



Legislation Text

File #: RLH FCO 23-82, **Version:** 2

Appeal of Greg Vanwert to a Fire Inspection Correction Notice at 295 LARCH STREET.

WHEREAS, in the matter of the Appeal of Greg Vanwert to a Fire Inspection Correction Notice at 295 LARCH STREET, the Legislative Hearing Officer has reviewed the appeal and considered the testimony of City staff and the appellant; and

WHEREAS, the Legislative Hearing Officer recommends that the City Council

- 1) deny the appeal and grant an extension to December 15, 2023, for compliance with
 - a. item 2 regarding access to the public way by way of installation of a standard size door to allow approved egress from parking area;
 - b. item 3 regarding tire storage, noting all stored tires must be removed from the premise, as the Minnesota State Fire Code prohibits tire storage within 50 feet of a property boundary or building which leaves no legal tire storage location on the 120-foot-wide by approximately 134-foot-deep parcel with one building;
 - c. item 4 relating to exit light on the west side of the shop which shall be repaired or replaced.
 - d. item 5 relating to reduction in the number of vehicles by removal of at least 12 vehicles to bring the total number of vehicles to no more than 26, as allowed under the approved site plan; noting no vehicles may be parked in the Right-of-Way, as shown in current inspector's photos and prior year aerial photos of the property;
- 2) deny the appeal and grant an extension to May 1, 2024, item 5 relating to the re-striping of the parking stalls and relocation of all vehicles on premise into approved parking stalls;
- 3) grant the appeal on item 1 pertaining to filing for and establishing a change of use under the Minnesota Building Code, as the repair of vehicles are reported to be personal vehicles; however, the following caveats apply:
 - a. any vehicle found to be under repair or in the process of being disassembled, including for scraping purposes, shall be owned by Gregory VanWert, demonstrable by vehicle title, noting the inspector has the implicit right to see such documentation under the Saint Paul Legislative Code (SPLC), including SPLC Zoning Code Section 61.102 which indicates "the Certificate of Occupancy as required by the SPLC shall also constitute certification of zoning compliance as required under this zoning code;
 - b. any documented violation of the above provision will result in the re-issuance of orders requiring a change of use under the Minnesota State Building Code and appropriate state and local licensure.

Now, Therefore, Be It

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