



# 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*  
*legislativehearings@ci.stpaul.mn.us*  
*651-266-8585*

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Tuesday, July 26, 2016

9:00 AM

Room 330 City Hall & Court House

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#### 9:00 a.m. Hearings

##### Remove/Repair Orders

- 1 [RLH RR 16-23](#) Ordering the rehabilitation or razing and removal of the structures at 953 CHARLES AVENUE within fifteen (15) days after the August 3, 2016, City Council Public Hearing.

**Sponsors:** Thao

**Attachments:** [953 Charles Ave.OTA 4-22-16](#)  
[953 Charles Ave.PH 6-10-16](#)  
[953 Charles Ave.SHPO Form 5-12-16](#)  
[953 Charles Ave.Photos.4-17-14](#)  
[953 Charles Ave.Photos.4-21-16](#)  
[953 Charles Ave.Egyhazi Ltr.7-14-16](#)  
[953 Charles Ave.Egyhazi R-R Ltr.7-27-16](#)

*Inspector Steve Magner, Vacant Buildings:*

*-read letter sent to Steven Egyhazi July 14 (attached)*  
*-conditions listed: 1) \$5000 Performance Deposit posted no later than Jul 25; and 2) apply for a new code compliance inspection ASAP*  
*-no Performance Deposit has been submitted*  
*-no application for code compliance inspection (last one 6-25-14)*

*Ms. Moermond:*

*-neither of the 2 conditions have been met; therefore, she will recommend that the City Council order the building removed within 15 days on Aug 3, 2016*

*Remove the building within 15 days with no option for repairs. Property owner did not appear and the two conditions requested at the July 12 hearing were not met.*

**Referred to the City Council due back on 8/3/2016**

- 2 [RLH RR 15-13](#) Ordering the razing and removal of the structures at 870 FULLER AVENUE within fifteen (15) days after the June 3, 2015, City Council Public Hearing. (Public hearing continued from January 6, 2016) (To be referred back to

Legislative Hearing on June ~~21~~ 14, 2016; Council public hearing to be continued to July 6)

**Sponsors:** Thao

**Attachments:** [870 Fuller Ave.OTA 3-6-15](#)  
[870 Fuller Ave.PH 4-10-15](#)  
[870 Fuller Ave.Photo.6-20-14](#)  
[870 Fuller Ave.Photo Doc 1.3-6-15](#)  
[870 Fuller Ave.Photo Doc 2.3-5-15](#)  
[870 Fuller Ave.Photo Doc 3.3-5-15](#)  
[870 Fuller Ave.SHPO Form 4-16-15](#)  
[870 Fuller Ave.Email.4-20-15](#)  
[870 Fuller Ave.email updating PO contact info](#)  
[870 Fuller Ave.Historic Sites Survey](#)  
[870 Fuller Ave.Smith Ltr.5-14-15](#)  
[870 Fuller Ave.Chain Emails.5-29-15](#)  
[870 Fuller Ave.Barnett Email.6-10-15](#)  
[870 Fuller Ave.Vang-Barnett Email.6-11-15](#)  
[870 Fuller Ave.Barnett-Vang Chain Email.6-11-15](#)  
[870 Fuller.Code Compliance Inspection Report.6-22-15](#)  
[870 Fuller Ave.Photos.6-20-14](#)  
[870 Fuller Ave.Smith Ltr.6-24-15](#)  
[870 Fuller Ave.Title Report.7-14-15](#)  
[870 Fuller.Barnett-Finzell Email Chain.7-10-15](#)  
[870 Fuller Ave.Barnett Ltr.7-15-15](#)  
[870 Fuller Ave.Satisfaction of Mortgage.Western Bank](#)  
[870 Fuller Ave.Smith Ltr.7-29-15](#)  
[870 Fuller Ave.Smith Ltr.9-24-15](#)  
[870 Fuller Ave.Chain emails.10-2-15](#)  
[870 Fuller Ave.Barnett R-R Ltr.10-28-15](#)  
[870 Fuller Ave.Barnett Email.11-9-15](#)  
[870 Fuller Ave.Barnett R-R Ltr.11-12-15](#)  
[870 Fuller Ave.Barnett R-R Ltr.12-10-15](#)  
[870 Fuller Ave.Lindquist Ltr & Work Plan.12-18-15](#)  
[870 Fuller Ave.Krenz Update.1-22-16](#)  
[870 Fuller Ave.Summer Smith Email Chain.1-22-16](#)  
[870 Fuller Ave.Krenz Ltr.1-27-16](#)  
[870 Fuller Ave.Power of Attorney Docs for James Oliver.2-23-16](#)  
[870 Fuller Ave.Resignation Letter - Frogtown Rondo Home Fund.2-17-16](#)  
[870 Fuller Ave.Krenz Ltr.2-24-16](#)  
[870 Fuller Ave.Neighbor email.2-22-16](#)  
[870 Fuller Ave.Krenz email.3-21-16](#)

[870 Fuller Ave.Krenz Ltr.3-24-16](#)

[870 Fuller Ave.chain emails.4-28-16](#)

[870 Fuller Ave.Delinquent taxes due](#)

[870 Fuller Ave.Summer Smith Ltr.6-15-16](#)

[870 Fuller Ave.Finzell Ltr.7-27-16](#)

*Greg Finzell, Rondo Land Trust, appeared.*

*Ms. Moermond:*

*-870 Fuller Avenue is on a 3-month Lay Over to Oct 25, 2016 LH*

**Laid Over to the Legislative Hearings due back on 10/25/2016**

- 3**      [RLH RR 16-25](#)      Ordering the rehabilitation or razing and removal of the structures at 1094 REANEY AVENUE within fifteen (15) days after the August 3, 2016, City Council Public Hearing.

**Sponsors:**      Prince

**Attachments:**      [1094 Reaney Ave.OTA 5-5-16](#)  
                                  [1094 Reaney Ave.PH 6-10-16](#)  
                                  [1094 Reaney Ave.PH Letter 6-15-16](#)  
                                  [1094 Reaney Ave.SHPO Form 5-24-16](#)  
                                  [1094 Reaney Ave.Photos #1.4-21-16](#)  
                                  [1094 Reaney Ave.Photos #2.4-21-16](#)  
                                  [1094 Reaney Ave.Otten Ltr.7-14-16](#)  
                                  [1094 Reaney Ave.CCI Report.7-14-16](#)  
                                  [1094 Reaney Ave.Otten R-R Ltr.7-27-16](#)

*Inspector Steve Magner, Vacant Buildings:*

*-at the last hearing Jul 12, 2016, Ms. Moermond stated that a \$5000 Performance*

*Deposit must be posted by Jun 26, 2016 in order to continue to move forward*

*-a code compliance report was generated Jul 14, 2016*

*-no performance deposit has been posted, however*

*-read Jul 14 letter to Renato Otten (attached)*

*-he assumes that they are going to let the building be removed by the city*

*Ms. Moermond:*

*Remove the building within 15 days with no option for repair; no one appeared and the appellant failed to post the \$5,000 performance deposit as requested at the July 12 hearing.*

**Referred to the City Council due back on 8/3/2016**

- 4**      [RLH RR 16-26](#)      Ordering the rehabilitation or razing and removal of the structures at 451 GOODHUE STREET within fifteen (15) days after the August 17, 2016, City Council Public Hearing.

**Sponsors:** Noecker

**Attachments:** [451 Goodhue St.OTA 5-18-16](#)  
[451 Goodhue St.PH 6-24-16](#)  
[451 Goodhue St.SHPO Form 5-27-16](#)  
[451 Goodhue St.Photos 5-13-16 #1](#)  
[451 Goodhue St.Photos 5-13-16 #2](#)  
[451 Goodhue St.Neighbor Ltr-Financial Statement-list of rehab.7-26-16](#)  
[451 Goodhue St.Newmanville R-R Ltr.7-27-16](#)  
[451 Goodhue St.Newmainville Email.8-1-16](#)  
[451 Goodhue St.Newmanville R-R Ltr.8-11-16](#)

*Rick Price and Kent LeFevre, Premier Restoration & Remodeling, appeared.*

*Mr. Price:*

*-was contacted by Frances Barbara Newmainville, owner, about a month ago to look into remodeling; she asked us to appear on her behalf because she has a hard time making it out of the house; she and her husband have some health issues that make it difficult for them to leave the house  
 -they have met with Fran and been out to the property; she told us that she wants to move forward with the renovation of the building; she sent us the letter and she has ordered the code compliance inspection report*

*Inspector Steve Magner, Vacant Buildings:*

*-The building is a two-story, wood frame, single-family dwelling with a detached one-and-one-half stall garage on a lot of 7,405 square feet. According to our files, it has been a vacant building since May 10, 2011.  
 -The current property owner is Frances Barbara Newmainville per AMANDA and Ramsey County Property records.  
 -On May 12, 2016 an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on May 18, 2016 with a compliance date of June 17, 2016. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.  
 -Taxation has placed an estimated market value of \$44,600 on the land and \$42,200 on the building.  
 -Real estate taxes are current.  
 -The Vacant Building registration fees were paid by check on May 5, 2016.  
 -A Code Compliance Inspection was ordered on July 15, 2016 but has not yet been done.  
 -As of July 22, 2016, the \$5,000 performance deposit has not been posted.  
 -There have been eight (8) SUMMARY ABATEMENT NOTICES since 2011.  
 -There have been three (3) WORK ORDERS issued for: Grass/weeds & Snow/ice  
 -Code Enforcement Officers estimate the cost to repair this structure exceeds \$30,000. The estimated cost to demolish is \$12,000.*

*Allison Suhan, Heritage Preservation Commission (HPC):*

*-built around 1870 - predates building permits  
 -1 alteration; front porch was added sometime before 1925  
 -rear garage around 1930  
 -probably due to the condition of the exterior, was not identified in 1983 or 2011 survey*

Mr. LeFevre:

-when the inspectors went out to do this inspection, they found too much personal property and the basement is really full; they requested that all that be removed

Mr. Price:

-Ms. Newmainville was working with someone to get the personal property that was sentimental to her out of the house and is in process of getting everything out of the basement; when I spoke with her yesterday, she said that it will be done within the next week so that the inspectors can go in and finish their inspection

-she wrote a letter, and sent along a bank statement showing \$115,000 in her account

-she requests some additional time to get the code compliance inspection report back

-he entered the letter and statement

Ms. Moermond:

-because you've done this before, you could approximate what the bid might be and adjust it based on what the code compliance inspection report says

-she will put this on a timeline and it will feel aggressive to her

-have the house cleaned out completely within 2 weeks - deadline Aug 9, 2016; the inspectors will get in the following week to develop the list

-she will also need to post a \$5000 Performance Deposit

-we will send her a letter

-you gentlemen don't have Power of Attorney, so I need to communicate with her

-she doesn't want to see any more Summary Abatement Notices on the property

-Aug 17, 2016, she will ask the City Council for a 3-week Layover to develop a work plan; she will also be asking for an affidavit, which designates the funds, at least \$30,000, for this project

Mr. LeFevre:

-she has the money in the bank and

-she is also talking about getting a construction loan; she plans on selling it after it's remodeled

Mr. Magner:

-his recommendation: if you believe that the house is going to be ready for the inspection by Aug 9, it might be a good idea to contact Mr. Seeger now and give him 2 weeks notice to set up a whole team inspection, where they would all come out at the same time

Ms. Moermond:

-will put this on the Aug 9, 2016 LH agenda and ask whether the clean out is done or not; she will not need anything more than that to move forward; if it's ready to go to the next phase, she will want to see you again on Aug 23 LH to go through the rest of the plans to make sure everyone is on the same page

-the \$5000 Performance Deposit is refundable if the City Council does not grant time for rehab; write a letter if she chooses not to move forward; the \$5000 is refundable after it's done, too

The following conditions must be met by August 9 in order to have the matter be continued:

- 1) post the \$5,000 performance deposit;
- 2) maintain the property;
- 3) the interior of the house must be cleaned out.

*If the above conditions are met, Ms. Moermond will recommend to the City Council that the matter be continued for Legislative Hearing on August 23 and to continue the City Council Public Hearing to September 7 to present the following conditions:*

- 1) a work plan or sworn construction statement, with timelines, for the completion of the rehab of the building;*
- 2) a letter of commitment stating that owner is going to dedicate the amount of funds from the US Bank account for the project; and*
- 3) provide accepted bid(s).*

**Laid Over to the Legislative Hearings due back on 8/9/2016**

- 5**      [RLH RR 16-27](#)      Ordering the rehabilitation or razing and removal of the structures at 105 GRANITE STREET within fifteen (15) days after the August 17, 2016, City Council Public Hearing.

**Sponsors:**      Brendmoen

**Attachments:**      [105 Granite St.OTA 5-18-16](#)  
                                   [105 Granite St.PH 6-24-16](#)  
                                   [105 Granite St.SHPO Form 5-27-16](#)  
                                   [105 Granite St.Photos 5-13-16](#)  
                                   [105 Granite St.FTA R-R Ltr.7-27-16](#)

*No one appeared.*

*Inspector Steve Magner, Vacant Buildings:*

- The building is a one-story, wood frame, single-family dwelling with an accessory wood shed on a lot of 2,178 square feet. According to our files, it has been a vacant building since May 21, 2012.*
- The current property owner is McLellan W. Bean per AMANDA and Ramsey County Property records.*
- On May 11, 2016 an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on May 18, 2016 with a compliance date of June 17, 2016. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.*
- Taxation has placed an estimated market value of \$6,400 on the land and \$51,800 on the building.*
- Real estate taxes are current.*
- The Vacant Building registration fees were paid by assessment on June 3, 2016.*
- As of July 22, 2016, a Code Compliance Inspection has not been done.*
- As of July 22, 2016, the \$5,000 performance deposit has not been posted.*
- There have been eight (8) SUMMARY ABATEMENT NOTICES since 2012.*
- There have been nine (9) WORK ORDERS issued for:*
  - Garbage/rubbish*
  - Grass/weeds*
  - Snow/ice*
- Code Enforcement Officers estimate the cost to repair this structure exceeds \$50,000. The estimated cost to demolish is \$12,000.*
- DSI, Division of Code Enforcement Resolution submitted for consideration orders the property owner to repair or remove this structure within fifteen (15) days; if not the resolution authorizes the Division of Code Enforcement to demolish and assess the costs to the property.*

*Allison Suhan, Heritage Preservation Commission (HPC):*

- built in 1889; 1 1/2 story; porch has been enclosed
- historic address is 107 Granite
- there's an out building to the west of it, that's been there since 1945
- was in the boundaries of the 1983 survey but not identified
- SHPO - not eligible for national or local register

*Ms. Moermond:*

- so, what's up with the owners?
- looks like everyone got certified mail on it
- we need more information; why was this sent to CA?

*Mr. Magner:*

- we don't know; possibly, a foreclosure
- can get you more information later

*Ms. Moermond:*

- will recommend removal within 15 days

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

**Referred to the City Council due back on 8/17/2016**

**6**      [RLH RR 16-28](#)

Ordering the rehabilitation or razing and removal of the structures at 129 JESSAMINE AVENUE EAST within fifteen (15) days after the August 17, 2016, City Council Public Hearing.

**Sponsors:**      Brendmoen

**Attachments:**      [129 Jessamine Ave E.OTA 5-18-16](#)  
                                  [129 Jessamine Ave E.PH 6-24-16](#)  
                                  [129 Jessamine Ave E.Code Compliance 11-4-15](#)  
                                  [129 Jessamine Ave E.SHPO Form 5-27-16](#)  
                                  [129 Jessamine Ave. E.Photos 5-13-16 #1](#)  
                                  [129 Jessamine Ave. E.Photos 5-13-16 #2](#)  
                                  [129 Jessamine Ave. E.Photos 7-30-13](#)  
                                  [129 Jessamine Ave E.Neighbor Ltr.7-26-16](#)  
                                  [129 Jessamine Ave E.FTA R-R Ltr.7-27-16](#)  
                                  [129 Jessamine Ave E.Moermond-Murillo Email.8-1-16](#)

*Tracy Gennrich, neighbor, appeared.*

*Inspector Steve Magner, Vacant Buildings:*

- The building is a two-story, wood frame, duplex with a detached one-stall garage on a lot of 5,663 square feet. According to our files, it has been a vacant building since July 19, 2013.
- The current property owner is 129 Jessamine LLC per AMANDA and Ramsey County Property records.
- On May 11, 2016 an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on May 18, 2016 with a

compliance date of June 17, 2016. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.

- Taxation has placed an estimated market value of \$11,300 on the land and \$65,600 on the building.
- Real estate taxes are current.
- The Vacant Building registration fees are currently due and owing.
- A Code Compliance Inspection was done on November 4, 2015.
- As of July 22, 2016, the \$5,000 performance deposit has not been posted.
- There have been twelve (12) SUMMARY ABATEMENT NOTICES since 2013.
- There have been seven (7) WORK ORDERS issued for:
  - Garbage/rubbish
  - Boarding/securing
  - Grass/weeds
- Code Enforcement Officers estimate the cost to repair this structure exceeds \$50,000. The estimated cost to demolish is \$15,000.

Allison Suhan, Heritage Preservation Commission (HPC):

- apologized for not having the packet with her
- she does know that it was bounds for the 1983 survey

Mr. Magner:

- built in 1900 (when they put down 1900, it probably means that it was built prior to that)

Ms. Moermond:

- one neighboring house is approximately the same age; another was built in 1960s

Ms. Gennrich:

- I am a neighbor and have been a victim of the squatters, who have been in this house; there were a number of instances when they got into my house; they've stolen my car (we can't prove it) but on Jul 11, they stole a car and SPPD tracked it down to that house; we went into that house and we found some of my stolen property
- it's been vacant since 2013; and since Mar 2016, it's been a continuous problem; she has had problems with thefts until then; we've seen 3 different people in there; neighbors have said that they've seen people go in every day for about 15 minutes around noon; others said that they've seen them at night; I've seen them only on 2 occasions
- she hopes is that a decision would be made to demolish the house because she feels very unsafe in the neighborhood; it's just bare walls now and holes in the floor

Mr. Magner:

- noted that the SHPO form came back; and there are no historic properties listed with the National Register of Historic Places that will be affected by the demolition of this property

Ms. Moermond:

- doesn't see a law firm listed that handles foreclosures
- asked Mr. Magner to look at the Ownership of Encumbrance

Mr. Magner:

- it shows a mortgage with US Bank, the LLC dated Mar 30, 2011; it was assigned to Mortgage Security Agreements and Mortgage Security Agreement and Assignments of Rent executed in favor of US Bank; it looks like there was an original mortgage and a 2nd
- they haven't started foreclosure; might have sold the loan; payments were stopped and started (?)

-taxes are current (someone is making some type of payments)

*Ms. Gennrich:*

-a friend, paralegal, who did some research on this, told her that a doctor owns the property; he used to have some workers come out to mow the lawn; the last time they came out, they found a bullet on the porch and they never came back again

*Mr. Magner:*

-the tall grass & weeds letter was sent; it's due for a re-inspection  
-he can have someone go by there today to verify that the grass needs to be cut and send a Work Order  
-will have Inspector Yannarely make sure that the building is secured

*Ms. Moermond:*

-moving forward---- on Aug 17, 2016, she will ask the City Council to Order the building Removed within 15 days (time period in which to take action to remove the bldg); if they don't take action, the city will take over and initiate the removal of the bldg; she expects that the LLC and the bank will ignore the Order from the city; DSI will get demo bids

*Mr. Magner:*

-will order the demo bids and the Purchase Order from a contractor; should have that by Aug 17 at which time the City Council will grant 5, 10 or 14 days; and as soon as that time frame is up, we will send those to their contractor, who will usually 30 days to remove the bldg

*Ms. Gennrich:*

-a woman from US Bank came out in May to take photos of the bldg  
-she introduced a letter from another neighbor, 137 Jessamine Ave East; Ms. Moermond read the letter (attached)

*Mr. Magner:*

-SPPD have the authority to stop a crime in its commission; if someone is in the property illegally, they have the right to investigate and apprehend those individuals; their willingness, however, to pursue investigations of these types of activities has dramatically changed over the last year or so  
-our best recommendation is to call 911 if they see something going on  
-you can call the Central Team Office and speak to the FORCE Officer  
-or call Inspector Joe Yannarely, 651/266-1920, he can forward that information to SPPD

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

**Referred to the City Council due back on 8/17/2016**

**7**      [RLH RR 16-29](#)

Ordering the rehabilitation or razing and removal of the structures at 201 SNELLING AVENUE NORTH within fifteen (15) days after the August 17, 2016, City Council Public Hearing.

**Sponsors:**      Stark

**Attachments:** [201 Snelling Ave N.OTA 5-18-16](#)  
[201 Snelling Ave N.PH 6-24-16](#)  
[201 Snelling Ave N.SHPO Form 6-7-16](#)  
[201 Snelling Ave. N.Photos 5-13-16 #1](#)  
[201 Snelling Ave. N.Photos 5-13-16 #2](#)  
[201 Snelling Ave. N.Photos 7-1-15](#)  
[201 Snelling Ave N.Owner Photos.7-26-16](#)  
[201 Snelling Ave N.chain emails.7-26-16](#)  
[201 Snelling Ave N.Nadimi R-R Ltr.7-27-16](#)

*Peter P. Nadimi, owner, appeared.*

*Ms. Moermond:*

*-has a note: 201 Snelling it is already demolished*

*Inspector Steve Magner, Vacant Buildings:*

*-they removed the building yesterday*

*-as long as the owner is going to finish the site clean-up, there's nothing to do*

*-the whole site should be returned to the pre-development stage, which means that anything within the sidewalks is removed; depending upon what is going to happen with the site, the curb cuts may/may not be able to stay*

*-does not know the owners plan for redevelopment*

*Mr. Nadimi:*

*-the property is sold; there's nothing left on the property; just the sidewalks*

*-entered photos*

*-the cement is there*

*-thinks that the new owner will put in apartments*

*Mr. Magner:*

*-based on the fact that we've had problems with these in the past, he thinks that it would be best to amend the resolution giving them a period of time to either obtain a new building permit for a new structure or to remove the remaining infrastructure*

*Mr. Nadimi:*

*-they already have an approved permit from planning for a new structure*

*Mr. Magner:*

*-looking that up in the system and found that the permit is under review; he read: "Connelly Parking Lot - removal of existing building formerly a used car lot; reuse as parking facility with 18 off-street parking spaces for customers African Smith Commercial Residential Building at the Northwest corner of Selby and Snelling, 1599 Selby; demolition of the existing building, signed by current owner; patching of concrete with this project conditionally approved but it's still under review and hasn't been finalized." Larry Zangs, staff person*

*Ms. Moermond:*

*-you can go ahead and transact the building*

*-the city will either want it to be an approved parking lot or have the cement removed*

*Mr. Magner:*

*-we need to verify with DSI staff whether the approval is going forward; by Aug 17, we'll notify the hearing officer that it's approved for a parking lot and we'll close the*

action and file

Ms. Moermond:

-let's go ahead and read this into the record, knowing that the building has already been demolished (to have a complete record on file)

Mr. Magner:

-The building is a one-story, wood frame and concrete, commercial building with an accessory metal shed on a lot of 6,098 square feet. According to our files, it has been a vacant building since July 2, 2015 due to a fire.

-The current property owner is Peter P. Nadimi per AMANDA and Ramsey County Property records.

-On May 12, 2016 an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on May 18, 2016 with a compliance date of June 17, 2016. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.

-Taxation has placed an estimated market value of \$153,800 on the land and \$33,400 on the building.

-Real estate taxes are current.

-The Vacant Building registration fees were paid by assessment on January 29, 2016. The current Vacant -building registration fee is due and owing.

-As of July 22, 2016, a Team Inspection has not been done.

-As of July 22, 2016, the \$5,000 performance deposit has not been posted.

-There have been four (4) SUMMARY ABATEMENT NOTICES since 2015, which resulted in one (1) WORK ORDER being issued for boarding and securing the property.

-Code Enforcement Officers estimate the cost to repair this structure exceeds \$30,000. The estimated cost to demolish is \$12,000.

-DSI, Division of Code Enforcement Resolution submitted for consideration orders the property owner to repair or remove this structure within fifteen (15) days; if not the resolution authorizes the Division of Code Enforcement to demolish and assess the costs to the property.

-since the building's been razed, staff's recommendation is just to verify that the proposal to use it as a parking lot is approved; we can do that within the next few days; once we know that, we will notify the hearing officer and she can close the action before it goes to Council

Ms. Moermond:

-will note for the record that there's an email from you staff to go ahead and delete the VB fee for 201 Snelling Avenue North; that would be the 2016-17 VB fee because there's no longer a vacant building there

-Delete the Vacant Building fee

Allison Suhan, Heritage Preservation Commission (HPC):  
(I could not understand what she said.)

Ms. Moermond:

The building is razed but the site needs to be cleaned and the cement must be removed unless property owner or new owner gets a variance to use as a parking lot through Zoning. VB fee has been canceled.

**Laid Over to the Legislative Hearings due back on 8/9/2016**

**11:00 a.m. Hearings**

## Summary Abatement Orders

- 8 [RLH SAO 16-22](#) Appeal of William H. Crowder to a Summary Abatement Order plus Notice to Cut Tall Grass and/or Weeds at 1084 SELBY AVENUE.

**Sponsors:** Thao

**Attachments:** [1084 Selby Ave.appeal.7-18-16](#)  
[1084 Selby Ave.City Photos.7-25-16](#)  
[1084 Selby Ave.Owner Photos #1.7-26-16](#)  
[1084 Selby Ave.Owner Photos #2.7-26-16](#)  
[1084 Selby Ave.Owner Photos #3.7-26-16](#)  
[1084 Selby Ave.Owner Photos #4.7-26-16](#)  
[1084 Selby Ave.Owner Photos #5.7-26-16](#)  
[1084 Selby Ave.Crowder-Leppanen Ltr.7-27-16](#)

*William H Crowder and Ann K Leppanen, owners, appeared.*

*Inspector Lisa Martin:*

*-tall grass & weeds Order issued Jul 13, 2016  
 -under Chapter 45 - grass & weeds cannot exceed 8 inches; other issue is rank plant growth in the yard, blvd, near garage/alley  
 -photos  
 -we also have vegetation within 5 feet of a driveway  
 -the planting on the blvd cannot be more than 18 inches high and there cannot be any over hang onto a sidewalk or a street*

*Mr. Crowder:*

*-Ann & I have lived there since Jan 1989; this is our neighborhood  
 -every few years, they get a complaint; presume it's from the same person; the last complaint was 6 years ago; then, the inspector looked at it and said that it wasn't a problem - that it was just fine; that inspector has retired; now, we have a new inspector and this is round 3 or 4  
 -they took some pictures - entered them  
 -ferns in front yard; grass is about 5 inches tall; other plants there too; burdock makes a nice winter ground cover/decorative plant/goldfinches feed on them; cone flowers, pitcher plant, milkweed  
 -that's our driveway, not the neighbors  
 -there are no noxious weeds in our yard  
 -the yard is partly mowed and partly flowered; they spend dozens of hours keeping up the prairie flowers and hundreds of saplings  
 -entered many photos of other yards with vegetation growing - tall grasses over 18 inches  
 -we have short, medium and tall decorative grasses  
 -most of this is a question of taste but who determines that taste?  
 -in the past, we've had good communication with inspectors; the Notice is dated the 13th; I got it the evening of Fri, the 15th; I called up Sat and got a recording; it said that it had to be taken care of by Sun, the 17th; so, I came down here on Mon morning to file an appeal because the inspector was on vacation; and if we didn't do it, we wouldn't preserve our right to at least, talk it over with the inspector  
 -who determines what is a garden and what is a weed lot?  
 -he plants so that there are blooms all season; and he is proud of his yard; it*

*contributes a lot to the neighborhood*  
*-his concern is that the decision is being made with the lowest common denominator*  
*(someone has a grudge against someone else; then, they make a complaint)*

*Ms. Moermond:*

*-she mostly heard complaints about the height of the plantings on the blvd and the code is specific on that for obvious visibility reasons*

*Ms. Martin:*

*-blvd plantings is limited to 18 in high within 10 ft of the curb on street sections and within 5 feet of any alley or driveway or public utility fixture*  
*-and for someone who's not familiar with rain gardens and these type of gardens, it looks as though it's overgrown*

*Ms. Moermond:*

*-can you come into compliance with that piece of the code?*

*Mr. Crowder:*

*-we have a very small yard*  
*-I didn't get to my point; all those photos in the western half of the city are similar circumstances to our yard; who makes that determination as to whether or not it's enforced? You could make those same complaints about hundreds of houses*

*Ms. Moermond:*

*-ours is a complaint based system*  
*-the photos will be on the record*  
*-does the circumstance meet code or not; 18 inches for a blvd seems reasonable*  
*-she is concerned about basic visibility; maybe some plants can be transplanted*

*Mr. Crowder:*

*-yes, some of them*

*Ms. Leppanen:*

*-their grass measured less than 3 inches; she measured it this morning*  
*-they are both lawyers; she did a lot of research on noxious weeds; we have no noxious weeds..Ramsey County doesn't list more than 4*  
*-inspector commented on the driveway; it's ours, not the neighbors*  
*-she could not come up with the code on the blvd*  
*-she will agree with whatever Bill wants to do & I appreciate what he's done with our yard*

*Ms. Martin:*

*-Section 105.04 Blvd planting*

*Mr. Crowder:*

*-he will get the blvd height down to 18 inches*

*Ms. Moermond:*

*-knows that it's an inconvenience; is alright with the yard*  
*-blvd deadline: Sep 30, 2016*

*Deny appeal and grant an extension until September 30, 2016 to reduce the planting on the blvd to 18 inches; Summary Abatement Order for the couch on the boulevard has been abated.*

**Referred to the City Council due back on 8/17/2016**

**11:30 a.m. Hearings****Orders To Vacate, Condemnations and Revocations**

- 9 [RLH VO 16-33](#) Appeal of William Paul Omodt to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 87 ACKER STREET EAST.

**Sponsors:** Brendmoen

**Attachments:** [87 Acker St E.appeal.7-21-16](#)  
[87 Acker St E.Omodt Ltr.7-27-16](#)

*William Paul Omodt, African Christian Fellowship on MN Inc, appeared.*

*Fire Inspector A.J. Neis:*

*-no gas or electricity  
-Revocation of the Fire C of O / Order to Vacate  
-this is not a house; it's a garage that is in use for storage purposes; it's approx 1000 sq.ft.; it's being used for a vending machine business, in which the owner goes into to retrieve tools/supplies, etc. and then leaves the building; there are overhead doors that let light in  
-we wrote a Revocation instead of a Condemnation because it's an unoccupied warehouse; no one works there 8 hours a day  
-gas/electricity were shut off for nonpayment in amount of \$8000+  
-that use was not from this property's usage but from Xcel tracking the owner done for fees resulting from another property's utility usage  
-the owner is trying to file bankruptcy on Xcel  
-you may remember this appeal from several years ago; this is a commercial plot of land; a church was looking to go into an old business/warehouse; they had to upgrade to allow the change in use to take place (has been done); they owned the building; Mr. Omodt had the business*

*Mr. Omodt:*

*-the African Christian Fellowship of Minnesota Inc owns the property; I lease the garage;warehouse space  
-I do the maintenance of the property; I've been there for about 5 years before they came around; they turned a bar into a church  
-he works there after his vending route hours; he just doesn't make that kind of money to come into approx \$9000 to turn the electricity back on; the church helps me as much as they can; it stems from a couple of divorces and a couple of homes he owned  
-I am 100% responsible for the electricity  
-I'm trying to file bankruptcy of restructure; he has an attorney; thinks that he needs about 60 days, if that's possible to just petition everyone to get his ducks in order and continue to feed his family and keep the church going  
-there's no bathroom facilities in the garage; he uses the bathroom in the house next to it; the furnace went out right before winter; needs a licensed contractor now*

*Ms. Moermond:*

*-sounds like you don't need gas/electric for the garage/warehouse space at all*

*Mr. Neis:*

*-the C of O on the house has also been Revoked (Not in today's appeal)*

Mr. Omodt:

-he just repairs the machines; I don't fill any; I install them

-90% of the time, he is out of the garage; the machines need to be in cold storage; he doesn't need heat for his business

-60 days, if possible

Ms. Moermond:

-will give you until Jan 1, 2017; there are a lot of questions like this when you are filing out a lot of paperwork to slow you down; work with your attorney to move as fast as your can; she would like you to continue to operate your business

Mr. Omodt:

-thank you; that's a huge help for me; it's a burden off my shoulders for right now

Ms. Moermond:

-extension to Jan 1, 2017

Owner may continue to use the garage for cold storage without gas and electric until January 1, 2017.

**Referred to the City Council due back on 8/17/2016**

**10**     [RLH VO 16-28](#)

Appeal of Seth Cryer to a Fire Certificate of Occupancy Revocation and Order to Vacate at 1209 SEVENTH STREET WEST.

**Sponsors:**            Noecker

**Attachments:**        [1209 West 7th Street.appeal.07-13-16](#)  
[1209 W 7th Appeal Attachment - Previous Orders](#)  
[1209 W 7th Appeal Attachment - BZA actions](#)  
[1209 W 7th Appeal Attachment - bids receipts invoices](#)  
[1209 W 7th St Appeal Attachment - Weekly Field Reports](#)  
[1209 W 7th Appeal Attachment - OReilly correspondence1](#)  
[1209 W 7th Appeal Attachment - OReilly correspondence2](#)  
[1209 W 7th Appeal Attachment - OReilly correspondence3](#)  
[1209 W 7th Appeal Attachment - OReilly correspondence4](#)  
[1209 W 7th Appeal Attachment - OReilly correspondence5](#)  
[1209 7th St W.Cryer Ltr.7-27-16](#)  
[1209 7th St W.Cryer Email.7-27-16](#)

Layover to August 23, noting that appellant is working with Angie Wiese, City fire engineer, with an end goal to the end of August for compliance at which time the matter can be heard or close the file.

FOLLOW-UP 7/28/16: On 7/27/16, the day following the legislative hearing, staff heard from the appellant that he was withdrawing the appeal, as an extension was granted by Fire C of O staff. The email is attached to this record. I am therefore changing the status of the appeal from laid over to withdrawn. -MM

**Withdrawn**

**11**     **RLH VO 16-30**

Appeal of Al Bernstein and Jeff Bernstein to a Fire Certificate of Occupancy

Revocation and Order to Vacate at 1225 WHITE BEAR AVENUE NORTH.

**Sponsors:** Bostrom

**Attachments:** 1225 White Bear Ave N.appeal.07-18-16  
 1225 White Bear Ave N.photos.06-08-16  
 1225 White Bear Ave N.photos2.06-08-16  
 1225 White Bear Ave.Aerial Map.2015  
 1225 White Bear Ave.Google Street View.2015  
 1225 White Bear Ave.Aerial Map w prop tax parcels.2015

*Rescheduled per owner's request.*

**Laid Over to the Legislative Hearings due back on 8/2/2016**

### 1:30 p.m. Hearings

#### Fire Certificates of Occupancy

- 12 [RLH FCO 16-96](#) Appeal of Douglas Coppess to a Fire Certificate of Occupancy Approval with Corrections at 951-953 HAGUE AVENUE.

**Sponsors:** Thao

**Attachments:** [953 Hague Ave.appeal.06-29-16](#)  
[953 Hague Ave.photos#1.10-1-15](#)  
[953 Hague Ave.photos#2.10-1-15](#)  
[953 Hague Ave.photos#3. 10-1-15](#)  
[953 Hague Ave.Photos.10-1-15](#)  
[953 Hague Ave.Coppess Ltr.7-15-16](#)  
[953 Hague Ave.Coppess Ltr.7-27-16](#)  
[953 Hague Ave.Coppess Revised Ltr.8-10-16](#)

*Douglas Coppess, owner, appeared.*

*Ms. Moermond:*

*-yes, the storage structure has to go (talked with the building official)  
 -it's not a structure in and of itself; it's not a permitted connection to your house for storage; it stores a ton of wood; and it's too close to the house and the neighboring house  
 -all of those things weigh against it  
 -she looked at the aerial photos; put it over the plat map; it was on the lot line with no setbacks  
 -a setback is usually 3-4 feet on the side of a house  
 -you would not be given a bldg permit for this appendage to the house  
 -the building official, Steve Ubl, said that it had to go  
 -you could move your wood to another part of the yard in a shed but you need a bldg permit  
 -there is no garage on the property*

Mr. Coppess:

-he could move the wood out of that structure; so, that his tenants could use it to store their things; it doesn't have to be used for wood storage; it's a very stable structure

Ms. Moermond:

-if you can get a building permit for it, great  
 -what the building official looked at in photographs did not inspire his confidence; and removing the wood from inside it may/may not improve that  
 -I'm sorry; I would like to have been more helpful; I talked with him and came around to his view on it; it's not a viable situation  
 -there are 2 next steps: 1) putting on a deadline; and 2) sending it to City Council

Mr. Coppess:

-would like to meet with someone, the bldg inspector out there at the property  
 -I could turn that into a pantry or a porch; there are other uses besides tearing it down; it could become part of the house

Ms. Moermond:

-get a bldg permit  
 -City Council Public Hearing Aug 17, 2016  
 -get the wood out by Aug 19 and we'll look at it again Dec 1, 2016 for the removal or a signed-off permit for something else; you have some options  
 -hoping you'll remove the wood ASAP

Grant an extension to August 19 to remove all the wood from the exterior storage structure. If the condition is met, will grant until December 1, 2016 for owner to apply for a building permit for the storage structure and meet Zoning setback requirement(s). Otherwise, the structure must be removed by December 1, 2016.

**Referred to the City Council due back on 8/17/2016**

- 13 [RLH FCO 16-93](#) Appeal of Adam Graf to a Fire Certificate of Occupancy Approval with Corrections at 2250 LUTHER PLACE.

**Sponsors:** Stark

**Attachments:** [2250 Luther Pl.appeal.06-27-16](#)  
[2250 Luther Pl.Photos.6-28-16](#)  
[2250 Luther Pl.Graf Ltr.7-7-16](#)  
[2250 Luther Pl.Neis Email.7-15-16](#)  
[2250 Luther Pl.email to Graf.7-15-16](#)

Inspector Neis inspected the storage locker and found that the storage was 18 inches below the sprinklers. The locker installation would not require a permit and does not appear to adversely affect the sprinkler coverage where it would interfere with the operation. Therefore, department is withdrawing the order.

**Withdrawn**

- 14 [RLH CO 16-29](#) Appeal of Mai Yer Soung to a Fire Inspection Correction Notice at 569 DALE STREET NORTH.

**Sponsors:** Thao

**Attachments:** [569 Dale Street N.appeal.07-13-16](#)

[569 Dale St N.Soung Ltr.7-27-16](#)

*Mai Yer Soung, owner, appeared.*

*Fire Inspector Leanna Shaff:*

*-Fire Certificate of Occupancy inspection conducted Jul 1, 2016 by Fire Inspector Laura Huseby*

*-inspector writes that the 2nd story has changed it's use from what was previously approved; it is now used for a business use; it was previously approved for a residential use*

*Ms. Soung:*

*-I use the main floor for my business*

*-I used to rent the upstairs to some people but that was too much trouble*

*-I turned the 2nd floor into my office a couple of years ago; it's a mixed use building*

*-I stay there almost 24/7; goes home very rarely; live in Corcoran*

*-I put out a sleeping bag if I have a lot of work; I did take out the bed*

*Ms. Moermond:*

*-have you had a chance to talk with your inspector about what's required in a code analysis*

*Ms. Soung:*

*-she said that everything was very good; clean; that should would get back to me*

*-she can easily turn it a residential, too but I prefer to not rent to anybody; I'd like it for my use only*

*Ms. Moermond:*

*-what would the steps be if she wanted to use this as an office on an on-going basis?*

*Ms. Shaff:*

*-she would need to make the whole building into a commercial space, which would require the building official, Steve Ubl, to say OK*

*-I'm an not familiar with the bldg*

*-in general, I should hire someone to do a code analysis; that's very different from a Fire Safety Inspection; there may be different separation issues or other issues, which would encompass making sure that it's in compliance with Zoning, the neighborhood, etc.*

*Ms. Soung:*

*-I don't see why all that is necessary because I take good care of it; everything I do, I go through the city = like permits, etc....*

*-I took out the stove, the bed, the kitchen sink already*

*-I use a microwave or bring in food*

*-what kind of information do I need to bring to the city?*

*Ms. Moermond:*

*-first, you need to decide how you want to use the space; if you want to use it as residential space, you will need a stove, a kitchen sink, a bed, etc; if you don't want want to use it as a residential space, you need to figure out what's required in a commercial space*

*Ms. Soung:*

*-her address is in Corcoran; but her life is in the office; I don't want to do a total commercial use because I stay there, too*

-you tell me what I need to do

Ms. Moermond:

-if you live there, it's your home; having an office there is an OK thing; she is not sure if we have any considerations at all in the Zoning for home occupancy

Ms. Shaff:

-sounds like she lives in Corcoran; so, the space here is not owner-occupied and it's not a residential space

Ms. Soung:

-it's a second home

-I go home once a week; most time I spend in that office

-is thinking about homesteading this place; she talked to the city a couple times about that; they said that I can only do one homestead; she spends more time at 569 Dale

Ms. Moermond:

-if you're living in both places, you should talk to your Councilmember about that; we don't want you to live there until you have it set up for residential

-if you are using it just as an office, let's just get a sign-off

Ms. Shaff:

-you can talk with anybody in Plan Review or the building official, Steve Ubl, can answer your questions

-I will speak with Mr. Neis

Ms. Moermond:

-call 651/266-8989 - ask for Plan Review; ask them that you want an office on the 2nd floor; in addition to sleeping there (home occupancy)

-tell them that you got these Orders; you've been in Legislative Hearing and they can contact our staff

-will Lay this Over for 3 weeks to Aug 16 LH; if at that time, you know what you want to do and you need some time, tell me how long you need at that time

Owner needs to decide what to do with the upstairs unit by contacting Zoning about requirements needed for a residential, commercial, or home occupation use. Can discuss further at August 16 Legislative Hearing, if necessary.

**Laid Over to the Legislative Hearings due back on 8/16/2016**

**15**     [RLH FCO  
16-108](#)

Appeal of Peter O'Brien & Helen Pearce to a Re-Inspection Fire Certificate of Occupancy with Deficiencies at 683 DODD ROAD.

**Sponsors:**            Noecker

**Attachments:**        [683 Dodd Road.appeal.07-13-16](#)  
                                 [683 Dodd Rd.OBrien Ltr.7-27-16](#)

Peter O'Brien, owner, appeared.

Fire Inspector Leanna Shaff:

-Fire Certificate of Occupancy inspection conducted Jun 28, 2016 by Inspection Mitch Imbertson; 9 items on the list

-first inspection took place Apr 8, 2016

-a commercial suite occupancy has been changed from being previously approved  
-building permit #14-187271 fee has been obtained for a proposed change of occupancy to a 2-unit residential use

-currently, the building is 1 unit residential and 1 unit commercial  
-683 commercial business occupancy only; no residential usage of this unit is permitted until written approval is granted through building permit  
-also, some exposed wiring, cover plates,  
-commercial suite has some incomplete wall construction; ceiling construction  
-inspection had only a partial access for the inspection Jun 28

Mr. O'Brien:

-need more time (Aug 2, 2016); Aug 2 is the drop dead date & I can't get it done in that time  
-bought it 3 years ago; it used to be a Montessori Training Center; Molly O'Shaunnesy built a new campus; this building was on the market for a long time  
-Dobb Road has kind of lost it's commercial qualities; there's not a much traffic as there used to be; the building didn't sell; we made an offer and wanted to change it into a house (2013); I've been working on it since then; we've made good progress but there's still a lot to do  
-his electrician is ready to do all the stuff on the list but he hasn't gotten the painting done yet, so, he hasn't been able to install the fire alarms  
-I am hoping that we can give the lighted sign away on Craig's list  
-in Apr 2014, he filled out a home occupation affidavit to explain that we wanted to use the house as a duplex; we rent part of it out: 106 Morton); the other part of the building which had been school rooms; and attached to them on the west side is a 1-bedroom apartment  
-I have been living in the 106 Morton area; right now, my adult daughter is living there; I'm working in the school portion of the building; I can cook there; have a bed set up; I'm sleeping there

Ms. Moermond:

-you can't be sleeping there; it's not set up as a residence yet; the permit is pulled to turn it into a residence but it's still a commercial building; you have to finish it first as a residential before you can live there

Ms. Shaff:

-Inspector Imberson is very thorough; he says, "Substantial issues noted with the illegal use in 683; they started construction under permit but it was not completed and they moved in prior to obtaining approval; the rooms used as bedrooms in front of the building do not have proper egress windows and are not legal nonconforming because they were never previously approved for residential use; there were some non working \_\_\_\_\_ found; but electrical and plumbing work was started with permits but never completed; there's exposed wires and missing cover plates and hanging fixtures; no ventilation permit pulled; listed as needed in 2014 building permit; no inspections have been made on the bldg permit and there's no approval for occupancy given; there are not even records of an framing inspections; yet there are numerous new walls that are already finished with drywall so they need to be opened back up for inspection; advise the owner illegally occupying unit.... "

Ms. Moermond:

-wondering why there's no Order to Vacate that portion? No residential usage of the bldg is permitted #3  
-partial access

Mr. O'Brien:

-I was out of town for the insepction and my wife didn't know if he was coming; she was surprised; she didn't know who he was; it was probably my fault because I didn't inform her of the inspection  
-I'd like more time to correct the faults; the building was in terrible condition; a much

*bigger project than I had anticipated at the start; think that it's going to take him another year*  
*-there are deficiencies that don't even show up on the list right now*  
*-Rachel O'Brien, his daughter, is living the Morton apartments; it's OK for her to live there*

*Ms. Moermond:*

*-you have big issues if the working was done without permits; walls framed and sealed with sheet rock*  
*-did you talk with the inspector about this?*

*Mr. O'Brien:*

*-the whole thing was described in sketches that were submitted at the time I pulled the building permit*  
*-the walls were there; I pulled off the plaster - the plumbing & electrical were upgraded; I paid for the permits; and bathroom ventilation*

*Ms. Shaff:*

*-bldg permit pulled in 2014 - remodel interior new bath & kitchen; sky lights, windows; never been inspected*  
*-electric in 2014 for entire 1st floor; has been inspected; approved by location*  
*-plumbing in 2014-never inspected; did rough-in; need to change a waste on an island; vent check at the final so, it's not complete*

*Ms. Moermond:*

*-you have a few permits that haven't been finalized*  
*-the real deal is that it's not been signed off to be used as residential and you're looking for more time to make it all happen; I, OK with more time but not with you living there while it happens*  
*-asked about a Work Plan-Scope of Work*

*Mr. O'Brien:*

*-we were going to be finished at the end of 2014 (providing a sense of my poor estimate of time & money)*  
*-he would like to have until the end of 2017, especially because of the skylights; the northern portion of the building is very dark; his grand plan is to have large skylights*  
*-explained to Ms. Moermond how 683 Dodd and 183 Morton were connected on his plan*

*Ms. Moermond:*

*-this plan is very straightforward - what you are trying to accomplish but you can't live there until you get sign-offs on the building*  
*-in terms of finishing up the bldg permit, I would contact Isaac Stensland, the building inspector, 266-9028; discuss with him about what you need to do to get this to be a residential space; to get your sign-off*  
*-your plumbing and electric contractors need to call the city to get those permits finalized & they need to meet the inspector there*

*Mr. O'Brien:*

*-it's me; they've been badgering me to get the finishing work done so they can finish; they are mostly finished; they've been warning me that there will probably be a doubling of permit fees*

*Ms. Moermond:*

*-the last piece that needs to fall into place is for the fire inspector to say that partially occupying this structure is going to be OK; probably won't be a problem because it*

was formerly the residential part of the bldg

Ms. Shaff:

-right; that's where we need access; Inspector Imbertson has it scheduled for Aug 2 at 10 am

Ms. Moermond:

-you need to finish this job; hire people to get it done; she has seen hundreds of cases like this; you can't live there while it's not completed; call Isaac; he can help you prioritize

-will deny your appeal; stop living there

Deny the appeal; owners must discontinue occupying the 683 Dodd Rd property until it's code compliant.

**Referred to the City Council due back on 8/17/2016**

**16**     [RLH FCO  
16-109](#)

Appeal of James Schoffman to a Fire Inspection Correction Notice at 1833 MARGARET STREET.

**Sponsors:**        Prince

**Attachments:**     [1833 Margaret Street.appeal.07-13-16](#)  
[1833 Margaret Street.photos.07-11-16](#)  
[1833 Margaret St.Schoffman Ltr.7-27-16](#)

James Schoffman appeared.

Fire Inspector Leanna Shaff:

-this was a referral resulting from a Fire C of O inspection approved with corrections  
-all parking surfaces shall be paved with asphalt,... seal the cracks in the driveway by Jun 1, 2016

-the Orders on the referral - Inspector Klein included the garage apron, meaning the driveway, and it wasn't clear to the Appellant so he had to amend the Orders to include the apron

Mr. Schoffman:

-approached Ms. Moermond to view the photos  
-all the Orders were taken care of in prompt time and done correctly  
-wants to call this "the bait & switch" - we did everything to the "T" on the Work Orders on time; you can see, when he describes the driveway... after picture - done beautifully (wasn't in that bad of shape); my issue is that he came back.... (any type of builder/inspector knows you have a garage, a garage apron and a driveway); in the original Order, it did not say, "garage apron;" it said, "driveway" so the cracks were sealed; this got into a big project

-you seal asphalt; you don't seal cement; but that's not what he asked me to do; in the original Order, he asked me to do the asphalt driveway; then, he comes back and wants the apron done and there are 2 ways you can do it; this isn't a safety thing

Ms. Shaff:

-she doesn't think that piece is in question here

Mr. Schoffman:

-the apron isn't in that bad a shape; it's a very expensive thing; you need bobcats to tear that out ... it's about a \$3500 job to do that; I have a nice retired Vietnam Veteran in there; he pays \$600-\$700 below market rents; if I do that job, I'm going to have to

raise his rent; he's a disabled Vet - a nice guy  
 -his issue - he doesn't like the bait & switch; he did exactly what was expected of me on time and then he comes back and expects more... he told my maintenance man, "You go in and do that dryer vent 2 ft insulated and do it that way;" the 2nd time he says, "Now, I want 4 feet and I'm not going to come back; just do it."  
 -the apron isn't pretty but it's not a safety factor; no one is going to trip; it's functional; it works

Ms. Moermond:

-the inspector did not clearly write the Orders in a way that was readily understandable to begin with - how he intended it to be  
 -in terms of the 2 ft vs the 4 ft, I don't know what the instruction was

Mr. Schoffman:

-that is just an example of what he told me

Ms. Moermond:

-thinking that it's the inspector not being clear to begin with - not purposeful  
 -I have seen worse concrete; think it can wait until the next inspection cycle; doesn't see any big potholes  
 -will recommend granting an appeal on the apron; will write a note for the future

Grant the appeal on the apron, noting that by the time the next C of O is due, if repairs are needed for the apron and concrete, inspector will re-write order.

**Referred to the City Council due back on 8/17/2016**

**17**     [RLH FCO  
16-111](#)

Appeal of Ray Hatchett to a Fire Inspection Correction Notice at 869 MARYLAND AVENUE EAST.

**Sponsors:**            Bostrom

**Attachments:**        [869 Maryland Ave E.appeal.7-18-16](#)  
                                   [869 Maryland Ave E.photos 7-8-16](#)  
                                   [869 Maryland Ave E.Hatchett Ltr.7-27-16](#)  
                                   [869 Maryland Ave E.Workplan.8-2-16](#)  
                                   [869 Maryland Ave E.Moermond-Hatchett Email..8-10-16](#)

Ray Hatchett, owner, appeared.

Fire Inspector Leanna Shaff:

-Fire Certificate of Occupancy Inspection conducted Jul 6, 2016 by Fire Inspector Efrayn Franquiz  
 -26 Orders on the bldg  
 -photos  
 -some construction work done without permits  
 -some Orders are general maintenance

Mr. Hatchett: (he is difficult to hear)

-wants more time; has a lot going on right now  
 -it's a single family rental property  
 -main issue - the money is short  
 -the driveway is just gravel; was going to do Class 5 or pavers  
 -city came through and paved the alley  
 -some of the things on that list are going to be expensive

Ms. Moermond:  
-the driveway looks more like dirt

Mr. Hatchett:  
-last night I noticed the brand new asphalt on the alley; so, I have to do at least concrete/asphalt

Ms. Shaff:  
-wants to WITHDRAW item #25-interior west bedroom (2 people; 97.5 sq.ft.)

Mr. Hatchett:  
-tenant agrees that there's too much stuff in the house  
-is asking for at least 3 months time; needs money to get this all done

Ms. Moermond:  
-give me a Work Plan in writing  
-make a proposal for how long it's going to take; you asked for 90 days  
-put down what I can expect to be done in 1 month, in 2 months, in 3 months  
-some items are safety concerns - do first  
-Work Plan due in 1 week; just send it in

Owner to provide hearing officer with a work plan including timelines on how to approach the items on the list to get code compliance.

**Referred to the City Council due back on 8/17/2016**

## 2:30 p.m. Hearings

### Vacant Building Registrations

- 18 [RLH VBR 16-47](#) Appeal of Donald Frable on behalf of Elisabeth Kogl to a Vacant Building Registration Renewal Notice at 999/1001 PAYNE AVENUE.

**Sponsors:** Bostrom

**Attachments:** [999-1001 Payne Avenue.appeal.07-21-16](#)  
[999-1001 Payne Ave.Photos.8-13-14](#)  
[999 Payne Ave.Kogl Ltr.7-27-16](#)

Donald Frable, realtor, appeared on behalf of Elisabeth Kogl, owner.

Inspector Matt Dornfeld, Vacant Buildings:  
-Category 2 Vacant Building Aug 13, 2014 per Fire Certificate of Occupancy Revocation  
-code inspector Tom Friel on May 12, 2014 opened a Cat 2 VB  
-2 story wood frame and brick commercial building that appears vacant and is secured; it was a one time a restaurant/beauty supply store; some rubbish visible from front windows but no refuse  
-was referred by Fire with a Revoked C of O; bldg has board on front broken window; peeling paint; defective siding; defective masonry; rear wood steps are deteriorated; couch by alley; appliances in back; rubbish, debris in front and alley; issued Summary Abatement Order back in Aug 2014  
-today, it remains vacant; we have a team inspection that's been paid for and completed as of Jun 9, 2016; unfortunately, we've run into some work that was being

done without permits per Inspector James Lichtblau on May 19, 2016: "I was invited to the VB inspection by Inspector Imbertson; while on site, Maureen Hanson, Mechanical Inspector and I took pictures of a new furnace and duct work installed at the above commercial property without permit; we asked the owner who installed the new furnace and duct work and he stated that Tighe Mechanical performed the work; Tighe Mechanical is not licensed in the city of St. Paul.... which are dangerous is not installed correctly."

Mr. Frable:

- the furnace was installed in 2013; Ms. Kogl paid \$35,000 for the furnace
- Elisabeth was the original owner with a business partner; she ran the restaurant from 1973 - 2011-12, when her partner dies; then, she catered to the big party venue upstairs
- Elisabeth happened to live next door to my sister's best friend; she called me and I went over to talk with her; that was right after the furnace had been installed for which they charged her \$35,000 (my head almost exploded when I found out that she had paid \$35,000; that they took advantage of her like that); another door had been installed for \$15,000, which should have cost \$2500
- she was alone and was having a hard time taking care of herself; she got angry with me because I told her that the building wasn't worth what she thought it was because she had so much into it
- after that, she put it on the market and continued paying the taxes, the VB fee, etc
- she recently (Jan 2016) went into a home and her Power of Attorney is her niece, who lives in Austria; she was here for 2 weeks; I suggested that since I was here, I'd come down to see what we can do
- doesn't know if we can get rid of the VB fee - probably not but can we defer it until the sale?
- she wants some guidance from the hearing officer to find out where he can go to get her taxes deferred; she is paying a large amount of money in taxes; she needs that money to pay for herself to live
- I'm trying to work this out so that we can get the place sold.... get it up and running
- she also had all of the equipment in her restaurant stolen by the people who she rented to after she left; they were there for 2 years, never paid rent, caused the furnace to go out; then, said that they'd pay rent as soon as she'd put a furnace in; she put the furnace in and they stole all of her restaurant equipment; in the meantime, the place went vacant for more than a year
- I think that it's worth \$150,000; it's a gorgeous building that needs a lot of work
- I'm trying to figure out a way to get this done
- she owns the building outright

Ms. Moermond:

- taxes are current; \$4,700 due Oct 2016
- building value: \$250,000
- go to Ramsey County to see if you can get it re-valued downward; County Assessor, Steven Baker, will tell you exactly; it's been empty for 2 years so, it has decreased in value or talk to Scott Renstrom, Dan Bostrom's aid in Ward 6 Council Office
- if unpaid, the VB fee will go to the taxes (a \$155 admin fee and 4.5% interest will be added); if you let it go to assessment, she can divide it over a number of years; because she is old/disabled, she can fill out paperwork to get it deferred (disability deferral or senior deferral) until it's sold; the maximum deferral is 5 years

Mr. Frable:

- this is a huge liability; and her business partner was also her partner so, the building was more than brick & mortar

Ms. Moermond:

-she will let this go through as is and a letter will come to her in about 2 months time;  
it will have a yellow post card in it; return the yellow post card to appeal the  
assessment; the least that she will be able to do is to get it down to 5 payments over  
5 years  
-apply for a deferment

Mr. Frable:

-her accountant has taken her to the bank repeatedly over the past year to cash  
checks for "cash" for over \$100,000; all that money is gone; he told her neighbor and  
Maria, Power of Attorney, that they should call the Attorney General and Secretary of  
State and SPPD re: elder abuse

Ms. Shaff & Ms. Moermond:

-you can make the complaint and they will investigate it  
-there is at least one officer who deals with elder abuse  
-you can also make the referral to Ramsey County and they will investigate it

Ms. Moermond:

Deny the appeal.

**Referred to the City Council due back on 8/17/2016**

- 19 [RLH VBR 16-46](#) Appeal of Bruce Bennett to a Vacant Building Registration Requirement at  
1672 THOMAS AVENUE.

**Sponsors:** Stark

**Attachments:** [1672 Thomas Ave.appeal.07-18-16](#)  
[1672 Thomas Ave.Fire C of O Revocation.7-7-16](#)  
[1672 Thomas Ave.Fire C of O Notice.3-13-15](#)  
[1672 Thomas Ave.Owner Photos.8-2-16](#)  
[1672 Thomas Ave.Bennett Ltr.8-7-16](#)  
[1672 Thomas Ave.Ward 3 Email.8-13-16](#)

Rescheduled per owner's request.

**Laid Over to the Legislative Hearings due back on 8/2/2016**