



# City of Saint Paul

15 West Kellogg Blvd.  
Saint Paul, MN 55102

## Minutes - 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*

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Tuesday, July 24, 2012

9:00 AM

Room 330 City Hall & Court House

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### 9:00 a.m. Hearings

#### Remove/Repair Orders

- 1 [RLH RR](#)  
[12-62](#) Ordering the rehabilitation or razing and removal of the structure(s) at 888 BURR STREET within fifteen (15) days after the August 1, 2012 City Council Public Hearing.

**Sponsors:** Brendmoen

*Looking for a phone call from CDC to grant time.*

*RE: 888 Burr St (single family)*

*Diana Morales, daughter of deceased owner, appeared.*

*Inspector Joe Yannarely:*

- 2 story wood frame single family dwelling with a 2-stall attached garage and an accessory shed on lot of 6,534 sq ft
- Vacant Building since Dec 3, 2007
- current owner Salome Rodriguez (deceased) per Ramsey County records
- Feb 21, 2012 inspection of building conducted; list of deficiencies which constitute a nuisance condition developed; photos taken
- Order to Abate Nuisance Building posted May 7, 2012; compliance date Jun 6, 2012
- as of this date, property remains in a condition which comprises a nuisance as defined by the legislative code
- estimated market value of \$8,500 on the land; \$61,500 on the building
- real estate taxes for 2009 through the first half of 2012 are delinquent in the amount of \$8,799.74 plus penalty and interest. (Note: property is scheduled for tax forfeiture July 2013)
- VB fees paid by assessment Jan 6, 2012
- Code Compliance Inspection has not been done
- as of Jul 9, 2012, \$5,000 Performance Deposit has not been posted
- 3 Summary Abatement Notices since 2007
- No Work Orders
- estimated cost to repair exceeds \$50,000
- estimated cost to demolish starting at \$10,000
- the Department of Safety and Inspections (DSI) recommends removing the structure within 15 days

Amy Spong, Heritage Preservation Commission (HPC)

- 1909 4-square style property - substantial size
- originally built as an open 1-story front porch; it has been enclosed very early on
- still has some of it's early railings in the back
- limestone masonry on front porch with some substantial columns that are still present
- original clapboard is likely still underneath newer siding
- a 2nd story was added to the rear porch
- Sanborn Maps: along this block face, the property just to the west was built as a chapel (First Lutheran) and is still present
- further west across York St on the corner is a duplex that was identified in the 1983 and the 2011 surveys as potential historic resource (904-906) - also part of the 2011 survey - not identified for further research but there are some scattered sites in the near vicinity that would support this
- the block has some infill; it hadn't been fully developed prior to 1925; one vacant lot but fairly good integrity
- she would encourage rehab - doesn't think it would have potential as as historic resource

Ms. Moermond:

- conversation with the manager at the last hearing consisted of the following information:
- Dec 2007- this starts out as traffic stop, maybe a hit and run; police are called after this incident on the corner of Case and Burr; they track the vehicle to this property; they do an inquiry at the front door and are overwhelmed by the stench of the property and contact the Fire Department, which comes out and removes the owner, Mr. Rodriguez; next, they contacted DSI; Inspector Essling went out to inspect; it's an immediate vacate. It was identified as a "gross/unsanitary" building. He posted a placard. Animal Control took out 10 or 11 cats. When the owner was released from the hospital to a care facility; then, Ms. Morales moved him back into the Condemned house. Shortly thereafter, Mr. Rodriguez died in the house. DSI has been working with Ms. Morales for years to get the house cleaned out but it doesn't seem that she has that ability. It's been a Vacant Building since Dec 2007 when these issues occurred. DSI was contacted by another heir about one year ago to go over some of the basics of the file.

Ms. Morales:

- her father left the house to her, his only child
- unfortunately, she has been unemployed for 3+ years and just found a job
- she is starting to get back on her feet
- she has experienced homelessness; now, she has a chance
- she is looking into various resources to see if she can get a rehab loan: Community Neighborhood Housing Services; East Side Neighborhood Development Corporation - Brush with Kindness Program for paint inside and out; and legal aid.
- she has not had the money to pay for the Code Compliance Inspection from which everything else follows
- wants time to work on this; she wants to be back living in her home
- currently, she is living with a friend, which is on and off and sketchy
- she is also looking into another part time job
- she wants to move forward
- wants the city to work with her on this
- said the house was "pretty much" scraped out
- SMRLS couldn't come to today's hearing

Ms. Moermond:

- she has been doing this for a long time; and when she looks at Ms. Morales' case, there are some big red flags on her situation:
- 1)\*the property taxes haven't been paid for so long that the county will get the property in a year (Ms. Morales has talked to the county; they gave her some options to begin paying those)
- a lot of rehab loans cannot be used to pay taxes; and if you have taxes owing in this amount, you will have trouble getting a loan, period, because that's not an asset that they can secure
- the person at the county is probably going for a Confession of Judgment, which says that you agree that you have past due and owing taxes and that you will go onto a payment plan; Ms. Moermond has concerns about Ms. Morales' ability to execute that plan based on the past payment history
- 2)\*Ms. Morales doesn't have the money to pay for a Code Compliance Inspection right now, which is critical to taking steps forward
- when there's a "cat house" the urine permeates the floors and can soak into the studs, damaging the wood in the same way a fire would damage it; so, you need to take out the floor and subfloor and replace them; might have to seal the supports (a huge job)
- the first thing she asks for in this process: 1) Code Compliance Inspection; and 2) a \$5,000 Performance Deposit (refundable if job is finished on time)

Mr. Yannarely:

- Ms. Morales needs a huge financial stake in order to invest in this house and she isn't in that position at this moment
- if the house were to be demolished, that assessment, as all assessments, would stay with the property, not with the individual

Ms. Moermond:

- the county estimates that value on the land at \$8,500; the value on the building at \$61,500, which is not a sound estimate; if they understood that this was a Registered Vacant Building that was a "gross/unsanitary" structure, they would value it at 1/5 of what they have; that tells her that this asset isn't worth that much (estimated \$50,000 worth of repairs plus nearly \$10,000 of back taxes on it)
- believes that Ms. Morales needs to get legal and financial advice from people she trusts
- she hates to see Ms. Morales throwing her good hard-earned money toward a situation which won't work for her
- looking at the facts, she doubts that Ms. Morales will be able to pull this together
- the city gives 6 months for this to be done; she sees no prospect in which that's going to happen
- advised Ms. Morales to step very carefully; to look at this critically
- suggested she talk with Southern Minnesota Regional Legal Services (SMRLS); they may have a referral
- she did talk with SMRLS about Ms. Morales case and they said that they don't do legal work related to financial issues

Mr. Yannarely:

- Ms. Morales thinks she has inherited an asset; but instead, might have inherited a liability but it doesn't need to be her liability

Ms. Moermond:

- she sees this process as being very difficult to move forward
- doesn't see the CDC helping Ms. Morales; however, if she finds someone who is willing to help with these things, they should call Ms. Moermond
- she can slow the process down if she sees something that is a glimmer of hope
- most people would walk away from a situation like this because it's a money loser

for them

- the inside very possibly needs to be gutted; it needs new electricity and new plumbing, etc.
- City Council Public Hearing Aug 1, 2012

**Referred to the City Council due back on 8/1/2012**

**2 RLH RR  
12-48**

Ordering the rehabilitation or razing and removal of the structures at 1132 CENTRAL AVENUE WEST within fifteen (15) days after the August 1, 2012, City Council Public Hearing.

**Sponsors:** Carter III

*Due to mis-communication on rescheduling date, Ms. Moermond will recommend referring the matter back to LH on Aug 14 and CC on Sept 5, 2012.*

*No show; remove the building within 15 days with no option for repair.*

*RE: 1132 Central Ave W (single family)*

*Inspector Joe Yannarely:*

*- had a conversation with the owner, who said he had a Layover but apparently, he doesn't*

*Report:*

- 2-story wood frame and masonry single family dwelling on a lot of 4,792 sq.ft.
- been a vacant building since Jun 24, 2011
- current property owner listed as Abdul Matin per Ramsey County
- Apr 11, 2012 inspection of building conducted; list of deficiencies which constitute a nuisance condition was developed; photos taken
- Order to Abate Nuisance Building posted May 1, 2012; compliance date Jun 1, 2012
- as of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code
- estimated market value of \$13,000 on the land; \$82,800 on the building
- real estate taxes for 2011 and first half of 2012 are delinquent in the amount of \$3,129.58 plus penalty and interest
- Vacant Building registration fees paid by assessment Oct 28, 2011
- as of Jul 23, 2012, a Code Compliance Inspection has not been done; \$5,000 Performance Deposit has not been posted
- 8 Summary Abatement Notices since 2011
- 4 Work Orders for garbage/rubbish; boarding/securing
- estimated cost to repair this structure exceeds \$50,000
- estimated cost to demolish between \$12,000 to \$14,000
- the Department of Safety and Inspections (DSI) orders the property owner to repair or remove the structure within 15 days

*Amy Spong, Heritage Preservation Commission (HPC):*

- built 1925 on the cusp of Sanborn Insurance Map information
- nice example of a 4-square
- has stucco with a narrow band of lap siding underneath the large eaves
- located a block away from the ball park at Lexington and University for many years
- not identified in 2011 survey; last survey information is from 1983 and it wasn't identified at that time as a potential resource or part of a potential district
- has wonderful built-ins; earlier windows; retains some integrity
- if this is noted for demo, she hopes there is some salvage capabilities in the dining room; kitchen cabinets also look original

- demolition would not have an adverse effect
- would encourage salvage

Ms. Moermond:

- notes for the record: on Jul 6, 2012, a letter was sent to Mohammed Shahidullah indicating the confirmation of the re-scheduling of this hearing to Tue, Jul 24, 2012 at 9:00 a.m. in Room 330 per his request.
- will recommend that the City Council order the building removed within 15 days with no option for rehabilitation

**Referred to the City Council due back on 8/1/2012**

**3 RLH RR  
12-27**

Ordering the rehabilitation or razing and removal of the structures at 1673 COTTAGE AVENUE EAST within fifteen (15) days after the July 3, 2012, City Council Public Hearing. (To be referred back to Legislative Hearing on August 14 and City Council Public Hearing on September 5, 2012)

**Sponsors:** Bostrom

7/26/12--Owner called stating he was at the public hearing and was told by the hearing officer that he can wait to hear from her. He was not aware of the hearing date on July 24. File to be referred back to LH on August 14 and CC on Sept 5, 2012.

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

RE: 1673 Cottage Ave E (single family)

No one appeared.

Ms. Moermond:

- it was laid over to see if progress had been made
- City Council on Jul 3, 2012 sent it back to Legislative Hearing
- doesn't see any progress in the file
- no one is here to talk about any progress that may have been made
- will recommend the structure removed within 15 days with no option for repair

**Referred to the City Council due back on 8/1/2012**

**4 [RLH RR](#)  
[12-50](#)**

Ordering the razing and removal of the structure(s) at 924 ELEANOR AVENUE within fifteen (15) days after the August 1, 2012 City Council Public Hearing.

**Sponsors:** Thune

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

RE: 924 Eleanor Ave (duplex)

No one appeared.

Ms. Moermond:

- there are no notes about receipts of personal service (Mr. Magner said he was going to forward it to be attached to the record)
- there's discussion that this continues to be an occupied property, which is part of

*why it constitutes a nuisance*

*- citations were issued for illegal occupancy of a Registered Vacant Building: Oct 14, 2008; Jun 2009; Jun 2010; Aug 2011; and Sep 2011*

*Inspector Joe Yannarely:*

*- has a certified mail receipt to Wells Fargo, Des Moines, Iowa*

*- U.S. mail sent to Craig Jensen and Sabrina Demars, 924 Eleanor St, St. Paul; and Wells Fargo, Mpls*

*Ms. Moermond:*

*- let's get the certified mail receipts in the record*

*- will recommend the City Council order the building be removed within 15 days with no option for repair.*

**Referred to the City Council due back on 8/1/2012**

**5**      [RLH RR  
12-51](#)

Ordering the rehabilitation or razing and removal of the structures at 595 MACKUBIN STREET within fifteen (15) days after the August 1, 2012, City Council Public Hearing.

**Sponsors:**      Carter III

*Forthcoming. Ms. Moermond to talk to Ward 1.*

*RE: 595 Mackubin St (single family)*

*No one appeared.*

*Amy Spong, Heritage Preservation Commission (HPC):*

*- she had strongly encouraged rehab on this property*

*Ms. Moermond:*

*- has talked with Ramsey County about shortening the forfeiture time period; their response was that "the County does not have the authority to shorten the forfeiture time period but but the City, HRA, Port Authority or other economic development authority does. Any one of those agencies can follow the abandoned property provisions in Minnesota State Statute 281.173 and allows them to seek a Court Order any time after the judgment is entered asking for a 5-week period of redemption on certain properties."*

*- Ms. Moermond is not sure whether that means that it's one the city already holds or one that's been started in the forfeiture process that the city can seek; we will follow up on that before coming to any conclusion*

*- City Council Public Hearing Aug 1, 2011*

*Inspector Yannarely:*

*- no one is taking care of the property; the grass was a foot high*

*Ms. Moermond:*

*- doesn't have an answer yet*

*- will discuss this with the Ward 1 Council Office*

**Referred to the City Council due back on 8/1/2012**

**6**      [RLH RR  
12-53](#)

Ordering the rehabilitation or razing and removal of the structures at 461 SHERBURNE AVENUE within fifteen (15) days after the August 1, 2012, City Council Public Hearing.

**Sponsors:** Carter III

*Conditions to be met by Friday, July 27: 1) a sworn construction statement; 2) affidavit indicating the funds for the project; 3) post the \$5,000 performance deposit; and 4) the property must be maintained. If conditions met, Ms. Moermond will recommend that the City Council grant 180 days.*

*RE: 461 Sherburne Ave (single family)*

*Scott Peters, River Valley Builders, contracted by Dave Busch, appeared.*

*Mr. Peters:*

- has done other properties for Dave Busch*
- they are in the process of finishing up a couple more right now*
- he got this last week*
- he met with Reid Soley a couple times; Mr. Soley called him at 3:45 p.m. yesterday and said that Jim Seeger would come out on 461 Sherburne and do a Code Compliance Inspection just on the framing ("Seeger Only" for \$125 application fee)*
- after today, Mr. Soley said he could get the permit to have this inspection done*
- has done a number of Category 2 Vacant Buildings for Dave Busch*
- Mr. Peters will be meeting all of the conditions after today's hearing*
- he has done a cost analysis on it and a schedule*
- estimate is just under \$60,000 to finish*
- the foundation and structure are in good shape*
- currently, there are no mechanicals in the building (no boiler, furnace, plumbing or electrical)*

*Ms. Moermond:*

- this property is bigger in scope*
- asked that Mr. Peters send in the cost analysis and work schedule*
- needs the sworn construction statement by Fri, Jul 27, 2012*
- post the \$5,000 Performance Deposit*
- needs to see the \$60,000 set aside for the project (affidavit)*
- the property must be maintained*
- if these conditions are met, she will recommend granting 180 days to finish the project*

**Referred to the City Council due back on 8/1/2012**

7 [RLH RR  
12-54](#)

Ordering the rehabilitation or razing and removal of the structures at 435 THOMAS AVENUE within fifteen (15) days after the August 1, 2012, City Council Public Hearing.

**Sponsors:** Carter III

*Conditions to be met by Friday, July 27: 1) a sworn construction statement; 2) affidavit indicating the funds for the project; 3) post the \$5,000 performance deposit; and 4) the property must be maintained. If conditions met, Ms. Moermond will recommend that the City Council grant 180 days.*

*RE: 435 Thomas Ave (duplex)*

*Scott Peters, River Valley Builders, contracted by Dave Busch, appeared.*

Mr. Peters:

- this bid is just under \$40,000; it's 90% sheet-rocked; \$60,000 has already been spent on it
- believes that previous inspections took place
- it was a duplex and will be turned into a single family
- it's a solid property
- applied for a code compliance report yesterday

Ms. Moermond:

- she is looking for the same things for this project as for 461 Sherburne Ave
- gave Mr. Peters the previous Code Compliance Inspection Report from Mar 2009 as a duplex
- let's make sure that a rough-in inspection has taken place because a lot of work has been done
- do the same type of construction statement as for 461 Sherburne; it will be amended based on the fresh Code Compliance Inspection Report
- Mr. Busch could apply to continue to use this as a duplex if he wanted to (go through zoning)

**Referred to the City Council due back on 8/1/2012**

8 [RLH RR  
12-55](#)

Ordering the rehabilitation or razing and removal of the structures at 885 CENTRAL AVENUE WEST within fifteen (15) days after the August 15, 2012, City Council Public Hearing.

**Sponsors:** Carter III

*Conditions have not met. Someone from EH Pooled 811 LP contacted Ms. Vang (City Council) and indicated that they want to demo the building. Ms. Vang advised them to get a demolition contractor to pull a demo permit.*

*Conditions to be met by August 7 in order to receive grant of time: 1) post the \$5,000 performance deposit; 2) obtain a code compliance inspection; 3) provide financial documentation indicating the funds for the project; 4) provide an affidavit dedicating the funds for the project; 5) provide a work plan, including timelines, which needs to be done in accordance with the code compliance inspection report; 6) outstanding real estate taxes must be paid with Ramsey County; and 7) the property must be maintained.*

RE: 885 Central Ave W (duplex)

Mai Vang, EH Pooled 811 LP, one of the owners, appeared. Other owners lives in Texas.

Inspector Joe Yannarely:

- 1 1/2 story wood frame single-family dwelling with a detached 2-stall garage on a lot of 4,792 sq.ft.
- has been a Vacant Building since Nov 4, 2010
- current property owner is EH Pooled 811 LP per Ramsey County records
- May 15, 2012 - inspection of building was conducted; list of deficiencies which constitute a nuisance condition developed; photos taken
- Order to Abate Nuisance Building posted May 18, 2012; compliance date Jun 4, 2012
- as of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code
- estimated market value of \$13,400 on the land; \$44,700 on the building



- real estate taxes for 2011 and first half of 2012 are delinquent in the amount of \$1,717.64 plus penalty and interest
- Vacant Building registration fees were paid by assessment on Dec 2, 2011
- Code Compliance Inspection was done Jun 14, 2011 and has since expired
- as of Jul 23, 2012, the \$5,000 Performance Deposit has not been posted
- 8 Summary Abatement Notices since 2010
- 8 Work Orders issued for: garbage/rubbish; boarding/securing; grass/weeds
- estimated cost to repair this structure is between \$60,000 - \$80,000
- estimated cost to demolish is between \$12,000 - \$14,000
- the Department of Safety and Inspections (DSI) orders the property owner to repair or remove this structure within 15 days
- the last Work Order to cut the grass went out last week

Amy Spong, Heritage Preservation Commission (HPC):

- 1 3/4 story
- main house built circa 1885; no index card; list 1885 addition
- note: on Sanborn Insurance Map - no wrap around front porch as you see today (built sometime after 1925)
- aluminum storms; permastone covering base
- workers cottage/vernacular
- area last surveyed 1983
- given it's proximity to I-94, there was a bit of cultural resource survey work done when the light rail was originally planned
- there were no potential historic districts identified as part of that survey
- there is a lot of very early trim still intact in the interior
- original siding has been covered; aluminum awnings have been added
- the garage is not historic
- the 2 block faces are fairly intact - good continuity
- demolition would not have an adverse effect

Ms. Vang:

- she is the owners' representative
- she also buys houses from the owners to fix up
- she likes the way this house is structured
- her bank won't fund the rehab until she has title but the owners can't sell it because it's a Category 3
- they submitted all the plans but don't want to do anything until they can get an extension of 6 -12 months to fix it
- they are trying to work with Reid Soley
- the owners say that if Ms. Moermond grants them time, they will make sure the property is taken care of
- Ms. Vang just started to take care of the property; she will talk to the neighbor about her concern
- owners will pay the taxes and post the \$5,000 Performance Deposit

Ms. Moermond:

- she would not recommend that the City Council give Ms. Vang time to do the rehab
- the Council will hold the current owner accountable for doing the rehab
- the property must be maintained
- asked Mr. Yannarely to write a Summary Abatement and make the deadline Monday
- conditions:
  - 1) order a code compliance inspection
  - 2) post \$5,000 Performance Deposit
  - 3) pay the taxes

- 4) show proof of finances dedicated for this project, including an affidavit
- 5) submit a detailed Work Plan
- 6) maintain the property
- City Council Public Hearing Aug 15, 2012
- documents must be in Ms. Moermond's office by Aug 7, 2012

**Referred to the City Council due back on 8/15/2012**

**9**      [RLH RR](#)  
[12-56](#)

Ordering the rehabilitation or razing and removal of the structures at 579 FOREST STREET within fifteen (15) days after the August 15, 2012, City Council Public Hearing.

**Sponsors:**      Lantry

*Laid over to August 14 LH; City Council Public Hearing on August 15.*

*The \$5,000 performance deposit must be posted by August 14. If the condition is met, she will ask the City Council to continue the public hearing to September 5.*

*RE: 579 Forest St (duplex)*

*Patrick Marley and Charlene Hessler, owner, appeared.*

*Inspector Joe Yannarely:*

- 1 1/2 story wood frame duplex with detached 1-stall garage on a lot of 3,920 sq. ft.
- has been vacant since Feb 21, 2007
- current owner is Patrick M. Marley and Charlene Hessler per Ramsey County records
- May 9, 2012, inspection of building conducted; list of deficiencies which constitute a nuisance condition developed; photos taken
- Order to Abate a Nuisance Building was posted May 21, 2012; compliance date Jun 20, 2012
- as of this date, property remains in a condition which comprises a nuisance as defined by the legislative code
- estimated market value of \$12,300 on the land; \$35,000 on the building
- real estate taxes for the first half of 2012 are delinquent in the amount of \$2,684
- Vacant Building registration fees paid by assessment Mar 30, 2012
- Code Compliance Inspection was done Jul 23, 2012
- as of Jul 23, 2012, the \$5,000 Performance Deposit has not been posted
- 4 Summary Abatement Notices since 2007
- 1 Work Order issued for garbage / rubbish
- estimated cost to repair structure exceeds \$50,000; estimated cost to demolish exceeds \$10,000
- the Department of Safety and Inspections recommends the owner repair or remove this structure within days
- appears as though it's being occupied

*Amy Spong, Heritage Preservation Commission (HPC):*

- 1 3/4 story wood frame built pre-1886 (owner says 1881)
- originally built with a 1-story open front porch which is still there
- has been stuccoed over; a lot of trim has been lost
- located 2 block outside of Dayton's Bluff Historic District
- no recent survey work done
- this building would not be eligible for designation individually or have any potential of being part of any designated historic district
- 661 Forest, the Evangelical Church, has been identified as an important structure

- demolition would have no adverse effect

Mr. Marley:

- received the Code Compliance Inspection Report
- the same day he paid for the compliance inspection he got a lock box (about 1 month ago)
- he had hoped to be further along with his plan for this property
- the property has been vacant for some time
- he talked to Covenant Capital some time in May - they fix up properties, then buy it from you
- talked with one of the partners this a.m.
- he has re-located his family from this property
- it's a beautiful old house; was his home from 1988 until it went onto the VB list
- he doesn't want to see the house demolished
- there's no mortgage on it
- he believes he could get the money from his bank but he'd rather go with Covenant Capital
- asking for time to meet with Covenant Capital and others
- has 2 others who will give him an estimate
- he bought it for \$46,000
- now, he's on a limited income with SS
- was converted at some time from a large single-family home into a duplex, prior to 1986
- wants to buy some time to save this house
- the Code Compliance Inspection was done as a duplex

Ms. Moermond:

- this will need to be de-converted back into a single family home because of zoning because the lot size is slightly under 4,000 sq. ft. which is too small to hold a duplex under city code if it's not been used as a duplex for over a year
- suggested that Mr. Marley call the MN Attorney General's Office to see if they have any complaints or information on Covenant Capital to help him with his decision before he signs anything

Mr. Yannarely:

- Mr. Seeger says the inspection was done as a duplex; he doesn't say anything about de-converting (RT-1 zoning district)

Ms. Moermond:

- Appellant must post a \$5,000 Performance Deposit (refundable) by Aug 14, 2012 if he wants to do the rehab (the process will be slowed down based on that)
- will lay this over to Aug 14, legislative hearing
- City Council Public Hearing Aug 15, 2012; if the bond has been posted, she will ask the Council to continue the case to Sep 5, 2012

**Referred to the City Council due back on 8/15/2012**

10

[RLH RR  
12-57](#)

Ordering the rehabilitation or razing and removal of the structures at 807 MAGNOLIA AVENUE EAST within fifteen (15) days after the August 15, 2012, City Council Public Hearing.

**Sponsors:** Bostrom

*No show; remove the building within 15 days with no option for repair.*

RE: 807 Magnolia Ave E (single family)

*Inspector Joe Yannarely:*

- 1 1/2 story wood frame single family dwelling with a detached wooden shed on a lot of 4,792 sq. ft.
- been a vacant building since Apr 29, 2010
- current property owner is HSBC Bank per Ramsey County records
- Apr 25, 2012 inspection of building conducted; list of deficiencies which constitute a nuisance condition developed; photos taken
- Order to Abate Nuisance Building posted May 8, 2012; compliance date Jun 7, 2012
- as of this date, property remains in a condition which comprises a nuisance as defined by the legislative code
- estimated market value: \$7,400 on the land; \$32,600 on the building
- real estate taxes are delinquent for 2009 through the first half of 2012 in the total amount of \$17,081.67 plus penalty and interest (Note: property is scheduled for tax forfeiture in 2015)
- Vacant Building registration fees were paid by assessment May 31, 2012
- as of Jul 23, 2012, a Code Compliance Inspection has not been done
- as of Jul 23, 2012, the \$5,000 Performance Deposit has not been posted
- 10 Summary Abatement Notices since 2010
- 14 Work Orders issued for: garbage/rubbish; boarding/securing; grass/weeds; snow/ice
- estimated cost to repair this structure exceeds \$50,000
- estimated cost to demolish exceeds \$10,000
- the Department of Safety and Inspections (DSI) recommends repair or remove within 15 days

*Amy Spong, Heritage Preservation Commission (HPC):*

- 1909 1 3/4 story house; vernacular
- some classical revival details in the roof and eaves
- porch enclosed very early on
- 3 over 1 wood divided-light windows
- lap siding is still exposed
- a lot of original wood trim on the inside
- a lot of water damage on inside
- Payne Phalen area
- surveyed in 1983 and 2011 but was not identified or recommended for further research for becoming an historic property
- she encourages rehab given it's size and integrity
- recognizes that there's quite a bit of damage on the inside
- moved from across the street in 1950; originally at 800 Magnolia

*Ms. Moermond:*

- will recommend removing the building within 15 days with no option for rehabilitation

**Referred to the City Council due back on 8/15/2012**

11 [RLH RR  
12-58](#)

Ordering the rehabilitation or razing and removal of the structures at 388 MINNEHAHA AVENUE WEST within fifteen (15) days after the August 15, 2012, City Council Public Hearing.

**Sponsors:** Carter III

*No show; remove the building within 15 days with no option for repair.*

*RE: 388 Minnehaha Ave W (duplex)*

*Inspector Joe Yannarely:*

- 2-story wood frame single-family dwelling with a detached 2-stall garage on a lot of 8,712 sq. ft.
- been a vacant building since Mar 4, 2011
- current property owner is US Bank NA per Ramsey County records
- May 8, 2012 inspection of building conducted; list of deficiencies which constitute a nuisance condition developed; photos taken
- Order to Abate a Nuisance Building posted May 17, 2012; compliance date Jun 16, 2012
- as of this date, property remains in a condition which comprises a nuisance as defined by the legislative code
- estimated market value: \$21,900 on land; \$62,600 on building
- real estate taxes are current
- the Vacant Building registration fees were paid by check Feb 22, 2012
- Code Compliance Inspection was applied for May 24, 2012 but has not been completed to date
- as of Jul 23, 2012, the \$5,000 Performance Deposit has not been posted
- 4 Summary Abatement Notices since 2011
- 4 Work Orders issued for garbage/rubbish; grass/weeds; other - trim shrubs obstructing the public ROW
- estimated cost to repair this structure exceeds \$50,000
- estimated cost to demolish between \$10,000 - \$12,000
- the Department of Safety and Inspections (DSI) recommends repair or remove within 15 days

*Amy Spong, Heritage Preservation Commission (HPC):*

- circa 1896 2 1/2 story wood frame vernacular
- front porch has been enclosed
- east side addition
- aluminum or hard board siding covering up original narrow lap siding
- 1 story shed replaced with a 2-stall garage
- 2011 survey but not identified and not recommended for further research as an historic resource
- given all of its changes; loss of context in the neighborhood, she would recommend that demolition would not have an adverse effect

*Ms. Moermond:*

- will recommend the buildings removal within 15 days with no option for rehabilitation

**Referred to the City Council due back on 8/15/2012**

**12**      [RLH RR  
12-59](#)

Ordering the rehabilitation or razing and removal of the structures at 873 RICE STREET within fifteen (15) days after the August 15, 2012, City Council Public Hearing.

**Sponsors:**      Brendmoen

*No show; remove the building within 15 days with no option for repair.*

*RE: 873 Rice St (single family)*

*Inspector Joe Yannarely:*

- 1-story wood frame commercial building on a lot of 2,178 sq. ft.
- been a vacant building since Aug 25, 2011
- current property owner is Mostafa Abdelhamid per Ramsey County records
- May 9, 2012 inspection of building conducted; list of deficiencies which constitute a

nuisance condition developed; photos taken

- Order to Abate Nuisance building posted May 17, 2012; compliance date Jun 16, 2012
- as of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code
- estimated market value: \$25,900 on the land; \$5,000 on the building
- real estate taxes are delinquent for 2008 through the first half of 2012 in the amount of \$13,843.24 plus penalty and interest (Note: property is scheduled for tax forfeiture Jul 31, 2012)
- Vacant Building registration fees were paid by assessment Oct 28, 2011
- as of Jul 23, 2012, a Team Inspection has not been done
- as of Jul 23, 2012, the \$5,000 Performance Deposit has not been posted
- 4 Summary Abatement Notices since 2011
- 4 Work Orders issued for: garbage/rubbish; boarding/securing; grass/weeds
- estimated cost to repair this structure exceeds \$50,000
- estimated cost to demolish is between \$10,000 - \$12,000
- the Department of Safety and Inspections (DSI) recommends repair or removal within 15 days

Amy Spong, Heritage Preservation Commission (HPC):

- no record of the permit index card of when originally built
- first building permit issued after that was in 1928
- early wood frame, false store front building
- gabled roof with tall front
- along street car route
- has had a lot of changes to it: asphalt shingles; stucco walls on the sides; cultured stone has been applied to the whole front of the building
- it has had too much alteration to be considered an historic resource
- area was surveyed 1983
- across the street and down the block is 842 Rice Street, the old Karen Furniture store (local nomination form)
- 3 store front buildings have been torn down in recent years
- demolition would have no adverse effect because of all the changes

Ms. Moermond:

- will recommend the City Council order the building removed within 15 days with no option for rehabilitation

NOTE: Ramsey County staff contacted Marcia Moermond after the legislative hearing to indicate the county would like the opportunity to demolish the building. LHO recommends continuing with order.

**Referred to the City Council due back on 8/15/2012**

13      [RLH RR  
12-60](#)

Ordering the rehabilitation or razing and removal of the structures at 1025 SEMINARY AVENUE within fifteen (15) days after the August 15, 2012, City Council Public Hearing.

**Sponsors:**      Carter III

The \$5,000 performance deposit must be posted by August 7, 2012 and evidence showing that the Bank has filed a lis pendens on the property.

RE: 1025 Seminary Ave (single family)

Stephanie Nelson, attorney for Chase Home Finance, appeared.

*Samuel Anim is still the owner; not gone into foreclosure*

*Inspector Joe Yannarely:*

- 1-story wood frame single family dwelling with a detached 1-stall garage on a lot of 7,841 sq. ft.
- been vacant since Jul 12, 2010
- current property owner listed as Samuel Anim (stated owner is Chase Home Finance, LLC; however, Ramsey County Property Records still show ownership is Samuel Anim)
- May 2, 2012, inspection of building conducted; list of deficiencies which constitute a nuisance condition developed; photos taken
- Order to Abate Nuisance Building posted May 8, 2012; compliance date Jun 7, 2012
- as of this date, property remains in a condition which comprises a nuisance as defined by the legislative code
- estimated market value of \$19,200 on land; \$62,000 on the building
- real estate taxes are current
- Vacant Building registration fees were paid by check by Chase Home Finance, LLC May 24, 2012
- as of Jul 23, 2012, Code Compliance Inspection has not been done
- as of Jul 23, 2012, the \$5,000 Performance Deposit has not been posted
- 2 Summary Abatement Notices since 2010
- 5 Work Orders issued for: boarding/securing; grass/weeds; snow/ice
- estimated cost to repair this structure exceeds \$50,000
- estimated cost to demolish exceeds \$12,000
- the Department of Safety and Inspections (DSI) orders the owner to repair or remove this structure within 15 days

*Amy Spong, Heritage Preservation Commission (HPC):*

- 1947 1-story modern home
- stucco with cultured stone veneer on the front
- post Sanborn Insurance maps
- not identified in 1983 - not even looked at because of its age at the time
- demolition would have no adverse effect
- water damage all along the base (photos)
- evidence of black mold inside

*Ms. Nelson:*

- she recommended that Chase order the Code Compliance Inspection and pay the bond before this hearing if they were really interested
- but the bank usually likes to get the information before they commit, especially, if they're not yet the owner
- doesn't know where the current owner is right now or how far behind he is on his payments

*Ms. Moermond:*

- the preferred way to slow this down would be for her to see that the bank wants to take over the property
- the bank needs to do the sheriff's sale and go through a shortened redemption time period
- wants to see the \$5,000 Performance Deposit posted by Aug 7, 2012
- she needs a commitment from the bank
- looks like there's enough property value there to make it worth their while
- needs evidence that the bank has filed notice on it
- then, she can slow the process down.
- City Council Public Hearing Aug 15, 2012

**Referred to the City Council due back on 8/15/2012**

14 [RLH RR  
12-61](#)

Ordering the rehabilitation or razing and removal of the structures at 705 SEVENTH STREET EAST within fifteen (15) days after the August 15, 2012, City Council Public Hearing.

**Sponsors:** Lantry

*The \$5,000 performance deposit must be posted and obtain a team inspection. Laid over August 14. (City Council PH is August 15)*

*RE: 705 Seventh St E (commercial)*

*Ray Carlson, Budget Towing, Inc, appeared.*

*Inspector Joe Yannarely:*

- 1-story steel girder wood frame and concrete commercial building with an attached service garage on a lot of 12,632 sq. ft.
- been a vacant building since Aug 6, 2008
- current property owner is Budget Towing Inc per Ramsey County Records
- May 12, 2012, inspection of building conducted; list of deficiencies which constitute a nuisance condition developed; photos taken
- Order to Abate Nuisance Building posted May 8, 2012; compliance date Jun 7, 2012
- as of this date, property remains in a condition which comprises a nuisance as defined by the legislative code
- estimated market value of \$124,700 on the land; \$8,300 on the building
- real estate taxes for 2011 and first half of 2012 are delinquent in the amount of \$16,216.43 plus penalty and interest
- Vacant Building registration fees were paid by assessment Aug 29, 2011
- as of Jul 23, 2012, a Team Inspection has not been done
- as of Jul 23, 2012, the \$5,000 Performance Deposit has not been posted
- 6 Summary Abatement Notices since 2008
- 4 Work Orders for garbage/rubbish; grass/weeds; snow/ice
- estimated cost to repair this structure exceeds \$25,000
- estimated cost to demolish exceeds \$10,000
- the Department of Safety and Inspections (DSI) orders the owner to repair or remove this structure within 15 days

*Amy Spong, Heritage Preservation Commission (HPC):*

- built in 1940 as a filling station (Mr. Carlson says 1950)
- the Dayton's Bluff Historic District is on both sides of this property but this parcel was not adopted as part of it; is not considered an historic resource
- Upper Swede Hollow commercial building to the east
- Metro State property across the street
- old cigar shop to the west
- demolition would have no adverse effect on the surrounding historic district

*Mr. Carlson:*

- complaint about how the exterior looked
- Budget Tire is part of Budget Towing
- bought property in 1996
- got a special variance for a smaller building because there would be no outside eye soars
- he agreed there would never be any cars, tire racks, etc., there at night after closing hours
- he is the current president and sole owner of Budget Towing and Budget Tire
- entered a photo taken yesterday showing a window replacement and fresh paint



- several years ago before the real estate market dived, Starbucks offered him \$525,000 for that corner because it's near a college on an exciting street
- 40 foot x 40 foot building with 1 bathroom, 1 little office, 6 light fixtures, 1 sink in the bathroom, 1 sink in the garage
- Dave Bergman said the building just needed paint and the window fixed
- last winter was bad for their business; it nearly put them out; spring was very good
- to a buyer, this property would be worth less if the building were to be torn down
- it's worth less to a property owner as a Category 3
- he has several potential buyers: battery store; book store; college
- he wants to sell this and come out better
- they want to have a good looking corner; may want to rehab it to put Budget Tire back in
- is asking for more time to get the Code Compliance Inspection, fix it up and sell it (goal)
- no mortgage
- is asking for time to either sell it or re-vamp it, which will take between now and next spring because of the bad market but it will have a better chance of being sold when it looks better

Ms. Moermond:

- need a Team Inspection
- she doesn't have the authority to take it from a Cat 3 to a Cat 2 VB but she can help him take it from where it's at now to get it off the demo list
- as long as the exterior seems to have been taken care of and it's not in use, it will be a simple Team Inspection with a simple list of things to do
- Appellant needs to talk with Dave Bergman or someone about getting the Team Inspection done
- Appellant needs to get the taxes paid
- also, need a Performance Deposit posted \$5,000 (returnable when the project is done or if City Council doesn't grant time)
- property must be maintained

Mr. Carlson:

- he will call Dave Bergman and Rick Singerhouse to get things moving forward

Ms. Moermond:

- will lay this over to Aug 14, 2012 to get the Team Inspection done and \$5,000 deposited
- City Council Public Hearing Aug 15, 2012
- if things are working out, she will ask the City Council to continue the hearing to the beginning of Sep 2012
- a letter will be sent

**Referred to the City Council due back on 8/15/2012**

## 11:00 a.m. Hearings

### Orders To Vacate, Condemnations and Revocations

- 15 [RLH VO 12-69](#) Appeal of Fatima Fisher to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1130 BEECH STREET.

**Sponsors:** Lantry

*Deny the appeal and grant until September 1, 2012 for compliance or vacate the*

property. (Item 10 - egress window is no longer enforced)

RE: 1130 Beech St (single family)

Fatima Fisher, occupant and sister of owner, Rashida Fisher

Fire Inspector Neis:

- Revocation / Order to Vacate
- first routine inspection Apr 2012 by Inspector Wayne Spiering
- re-inspection Jun 5, 2012
- notes: little or no work had been completed; he gave additional time to Jul 3, 2012 to complete the work
- Jul 3, 2012, Inspector Spiering noted that little work had been completed (only 2 items out of 28 deficiencies)
- since he felt he wasn't getting any compliance, he Revoked the Certificate of Occupancy and ordered the building Vacated Jul 30, 2012
- since 2010 when Rashida Fisher took over the property, there have been 6 code enforcement Orders on the property for cleaning up the property

Ms. Fisher:

- the owner is her sister, first time home owner, who works 3 jobs
- owner does not live at 1130 Beech
- her father and mother live there; Fatima lives there
- her sister hadn't had any experience of what to do to meet code
- her sister doesn't have a budget for those items that require a licensed contractor
- Ms. Fisher contacted Dayton's Bluff Neighborhood Housing Services, who think they could help them out with some things
- they patched up some holes put a door knob on the bathroom closet - those things that can be done without a licensed contractor
- she doesn't see any major things that need to be done
- they did secure the staircase; she uses them
- has photos on her phone
- waiting for Dayton's Bluff Neighborhood Housing Services to get back to her
- the property is currently clean and the lawn is mowed; the fire pit is dismantled
- asking for more time to do the repairs
- all the electrical now have face plates and are covered
- re: the driveway, there's no car in the driveway - they never use that back driveway; looks like there was gravel there before her sister bought the house

Ms. Moermond:

- the trouble here is that the owner hasn't stepped up to the plate to do what needs to be done
- item #6-worried about electrical fixture hanging by wires (Ms. Fisher said that it was taken care of)
- asked Inspector Neis for photos of driveway; he said there were photos in the file (Mr. Neis: basically, it's deteriorated asphalt; also dirt and rock)
- suggested that the driveway and bare dirt area be raked and seeded grass
- need a plan to deal with area between garage and alley; it looks like it needs pavement
- looking through the list, it looks like an electrician needs to be hired for a little of the work
- might want to hire a licensed contractor for the railings
- work should be done by Sep 1, 2012 (she will wait to hear from Zong)
- Appellant will get a letter from Inspector Spiering with a new inspection date, probably shortly after Sep 1, 2012
- will need to hire a licensed contractor to do the furnace inspection (already set for the 24th)

Referred to the City Council due back on 8/15/2012

16 [RLH VO  
12-70](#)

Appeal of Robert A. Musante, Jr. to a Correction Notice-Reinspection Complaint (includes condemnation) at 192 ROBIE STREET WEST.

**Sponsors:** Thune

*Deny the appeal and grant until August 17, 2012 to restore the gas service or vacate the property.*

*RE: 192 Robie (duplex)*

*Robert Musante Sr. and Robert Musante Jr., tenants, appeared.*

*Fire Inspector Neis:*

- a complaint inspection conducted Jul 16, 2012
- re-inspection was made in Unit 2 of the property due to a gas and electric shut-off
- the unit has been Condemned as unfit for occupancy
- he contacted Xcel Energy this morning prior to coming to this hearing and the electric has been off since May 29, 2012; the gas has been shut off since Jun 20, 2012 (city ordinance requires that all occupied buildings must have basic facilities including electric and gas)
- the initial letter was sent Jul 3, 2012 to the owner, Ira Kipp, to Restore or Vacate the unit by Jul 11, 2012 (the Musantes said that the landlord had called them yesterday saying they had to be out by this morning)
- the inspection on Jul 11 may not have been made because the next Notice said the re-inspection was to happen on Jul 16, 2012 with a re-inspection on Jul 24, 2012

*Mr. Musante, Jr.:*

- they owe \$3,916.85
- he has been in contact with Heat Share at Salvation Army, House Calls, and has applied for Emergency Assistance in Ramsey County (they were not eligible to apply for that bill until Jul 11, 2012)
- they are low income (dad's on SSI and his wife barely works any hours); he has been putting in application after application and has had no luck
- asking for a little more time; they just found out about the Condemnation on the 16th when the Notice was put on the door
- the downstairs neighbor is letting them use some space in her refrigerator
- his wife's sister lives right down the street; they go there to cook, to bathe and to sleep (it's air conditioned)
- they go to Loaves and Fishes, which feeds Mon - Thu
- just been making it
- Emergency Assistance said they would put up \$3,000; House Calls said they'd put up \$500; Keystone is going to call him back
- they were put on the waiting list for Heat Share
- he has gone to every agency that he is aware of for this kind of help
- if they have to, they can put everything into storage

*Ms. Moermond:*

- as soon as an appeal is filed, enforcement is stayed, so, they can be at the house
- will go to Aug 17, 2012 for the Vacate (they can be at the house until Aug 17 without gas and electric; would prefer that dad stay at the sister's)
- City Council Public Hearing Aug 15, 2012
- if Appellants want more time, they should come to the City Council Public Hearing

*Mr. Neis:*

- make sure there's a battery operated smoke detector in the unit
- do not use extension cords, candles or portable generators

**Referred to the City Council due back on 8/15/2012**

### 11:30 a.m. Hearings

17

[RLH VO  
12-72](#)

Appeal of Bernina S. Brunt to a Correction Notice-Complaint Inspection at 1126 JESSIE STREET (includes condemnation).

**Sponsors:** Brendmoen

*Deny the appeal and grant until August 17, 2012 to restore the electricity or vacate the property.*

*RE: 1126 Jessie St (single family)*

*Bernina Brunt, tenant, appeared.*

*Fire Inspector Neis:*

- came to his attention yesterday when he was contacted by this office to find out if this was still appealable
- Jul 11, 2012, a complaint inspection had been made of the building in response to a utility shut-off: electricity had been shut-off, so the building had been Condemned with a re-inspection made on or after Jul 20, 2012; as of today, the utility has still not been restored to the building so, the building was Ordered to be Vacated

*Ms. Brunt:*

- has had no electricity for about 2 months
- Emergency Assistance paid \$500 of the \$6,000 bill; can't re-apply for Emergency Assistance until Aug 8, 2012; they will pay only up to \$3,000 on that bill; if she can get that portion paid, they will put her on a payment plan for the rest
- has gone to Heat Share
- has a temporary job
- has 5 kids; 2 sick kids at home (one has asthma; one has seizures and is deaf); both have been living at her sister-in-law's house when it's hot
- kids ages: 21 (seizures and deaf) on SSI; 19, 18, 17, and 15
- the 18 year old will be going into National Guard Jul 31, 2012
- the 19 year old daughter is working at the temp agency (they laid her off for a week)
- she told Xcel that she would have \$1,200 on Aug 1, 2012
- is not keeping her food cold; she buys food that doesn't need refrigeration; she buys other food and takes it to her sister-in-law's for 2 of her children
- she works from 2:30 p.m. to 12:30 a.m.
- her landlord has been talking to the Fire Marshal; he told her to file the appeal; he's being understanding and trying to help

*Ms. Moermond:*

- will go out to Aug 17, 2012 for Vacating
- put new batteries in the smoke detector
- no extension cords
- City Council Public Hearing Aug 15, 2012
- will send a letter
- will give Appellant a few more weeks; then, something else will need to be figured out

**Referred to the City Council due back on 8/15/2012**

**1:30 p.m. Hearings****Window Variances: Hearing Required**

- 18     **RLH FOW**     Appeal of Allan K. Petersen, AKP Investments LLC, to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 752 JESSIE STREET.  
12-282

**Sponsors:**     Brendmoen

**Laid Over to the Legislative Hearings due back on 8/7/2012**

- 19     **RLH FOW**     Appeal of Tom Gergen, Ryan Whissler, and Tom Gallagher, on behalf of TR Group LLC, to a Fire Certificate of Occupancy Correction Notice at 1237 SEVENTH STREET EAST.  
12-284

**Sponsors:**     Bostrom

**Laid Over to the Legislative Hearings due back on 8/7/2012**

**Fire Certificates of Occupancy**

- 20     [RLH FCO](#)     Appeal of Chris Skoog to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 772 ARMSTRONG AVENUE.  
[12-456](#)

**Sponsors:**     Thune

*Deny the appeal and grant until September 1, 2012 for compliance.*

*RE: 772 Armstrong Ave (duplex)*

*Chris Skoog appeared.*

*Fire Supervisor Leanna Shaff:*

- re-inspection of a Fire Certificate of Occupancy conducted Jun 28, 2012 by Inspector Michael Efferson*
- cited driveway (all parking spaces shall be paved with asphalt, concrete or durable, dustless surfacing)*
- photos show a gravel driveway*

*Ms. Moermond:*

- the only thing she wanted for this was to have the edges cleaned-up*
- it's a general rule to have it graded away from the building*
- could put down a little more Class 5 or weed killer*
- need to clean up the edges; recommends a railroad tie at the end of the driveway*
- will grant an extension to Sep 1, 2012*

*Mr. Skoog:*

- will get out the weed killer again*
- may put down another railroad tie*
- will check the grading near the house*

**Referred to the City Council due back on 8/15/2012**

- 21 [RLH FCO](#)  
[12-390](#) Appeal of Lon Hoffmann to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 1074 BREEN STREET.

**Sponsors:** Bostrom

*No show; deny the appeal.*

**Referred to the City Council due back on 8/15/2012**

- 22 [RLH FCO](#)  
[12-482](#) Appeal of Patrick Menke, Church of St. Agnes, to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 548 LAFOND AVENUE.

**Sponsors:** Carter III

*RE: 548 Lafond Ave (school)*

*Patrick Menke, Director of Business, Church of St. Agnes, appeared.*

*Fire Supervisor Leanna Shaff:*

- Fire Certificate of Occupancy re-inspection conducted Jun 1, 2012 by Inspector Scott St. Martin*
- the requirement is to provide and maintain approved panic-release hardware on all the exit doors*
- case has been going on for quite a while*
- Inspector Scott St. Martin was moved to a different division within the Department of Safety and Inspections (DSI)*

*Inspector Jim Parruca:*

- originally inspected this Jul 127, 2010*
- original inspection was done Jul 27, 2010 and it had 2 deficiencies; one was to provide panic hardware on all exit doors with an Aug 26, 2010 deadline*
- a re-inspection was done by Aug 26, 2010 by Inspector McCabe and the work had not been done*
- Orders were written for a re-inspection date of Sep 13, 2010*
- Inspector's Note: met with the maintenance person and verified that they were pursuing bids and they were working on it*
- Nov 2010: no entry; no fee; Orders were issued again for a re-inspection Dec 2, 2010*
- work had not been completed Dec 2, 2010*
- not done Mar 23, 2011; going through plan review and getting bids*
- Jun 1, 2011 - re-inspection by Scott St. Martin to be completed by Jul 1, 2011*
- documentation from correspondence: Jun 21, 2011 letter: Mr. Menke writes: 100 year anniversary coming up; hoping to complete most of the work by that time (prior to Jun 2012); made some efforts with a fabricator to look at the project; estimated cost - \$2,500 per door (Proposal from fabricator dated Jan 7, 2011)*
- he took over soon after that time and extended the deadline to Jun 2012*
- left a message Mar 20, 2012 inquiring how the work was going; got email back from Mr. Menke saying he was trying to coordinate with Father's schedule, fabricating company and finalizing plans; hoping to get a start and finish date; will let you know*
- another email from Mr. Menke, essentially saying the same thing and St. Paul Fabricating hoped to start work Jun 11, 2012*
- met with Mr. Menke and Mr. Brooks, the fabricator around Jun 9, 2012 to discuss which doors were involved in the retrofit; went over what would be required for each door*
- \$2,500 / door; initial estimate was for 22 doors (some were actually egress doors)*

- also could not find any documentation on the Cathedral case

*Ms. Moermond:*

- appeal indicates that Mr. Menke had talked about the Cathedral and it's doors

*Mr. Menke:*

- around 1998, a referral was made on the locked doors there; at that time, Fire Marshal Zaccard gave a verbal appeal that he would allow it (Inspector Mike Urmann) but there was no documentation on it (Mr. Menke spoke with Inspector Urmann, who recalls the case)

- visited the Cathedral and found that they didn't do the panic hardware; they, basically, left the original doors and re-furbished them

- he said that he was grateful for Mr. Parruca's patience with them

- they tried to kick-off a campaign to try to do a number of different re-furbishments - never got off the ground

- 1909 - the cornerstone was laid; 1912 it was finished

- the funding for the doors first became available within the last 12 months

- they were basically, trying to do what the Cathedral did - restoring the door to it's original finish

- the side doors are the main exits from the church; the front doors have an exemption

- when they finalized the plan, there wasn't a good, clean way to put on panic-bars without altering the brass plates, which are currently inside

- there are really 2 sets of doors that go out towards Lafond (north facing doors);

ideally, if they didn't need panic bars, they could preserve the original front entry way and not have to deal with the brass plates; has photos on his phone

- they will put panic bars on all other doors; appealing only the 2 north facing doors

- will probably be late fall before all the doors are finished

*Ms. Shaff:*

- would be helpful for Inspector Parruca to go back and take photos

*Ms. Moermond:*

- will grant an extension to Dec 31, 2012 to come into compliance

- will be laid over for 1 month to talk more about the front entrances; get some new photos; look at the old codes that were in play; talk with the Fire Marshal about the equivalency approval he granted at the Cathedral to find out what he was considering at that time

**Laid Over to the Legislative Hearings due back on 8/21/2012**

23

[RLH FCO  
12-475](#)

Appeal of George Stone to a Correction Notice-Complaint Inspection at 1079 MARYLAND AVENUE EAST.

**Sponsors:** Bostrom

Owner to provide a work plan for review.

RE: 1079 Maryland Ave E (single family)

George Stone, owner, appeared.

*Fire Supervisor Leanna Shaff:*

- photos in referral added today

- Fire Certificate of Occupancy Approval with Corrections May 29, 2012

- only things left over to do were cited in this Complaint: scrape and paint, replace wood where needed on garage; replace garage roof; repair chipped, peeling paint on

*trim of house*

- photos show that it's in tough shape
- can see on the house fascia - chipped, peeling paint; end boards are a little rotten
- Inspector Cassidy's latest orders said that he required compliance Aug 10, 2012

*Mr. Stone:*

- has been working on the house; has repaired a lot of wood on the garage (lots of vandalism in that area)
- his parents bought the house in 1992; he lived there with his mother the latter part of her life
- in 2008, he decided to fix up the property and get ready to sell it but the market dropped out so, he didn't put it on the market
- he didn't want to be a landlord but some friends of his asked him if he'd rent it to some people they knew who needed a place to rent (they are very nice, kind people)
- Mr. Cassidy was nice enough to come out; asked him to paint and do some work around the front, which he has done since then
- at the end of Jun, Mr. Cassidy said he wanted it done now
- is trying to deal with an insurance company; insurance doesn't want to pay
- garage doesn't look very good but it doesn't leak
- between now and next year, he thinks he could get something worked out with some guys he knows who are roofers
- he was repairing wood and painting the last couple of weeks and he will continue to work on it
- he's had the furnace inspected
- between now and fall he thinks he can get things done
- at the time of inspection, Inspector Cassidy was kind enough to say that he'd give him another year to do the painting, etc., which he did

*Ms. Shaff:*

- spoke with Inspector Cassidy this morning regarding this property; he basically said that he wasn't going to wait any longer for the Appellant to deal with the house and the garage (cycle started Mar 22, 2012)
- Mar 22, 2012 Orders included: windows, CO alarm, smoke detector, adequate hot water, dryer exhaust, non-working appliance in basement, scrape and paint the trim on house/garage, provide access to all areas of the building

*Ms. Moermond:*

- would like to see a Work Plan for getting things done with concrete benchmarks

*Mr. Stone:*

- he has been driving toward finishing the work; he responded to everything on the first inspection; nothing was ever said about the garage at the first inspection - only on the follow-up when he responded back to duct work on the dryer (he removed the dryer); he said, "Everything seems to be alright" and as they were walking out, he looked around and then, the garage came up; it was not part of the first inspection (Ms. Shaff: it's in the first Orders- the scrape and paint piece of it); Mr. Stone said that was done but the roof was never mentioned on that first inspection

*Ms. Moermond:*

- it sounds as though Appellant is partially done
- she'd like to get more specific documentation - draw up a plan - can handle it by email

*Mr. Stone:*

- he's not trying to avoid doing what he needs to do
- he's taken off work to meet Mr. Cassidy and to come to this hearing but he and his



*tenants waited for Mr. Cassidy for 2 hours to come for inspection only to be greeted with anger by Inspector Cassidy*

*Ms. Moermond:*

*- will lay this over for 2 weeks to get a Work Plan; email it*

**Laid Over to the Legislative Hearings due back on 8/7/2012**

**24**      [RLH FCO  
12-426](#)

Appeal of Jeffrey Michael to a Fire Inspection Correction Notice at 142 MISSISSIPPI RIVER BOULEVARD NORTH.

**Sponsors:**      Stark

*Grant the appeal to be out of the Fire Certificate of Occupancy Program.*

*RE: 142 Mississippi River Blvd N (single family)*

*Jeffrey Michael, one of five partners, 3J2R limited partnership, appeared. Each partner is a child of James Michael, occupant of the house since 1960.*

*Fire Supervisor Leanna Shaff:*

*- Fire Certificate of Occupancy Inspection conducted Jun 18, 2012 by Inspector Jay Bohan*

*- 7 Orders were written; nothing hugely concerning*

*- service door in garage; handrail which needs to extend further; extension cords; taping; basement door handle*

*- appeal issue is "This is in a family trust"*

*Ms. Moermond:*

*- will recommend this appeal be granted*

*- Orders have been Withdrawn*

**Referred to the City Council due back on 8/15/2012**

**25**      [RLH FCO  
12-483](#)

Appeal of Christine Younghans to a Fire Inspection Correction Notice at 1197 ROSS AVENUE.

**Sponsors:**      Bostrom

*Grant a 5-inch variance on the openable height of the egress windows in all bedrooms; grant the appeal on the door leading into the bedroom space upstairs. (Owner to submit a diagram of the room for record)*

*Owner submitted sketched floor plan. Attached to file.*

*RE: 1197 Ross Ave (single family)*

*Christine Younghans, owner, appeared.*

*Fire Supervisor Leanna Shaff:*

*- Fire Certificate of Occupancy Inspection conducted Jul 12, 2012 by Inspector James Thomas*

*- cited the size of 2 access doors to some sleeping rooms; there 5 feet tall*

*- inspector drew up a floor plan*

*- the door leading to a couple bedrooms goes through a bathroom*

*- code requires regular sized doors*

*- photos aren't very good*

Ms. Younghans:

- bought house in 1988
- it must have been a duplex sometime before that; there are 2 full stairways
- she can't raise the doors because of the roof line
- Inspector Thomas said he would submit photos
- one staircase is on the west side of the house; the other one is on the north side of the house; all bedrooms except 1 would use the other staircase and not have to go through the short door of the bathroom; the other bedroom goes down the other staircase and still doesn't have to go through the bathroom to get out
- the only issue is that there are short doors going into the bathroom
- will send in a diagram

Ms. Moermond:

- asked Ms. Younghans to submit a sketched floor plan
- will recommend the appeal be granted
- a diagram would help the City Council

**Referred to the City Council due back on 8/15/2012**

26      [RLH FCO  
12-463](#)

Appeal of Robert and Richard Nolan to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 1679 TAYLOR AVENUE.

**Sponsors:**      Stark

*Rescheduled due to family emergency.*

**Laid Over to the Legislative Hearings due back on 8/7/2012**

27      [RLH FCO  
12-512](#)

Appeal of Jacob Brunette, Relay Property Management, to a Fire Inspection Correction Notice at 402 SIDNEY STREET EAST.

**Sponsors:**      Thune

*Grant an 8-inch variance on the openable height of the egress window in the southeast bedroom; deny and grant until August 17, 2012 for full compliance; and grant until August 1 for compliance on the tree.*

*RE: 402 Sidney St E (single family)*

*Representative of property owner, Jacob Brunette, appeared.*

*Fire Supervisor Leanna Shaff:*

- *Fire Certificate of Occupancy Inspection conducted Jul 2, 2012 by Inspector Sean Westenhofer*
- *photos in file*
- *#9 - exterior stairs: 12 inches up to the first step*
- *tree lying on the property for a few weeks now; have referred it to Code Enforcement*

*Mr. Brunette:*

- *regarding the tree: they had contacted approximately a dozen different tree removal properties; a number of them went out there and said they could do the job; insurance was not going to cover this; signed a contract with a gentleman last week who's supposed to get it done this week*
- *regarding the step: we're confused as to what we're going to do; it measures 11 1/2 inches on one side - the others are 8 inches; there's already a slab there*

Ms. Shaff:

- stairs should have a consistent rise in rung; because the sidewalk has sunk somewhat, that first step is quite a step; steps need to be even with less than 3/8 inch difference; and all the plant growth around it doesn't help

Mr. Brunette:

- we can make that step an 8 inch rise but then, the first step will be 4 inches high unless they grade out the yard

Ms. Moermond:

- the step needs fixing and there are probably 3 ways to do it; none of which are easy (lower the steps; raise the walk; change out the steps to something else)

Mr. Brunette:

- will take care of it by next week for the re-inspection date but just want to make sure they do it right so they are not back here again  
- they have contractors who can get it done by next week

Ms. Moermond:

- will recommend granting an extension to Aug 1, 2012 to remove the tree and Aug 17, 2012 to come into compliance with the rest

**Referred to the City Council due back on 8/15/2012**

## 2:30 p.m. Hearings

### Vacant Building Registrations

- 28      [RLH VBR  
12-47](#)      Appeal of David Bassekle to a Vacant Building Registration Notice at 885 CLARK STREET.  
  
            Sponsors:      Brendmoen  
  
            DSI waived the VB fee until October 2012.  
  
            **Withdrawn**
- 29      [RLH VBR  
12-45](#)      Appeal of Scott Harris to a Vacant Building Registration Requirement at 1328 SEARLE STREET.  
  
            Sponsors:      Bostrom  
  
            DSI gave 30 day fee extension.  
  
            **Withdrawn**
- 30      [RLH VBR  
12-46](#)      Appeal of Tim Frank to a Vacant Building Registration Requirement Notice at 801 SEVENTH STREET EAST.  
  
            Sponsors:      Lantry  
  
            Owner needs to contact Angie Wiese for building use.  
  
            RE: 801 Seventh St E (office/retail complex)

*Tim Frank appeared on behalf of property owner, Robert Bodin*

*Inspector Rich Singerhouse:*

- *Inspector Friel opened up a Category 2 Vacant Building on Jun 29, 2012*
- *the Certificate of Occupancy was Revoked/Unoccupied a few years prior*
- *numerous defects in foundation: loose and missing brick and mortar; foundation cracks and defects; broken and boarded windows*

*Fire Supervisor Leanna Shaff:*

- *Revoked / Unoccupied since Nov 21, 2008 (Inspector Peggy Schlichting)*
- *some furnace work was being done in 2008*
- *gas / electric shut off from Xcel in 2009; was also restored*
- *unoccupied building for 4 years*
- *originally had a Certificate of Occupancy Certificate for mercantile / sales*

*Mr. Frank:*

- *it's the old NAPA Auto Parts Store / warehouse bldg*
- *it's still used as a warehouse; they have equipment in there and are in there on a regular basis re-building equipment*
- *Robert Bodin stores auto parts in there, too (so, many of the windows are covered up)*
- *has been with the company for a little over a year*
- *sale of the building and parking lot to CLUES*
- *there was a lease on parking spaces back to Robert Bodin (renegged on lease)*
- *Mr. Bodin has been trying to sell that building; interested parties have looked at it*
- *the City of Saint Paul approved the sale of the parking spots and made it a landlocked building (has a letter to that effect)*
- *would need the city's help in getting back their parking spaces from CLUES*
- *the building isn't vacant*
- *they put a new water meter in last fall*
- *Scott St. Martin recommended putting posts around the gas meter outside the building but they can't do it because they don't own the parking lot*
- *the facility is structurally sound; it doesn't fit the description of a VB*
- *they are using the electricity when they are in there*

*Ms. Moermond:*

- *thinking that something must have happened to this file at Fire Prevention because this is a very unusual circumstance*
- *it is vacant from the mercantile use; however, it is being used as a storage*

*Ms. Shaff:*

- *the change in use needs to be reviewed; need to see what's being stored there*
- *also, they are re-building dental equipment there (perhaps, a factory-type use)*
- *the owner of a building typically notifies Fire / DSI when they change the use (plans are submitted to the Department of Safety and Inspections (DSI))*
- *owner of the building needs to talk to Angie Weise, commercial supervisor, DSI*
- *this particular occupancy is not assigned to a particular inspector right now*

*Ms. Moermond:*

- *will send this file to Ms. Wiese*
- *suggested Mr. Frank / Mr. Bodin talk to Ms. Wiese*
- *will lay this Vacant Building Registration over for 8 weeks*

**Laid Over to the Legislative Hearings due back on 9/18/2012**

**Staff Reports**

- 31**      **RLH FOW**      Appeal of Kevin McGill to a Fire Certificate of Occupancy Correction Notice  
**12-271**                      at 616 LEXINGTON PARKWAY SOUTH.
- Sponsors:**      Carter III
- Grant the appeal on the egress windows in the north and south bedrooms.*
- Referred to the City Council due back on 8/15/2012**
- 
- 32**      [RLH VO](#)      Appeal of Jacqueline Ricks, owner; MFO Property Holdings LLC; to a  
[12-64](#)                      Revocation of Fire Certificate of Occupancy and Vacant Building Registration  
Notice at 1156 MARION STREET.
- Sponsors:**      Brendmoen
- Permits are finalized.*
- Grant the appeal on the condition that the driveway area is cleaned up and to be out of the C of O program on condition that it be occupied by September 1, 2012.*
- Referred to the City Council due back on 8/1/2012**

**Window Variances: No Hearing Necessary**

- 33**      **RLH FOW**      Appeal of Michael J. Feddersen to a Fire Inspection Correction Notice at 999  
**12-289**                      BURNS AVENUE.
- Sponsors:**      Lantry
- Grant a 4-inch variance on the openable height of the egress windows in all 11 bedroom units.*
- Referred to the City Council due back on 8/15/2012**
- 
- 34**      **RLH FOW**      Appeal of David Goodlow, Jr. to a Fire Certificate of Occupancy Correction  
**12-286**                      Notice at 1008 CARROLL AVENUE.
- Sponsors:**      Carter III
- Grant a 4-inch variance on the openable height of the egress bedroom window and grant a 5.5-inch variance on the openable height of the egress bedroom window.*
- Referred to the City Council due back on 8/15/2012**
- 
- 35**      **RLH FOW**      Appeal of Pamela Thiem, Greater Midwest Property Management, to a Fire  
**12-290**                      Inspection Correction Notice at 1262 CHARLES AVENUE.
- Sponsors:**      Stark
- Grant a 6-inch variance on the openable height of the egress window in the upper floor middle west room; grant a 3-inch variance on the openable height of the egress window in the upper floor north room; and grant a 2-inch variance on the openable height of the egress window in the first floor bedroom.*

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**Referred to the City Council due back on 8/15/2012**

- 36 RLH WP  
12-85** Appeal of Twin City Window Replacement Company, on behalf of Becky Bartels, to an Egress Window Non-Compliance Determination at 1330 CLEVELAND AVENUE SOUTH.
- Sponsors:** Tolbert
- Grant a 2-inch variance on the openable width of one twin casement replacement egress bedroom window measuring 46.5 inches high by 18 inches wide.*
- Referred to the City Council due back on 8/15/2012**
- 37 RLH FOW  
12-299** Appeal of Elimu Kajunju to a Re-Inspection Fire Certificate of Occupancy with Deficiencies at 1241 CONWAY STREET.
- Sponsors:** Lantry
- Grant a 2-inch variance on the openable height of the egress windows in the first floor south bedroom and second floor west and east bedrooms and grant a 2.5-inch variance on the openable height of the egress window in the first floor west bedroom.*
- Referred to the City Council due back on 8/15/2012**
- 38 RLH FOW  
12-300** Appeal of Paul Dotty to a Fire Inspection Correction Notice at 917 DESOTO STREET.
- Sponsors:** Brendmoen
- Grant a 3-inch variance on the openable height of the egress window in the main floor northeast bedroom.*
- Referred to the City Council due back on 8/15/2012**
- 39 RLH FOW  
12-301** Appeal of Lyle Malmberg, Silverdoll IRA, LLC, to a Fire Inspection Correction Notice at 1143 EUCLID STREET.
- Sponsors:** Lantry
- Grant a 4-inch variance on the openable height of the egress window in first floor northwest, northeast and southwest bedrooms.*
- Referred to the City Council due back on 8/15/2012**
- 40 RLH FOW  
12-283** Appeal of Vang Xiong to a Fire Certificate of Occupancy Correction Notice at 1369 HAZELWOOD STREET
- Sponsors:** Bostrom
- Grant the appeal on the bedroom side side egress window.*
- Referred to the City Council due back on 8/15/2012**
- 41 RLH FOW  
12-288** Appeal of Carolyn Allen to a Fire Certificate of Occupancy Correction Notice - Complaint Inspection at 1396 MCAFEE STREET.
- Sponsors:** Bostrom

*Grant a 6-inch variance on the openable height of the egress windows in the main floor bedrooms.*

**Referred to the City Council due back on 8/15/2012**

**42 RLH WP  
12-84**

Appeal of David Olson to two Egress Window Non-Compliance Determinations at 853 MOUND STREET.

**Sponsors:** Lantry

*Grant a 6-inch variance on the openable height of one double hung replacement egress bedroom window measuring 18.654 inches high by 27.65 inches wide.*

**Referred to the City Council due back on 8/15/2012**

**43 RLH FOW  
12-292**

Appeal of Michael Salvati to a Fire Certificate of Occupancy Correction Notice at 1697 WATSON AVENUE.

**Sponsors:** Tolbert

*Grant a 3-inch variance on the openable height of the egress bedroom window in the upper unit.*

**Referred to the City Council due back on 8/15/2012**