

Referred to the 2/15/2012 City Council

- 10 [RLH OA 12-14](#) Making recommendation to Ramsey County on the application of CitiFinancial Services, Inc for repurchase of tax forfeited property at 1816 MECHANIC AVENUE.

Sponsors: Bostrom

Attachments: [1816 Mechanic Ave.RC Tax Forfeit Repurchase Ap.1-19-12.pdf](#)
[1816 Mechanic Ave.STAMP History.2-8-11.pdf](#)

Forthcoming

Referred to the City Council due back on 2/15/2012

11:00 a.m. Hearings

Summary Abatement Orders

- 11 [RLH SAO 12-4](#) Appeal of Diana K. Turner to a Summary Abatement Order at 773 WHITE BEAR AVENUE NORTH.

Sponsors: Lantry

Attachments: [773 White Bear N.appeal.1-17-12.pdf](#)
[773 White Bear Ave N.Photos.1-20-12.pdf](#)
[773 White Bear Ave.Turner Ltr 1-26-12.doc](#)
[773 White Bear Ave.Email & Abatement Plan 2-7-12.pdf](#)
[773 White Bear Ave.Turner Ltr 2-14-12.doc](#)

Housekeeping on February 7, 2012 at 3:00 p.m. in Room 330 City Hall for a work plan on how to tackle the exterior storage, also need to reduce the volume of materials by 50% in the next month. If owner makes good progress, will need another work plan for the balance of the materials to come into compliance.

RE: 773 White Bear Ave N (single family)

Diana K. Turner, owner, appeared.

Ms. Moermond:
- there are photos in the system
- looks to her that there's a lot of stuff in the back yard which needs to be removed

- your letter indicates that you are just starting to be an urban farmer and that you have a lot of plans for the materials in your back yard
- you had looked up some code references in this matter
- you also are working with a nutrition group at the county level
- she was impressed with the amount of material in the yard
- something needs to be done; it's not OK to store all of this outside
- the exterior maintenance code is clear - this is something the city would Order abated

Ms. Turner:

- is the main concern visual or hazardous?

Ms. Moermond:

- this is about the exterior maintenance code and what can be allowed to be stored outside and what can't be allowed to be stored outside
- both the type of items stored as well as how it is stored are problematic
- viewed photos: compost pile, trailer, bricks, cold frame, garden stakes, pots, dirt, etc.
- tenting these items will not solve the problem

Steve Magner, Vacant Buildings:

- received a complaint Sep 6, 2011: brush, side of property; large pile of manure on blvd for 2 months; oversized planter that has only weeds in it -looks unsightly
- received another complaint Sep 21, 2011: big pile of dirt on blvd; bush on side avenue
- received another complaint Dec 28, 2011: trash and debris in side yard under tarp
- inspector went out Sep 8, 2011 and re-checked Jan 4, 2012 and issued a SA

Mr. Turner:

- Inspector Reardon told her that the first Order was complied with but he forgot to close out Order and that's why it's so troubling right now because it looks like it's a complaint circulated from the beginning but it's not

Mr. Magner:

- subsequently, Mr. Reardon issued a SA order to remove improperly stored accumulated refuse, garbage, rubbish, discarded furniture, appliances, vehicles parts, scrap wood, metal, recycling materials, rubble, tires, brush, etc. from the yard area. Also, all misc. debris under tarp
- Chapter 45 clearly states that these items are excessive and not in compliance with either Chap 45 or Chap 34 - storage. In the city's mind, storage is something that is relevant to an exterior; the rest would need to be contained within a structure; not out in the open, covered by a tarp or in some type of temporary structure
- doesn't understand the term "urban farming;" if that were an initiative, he would assume there be some legislation/standard policy/procedures for it

Ms. Turner:

- her goal is to get some sort of secondary structure
- preferably, with the initiatives and standard policies and procedures that are being recommended by the task force, a Hoop House would be a part of that allowance because we need to have places to store these things that go beyond putting it into a house; space in a house is valuable for living and this stuff is clearly seasonal and it can be an extended season (the goal of urban farmers); you need access to it as the temperatures change
- to meet the growing demand to have locally produced food, the question is how do you ramp up the scale and go beyond just a household garden
- the idea is to create community supported agriculture - to be able to provide enough

food for a neighborhood so that there is local food

- her personal issue is that her uncle had a stroke and she had to take a lot of stuff, so, she needs to process some of that;
- it's cold and hard to do that in the winter; his house was demolished
- she has room in the garage to put a good portion of it
- the bee hives are hard to move around; she would like permission to at least, keep those outside
- is also working on figuring out how to have shared spaces (other people will face this, too)
- her son has a garden shed that he is willing to give to her when it's not frozen to the ground
- a Hoop House would be perfect for this situation - they area a big part of what's coming forward (zoning ordinance of the future)
- in order for her to store bee hives outside, they have to be covered because the soft rain will erode the wood; she will need to use them fairly quickly in Feb and Mar 2012; having them covered with snow and ice would not be good for the bees
- Appellant plans on coming Feb 7 and will bring photos

Ms. Moermond:

- she supports the policy goal; her concern is the exterior storage part
- is looking for an end game here
- asked Appellant to put together a 1-pager with a calendar on how she plans to tackle this outdoor storage (in 2 weeks)
- would like to see the volume decrease by 50% in the next month
- then, she wants to see a Work Plan for getting the rest of the items taken care of
- on legislative hearing agenda housekeeping item Feb 7, 2012 (around 3 pm)
- doesn't have a problem laying over the bee hives

Laid Over to the Legislative Hearings due back on 2/7/2012

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 12 [RLH FCO 12-50](#) Appeal of Nou Pao Thor to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 891 HAWTHORNE AVENUE EAST.

Sponsors: Bostrom

Attachments: [891 Hawthorne.appeal. 1-17-12.pdf](#)
[891 Hawthorne Ave E.Thor Ltr 1-26-12.doc](#)

Grant a 4.5-inch variance on the openable height of the egress window in the 2nd floor, east bedroom; grant a 3-inch variance on the openable height of the egress window in the 2nd floor, north bedroom; grant the appeal on the shower and appellant is opt out of the Fire Certificate of Occupancy Program.

891 Hawthorne Ave E
 Appellant: Nou Pao Thor and daughter, Maria

Inspector Mike Urmann:

- Second floor east bedroom window has an openable height of 19.5", openable width of 29", and glazed area of 47" x 27". Ms. Moermond recommended a variance.
- Second floor north bedroom has an openable height of 21", openable width of 23", and glazed area of 47.5 " x 21.5". Ms. Moermond recommended a variance.

- Bathroom issue of tile enclosure and tile is coming off the wall, bathroom is currently being used, it is not water tight and the walls continue to deteriorate.

Maria:

- Bathroom hasn't been used for over one year; remodeled main floor bathroom to have a shower also and are using that.
- This is just a basement shower; not a bathroom.
- Have gotten a few quotes but is not in their budget right now.
- The first time the inspector came it wasn't on the list; second time it got on the list.

Inspector Urmann:

- Asked if there are any personal items in the shower and if the water is capped off.

Maria:

- It is not capped off yet and there is not even a curtain on the shower.

Inspector Urmann:

- Said he was told there were personal items in the shower and it was apparently being used.

Maria:

- May have been things left there plus wash machine detergent is in there and soap to wash hands in the sink.

Ms. Moermond:

- Asked about the water heater.

Maria:

- Are waiting for them to do a report. Everything else on the list has been dealt with.

Ms. Moermond:

- Will grant the appeal on the shower; it's fine if they are not using it.
- Granted variance on both windows

Maria:

- Was surprised that the house was inspected.
- It was their family home about seven years and she continued to live there when the rest of the family moved out.

Ms. Moermond

- It characterizes for her whether this is an owner continuing to occupy it or if Maria's relationship with her family turned into what could be classified as a rental even if money is not exchanging hands.
- This is a continuation of an owner-occupancy situation and she would recommend that they be waived out of the Fire Certificate of Occupancy Program.

Referred to the 2/15/2012 City Council

- 13 [RLH FCO 12-19](#) Appeal of Marty Long to a Fire Certificate of Occupancy Inspection Correction Notice at 698 HOLLY AVENUE.

Sponsors: Carter III

Attachments: [698 Holly.appeal.12-30-11.pdf](#)
 [698 Holly Ave.Long Ltr 1-26-12.doc](#)

Deny the appeal and grant an extension to September 1, 2012 for the exterior

painting.

698 Holly
Marty Long, appellant

Ms. Moermond:
- Realizes exterior painting could not be done in the one month time period.
- Asked Mr. Long when he thought he could have it done.

Mr. Long:
- It has been started and should be done by the end of summer.

Ms. Moermond:
- Will grant an extension to September 1, 2012

Referred to the 2/15/2012 City Council

- 14 [RLH FCO 12-9](#) Appeal of Steven J. Semple, Hoovers Pub, to a Fire Certificate of Occupancy Inspection Correction Notice at 755 JACKSON STREET.

Sponsors: Brendmoen

Attachments: [755 Jackson.appeal.12-16-11.pdf](#)
 [755 Jackson.photos.12-16-11](#)
 [755 Jackson.code references.1-10-12](#)
 [755 Jackson St.Semple Ltr 1-13-12.doc](#)
 [755 Jackson St.Hoovers Pub Ltr 1-26-12.doc](#)
 [755 Jackson City Drawn Floor Plan.2-15-12.pdf](#)
 [755 Jackson.Diagram-Floor Plan.2-15-12.pdf](#)

Grant a variance for the bar egress but owner may not add any seating beyond 50.

755 Jackson St
Steven Semple – Hoover's Pub

Ms. Moermond:
- Looking for follow-up information

Inspector Urmann:
- Discussion at the last hearing was that they thought the pub might be bordering on the 50 occupancy.
- Have asked inspector to go back and do the square footage, figure out the total number of occupants by square footage in the way the building is being used.
- On the diagram can see the occupancy load factors that puts the number at 13 around the bar area which is standing room. This is the way the Code figures it out because people will be packed up against the bar standing and milling round.
- Second factor of No. 57 is tables and chairs for the rest of the floor area. This is less restrictive because less people are expected to be in those areas.
- Total number of occupants in the area is 70 people for the way the building is being used.
- It clearly needs a second exit.

Mr. Semple:
- Submitted his own drawing

- Currently 50 chairs and bar stools

Inspector Urmann :

- Requirement is taken from code calculations from the Fire Code and Building Code book.

- Not about what number of people they allow to be in the building, it's what number at the worst cast scenario could be there at any given time.

Mr. Semple:

- In Urmann's drawing, the pull tab both is not shown which is 6' x 15', and don't have the shuffle board which is 25 feet. They take a lot of space on the south end.

Inspector Urmann

- Code does not allow those areas to be taken into consideration to anything but a space that could be either at 7 sq. ft. occupant load factor or the tables and chairs.

- It's the overall square footage of the building and what could be occupied.

Mr. Semple:

- Asked why the license indicates 51-71 occupancy

Ms. Moermond:

- It's a category.

- Will recommend to the City Council that they give a variance for the bar egress but he can not add any seats beyond 50.

Referred to the 2/15/2012 City Council

- 15 [RLH FCO 12-22](#) Appeal of Susan Costanzo to a Fire Certificate of Occupancy Correction Notice at 1809 MARSHALL AVENUE.

Sponsors: Stark

Attachments: [1809 Marshall.appeal.12-19-11.pdf](#)
[1809 Marshall Ave.Quit Claim Deed.pdf](#)
[1809 Marshall Ave.Costanzo Ltr.1-23-12](#)
[1809 Marshall ave.Costanzo Ltr 2-3-12.doc](#)

No show. Deny the appeal unless owner can provide documentation stating the reason for her appeal.

On February 2, 2012, Ms. Moermond reviewed the file further and recommended that the City Council deny the appeal. Owners had also submitted a Quit Claim Deed for her review. After further review of the file, she questioned whether John Costanzo, Jr. lives there. If so, owners will need to demonstrate that, not just that son is the owner, to get out of the Fire Certificate of Occupancy Program or she questioned whether son is the responsible party and that the orders should be sent to him. If owner can provide documentation that John Costanzo, Jr. lives there and this is what owner is appealing, then Ms. Moermond can recommend that owner opt out of the Fire Certificate of Occupancy Program.

City Council is February 15. Ms. Vang stated in her letter that owner provide documentation prior to February 8 or the City Council Public Hearing will be on March 7, 2012.

Note - it was difficult to discern why and Ms. Costanzo was appealing. It eventually became apparent that she either wanted to get the property out of the C of O program, or have the responsible party changed to be John Costanzo. We did get a

copy of a quit claim deed giving the property to John. It is not clear to me that he lives at this property, or if he is the manager. If he can demonstrate he's an owner-occupant, my recommendaton will change. ~MM

Referred to the 2/15/2012 City Council

16 [RLH FCO
11-563](#)

Appeal of Por-Due Inc., Curt Wohlberg, to a Fire Certificate of Occupancy Correction Notice at 1080 PAYNE AVENUE.

Sponsors: Bostrom

Attachments: [1080 Payne.appeal.12-2-11.pdf](#)
[1080 Payne.Photos.1-3-12.pdf](#)
[1080 Payne Ave.Photos.pdf](#)
[1080 Payne Ave.Floor Diagram.1-24-12.pdf](#)
[1080 Payne Ave.PorDuInc Ltr 12-22-11.doc](#)
[1080 Payne Ave.Wohlberg Ltr 1-5-12.doc](#)
[1080 Payne Ave.Wohlberg Ltr 2-3-12.doc](#)
[1080 Payne Ave.Email.1-26-12.pdf](#)

On January 26, 2012, Inspector Skow-Fiske submitted photos for Ms. Moermond's review and indicated that the conversation she had with the owner was recalculating the occupant load to verify if the back exit needed to swing in the way of travel...it is required to swing outward. It also requires panic and she gave him the option of three point panic for more security with no door handle on the exterior. Ms. Moermond reviewed the file further and recommended that the City Council deny the appeal.

1080 Payne Avenue
Curt Wohlberg, Por-Due Inc

Curt Wohlberg:

- Doesn't know why he's at this hearing.
- Inspector was going to send him info from the last meeting but he has not received anything
- The property is in the process of being sold.
- Pending a cooling off period for a liquor license, have been instructed to not do anything to the building.
- It goes back to the door which has been the same for 60 years he doesn't understand why he needs to change it.
- Have not come up with a solution for the locks. The door is open during the day but she took pictures of how people have been trying to get in.

Inspector Urmann - #34

- Information has been provided to Ms. Moermond. No information has come back from DSI because it's pending this hearing to see where they go. The issue is that the lock is too high and if it was secured it wouldn't meet minimum codes. Also, it has a slide-bolt on the exit door which can't be done. There is a security issue as people have broken in; however, there is security hardware available that both meets code and is more than secure – panic hardware

Ms. Moermond:

- Mr. Wohlberg provided photos.
- Inspector Shaff had suggested the owner talk with Kris Skow-Fiske.

Inspector Urmann:

- Inspector Skow-Fiske did meet with owner on site and instructed the owner on what was required, what needed to be done.
- The orders are still the same

Ms. Moermond:

- Asked if specific details could be written by the Inspector.
- If there are options for meeting the Code requirement that the inspector has gone over, that would make a difference on how any particular variance might be written on how to meet the intent of the code.

Inspector Urmann:

- Will see that an e-mail is sent to Ms. Moermond.

Ms. Moermond:

- The deadbolt lock which is up high will have to come off.

Mr. Wohlberg:

- Somehow he will have to sure it up high.
- The door is open during business hours so he doesn't understand.

Ms. Moermond:

- Will get an e-mail from Insp. Skow-Fiske outlining the conversation and try to craft a plan.
- In terms of locks that touch both up and down... Urmann suggested possibly flush bolts (unsure of name) which are built into the door and they activate by the crash bar.
- Will contact him by letter after hearing from Ms. Skow-Fiske.

Referred to the 2/15/2012 City Council

- 17 [RLH FCO 12-48](#) Appeal of James L. Swift to a Fire Certificate of Occupancy Inspection Correction Notice at 497 OTIS AVENUE.

Sponsors: Stark

Attachments: [497 Otis.appeal.1-17-12.pdf](#)
 [497 Otis Ave.Swift Ltr 1-26-12.doc](#)

Grant a 2.5-inch variance on the openable height of the egress window in the upper unit second floor northeast bedroom; grant a 2-inch variance on the openable height of the egress window in the upper unit second floor north bedroom; grant a 1.5-inch variance on the openable height of the egress window in the upper unit second floor northwest bedroom; grant a 1-inch variance on the openable height of the egress window in the upper unit third floor bedroom; and grant the appeal on the second and third floor stairways.

497 Otis Avenue
James Swift

Inspector Urmann:

- The code requires a guardrail which could be 34 inches.
- Going back through the Property Maintenance Code it says specifically that the guard rails that are at the top of the stairs and not at the bottom of the staircase can be installed as it was when the Code was original.
- At 30 inches, it would be an acceptable guardrail. This guardrail is 29 inches. It is in good condition, has no defect other than the height requirement.

Ms. Moermond:

- Will recommend that the City Council grant a variance on the height of the guardrail.
- Will also recommend that the City Council grant a variance on all of the windows.

Referred to the 2/15/2012 City Council

- 18 [RLH FCO 12-39](#) Appeal of Birgir Hardee to a Fire Certificate of Occupancy Inspection Correction Notice at 598 THOMAS AVENUE.

Sponsors: Carter III

Attachments: [598 Thomas.appeal.1-17-12.pdf](#)
[598 Thomas Ave.Hardee Ltr.1-26-12.doc](#)
[598 Thomas Ave.Hardee Revised Ltr.2-1-12.doc](#)
[598 Thomas Ave.Photos.pdf](#)

Deny the appeal on the window in Unit 1 measuring 26 high by 20 wide because the window exits into an enclosed porch; deny the appeal and grant an extension to July 1, 2012 for Items 1 (peeling paint), 2 (exterior sidewalks, walkways and stairs) and 11 (permits for all remodel work, plumbing, electrical and building permits). Appellant to provide photos of the porch in one to two weeks.

598 Thomas Ave
Justin Hardee appeared on behalf of his father Birgir Hardee

Inspector Mike Urmann:

- Egress window which exits onto an enclosed porch which also services the main entrance; exiting into a shared exit space and not directly to outside as required by Code.
- Sizes seem very close to the requirement but it's where it goes.

Justin Hardee:

- Porch is original to the house.
- Like most of them in the neighborhood, it's screened and glassed in.
- On the side facing the inside of the building, thought it was aluminum and screened and glassed windows as well.
- Read what his father wrote:
- Inspector said the egress size requirements have been met and possibly a variance could be granted.
- There are 11 items on the list. Asking for an extension on Items #1, 2, and 11 to June 30 or July 1, 2012. (3, 4, 5, 6, 7, 8, 9 are done)

Ms. Moermond:

- Will recommend that the City Council grant an extension to July 1, 2012 on the exterior work.
- Noted repair, replace, maintain exterior sidewalks, walkways and stairs. If there is something that needs repair, such as a broken step, the repair only should be done by January 30, 2012

Justin Hardee:

- The edge of the step is cracked and chipping; needs touch-up and concrete re-sealed.

Ms. Moermond:

- Uncertified portions – asked if they have plumbing, electrical and building permits

pulled.

Inspector Urmann:

- *They would be required to pull permits to get work done on the uncertified, unoccupied, portion that may be undergoing rehab.*
- *Inspector did not issue individual orders because the space is not occupied.*

Ms. Moermond:

- *Some of these things would have to be done under permit.*

Inspector Urmann:

- *In order to rehab the unit, they will have to do some electrical and plumbing work and some building construction. All will need to be done under permit.*
- *They will have to design what they are going to do.*
- *Because it's not owner-occupied, unless they are a licensed contractor, they won't be able to pull permits.*

Justin Hardee:

- *It's a 50-50 chance the contractor is licensed. He does the building and has others to do electrical and plumbing*
- *He will notify the contractor about the permits.*

Ms. Moermond:

- *Would like to know exactly what was original with the porch – if it was enclosed or not.*
- *Many times they were open and later enclosed so she wondered if opening it is an option.*

Justin Hardee:

- *His father does not want to open the porch*
- *It is original to the house and not added on.*
- *Windows that separate the porch and the house are also original.*

Ms. Moermond:

- *In her work she sees a lot of original porches or early addition porches that may not have been enclosed at the time of construction.*

Mr. Hardee:

- *Reason he may not want to open it up to the house is because it's a duplex and there wouldn't be the separation for the two occupants.*
- *Front door and porch is used by both tenants.*

Ms. Moermond:

- *Asked Mr. Hardee to get her some photos.*
- *Does not feel he will win on this but getting more information in the file will only help.*
- *You have to be able to get directly outside. In case of a fire, can't have the egress be through another room even if it's a porch.*
- *If the porch is enclosed, it's considered a room for purposes of exiting in a fire.*
- *Can deal with that by opening up the porch (take out the porch windows to the outside).*
- *Photos will help to explain to the Council what's going on and why he would not want to open up the porch. Any kind of background information for the Council will be to his advantage.*
- *Provide photos in the next week or two.*

Mr. Hardee:

- Father is out of town until the end of April.

Ms. Moermond:

- Told Mr. Hardee he can represent his father at the City Council public hearing.
- Will schedule the public hearing for March 7, 2012 at 5:30 pm.
- He can ask the Council to lay the matter over until his father returns or contact the ward office.
- Her recommendation to the City Council will be to deny the appeal

Referred to the March 7, 2012 City Council

Window Variances: Hearing Required

- 19 [RLH FOW 12-30](#) Appeal of Tony Swanson, on behalf of Public Housing Agency of St. Paul, to a Fire Certificate of Occupancy Correction Notice at 936 BARCLAY STREET.

Sponsors: Bostrom

Attachments: [936 Barclay.appeal.1-12-12.pdf](#)
[936 Barclay St.Swanson Ltr.1-26-12.doc](#)

Grant an 8-inch variance on the openable height of the egress bedroom window.

936 Barclay St
Appellant: Tony Swanson

Inspector Mike Urmann:

- Double hung window, 15" openable height, window sill is 44", openable width is 34", glazed area is 30 x 32
- Single family home, Section 8

Tony Swanson:

- Enclosed a picture; were able to get it to 16"

Ms. Moermond:

- Will have fire inspector re-check that the framing for the screen doesn't come up higher but it looks like the 16 inches would be a perfect measurement.
- Will recommend to the Council that they grant a variance.

Referred to the 2/15/2012 City Council

- 20 [RLH FOW 12-34](#) Appeal of Judd Andrews to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 1810 MARSHALL AVENUE.

Sponsors: Stark

Attachments: [1810 Marshall.appeal.1-17-12.pdf](#)
[1810 Marshall Ave.Window Photo 1.1-26-12.pdf](#)
[1810 Marshall Ave.Window Photo 2.1-26-12.pdf](#)
[1810 Marshall Ave.Fire C of O Orders.2-1-12.pdf](#)

Deny a variance on the egress window in the south bedroom and grant a 4-inch variance on the openable height of the egress windows in the west and east bedrooms and grant a variance on the glass block window on the condition the owner

discloses in the lease that the room cannot be used for sleeping.
Laid over for inspector to rewrite order to clarify Items 1-4.

1810 Marshall #70
Appellant Judd Andrews

Inspector Mike Urmann

- Appears to be double hung windows.
- South double hung is 12.25" high x 32" wide; glazed area is 8.7 sq. ft.
- West double hung is 20" high x 39" wide; glazed area is 11.4 sq. ft.
- East double hung is 20" high x 39" wide; glazed area is 11.4 sq. ft.
- It might be a basement location and someone put in a secondary entry in Amanda trying to be more specific on the location and forgot to take the information out.

Judd Andrews:

- Appealing window measuring 12.24" high x 32" wide
- Original to the house
- Windows in the south upstairs bedroom drop down into the wall.

Ms. Moermond:

- Asked that he send her pictures of the south bedroom, done with a measuring tape, to see how far it is opening.
- Will grant a variance on the height of the west and east double hung windows.
- It says there's a glass block window in the basement; asked if it's a sleeping space.

Mr. Andrews:

- Basement space is used for an office/study area.

Ms. Moermond:

- Wants to see a disclosure in the lease that the basement can't be used for sleeping.

Inspector Urmann:

- Will have the inspector qualify the orders so they are clear and send to Ms. Moermond.
- The reason they would call out a glass block window is because they found a bed(s) in the space that is being used for an office which would have been used for sleeping or have the appearance of it being for sleeping.

Mr. Andrews:

- The house is currently vacant.

Ms. Moermond: Will lay over one week - housekeeping

Laid over to the 2/07/2012 Legislative Hearings

21 [RLH FOW 12-39](#) Appeal of JamJWA Investments LLC (Jim Wrich) to a Fire Certificate of Occupancy Correction Notice at 1081 MINNEHAHA AVENUE EAST.

Sponsors: Lantry

Attachments: [1081 Minnehaha.appeal.1-18-12.pdf](#)
[1081 Minnehaha Ave E.Wrich Ltr.1-26-12.doc](#)

Deny the appeal on the egress windows in Units 1 and 2 and grant an extension for 90 days to come into compliance and grant a variance on the sill height.

1081 Minnehaha Ave E

Appellant: Jim Wrich, JamJWA Investments

Jim Wrich:

- Not able to determine from the inspector's report which specific window he was talking about.
- A duplex – two bedrooms down and three bedrooms up.

Ms Moermond:

- Appears the inspector is referring to both units.

Inspector Urmann:

- Re: comment of the appellant on the appeal form about the windows being replaced prior to 2000, they were installed without a permit or approval.
- Openable height is 13", openable width is 28"; glazed area is 30 x 27".

Ms. Moermond:

- With an opening this size, normally she would be asking for a casement type window replacement.

Mr. Wrich:

- The person who does his repair work does not think they are original windows based on the model type.
- This was built in 1966 and there's no indication of anything prior to 1999.
- Has the names of some of the previous owners and was going to call them but hasn't had time.

Ms. Moermond:

- Only concern is that the window does not open enough for a person to get out through it. Would not consider 13 inches openable height; law requires 24 in high and 20" wide;
- Does variances in some cases but in this case, does not feel the glazed opening will accommodate a double hung and still meet the legal requirement for egress.
- If she were to give a break on the height, she would want to see accommodating width.
- Short 11 inches of the requirement so almost half of the height of what the law requires.
- Does not feel it's any more complicated than replacing it with a different style window; sliding or double hung windows will not give him the dimensions so it leaves him with a casement style.

Mr. Wrich:

- Asked if the report pertains to each of the five bedrooms.

Inspector Urmann:

- Assumes it does.
- Other issue is that there is a 48 inch sill height and 44 inches is required. Forty-eight inches is on existing windows but since these windows don't meet the code, when windows are installed it will have to be 44 in.

Ms. Moermond:

- Will look at granting a variance on the height of the sill when new windows are put in.
- Will recommend that the City Council deny the appeal and grant an extension for 90 days.

Referred to the 2/15/2012 City Council

- 22 [RLH WP 12-9](#) Appeal of Bryan Horton, Renewal by Andersen, on behalf of Karla Koons to an Egress Window Non-Compliance Determination at 698 MONTANA AVENUE EAST.

Sponsors: Bostrom

Attachments: [698 Montana.appeal.1-17-12.pdf](#)
[698 Montana Ave E.Renewal by Andersen Ltr 1-26-12.doc](#)

Deny the appeal.

*698 Montana Ave E
Bryan Horton, Renewal by Andersen*

Ms. Moermond:

- Have a window that is constructed to open to 15" in height.

Mr. Horton:

*- Since the policy has been enacted, he has been reviewing every project they have in St. Paul to assess it for egress and make sure they will comply with the policy.
- This window slipped through the cracks; two others were approved as a variance.
- This one has been replaced with a double hung and during inspection it was found that it does not comply.
- It is a 15" openable width, the overall glazed area is significantly smaller and a problem when replacing with a casement. Can meet openable height and width but not the overall glazed area.*

Ms. Moermond:

*- Has always focused more on the openable dimensions;
- Looks at the 15 inches which is beyond what she would recommend to the Council.
- It's a 9 inch shortfall in height and only 5 extra inches in width.
- Will be scheduled for a City Council public hearing on February 15, 2012 and will recommend denial.*

Referred to the 2/15/2012 City Council

2:30 p.m. Hearings

Vacant Building Registrations

- 23 [RLH VBR 12-5](#) Appeal of Tony Sorenson to a Vacant Building Registration Requirement at 606 EDMUND AVENUE.

Sponsors: Carter III

Attachments: [606 Edmund.appeal.1-18-12.pdf](#)
[606 Edmund Ave.Code Compliance Inspection Report.8-5-11.pdf](#)

A 120-day extension was given to property owner to complete the code compliance and get owner occupy.

Withdrawn

Staff Report

- 24 [RLH FCO 12-14](#) Appeal of Dawn Kennedy to a Fire Certificate of Occupancy Correction Notice at 637 GOTZIAN STREET.

Sponsors: Lantry

Attachments: [637 Gotzian.appeal.12-28-11.pdf](#)
[637 Gotzian St.Photos.1-10-12.pdf](#)
[637 Gotzian St.Kennedy Ltr 1-13-12.doc](#)

No change to the January 10 recommendation is necessary.

Referred to the 2/01/2012 City Council

Window Variances: No Hearing Necessary

- 25 [RLH FOW 12-35](#) Appeal of Jackie Visnovec to a Correction Notice-Complaint Inspection at 1720 ASHLAND AVENUE.

Sponsors: Stark

Attachments: [1720 Ashland.appeal.1-13-12.pdf](#)
[1720 Ashland Ave.Visnovec Ltr.1-26-12.doc](#)

No hearing necessary; grant a 1-inch variance on the openable width of the egress window in the basement unit bedroom and a .5-inch variance on the openable height of the egress windows in all other units.

Referred to the City Council due back on 2/15/2012

- 26 [RLH WP 12-10](#) Appeal of Daniel Schmidt, on behalf of Saint Paul Ramsey County Department of Public Health, to two Egress Window Non-Compliance Determinations at 1699 CASE AVENUE.

Sponsors: Bostrom

Attachments: [1699 Case.appeal.1-17-12.pdf](#)
[1699 Case Ave.Public Health REVISED Ltr.1-26-12.doc](#)

No hearing necessary; grant a 2-inch variance on the openable height of two double hung replacement egress bedroom windows measuring 22 inches high by 23.3 inches wide and grant a 4-inch variance on the openable height of one double hung replacement egress bedroom window measuring 20 inches high by 26.8 inches wide.

Referred to the City Council due back on 2/15/2012

- 27 [RLH FOW 12-31](#) Appeal of Tony Swanson, on behalf of the Public Housing Agency of St. Paul, to a Fire Certificate of Occupancy Correction Notice at 1728 CONWAY STREET.

Sponsors: Lantry

Attachments: [1728 Conway.appeal.1-12-12.pdf](#)
[1728 Conway St.Swanson Ltr.1-27-12.doc](#)

No hearing necessary; grant a 6-inch variance on the openable height of the egress window in the upstairs bedroom.

Referred to the City Council due back on 2/15/2012

- 28 [RLH FOW 12-37](#) Appeal of Osprey LLC to a Fire Certificate of Occupancy Inspection Correction Notice at 1237 FIFTH STREET EAST.

Sponsors: Lantry

Attachments: [1237 5th.appeal.1-17-12.pdf](#)
 [1237 Fith St E.Titus Contracting Ltr.1-26-12.doc](#)

No hearing necessary; grant a 3.5-inch variance on the openable width of the egress window in the upper floor northeast bedroom.

Referred to the City Council due back on 2/15/2012

- 29 [RLH FOW 12-32](#) Appeal of Tony Swanson, on behalf of the Public Housing Agency of St. Paul, to a Fire Certificate of Occupancy Correction Notice at 1675 FREMONT AVENUE.

Sponsors: Lantry

Attachments: [1675 Fremont.appeal.1-12-12.pdf](#)
 [1675 Fremont Ave.Swanson Ltr.1-27-12.doc](#)

No hearing necessary; grant a 6-inch variance on the openable height of the egress bedroom window.

Referred to the 2/15/2012 City Council

- 30 [RLH FOW 12-33](#) Appeal of Tony Swanson, on behalf of the Public Housing Agency of St. Paul, to a Fire Certificate of Occupancy Correction Notice at 1636 LUELLA STREET NORTH.

Sponsors: Bostrom

Attachments: [1636 Luella.appeal.1-12-12.pdf](#)
 [1636 Luella St N.Swanson Ltr.1-27-12.doc](#)

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

Referred to the City Council due back on 2/15/2012

- 31 [RLH WP 12-8](#) Appeal of Ronald Drexl to an Egress Window Non-Compliance Determination at 998 RANDOLPH AVENUE.

Sponsors: Thune

Attachments: [998 Randolph.appeal.1-17-12.pdf](#)
 [998 Randolph Ave.Drexl Ltr.1-27-12.doc](#)

No hearing necessary; grant a 2.5-inch variance on the openable width of one slider replacement egress bedroom window measuring 17.5 inches wide by 42 inches high.

Referred to the City Council due back on 2/15/2012

- 32 [RLH FOW 12-36](#) Appeal of Justin Fox to a Fire Certificate of Occupancy Inspection Correction Notice at 1381 REANEY AVENUE.

Sponsors: Lantry

Attachments: [1381 Reaney.appeal.1-17-12.pdf](#)
[1381 Reaney Ave.Fox Ltr.1-27-12.doc](#)

No hearing necessary; grant a 4-inch variance on the openable height of the egress bedroom windows.

Referred to the 2/15/2012 City Council

33 [RLH WP 12-7](#) Appeal of Bryan Horton, on behalf of Renewal by Andersen, to an Egress Window Non-Compliance Determination at 1389 SCHLETTI STREET.

Sponsors: Brendmoen

Attachments: [1389 Schletti.appeal.1-12-12.pdf](#)
[1389 Schletti St.Renewal by Andersen Ltr 1-26-12.doc](#)

No hearing necessary; grant a 5-inch variance on the openable height of two double hung replacement egress bedroom windows measuring 19 inches high by 24 inches wide.

Referred to the City Council due back on 2/15/2012