



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 3, 2012

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments

- 1 **RLH TA 12-21** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1202E, Assessment No. 128301 at 1059 BURGESS STREET.

Sponsors: Carter III

Delete the assessment.

1059 Burgess Street

Craig Holmlund appeared.

Inspector Paula Seeley

-said this is a fine for \$85

-orders sent July 15

-compliance date of July 25

-inspector gave owner one more week extension. Owner went out on August 8.

Excessive consumption fee was issued.

Holmlund

-admits that a cleanup needed to be done on the property.

-wife is a compulsive hoarder

-they feel the fine is excessive

-instructions given to his wife were difficult to understand

-they thought they did their best

-he is asking for an elimination

-did not see the City inspectors as an enemy at all

Essling

-nothing since 2008

Moermond

-there is no history on this property

-It is clear what needed to be taken care of from the photos

-window looks like the room is full

-asked for the number of House Calls (which was given to her by Seeley). House

Calls can help with making some corrections and referrals

-appellant's wife is not alone with this

-recommends deleting this assessment, but she will not recommend deletion in the future, to which appellant says is very fair

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

- 2 **RLH TA 12-6** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1202E, Assessment No. 128301 at 1572 CASE AVENUE.

Sponsors: Bostrom

1572 Case Avenue

Delete the assessment because Burnet is not the owner and Dept staff cannot assess EC on emergency abatement or pre-authorized work order.

Essling

-it was \$85

-it was an emergency work order

-the property was in compliance at the time

-they cannot be assessed

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

- 3 **RLH TA 12-8** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1202E, Assessment No. 128301 at 1133 GALTIER STREET.

Sponsors: Brendmoen

No show; approve the assessment.

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

- 4 **RLH TA 12-28** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. 1203T, Assessment No. 129002 at 2020 GRAND AVENUE.

Sponsors: Stark

No show; approve the assessment.

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

- 5 **RLH TA 12-34** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. 1203T, Assessment No. 129002 at 558 GROTTA STREET NORTH.

Sponsors: Carter III

Delete the assessment

558 Grotto Street North

Kris Kujaja and Paul Scharf, Ramsey County Tax Forfeited Land, appeared.

Karl Mueller, Public Works

-this is a 6 inch elm tree with dutch elm disease on property line with 730 Edmund on July 8, 2010

-date of orders is July 9, 2010

-compliance date was August 9, 2010

-rechecked November 12, 2010

-the City was without a contractor for a period of time
-it was a vacant lot
-letter was sent to listed owner Bryce Peters Financial Corporation, Mukash Patel,
10790 Ranch Bernardo Rd in San Diego, California 92127
-there is a change in the assessment from \$222.53 to \$174.46 due to contractor not
splitting the fees between the property line of two properties.

Moermond

-owners lost the property, belongs to the County due to non payment of taxes

Kris Kujala:

-first time received notification
-without notice on the tree, there was no opportunity to respond to otherwise would
have removed themselves

Ms. Moermond:

-asked when it was forfeited

Kris Kujala:

-forfeited to County on August 24, 2010
-records would have been updated on August 28, 2010
-assuming original notification went to Bryce Peters

Ms. Moermond:

-asked when notification was sent, to which Mueller responded July 8, 2010
-asked the notification process, to which Mueller responded they send the notice
only, they leave a door hanger when work needs to be done

Joel Essling:

-also a Summary Abatement issued on July 6, 2010
-went to Bryce Peters

Ms. Moermond:

-a good five to six weeks before the County got the property

Joel Essling:

-it was a registered vacant building the City demoed in 2009.

Ms. Moermond:

-also would be a good five to six weeks before it went to the County
-asked what the notification process

Karl Mueller:

-sent the one notice, then go to recheck the property and leave a note. Original notice
is the only notice unless current practices had changed.

Ms. Moermond:

-asked when the work was done

Karl Mueller:

-don't have the information done.
-recheck was November 12, 2010, work done in July 2011

Ms. Moermond:

-really long notification and work being done.
-recommends deleting the assessment

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

- 6 **RLH TA 12-24** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1202E, Assessment No. 128301 at 991 JENKS AVENUE.

Sponsors: Bostrom

991 Jenks Avenue

Reduce the assessment from \$85.00 to \$42.50.

See Sue, owner, and family member appeared. (Note: Mai Vang translated Hmong and English)

Seeley

-this is a bill for \$85

-on recheck, it was done by the owner

Moermond

-asked was this a car, to which Seeley responded yes

Sue

-asked do they still have to pay, to which Moermond responded it is for the inspector visit

-unaware of law to not store things outside

(Mai showed owner the photographs)

Moermond

-asked are they buying the property from Quality Construction

Sue

-they do not know who Quality Construction is

-they bought it from another owner

Moermond

-there is an open complaint about the house being overcrowded

-recommends cutting the assessment in half

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

- 7 **RLH TA 12-11** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1202E, Assessment No. 128301 at 1698 LAFOND AVENUE.

Sponsors: Stark

1698 Lafond Avenue

Delete the assessment.

Richard Ayd appeared.

Inspector Essling

-two work orders were issued to remove items from the front of the house

-orders issued 10-11 to cut tall grass and weeds from the property

-there are three more excessive consumption fees pending on this property

Ayd

- he has been unemployed since 2008
- (Ayd went into details about some of the issues in his life)
- Seeley has been to his house
- Kay Wittgenstein, House Calls, has gotten him a dumpster
- he is having a hard time turning and lifting the snow
- the mail man was mad that shoveling was not done
- the house was boarded and he could not get to the lawn owner
- there were shopping carts in his yard because he was bringing things to the Goodwill
- he called Hoarders and they did a complete empty of the house
- his house will be on Hoarders
- his house was in foreclosure
- he has been at Mary Hall Catholic Charities since July 12
- his dogs and car are impounded

Essling

- asked the last time he talked to Kay

Ayd

- responded he left a message about Hoarders coming
- she came to see him at Mary Hall once over the summer

Essling

- asked would it be helpful to talk to her again

Ayd

- responded he made a request to the City
- he paid the \$470 for the inspection
- he received a four page letter from inspections from all the repairs needed
- in response to a question about hte inside of the house, Ayd responded Water Works was installing new meters, but he was in Regions Hospital at the time
- the water has been off since he was in Regions

Essling

- there is an order to remove the shopping carts
- he recommends deleting the excessive consumption fees

Moermond

- concurred with Essling
- there are other assessment fees
- asked Ayd if he has access to housing counselors

Ayd

- he has a case manager coming weekly
- he is in a research study for the hoarding project
- Hoarders also hired a local organizer for him

Moermond

- concerned about the assessment on the property and money going into the property
- owner may benefit from someone looking at it holistically on the long term housing options

Ayd

- said he has also contacted Russ Stark, his council person, who did not seem

interested in helping, to which Meormond replied he does not have a lot to offer in this situation

(Ayd went onto some more personal issues)

Moermund

-recommends deleting the assessment

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

- 8 **RLH TA 12-20** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1203P, Assessment No. 128402 at 561 LAUREL AVENUE **UNIT 1.**

Sponsors: Carter III

Delete the assessment (waiver on file).

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

- 9 **RLH TA 12-18** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1203P, Assessment No. 128402 at 561 LAUREL AVENUE **UNIT 2.**

Sponsors: Carter III

561 Llaurel

Delete the assessment (waiver on file).

Essling

-there were six assessments for graffiti removal

-total assessment was \$455.90

-it was divided among the six units

-recommend deleting that assessment

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

- 10 **RLH TA 12-17** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1203P, Assessment No. 128402 at 561 LAUREL AVENUE **UNIT 3.**

Sponsors: Carter III

Delete the assessment (waiver on file).

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

- 11 **RLH TA 12-16** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1203P, Assessment No. 128402 at 561 LAUREL AVENUE **UNIT 4.**

Sponsors: Carter III

Delete the assessment (waiver on file).

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

- 12 **RLH TA 12-15** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1203P, Assessment No. 128402 at 561 LAUREL AVENUE **UNIT 5.**

Sponsors: Carter III

Delete the assessment (waiver on file).

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

- 13 RLH TA 12-14 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1203P, Assessment No. 128402 at 561 LAUREL AVENUE **UNIT 6**.

Sponsors: Carter III

Delete the assessment (waiver on file).

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

- 14 RLH TA 12-25 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1202E, Assessment No. 128301 at 1092 MAGNOLIA AVENUE EAST.

Sponsors: Bostrom

1092 Magnolia Avenue East

Approve the assessment and spread the payments over two (2) years.

Robert Leslie and Andrew Paul appeared.

Seeley

- this is a bill for \$85 for failure to maintain exterior property*
- an appeal was filed and extension granted*
- she went out and there was still improper storage*
- the work was done by the owner*

Leslie

- he had a broken leg*
- his son was caring for him and his mother*
- his son worked hard to clean out what was there*
- the engine was blown on the van and it was inoperable*
- on July 5, he got an extension to July 21*
- his son was putting things in piles and working hard to get it fixed up.*
- he got a second notice for \$60, in addition to the previous amount*
- in June, he filed a complaint against Seeley for harassing him*
- The ADA person was here previously saying that they cannot tell him to clean up when he is disabled*
- he was getting \$300 a week*
- after September, he got a letter from Seeley saying the fee was dropped*
- inspector still showed up on October 5*
- now four months have gone by and there is a letter that there is a \$85 fee*
- he is unemployed again because he works in construction*
- fees and inspections are not necessary*
- they got rid of the car, they were putting a motor in it*
- they got a notice about the refrigerator, which was outside the garage door*
- his opinion of what needed to be removed was different than Paula Seeley's*
- the yard is cleaned up*
- he was making a deer stand, and Ed Smith said to cover with a tarp*
- when Seeley drove by, he was taking things out of the garage to organize things*

Paul

- he has a 57 Chevy pickup, and they are not done overnight*
- Seeley said four wheelers had to go, but another inspector said they are okay*
- he is now out two machines*
- everyone in the house is disabled*

Moermond

- she is looking at a charge for an inspection*
- they charge for an inspection when a deadline is missed*

Leslie

- all the inspections are from the same problem.*

Moermond

- there is a broken deadline and they are charged for that visit*
- everyone has to work with deadline*
- disability does not apply with enforcement activities*

Seeley

- Smith went out there November 21 and issued orders on debris, too*
- it was the same debris that was there when she issued orders in June*
- they should not have to keep going back there.*

Moermond

- asked when the first consumption was for*

Seeley

- responded it was an AC*
- orders were issued June 17, which was a typo, and Moermond deleted it*
- it is still ongoing, the file was open, and it was still unresolved*
- she waited until August 1 and there was still debris out there*

Leslie

- added because he was disabled*

Paul

- added that he went out that morning on reorganizing that garage*
- he was trying to create more room in the garage*
- the inspector saw the two tires that were set in the garage*
- she ordered the work order based on cleaning up more of the garage*
- the \$85 deal was done that day.*

Seeley

- it was car parts and improper storage of bumpers.*

(Moermond looked at the photos Seeley had on her laptop.)

Moermond

- he cannot have car parts all over his yard. The deadline came and went and the material was there.*

(Moermond showed them a photo).

Leslie

- regarding the photograph, that is behind the garage, completely out of sight, and inspector would have had to be on top of the fence to see it*

Seeley

-it was taken August 1 (Leslie disagreed)

-she did take the photograph over the fence. She can do that. She is not going in there.

-there was an old truck and chassis in the driveway, 3 motorcycles in the driveway need current tabs

-November 9, property is fairly clean, there is a refrigerator that will be moved inside soon.

-November 18, found refrigerator, tires in the driveway

-owner should have gotten a \$50 multiple.

Moermond

-she is hearing different things

-property was not completely addressed when the inspector showed up

-there was not a problem when the parks crew showed up later

-recommend the Council spread this over a period of two years

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

15 RLH TA 12-9

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1202E, Assessment No. 128301 at 1118 MARGARET STREET.

Sponsors: Lantry

No show; approve the assessment.

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

16 RLH TA 11-523

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1204A, Assessment No. 128503 at 873 MARION STREET.

Sponsors: Brendmoen

874 Marion Street

Delete the assessment.

This is a lay over.

Owner and son appeared. Mai Vang interpreted Hmong-English.

Seeley

-this was a summary abatement order

-compliance date of 10-5-11

Moermond

-read part of letter attached to appeal

-letter gives her son the authority to represent her

Moermond

-asked did the owner get help with the letter, to which the son responded one of her granddaughters helped

-asked if there is a photo, to which Essling said there is only a video

(Video shown)

Moermond

-looks like it is outside the fence area

Seeley

-it is definitely outside that area

Moermond

-asked are there any resources to recommend

Seeley

-responded they can call it in

-Illegal dumping is a crime

Moermond

-recommends deleting the assessment because it is the first problem with this property

-they should call the Ward 1 office to see if they can get some help on this in the future because they are being dumped on

-ultimately, his mother will be held responsible for the work on the property.

Son

-his mom does not want to live with any of her sons

-she wants to live in the house by herself

Referred to the City Council due back on 2/1/2012

- 17 **RLH TA 12-22** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1202E, Assessment No. 128301 at 1339 PAYNE AVENUE.

Sponsors: Bostrom

No show; approve the assessment.

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

- 18 **RLH TA 12-19** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1202E, Assessment No. 128301 at 1132 SELBY AVENUE.

Sponsors: Carter III

1132 Selby Avenue

Approve the assessment. (2 excessive consumption fees combined).

1132 Selby Avenue

Seeley

-failed to clean up dog feces

-several EC's

-recommends deleting the fourth one for \$110, J1203E (this needs to be brought up next time)

Moermond

-one for today is approved

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

- 19 **RLH TA 12-23** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1202E, Assessment No. 128301 at 1743 SHERWOOD AVENUE.

Sponsors: Bostrom

1743 Sherwood Avenue

Delete the assessment because this was not a multiple excessive consumption.

Seeley

-combined EC's for \$250

-deleting \$50 EC because they should not have gotten it

-\$150 EC forthcoming and deleting that one

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

- 20 **RLH TA 12-7** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1202E, Assessment No. 128301 at 885 SIXTH STREET EAST.

Sponsors: Lantry

885 Sixth Street East

DSI staff recommends reducing the assessment from \$135.00 to \$85.00 because dept. staff cannot assess excessive consumption for pre-authorized work order. The Legislative Hearing Officer concurs with the recommendation.

Essling

-this is an assessment for \$135

-recommending deletion because work was done

-they cannot charge for the pre-authorized work order

Moermond

-recommends reducing the assessment to \$85

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

- 21 **RLH TA 12-10** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1202E, Assessment No. 128301 at 950 SIXTH STREET EAST.

Sponsors: Lantry

*Forthcoming. MM to check with Real Estate Office on what the \$75.00 is for.
Jan 12: Approve the assessment.*

Ray Simpson appeared (950 Sixth Street East)

Seeley

-this was an excessive consumption for \$85

-orders issued July 18

-work order was sent and done by owner

-Vacant Building Category 2

Simpson

- the closing company found an assessment for \$70*
- it looks like every month there is another assessment*
- everything is in compliance now*
- he has a \$85 bill every month*
- they paid \$70 at closing*

Essling

- the vacant building file was closed today*
- looks like partial payment was sent in*

Moermond

- they should look at the bills*
- they will get ahold of him*

On January 12, 2012, Tanya Townsend, Real Estates Office emailed with the following information:

1st one:

J1201E

128300

Service Date: 07/27/2011 / Work Order # 11 008644

\$85.00 - Break down \$50 is the original amt, \$35 is RE Admin fee that is added when it becomes an Asmt.

(Note: Burnet Title made a Partial Payment on 09/16/2011 leaving a balance of \$15.00)

2nd one:

J1202E

128301

Service Date: 09/20/2011 / Work Order # 11 008644

\$85.00 - Break down \$50 is the original amt, \$35 is RE Admin fee that is added when it becomes an Asmt.

After reviewing the information above, Ms. Moermond recommends approving the assessment.

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

- 22 RLH TA 11-504** Ratifying the Appealed Special Tax Assessment for Real Estate Project No.J1204A, Assessment No. 128503 at 1288 and 1290 SNELLING AVENUE NORTH.

Sponsors: Stark

1288 and 1290 Snelling Avenue North

Delete the assessment (notification went to wrong owner).

Moermond

- they closed on the property before the assessment was issued*
- recommend deleting as the notice went to the wrong party*

Referred to the City Council due back on 2/1/2012

- 23 RLH TA 12-27** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. 1203T, Assessment No. 129002 at 825 SYLVAN STREET.

Sponsors: Brendmoen

No show; approve the assessment.

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

- 24 **RLH TA 12-43** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1205C, Assessment No. 122004 at 783 UNIVERSITY AVENUE WEST.

Sponsors: Carter III

Approve the assessment and spread the payments over 5 years.

783-785 University Avenue West

Craig Johnson & Kizzy Downie, on behalf of Model Cities of St. Paul, Inc appeared.

Ms. Moermond:

-asking property owners if looking for payments to spread over time and if anything else or asking for more

Property owner:

-looking at the max

Ms. Moermond-

-questioned if property owner will continue to hold the property

Property owner:

-yes

Joel Essling:

-questioned if property owner is aware of the assessment costs are

Property owner:

-yes

Ms. Moermond:

-lets have Inspector Yannarely fill the worksheet on this

Joel Essling:

-783's total assessment is \$43,833.04, 785's total assessment is \$27,960.34. Will have Mr. Yannarely fill this out and set for next hearing to spread the payments.

Ms. Moermond:

-looking at 5 years as impose to 10 years.

-lot of holding costs for the City to finance the demolition entirely.

-recommends approving the assessment and spreading the payments over 5 years.

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

- 25 **RLH TA 12-44** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1205C, Assessment No. 122004 at 785 UNIVERSITY AVENUE WEST.

Sponsors: Carter III

Approve the assessment and spread the payments over 5 years.

783-785 University Avenue West

Craig Johnson & Kizzy Downie, on behalf of Model Cities of St. Paul, Inc appeared.

Ms. Moermond:

-asking property owners if looking for payments to spread over time and if anything else or asking for more

Property owner:

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-questioned if property owner will continue to hold the property

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-questioned if property owner is aware of the assessment costs are

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Ms. Moermond:

-lets have Inspector Yannarely fill the worksheet on this

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-783's total assessment is \$43,833.04, 785's total assessment is \$27,960.34. Will have Mr. Yannarely fill this out and set for next hearing to spread the payments.

Ms. Moermond:

-looking at 5 years as impose to 10 years.

-lot of holding costs for the City to finance the demolition entirely.

-recommends approving the assessment and spreading the payments over 5 years.

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

26 RLH TA 11-487

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1203, Assessment No. 128202 at 1462 UNIVERSITY AVENUE WEST.

Sponsors: Carter III

No show; approve the assessment.

Email from Tanya Townsend, Office of Financial Services

I looked at the Data originally sent to be assessed on 09/13/2011 (1st Attachment) shows in yellow the address of 1462 University Ave W with a Parcel ID of 342923320009. But When I got the call today for 342923320009 its for the address of 1570 University Ave W not 1462 University Ave W (2nd Attachment).

So I believe the C of O was to go to 1462 University Ave W with the Parcel ID 342923320010.

This is a simple fix - You will need (you will need to do a RES to remove the assessment for 1570 University Ave W, Parcel ID 342923320009, File No. CRT1202, Asmt No 128201. (I will re-assess to the correct Parcel ID)

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

- 27 **RLH TA 12-13** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1202E, Assessment No. 128301 at 1333 UNIVERSITY AVENUE WEST.

Sponsors: Stark

No show; approve the assessment.

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

- 28 **RLH TA 12-4** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1202E, Assessment No. 128301 at 1015 YORK AVENUE.

Sponsors: Bostrom

Laid over to discuss with other appeals.

Laid Over to the Legislative Hearings due back on 1/17/2012

- 29 **RLH AR 12-1** Ratifying Graffiti Removal services from September 18 to October 03, 2011 (File No. J1203P, Assessment No. 128402)

Sponsors: Lantry

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

- 30 **RLH TA 12-29** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1203, Assessment No. 128202 at 1508 MINNEHAHA AVENUE WEST.

Sponsors: Stark

Delete the assessment due to inspector error and will rebill.

Fire Supervisor Inspector Leanna Shaff:

-Fire C of O for a duplex

-inspector fees are \$300, \$150 for City fees for a total of \$450.00

-recommends deleting because of inspector error and dept will need to rebill.

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

- 31 **RLH AR 12-2** Ratifying Excessive Inspection services during August 2011. (File No. J1202E, Asmt No. 128301)

Sponsors: Lantry

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

- 32 **RLH AR 12-3** Ratifying Demolition services during October 2011 (CDBG Funds) [File No. J1205C, Assessment No. 122004]

Sponsors: Lantry

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

- 33 **RLH AR 12-4** Ratifying Tree Removal services from October 2011. (File No. 1203T, Asmt

No. 129002)

Sponsors: Lantry

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

- 34 **RLH AR 12-5** Ratifying Collection of Certificate of Occupancy fees from October 2011.
(File No. CRT1203, Asmt No. 128202)

Sponsors: Lantry

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

11:00 a.m. Hearings

Summary Abatement Orders

- 35 **RLH SAO 12-2** Appeal of Kristin Quinlan to a Summary Abatement Order at 394 CLIFTON STREET.

Sponsors: Thune

394 Clifton Street

This appeal was withdrawn by City department.

Per Supervisor Matt Dornfeld's email: This is scheduled for today at 11:30. I've spoken with PO - Kristen Quinlan, all permits have been pulled, Code Compliance is on file, PO is requesting a 30 extension on the VB fee. I granted the extension. House should be in compliance by the end of the month according to PO and her Attorney. As for the s/a I issued to board the house, I just sent the s/a to "light their fire" a little bit...and it worked. I do not intend on boarding the house up. Please cancel the 11:30am appeal for 394 Clifton.

Essling

-e-mail from Dornfeld: permits pulled, extension granted.

Moermond

-orders withdrawn

Withdrawn

- 36 **RLH SAO 12-1** Appeal of Kathleen Henderson to a Summary Abatement Order at 1504 SAINT ALBANS STREET NORTH.

Sponsors: Brendmoen

1504 St. Albans Street North

Kathleen Henderson, owner, appeared.

Joel Essling:

-this is a single family property

- there are staggered compliance dates
- there is a trailer in the rear driveway area
- the trees have grown through it
- the trailer has sunk into the ground and is no longer considered a vehicle
- there was a letter attached to the appeal

Henderson

- she was shocked to receive this
- it has not been a trailer, but a memorial and a sculpture
- it was never intended to be moved
- it has been imbedded for 60 years
- this is in no intent to criticize Mr. Essling

(Henderson talked about the benefits of art and who made this art.)

Henderson

- this is a small trailer, about 4 feet by 6 feet
- it is representational art
- she had information about the trailer in World War II
- she is willing to remove the applewood if the City wants her to
- it has been there since 1963
- she is open to anyone giving her some ideas on this and reconfiguring it
- it is not a danger
- it is not obscene and not defaming anyone
- she would like the appeal to be approved

(Henderson showed photos of the neighborhood.)

Henderson

- in answer to a question, he was a teacher
- when asked is this an artistic trailer, Henderson responded he would talk about how spirits inhabit inanimate object
- he talked a lot about philosophy

(Henderson showed pictures)

Henderson

- it could look nice again.
- when asked about the stumps, Henderson responded they cannot be taken out because they have grown into the metal
- Henderson concurred that the branches should be taken out

Moermond

- she will ponder the trailer piece of this
- City Council public hearing will be February 1
- this will be laid over to the January 10 Legislative Hearing at 3:30.
- her father would want her to fight for this work

Laid Over to the Legislative Hearings due back on 1/10/2012

Orders To Vacate, Condemnations and Revocations

- 37 [RLH VO 12-5](#) Appeal of Purcell Gaston to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1131 LINCOLN AVENUE.

Sponsors: Thune

Deny the appeal on the revocation and grant an extension to February 1, 2012 to vacate the property. Inspector will reissue new order on February 1 to condemn the third illegal unit to not allow future occupancy. As to the other two units, the revocation is lifted.

This is scheduled for City Council Public Hearing on January 18.

1131 Lincoln Avenue

Purcell Gaston, appellant, appeared.

Michael Urmann and Rick Gavin, DSI, appeared.

Gavin

- he had orders on February 23, 2011 that included zoning, improper use of zoning (use as 3 units when zoned as 2)*
- appellants appealed on May 10 and were given 90 days to come into compliance*
- there was a data entry error. When Gavin went to speak to the responsible party, he realized he had the wrong date.*
- responsible party gave him dates when the property would be vacated--November 11--and at that time, he was going to set up an appointment for a final inspection.*
- he reviewed the notes*
- on December 6 the certificate of occupancy was revoked*

Moermond

- orders are sent to Loni LaBrocca*

Gaston

- he is the tenant of the third unit and she is the property manager*
- he rented a legal unit without knowing*
- there was an egress window that needed to be done*
- he did not get a legal notice to vacate the property until he showed up on December 6*
- he took the property manager and rental manager to court*
- there was also an inspection on November 18. It is not a basement unit: half of the apartment is in the basement; the other is above*
- he was supposed to remove his bedding. He found this out through zoning. He wondered why zoning had not come out to inspect*
- on December 1, they asked him to speak to Leanna Shaff, who told him that he was not the client. He would like to get on record that he did not know any of this without going through zoning.*
- they rented to him illegally. He has child.*
- he welcome the inspector into the unit*
- he has a lawsuit*

Moermond

- asked what is the lawsuit*

Gaston

- Loni told him that he was to vacate*
- when Leanna called two weeks ago, she said she would be present*
- Gaston felt he was being harassed*
- he called Owens. Owens told him that Leanna can call if she wants*
- he got a settlement of \$5,000*
- they gave him back all the rent that was paid*
- he remodeled the place. It was a scam.*

-his issue coming here is to ask if there some legislation for the tenants
-he has to depend on his landlord to tell him
-he needs 30 days max

Urmann

-they communicate with the responsible party for the building
-he got a letter from LaBrocca that there was a zoning issue, there lease would not be in effect, and they would vacate in 60 days (August 31)
-they do not post the building until they condemn it.

(Urmann gave Moermond a copy of the letter)

Gaston

-he never got a letter sent to him
-she continued to charge rent throughout that time

Urmann

-was going by the time line supplied by the building owner
-they have to assume the responsible party is following the law

Moermond

-asked about the other two units

Gavin

-they called him and they are aware of the vacate date.
-the certificate of occupancy was for the whole unit. That was the action taken.
-the whole building is placarded.

Gaston

-for this appeal, he is looking for an extension of time. 30 days. He was only given this month.
-his power is being siphoned from the other units.

Urmann

-he found some other e-mails, and it appeared that the notifications were happening as they should
-the first two units were approved.

Moermond

-asked about the other tenants

Gavin

-they have called him and they are aware of the vacate date

Moermond

-this is a bit of a mess
-the communication between the appellant and the landlord is a private manner
-their designation is to deal with the landlord
-for these purposes, it is whether the unit can be occupied. It is simply that the unit exists.
-she will given him until February 1

Gaston

-agreed with the recommendation from Moermond
-he wondered if Fire can issue some kind of notice because there needs to be something in place to protect the tenants

Moermond

-would like not to displace anymore people

-she does not want to wait for the other 2 units to be told they need to be vacated.

Let's take care of just this and handle the rest with a set of orders.

Urmann

-they could issue a condemnation on only the third unit. It can be an effective date of February 1

Referred to the City Council due back on 1/18/2012

38 [RLH VO 12-2](#)

Appeal of Cerrina Schmaus to a Fire Certificate of Occupancy Revocation and Order to Vacate 1885 MARYLAND AVENUE.

Sponsors: Bostrom

1885 Maryland Avenue East

Deny the appeal and grant an extension to February 15, 2012 to vacate the property.

Nicole Walters, roommate, and Cerrina Schmaus, owner, appeared.

Urmann

-there was noncompliance with the orders

-they were given until November 23 to make compliance with the chimney issue and inspector granted an extension to January 1

-when the inspector went back out there, they found that no work had been done on the chimney

Schmaus

-this is a single family home

-she is a single mom of 5

-she has not stopped working on the house herself. There was a lot to do.

-when they first moved in, the neighbors said it was in foreclosure

-she then got a letter saying the sheriffs sale was going to be held; owner then said he got it out of foreclosure

-this whole time he was collecting \$1200 in rent

-she took care of most of the things on the list

-on December 7, she got a letter saying the foreclosure sale was coming up

-fire inspector came and put a notice to vacant on January 3

-the chimney was not fixed correctly; she paid someone to do it. She tried to get her money back.

-she got the flue

-the liner is new

-the sheriff sale is December 12, she has to be out anyway. He took off \$400 twice. She put more than that into it. She needs more time.

Moermond

-asked what kind of time she is looking for

Schmaus

-someone bought it in the sheriffs sale

Urmann

-he does not have permits or sign offs on the dryer vent or flue

-they may be completed, but the permits are not signed off
-any licensed contractor would know that it would need a permit

Essling

-added that there are several complaints. There is a summary abatement. Walters stated they are working on it.

Moermond

-recommends that they vacate the property by February 15 or bring the property into compliance. There is a six month redemption time period for the owner to buy the property from the bank

Referred to the City Council due back on 1/18/2012

39 RLH VO 12-1

Appeal of Metro Residential LLC to a Condemnation and Order to Vacate
1186 MINNEHAHA AVENUE EAST.

Sponsors: Lantry

1186 Minnehaha Avenue East

Deny the appeal on the condemnation and order to vacate and will waive the vacant building fee for 4 months if it enters the Vacant Building Program. The property will be opened as a Category 1.

Kenneth Sordeberg, aka Tim, Robert Casselton.

Urman

-this is a single family home
-they are trying to get access to the property
-gas and electric were shut off
-certificate of occupancy is revoked for nonoccupancy
-inspector did an exterior of the property and found several violations
-basic facilities have been restored
-there is still an issue of multiple violations.

Sordeberg

-he was contacted by inspector Spierling
-notices were sent to an old address
-there had to be a truth in housing or a fire inspection

(Showed pictures of the house and other houses)

Sordeberg

-gas and electric were off because they did not need to be on in the summertime
-when looking around the neighborhood, it is one of the best garages
-the furnace is working well and they need a carbon monoxide test
-there are smoke detectors
-they did these inspections without getting in
-house is staged and ready for sell
-power, electric, and gas are still on

Moermond

-asked has anyone went out there since December 9, to which Urmann responded
no

Urmann

-they are scheduled to go back out on February 9

Moermond

-she is looking for an inspector to go back out there and see if the exterior information has been addressed

-the house should be in the vacant building program as Category 1

-she is willing to go out 90 days.

Casselton

-asked what fee is involved, to which Moermond responded \$1,100, but she is going to hold off on it

Urmann

-retaining wall is not an occupancy issue

-if repairs are done and basic utilities restored, they would issue a certificate of occupancy issue

Moermond

-recommends four month waiver on the vacant building fee. It turns into a category 1

Referred to the City Council due back on 2/1/2012

1:30 p.m. Hearings

Window Variances: Hearing Required

- 40 **RLH FOW 12-11** Appeal of Abera Mulugeta to a Code Compliance Report at 1026 FREMONT AVENUE.

Sponsors: Lantry

Rescheduled. Owner missed hearing.

Laid Over to the Legislative Hearings due back on 1/10/2012

- 41 **RLH FOW 12-14** Appeal of Jacquelyn Anderson to a Fire Certificate of Occupancy Correction Notice at 825 JESSAMINE AVENUE EAST.

Sponsors: Bostrom

This item has been withdrawn by the appellant.

Withdrawn

Fire Certificates of Occupancy

- 42 **RLH FCO 12-12** Appeal of Tim Murray, Trinity Sober Homes, to a Fire Certificate of Occupancy Correction Notice at 983 ASHLAND AVENUE.

Sponsors: Carter III

983 Ashland Avenue

Grant a variance on the ceiling height in the upper unit, grant a variance on the

glazed area of the window
grant an extension to replace or remove garage and tuckpointing by September 1, 2012.

Kelley Rowe, lawyer for Trinity, and Tim Murray, Trinity Sober Homes, appeared.

Shaff

- this is a fire certificate of occupancy inspection
- ceiling height is getting a variance
- Item 1, garage, is in rough shape
- Item 10, are windows, they are European double door, storm windows are double hung aluminum
- it would be difficult to put anything in

Murray

- they are open to taking those off if necessary

Shaff

- the windows would have to be custom. There is a pitch above it.
- perhaps with taking the storms off and replacing the existing windows, they would not need the storm anymore
- it would be a shame to put in a different style or something without researching what is available

Moermond

- they are good with everything except for the windows

Murray

- they could remove the storm windows
- their primary concern is safety
- if it is permissible by putting the 3M film over the window, they could create an egress type window
- longer term, they need to get some similar vintage windows put in there. They are open to that as a solution.

Moermond

- that is acceptable: getting the aluminum frame in there
- recommends granting a variance on the glazed area
- she asked about a photograph, to which Shaff answered there isn't one

Murray

- it is impossible to get a car in there. They are not going to have anyone park in there.
- they are planning a capital campaign; they expect to raise the money
- tuckpointing can be about \$25,000.
- they have loans available at the bank, but they prefer not to do that
- they could do October 1

Moermond

- recommends an extension to September 1

Referred to the City Council due back on 2/1/2012

Sponsors: Stark

1767 Dayton Avenue

Deny the appeal and grant an extension to May 1, 2012 to be in compliance.

Andy King, co-owner, appeared

Leeann Shaff

-she needed some files and structural information from an engineer

King

-a structural person looked at it

-he got three other bids

-he does not have a work plan yet

-this is a wall and foundation type issue

-alternative is to tear down the garage if it is too expensive

Shaff

-asked is the garage being used right now, to which King responded no

-is concerned about more heaving of the ground

King

-there are some foundation issues

-main issue is the bowing of the wall

-structural person would like to repair the roof, bow the wall back in

-said he would prefer the thaw time; to do it right would be March, April, May.

-structural engineer did not think it would collapse, but he wouldn't put it in writing

Moermond

-recommends extending the time to May 1; she will monitor where the permits are at

Referred to the City Council due back on 2/1/2012

- 44 RLH FCO 12-15** Appeal of Lisa Hertle, on behalf of Crocus Hill Real Estate, to a Fire Certificate of Occupancy Correction Notice at 423 FRY STREET.

Sponsors: Stark

423 Fry Street

Grant an 8-inch variance on the openable height of the egress windows in the 2 bedrooms; grant a 4.5-inch variance on the openable height of the egress windows in the third bedroom; grant a variance provided Appellant install steps to address the sill height issue; grant an extension to March 1, 2012 on the balance of the items; and grant an extension to June 1 on the exterior and painting issues.

Lisa Hertle appeared.

Shaff

-they are appealing all five windows

-basement unit has 2 windows: 16 high by 29 wide

-third bedroom is 19 ½ high by 33 wide

-boiler does not need to be retested

Hertle

- the actual glazed area is more than that for the windows*
- they are in the process of rewriting the note to the bank*
- they are bringing on a partner*
- when she spoke to Rick Gavin (inspector), he took some things off the list*
- she does not have a new report from him; the one she has is the 24th*
- they are looking for a few more months*
- there are 2 buildings*
- the boiler is in one building; it was looked at previously*
- the boiler services both building*

Moermond

- asked when the boiler was last looked at*

Hertle

- the boiler is three years old*
- it was probably not tested last year*
- Item 11 says the occupancy is condemned, but the unit is not in that bad of shape*
- tenant did not pay the NSP bill, so it was shut off*
- Hertle is not going to pay their bill*

Moermond

- on the window, she is comfortable and will allow a variance; it is 55 inches*
- she would like to see a standard sized step be installed for the full length of the windows*
- now we are down to the boiler: the last time it was tested was 2010, to which Hertle responded she believes so*
- recommends denying the appeal and another test be done*

Hertle

- asked about the test, to which Moermond responded it is a burning test to make sure it is not emitting carbon monoxide and Shaff responded oxygen levels*
- there is no way there is going to be CO in the other building*

Moermond

- the requirement is annual, but they only check it on the years that you get an inspection*
- appellant could ask the Council for a waiver until the next cycle*
- rotting wood in the windows needs to be repaired*
- recommends granting 30 days on the steps, granting June 1 for the exterior, and March 1 on the balance. Steps are March 1.*

Referred to the City Council due back on 2/1/2012

- 45 RLH FCO 12-17 Appeal of Wally Nelson, on behalf of Sass Inc., to a Fire Certificate of Occupancy Correction Notice at 1016 MCLEAN AVENUE.**

Sponsors: Lantry

1016 McLean Avenue

Laid over to the January 10 Legislative Hearing

Wally Nelson appeared.

Inspector Shaff

- Item 2 is the exterior driveway
- Class 5 is there now

(Nelson gave Moermond photographs)

Nelson

- he bought it in 2008
- the first colored picture came from zoning
- the curb cut is where the car is in the parking
- second photo is topographical, this is also a 2009 photo
- the third photo is from 1972
- he had to prove there was a driveway before 1974
- on the colored photo, there is a curb cut there
- he is looking for a variance
- it has been a gravel driveway since 1971

Moermond

- she is inclined to say that he is correct
- she will get back to him with her decision

Nelson

- spent three hours researching this and has been at this hearing for an hour
- went to Zoning and Public Works to do research
- if they are going to call it, the inspectors should do the legwork to say it was built after 1974
- they are kind of saying he is guilty and making him prove his innocence

Moermond

- will lay over to the January 10 Legislative Hearing. She will get back to him.

Laid Over to the Legislative Hearings due back on 1/10/2012

46

[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

1080 Payne Avenue

Laid over to January 24 for inspector to get inside the property to do inspection.

Inspector Shaff

- reported the blocks should be removed
- there are no pictures in AMANDA

Appellant

- he is trying to protect his property
- the door has been like this for over 50 years
- if he takes the top off, he leaves himself wide open for a break in
- people have tried to pry that door open
- they came through it with a chain saw and stole the safe
- they do have photos to show

Shaff

- this is an assembly occupancy with a load of 63
- the code would require two exits for 50 or more people

-they do not want unapproved locks
-those locks there require a special knowledge, which the code prohibits

Moermond

-asked how many locks are there, to which Shaff responded she is thinking minimally
3

-he has to remove the locks
-her concern is having to get people out safely

Appellant

-he would be leaving himself wide open for a break-in

Moermond

-there are safes, cameras
-he had to get down to the legal number of locks

Shaff

-added it could be panic type lockwear
-she suggested the owner talk to inspector Skow-Fiske

Moermond

-recommended laying this over to the January 24 Legislative Hearing

Laid Over to the Legislative Hearings due back on 1/24/2012

- 47 **RLH FCO 12-11** Appeal of Joseph Perkovich to a Fire Certificate of Occupancy Correction Notice at 286 SIDNEY STREET EAST.

Sponsors: Thune

Rescheduled. Owner missed hearing.

Laid Over to the Legislative Hearings due back on 1/10/2012

- 48 **RLH FCO 12-10** Appeal of James Schoffman to a Fire Certificate of Occupancy Correction Notice at 1343 STILLWATER AVENUE.

Sponsors: Bostrom

1343 Stillwater Avenue

Deny the appeal and grant an extension for 90 days to bring the awning windows into compliance and grant the appeal on Item 4 (chimneys, fireplaces, and vents)

City Council Meeting is February 1

James Schoffman appeared.

Inspector Leanne Shaff

-there are 2 items being appealed: windows and the chimney

Schoffman

*-he took a proactive approach
-he was missing some minor infractions, such as the smoke affidavit and the CO test on the furnace
-he got those things done right away*

-James Thomas (inspector) thinks it is a fireplace, but it is a converted gas fire place. They blocked it off.

(He showed Marcia photos)

Schoffman

*-this home was listed with Remax and taken off the market on 5-12-11
-he does have code compliance. This has to do with the window issue.
-the truth in sale of housing was done
-the tenant is on a short term lease 8-1-11 to 5-14-12
-the real issue comes down to the window height*

(Schoffman looked at information on Shaff's computer.)

Moermond

*-it looks like he will end up with a casement type window
-an awning window will not work*

Schoffman

*-they built to make this 34 inches in each of the bedroom (showed photograph), to which Moermond responded stairs will not work like that
-Inspector Thomas said that he should put the stairs in
-stairs are mounted to the wall.
-it is going back on the market after the tenants move out
-there are three bedrooms*

Moermond

*-recommends to the Council that he has 90 days to replace these windows. Stair steps needs to be installed for the full length of the window.
-when asked if it can it be grandfathered in, Moermond responded no because it is a safety item
-City Council meeting is February 1*

Referred to the City Council due back on 2/1/2012

- 49 RLH FCO 12-8** Appeal of Jason Frey, KBD Investments, to a Fire Certificate of Occupancy Inspection Correction Notice at 636 WHITE BEAR AVENUE NORTH.

Sponsors: Lantry

636 White Bear Avenue North

Grant a variance on the ceiling height issue in the basement and attic.

Jason Frey appeared.

Shaff

-there is an e-mail from Inspector Thomas

Moermond

-recommending a variance on the attic and basement areas

Referred to the City Council due back on 2/1/2012

- 50 RLH FCO 12-16** Appeal of Larry Abdo to a Fire Inspection Correction Notice at 1813 DAYTON AVENUE (electrical panel).

Sponsors: Stark

1813 Dayton Avenue

Deny the appeal on the electrical panel and grant an extension to September 1, 2012 for compliance.

Larry Abdo, owner, appeared

Shaff

-both panels are in the basement

Abdo

-he appeared, got extensions, got some work done

-never heard anything back on the panels

-Mike said he was denied, but he didn't know about it

Moermond

-this was a matter that didn't get resolved by the Council

-Appellant has an electrical panel issue

-you want to keep the electrical panel in its current location, and Fire did not want it to be there

Shaff

-the electrical panel in the upper unit is located in the basement of the lower unit

-it is not a good situation to have your electrical service in someone else's room

Moermond

-it looks like the loop was not closed and he was not informed of that

-her recommendation was forthcoming and that is the way the Council adopted it

Abdo

-he is not going to get around the panel thing; Moermond concurred

-it is a matter of money; we are getting \$5,000 less than we used to

-they cannot borrow money from the bank

-there is a tenant in the house; they are out of the house on 6-1-12

-the best time to do it is when they are out of the house

Moermond recommended an extension to 9-1-12

Minutes from Legislative Hearing December 20, 2011

Update only (was not on agenda)

Mai Vang:

- already been at City Council

- got an email from Mr. Abdo:

Ms. Moermond read:

- "I am the owner of 1813 Dayton and I am scheduling an appointment with Mike Urmann. I believe that we have completed all the items on the report with the exception of moving the electrical panel. Mike said that my appeal was denied; however, in reviewing my file, I do not have any written correspondence supporting that statement. If this is true, please inform me in writing so that I can take the next step in the appeal process. The cost of this relocation is so expensive that I will have to navigate through the whole process."

Ms. Vang:

- she sent two letters to him but neither says anything about an electrical panel; the June letter talks about a roof

Ms. Moermond:

- the resolution says that his extension went to Jun 30, 2011

Mr. Urmann:

- remembers that Mr. Abdo was given an extension to complete the work by Jun, including the electrical panel; and he never did that work - it was for a wall issue as well as an electrical panel issue
- also couldn't find any paperwork to support how he remembered that so he directed Mr. Abdo to contact Ms. Moermond's office

Mai Vang:

- Apr 5, 2011 LH minutes: "Deny appeal on electrical panel and contact Mr. Abdo to inquire if he wants a public hearing."

Ms. Moermond:

- we need to give Mr. Abdo an explicit hearing to talk about this
- schedule a new hearing
- new appeal; new legislative file (related)
- attach new Orders that reference electrical panel

Mr. Urmann:

- Orders haven't changed; they are still outstanding
- hasn't been able to get in since fall of last year
- let's make sure we get all notes from previous hearing pulled together

Referred to the City Council due back on 2/1/2012

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[RLH FCO](#)
[11-496](#)

Appeal of Juley Viger to a Fire Certificate of Occupancy Correction Notice at 730 COMO AVENUE. (Public hearing held December 7)

Sponsors: Brendmoen

730 Como was laid over

Moermond recommends ordering the basement unit vacated as of February 1, 2012. On January 4, 2012, after further review of the file, Ms. Moermond amended her extension vacate date to March 1, 2012.

Julie Viger

-she talked to the District Council
-she had Jeff come over before the Christmas holiday. He is not on the BZA (Board of Zoning Appeals), but he is on their land use committee
-there are some minor things, which they will do

Moermond

-asked did they file an application with the Board of Zoning Appeals

Viger

-she was told the application deadline was the 15th
-Mary said she had until the application deadline of the 20th, then Mary said the deadline was yesterday
-she was told that what she sent was not thorough enough.

Moermond

- she is looking for time when this can be resolved.*
- there was an understanding that Viger would get the application in. There has been plenty of time.*
- Jeff Martin is not a councilmember and has no enforcement action*
- there was an opportunity to start the process of getting to be a legal third unit*

Viger

- she realizes how it appears*
- she does not know if it is an intentional sabotage by Mary, but she said it had to be by the 20th*
- because it is the holiday season, it is difficult to reach people*
- she will make the next deadline for the BZA.*
- she has with her what she was going to file with the BZA, but Mary said it is incomplete.*

Moermond

- recommends ordering the basement unit vacated as of February 1, 2012*

Viger

- there was some concern about giving the tenants time to move*
- it has been difficult getting in front of the BZA*
- Mary told her the deadline was yesterday*
- there is no guideline for filing*

Moermond

- she cannot advise what to tell the tenants*
- Viger can come to the Council meeting tomorrow (January 4) at 3:30. She can submit something in writing*
- public hearing is closed, so she will not be allowed to address the Council*

Viger

- could someone e-mail her the dates of the BZA*

Moermond

- Yaya Diatti is the staff person*
- Wendy Lane is his boss*

Shaff

- explained how to get the dates of the Board of Zoning Appeals, which are on the web*

Referred to the City Council due back on 1/4/2012

3:30 p.m. Hearings

52

**RLH FCO
11-493**

Appeal of owners Linnea Forsell, Jeff Johnson, and Lucy Johnson; LJJL Properties; to a Fire Certificate of Occupancy Inspection Correction Notice at 1106 SEVENTH STREET WEST.

Sponsors: Thune

Grant an extension for 90 days on the balance of the order, including the posts and grant an extension to September 1, 2012 for the drainage.

(1106 Seventh Street West)

Lucy Johnson and Linnea Forsell appeared.

Ms. Moermond

-last time, Inspector Beumer went out to place and check off list.

Ms. Shaff

-Yes, and there are 12 items left.

Ms. Moermond:

-making good progress

-main concern was the rust and structural soundness of the supports.

Ms. Shaff:

-attached is the engineer's report

-recommends putting a foundation drainage system in and then taking out the bad part of the columns and put new base plates and concrete supports.

Ms. Johnson:

-got an estimate

-got two estimates, one for the water for \$11,000 so we were trying to get another bid, the man who was our structural engineer gave us a recommendation but we don't have the estimate yet

-got an estimate for the rust columns which is \$6,000

Ms. Moermond:

-so a total of \$17,000

Ms. Johnson:

-paid \$3,000 for the working being done so we are looking at around \$20,000.

-asked if the \$11,000 might have to pay for the water proofing.

-it would be nice to get a list of potential from the City

Ms. Shaff:

-can contact DSI to get a list of licensed contractors but we can't recommend anyone.

Angie's List is a great resource.

Ms. Moermond:

-someone who can do small business loans.

-or in terms of financing or grants over a period of time

Ms. Shaff:

-West 7th Federation

Ms. Forsell:

-priority was to ge the columns fix

-has the one estimate from BJ Bass and we might have someone else who might think they will be able to do. They would need a permit and once started, I can worry about the water proofing. The other name is TNT Waterproof.

Ms. Moermond:

-think it's a good approach.

Ms. Shaff:

-dry weather at the end of the year and because they have to put in new concrete bearing piers, may be great to deal with the soil while it still dry

- not only the metal columns but the new bearing piers concrete as well.

Ms. Linnell

-was told to put it down into the concrete

Ms. Shaff:

-the sooner the better because the soil is so dry.

Ms. Linnell:

-still little water down there, whether rain or not

Ms. Johnson:

-asked if to do the columns first, then the rest

Ms. Moermond:

-agreed

Ms. Linnell

-can do the other way around because the engineer doesn't think it's in imminent danger of collapsing because the beams holding up are not building beams but to hold the floor up above.

-willing to take care of it in the months.

Ms. Moermond

-we can do stagger timeline.

-recommends 90 days on the posts and on the drainage - through Sept 1, 2012

-90 days on the balance of the order.

PH on Feb 1. If between now and then, if need more time, we can talk.

Referred to the City Council due back on 2/1/2012

Staff Reports

53 **RLH FCO** Appeal of Paul Magelssen to a Re-Inspection Fire Certificate of Occupancy
 11-454 With Deficiencies at 1577 HOYT AVENUE EAST.

Sponsors: Bostrom

1577 Hoyt Avenue East

10/25/11 LH: Grant a variance on the egress bedroom window in the attic; order withdrawn on the chimney issue.

Shaff

-she sent an e-mail on 10-27 at 8:44 a.m. in response to James Thomas' e-mail at 7:26 a.m

-he approved the fire certificate of occupancy

Moermond

-Fire order withdrawn on the chimney

-no refunding of fee

Referred to the City Council due back on 2/1/2012

- 54 RLH FCO 11-499** Appeal of Gary Hoyt to a Fire Certificate of Occupancy Correction Notice at 1564 SEVENTH STREET WEST.
- Sponsors:** Thune
- 11/15 LH: grant an 8-inch variance on the openable height of the egress windows in the 2nd floor, east and west bedrooms.*
- 1/3/12 LH: deny and grant an extension for 90 days for the balance of the orders.*
- 1564 Seventh Street West*
- (Mai gave background)*
- (Moermond looked at photographs)*
- Shaff*
- front steps were not repaired*
 - owner says he has plans*
 - fire extinguisher in upper level*
 - fire place wiring is not done*
 - kitchen looks done*
 - (Shaff lists things that are not done)*
 - a whole lot is not done*
- Moermond*
- recommends denial. Grant variance on the windows. Recommends owner gets the variance discussed at 11-15 and he has 90 days from when the Council sees this to come into compliance with the balance of the orders.*
- Referred to the City Council due back on 2/1/2012**

Window Variances: No Hearing Necessary

- 55 RLH WP 12-2** Appeal of Derek Tanberg, on behalf of The Window Store Home Improvements Inc., to an Egress Window Non-Compliance Determination at 894 ARMSTRONG AVENUE.
- Sponsors:** Thune
- No hearing necessary; grant a variance on the glazed area of the two double hung egress bedroom windows.*
- Referred to the City Council due back on 2/1/2012**
- 56 RLH FOW 12-9** Appeal of Pema Tso to a Fire Certificate of Occupancy Correction Notice at 1162 ARUNDEL STREET.
- Sponsors:** Brendmoen
- No hearing necessary; grant a 3-inch variance on the openable height of the egress windows in bedrooms 1, 2 and 3.*
- Referred to the City Council due back on 2/1/2012**
- 57 RLH WP 12-1** Appeal of Daniel Schmidt, on behalf of Department of Public Health, to an Egress Window Non-Compliance Determination at 900 CASE AVENUE.

Sponsors: Bostrom

No hearing necessary; grant a 4-inch variance on the openable height of one double hung replacement egress bedroom window measuring 20 inches height by 24 inches wide.

Referred to the City Council due back on 2/1/2012

- 58 **RLH FOW 12-5** Appeal of Tony Swanson, Saint Paul Public Housing Agency, to a Fire Certificate of Occupancy Inspection Correction Notice at 489 IDAHO AVENUE EAST.

Sponsors: Brendmoen

No hearing necessary; grant a 1-inch and a 2-inch variance on the openable width of the egress windows in the main floor sleeping rooms.

Referred to the City Council due back on 2/1/2012

- 59 **RLH WP 12-3** Appeal of Jeff Moore, Capital Siding and Windows, to an Egress Window Non-Compliance Determination at 1070 LEXINGTON PARKWAY NORTH.

Sponsors: Brendmoen

No hearing necessary; grant 3-inch variance on the openable height of one double hung replacement egress bedroom window measuring 21.19 inches high by 23 inches wide.

Referred to the City Council due back on 2/1/2012

- 60 **RLH FOW 12-10** Appeal of Luke Hannigan to a Fire Certificate of Occupancy Correction Notice at 1895-1897 MONTANA AVENUE.

Sponsors: Bostrom

No hearing necessary; grant 4-inch variance on the openable height of the egress windows in both bedrooms at 1895 and 1897.

Referred to the City Council due back on 2/1/2012

- 61 **RLH FOW 12-15** Appeal of Shirley and Joseph Ferraro to a Fire Certificate of Occupancy Correction Notice at 1706 PALACE AVENUE.

Sponsors: Tolbert

1706 Palace Avenue

No hearing necessary; grant window variances for the egress windows in the three first floor north bedrooms.

(Appellants were told to leave. Appeal granted.)

Referred to the City Council due back on 2/1/2012

- 62 **RLH FOW 12-8** Appeal of Tony Swanson, Public Housing Agency of St. Paul, to a Fire Certificate of Occupancy Inspection Correction Notice at 1610 REANEY

AVENUE.

Sponsors: Lantry

No hearing necessary; grant a 4-inch variance on the openable height of the egress window in the attic.

Referred to the City Council due back on 2/1/2012

- 63** **RLH FOW 12-12** Appeal of Vatou Her to a Fire Certificate of Occupancy Correction Notice at 614 ROSE AVENUE.

Sponsors: Bostrom

No hearing necessary; grant a 3-inch variance on the openable height of the egress window in the first floor bedroom and a 5-inch variance on the openable height of the egress windows in the 2nd floor northeast and northwest bedrooms.

Referred to the City Council due back on 2/1/2012

- 64** **RLH FOW 12-7** Appeal of Maureen Jones to a Fire Certificate of Occupancy Correction Notice at 1075 ROSE AVENUE EAST.

Sponsors: Bostrom

No hearing necessary; grant window variances for the first floor and second floor bedrooms.

Referred to the City Council due back on 2/1/2012