



City of Saint Paul

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Master

File Number: RLH FCO 17-42

File ID: RLH FCO 17-42

Type: Resolution LH Fire C of O

Status: Passed

Version: 2

**Contact
Number:**

In Control: City Council

File Created: 04/14/2017

File Name: 529 Portland Avenue

Final Action: 05/17/2017

Title: Appeal of Graham M. Butler, Attorney, on behalf of William J. Uhlenkott, to a Fire Inspection Correction Notice at 529 PORTLAND AVENUE.

Notes:

Agenda Date: 05/17/2017

Agenda Number: 76

Sponsors: Thao

Enactment Date:

Attachments: 529 Portland Ave.appeal.4-14-17, 529 Portland Ave.Photos.3-31-17 reload 4-17-17.pdf, 529 Portland Ave.Photos.4-17-17.pdf, 529 Portland Ave.Butler Ltr.4-27-17.doc

Financials Included?:

Contact Name:

Hearing Date:

Entered by: Racquel.Naylor@ci.stpaul.mn.us

Ord Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Legislative Hearings	04/25/2017	Referred	City Council	05/17/2017		
	Action Text: Referred to the City Council due back on 5/17/2017						
	Notes: <i>Graham M. Butler, Attorney, appeared with William J. Uhlenkott, owner.</i>						
	<i>Fire Supervisor Leanna Shaff:</i>						
	<i>-Fire Certificate of Occupancy inspection conducted by Inspector Justin Elvestad on Mar 30, 2017</i>						
	<i>-a couple of complaints came in about outdoor garbage; code enforcement is working with some of that</i>						
	<i>-one or both of you were here recently looking for more time on the exterior</i>						
	<i>-9 deficiencies on the Correction Notice, of which a few need more time; I'm not clear about the rest</i>						
	<i>-this is an owner-occupied triplex</i>						
	<i>-photos</i>						
	<i>Mr. Uhlenkott:</i>						
	<i>-said that he is surprised that there are complaints because all of the garages butt up against each other; you can't even see the yard and there's no alley; no one can see anything - not in public view; are they coming into my yard looking around or (?)... that kind of scares me; what are you complaining about when you can't even see it?</i>						
	<i>-and, there was no garbage at all</i>						

Mr. Butler:

-there is structural statuary; also ornamental iron; repurposed city bricks; a stack of wood from a tree that fell in his own yard

-we have no objection to a vast majority of these

#1 - he has found his keys and is able to provide access

#2 - the main one is that we need more help & assistance & planning with a professional carpenter; he can either lower storage units or remove 3 cabinets - that costs money; you need 18 inches between the installed fire sprinkler system and the material is closer to the sprinklers than 18 inches
#3 - the driveway has been cleared; the car has been removed & is in the garage being fixed; it has current tabs

#4 & #6 - there are no rodents & he has been removing items; he needs time to get another storage unit that would be approved by the city; Chap 34.08

-he can only haul so much at a time to the dump (leaves, shutters,

Mr. Uhlenkott:

-I'm very curious about the buckets; they are plastic & nothing can get them; I use those for transporting leaves, branches, etc; nothing is stored in them

Ms. Moermond:

-water can accumulate in buckets; they create little mosquitoes in that water; it's not OK; buckets are not intended to be stored outside

-your yard is a mess

-you need to remove the tent type structure & buy a permanent shed for storage instead

Supervisor Paula Seeley:

-you will need a permit for a shed & you must meet zoning setbacks; the size of the shed will depend if it needs a bldg permit or not; anything larger than 10 x 12 sq.ft will need a permit

Ms. Moermond:

-I have built those sheds with kits; they are very straight forward; most people are buying these pre-fab sheds now; it's more affordable

-those things in your yard need to be stored indoors

-I don't like tarps - they blow away; they really don't cover up an unsightly thing; they create an unsightly thing

-scrap wood, scrap metal, bricks (to be used for a path around the house, which he is just starting) - I need a deadline; you can store construction materials for as long as you are using them on the project, if it's a reasonable length of time

Mr. Uhlenkott:

-I want to do it during decent weather and allow the bricks time to settle

Ms. Moermond:

-I will expect you to finish that path during the 2017 construction cycle; you can store those bricks outside until the ground freezes; the leftover bricks, if any, cannot remain outside

Mr. Butler:

-to summarize 7, 8, & 9 - have been taken care of

Ms. Moermond:

-a tree was taken down; there's a proper way to store fire wood

-the buckets, old recycling containers, pots, tent & tarps, etc, need to go; store the furniture, granite & other items that you want to keep, inside somewhere

-regarding the sprinkler clearance issue, you are asking for 90 days to get a carpenter out there; the carpenter said that he needed that time

Grant deadlines for the following:

- 1) grant 30 days to remove accumulation of exterior storage (buckets, recycle bins, tarps, pallets, furniture, buffet, and pots);
- 2) grant 30 days to remove materials from top shelf/top of cabinets to determine if there is sufficient clearance for the sprinkler heads; if there is less than 18 inches clearance, grant 60 days to remove the storage or rebuild;
- 3) will allow exterior storage of bricks during this construction season (leftover bricks cannot be stored outside); and
- 4) remove temporary structure/tent and associated storage within 60 days.

2 City Council 05/17/2017 Adopted

Pass

Action Text: Adopted

2 Mayor's Office 05/19/2017 Signed

Action Text: Signed

Text of Legislative File RLH FCO 17-42

Appeal of Graham M. Butler, Attorney, on behalf of William J. Uhlenkott, to a Fire Inspection Correction Notice at 529 PORTLAND AVENUE.

WHEREAS, in the matter of the Appeal of Graham M. Butler, Attorney, on behalf of William J. Uhlenkott, to a Fire Inspection Correction Notice at 529 PORTLAND AVENUE, the Legislative Hearing Officer has reviewed the appeal and considered the testimony of City staff and the appellant;

WHEREAS, the Legislative Hearing Officer recommends that the City Council grant deadlines for the following: 1) grant 30 days to remove accumulation of exterior storage (buckets, recycle bins, tarps, pallets, furniture, buffet, and pots); 2) grant 30 days to remove materials from top shelf/top of cabinets to determine if there is sufficient clearance for the sprinkler heads; if there is less than 18 inches clearance, grant 60 days to remove the storage or rebuild; 3) will allow exterior storage of bricks during this construction season (leftover bricks cannot be stored outside); and 4) remove temporary structure/tent and associated storage within 60 days; Now, Therefore, Be It

RESOLVED, that the Saint Paul City Council hereby accepts and adopts the Legislative Hearing Officer's recommendation in this matter.

(See attorney's notes on the Correction Notice.)