



**Construction Services & Inspections Division**  
*Planning & Economic Development Department*

Room 100  
411 West First Street  
Duluth, Minnesota 55802



218-730-5240



permittingservices  
@duluthmn.gov

**BUILDING APPEAL BOARD MEETING AGENDA**  
**Wednesday, October 9, 2024 – 3:00 p.m.**  
**Conference Room 155, 1st Floor of City Hall**

1. Call Meeting to Order
2. Roll Call
3. Approve minutes of August 14, 2024
4. New Business: An Appeal to Reverse a Condemnation for Demolition Order of the Building Official for 123 S Blackman Avenue
5. Adjournment

Building Appeal Board  
Wednesday, August 14, 2024

MEMBERS PRESENT: Bill Scalzo; Justin Hoffman; John Hinzmann; Fire Chief Shawn Krizaj; Building Official Blake Nelson

MEMBERS ABSENT: Don O'Connor, Nancy Janzig

STAFF PRESENT: Amanda Mangan; Steven Robertson; Bonnie Engseth

1. ROLL CALL

2. Motion made by Board Member Krizaj, seconded by Board Member Hinzmann to approve the January 10, 2024 minutes. Motion passed.

3. NEW BUSINESS

a. Building Appeal Board Bylaws

Building Official Blake Nelson summarized the changes to the Building Appeal Board Bylaws, which included updating some antiquated language and updating changes to the board membership.

Assistant City Attorney Amanda Mangan discussed what constitutes a quorum and that the bylaws could be changed to state that a majority of the members present at a meeting would constitute a quorum instead of a specific number. After a brief discussion, Board Member Krizaj suggested no changes be made regarding a quorum at this time.

Motion made by Board Member Hinzmann, seconded by Board Member Hoffman to accept the proposed changes to the bylaws. Motion passed.

b. Election of Officers

Motion made by Board Member Scalzo to nominate John Hinzmann as President and Justin Hoffman as Vice President, seconded by Board Member Krizaj. Motion passed.

Motion made by Board Member Krizaj, seconded by Board Member Hoffman to adjourn at 3:20 p.m. Motion passed.



BLAKE NELSON, SECRETARY  
BUILDING APPEAL BOARD



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TMPLT 371-vA120822-1222

# **BUILDING APPEALS BOARD**

## **STAFF REPORT**

(October 9, 2024)

BAB File #CSBAB-2409-0001  
Plat Parcel 010-2710-06002

1. **APPELLANT:** Estate of Henry Koski/ La Sheeni
2. **FILING DATE:** September 6, 2024
3. **APPEAL REQUEST:** 60 day stay on demo order to assess rehab or demo
4. **LOCATION OF PROPERTY:** 123 S Blackman Ave
5. **BACKGROUND DATA:** Structure fire
  - The building at 123 S Blackman is a single story with basement (1,092 gross sq. ft.) built in 1958. A structure fire occurred on August 18, 2024, causing severe damage to the interior of the home along with extensive smoke and water damage. The structure was unoccupied at the time and cause of fire is suspected arson.
  - Photos of the structure are provided in Exhibit A.
  - The building does not have fire escrow established due to no known insurance at the time of report.
  - St. Louis County Assessor records indicate an assessed value (2024) of the building only to be at \$157,000, provided as Exhibit B.
  - The Building Official's good faith estimate based off of the 2023 RS Means square foot cost for returning the building to Code acceptance exceeds the 60% valuation of \$94,200. The work required will include removing all damaged material from house, assessment of water damage and extent of structural repair.
  - The Building Official's cost of repair are provided in Exhibit C.
  - Pursuant to Duluth Legislative Code Section 10-3, a demolition order was issued on August 23, 2024. Demolition order CSDEMO-2408-0002 is provided in Exhibit D.
  - Pursuant to Duluth Legislative Code Chapter 29A, a condemnation for habitation order was issued on August 16, 2024.

- Personal representative called Building Official on September 3, 2024 and discussed options for demolition order, comply with demolition or option to appeal order. After discussion about demolition costs versus repair costs, representative was going to choose appeal of demo order to explore options and to investigate possible home insurance policy valid at the time of fire.
- Personal representative La Sheenlaruba Tyacke appealed the demolition order on September 6, 2024. See appeal application form Exhibit E.

### **CODE REFERENCES**

The City has adopted the MN Building Code by Ordinance.

City Ordinance Chapter 10 Article II Section 10-3

### **STAFF RECOMMENDATIONS**

It is the recommendation of the Building Official that the single family home known as 123 S Blackman Ave be granted the 60 day stay of demolition order provided the representative can show financial means for repair or demolition and provide valid contracts to complete the work.



EXHIBIT A

















# EXHIBIT B

# PROPERTY DETAILS REPORT

St. Louis County, Minnesota



Date of Report: 9/9/2024 2:11:34 PM

General Details							
Parcel ID:	010-2710-06002						
Document:	Abstract - 01443426						
Document Date:	04/12/2022						
Legal Description Details							
Plat Name:	DULUTH CITY OF						
Section	Township	Range	Lot	Block			
21	50	14	-	-			
Description:	SLY 87 FT OF NLY 660 FT OF ELY 165 FT OF NE 1/4 OF SW 1/4						
Taxpayer Details							
Taxpayer Name	KOSKI HENRY N						
and Address:	123 SO BLACKMAN AVE DULUTH MN 55811						
Owner Details							
Owner Name	KOSKI HENRY N						
Payable 2024 Tax Summary							
2024 - Net Tax			\$2,407.00				
2024 - Special Assessments			\$25.00				
<b>2024 - Total Tax &amp; Special Assessments</b>			<b>\$2,432.00</b>				
Current Tax Due (as of 9/8/2024)							
Due May 15		Due October 15			Total Due		
2024 - 1st Half Tax	\$1,216.00	2024 - 2nd Half Tax	\$1,216.00	2024 - 1st Half Tax Due	\$1,301.12		
2024 - 1st Half Tax Paid	\$0.00	2024 - 2nd Half Tax Paid	\$0.00	2024 - 2nd Half Tax Due	\$1,216.00		
2024 - 1st Half Penalty	\$85.12	2024 - 2nd Half Penalty	\$0.00	Delinquent Tax	\$3,112.65		
<b>2024 - 1st Half Due</b>	<b>\$1,301.12</b>	<b>2024 - 2nd Half Due</b>	<b>\$1,216.00</b>	<b>2024 - Total Due</b>	<b>\$5,629.77</b>		
Delinquent Taxes (as of 9/8/2024)							
Tax Year	Net Tax	Penalty	Cst/Fees	Interest	Total Due		
2023	\$2,688.00	\$228.48	\$20.00	\$176.17	\$3,112.65		
<b>Total:</b>	<b>\$2,688.00</b>	<b>\$228.48</b>	<b>\$20.00</b>	<b>\$176.17</b>	<b>\$3,112.65</b>		
Parcel Details							
Property Address:	123 S BLACKMAN AVE, DULUTH MN						
School District:	709						
Tax Increment District:	-						
Property/Homesteader:	-						
Assessment Details (2024 Payable 2025)							
Class Code (Legend)	Homestead Status	Land EMV	Bldg EMV	Total EMV	Def Land EMV	Def Bldg EMV	Net Tax Capacity
204	0 - Non Homestead	\$40,200	\$157,000	\$197,200	\$0	\$0	-
<b>Total:</b>		<b>\$40,200</b>	<b>\$157,000</b>	<b>\$197,200</b>	<b>\$0</b>	<b>\$0</b>	<b>1972</b>



# PROPERTY DETAILS REPORT

St. Louis County, Minnesota



Date of Report: 9/9/2024 2:11:34 PM

Land Details							
Deeded Acres:	0.33						
Waterfront:	-						
Water Front Feet:	0.00						
Water Code & Desc:	P - PUBLIC						
Gas Code & Desc:	P - PUBLIC						
Sewer Code & Desc:	P - PUBLIC						
Lot Width:	87.00						
Lot Depth:	165.00						
The dimensions shown are not guaranteed to be survey quality. Additional lot information can be found at <a href="https://apps.stlouiscountymn.gov/webPlatsIframe/frmPlatStatPopUp.aspx">https://apps.stlouiscountymn.gov/webPlatsIframe/frmPlatStatPopUp.aspx</a> . If there are any questions, please email <a href="mailto:PropertyTax@stlouiscountymn.gov">PropertyTax@stlouiscountymn.gov</a> .							
Improvement 1 Details (House)							
Improvement Type	Year Built	Main Floor Ft <sup>2</sup>	Gross Area Ft <sup>2</sup>	Basement Finish	Style Code & Desc.		
HOUSE	1958	1,092	1,092	AVG Quality / 546 Ft <sup>2</sup>	RAM - RAMBL/RNCH		
Segment	Story	Width	Length	Area	Foundation		
BAS	1	28	39	1,092	BASEMENT		
Bath Count	Bedroom Count	Room Count		Fireplace Count	HVAC		
1.5 BATHS	3 BEDROOMS	-		0	CENTRAL, FUEL OIL		
Improvement 2 Details (DG)							
Improvement Type	Year Built	Main Floor Ft <sup>2</sup>	Gross Area Ft <sup>2</sup>	Basement Finish	Style Code & Desc.		
GARAGE	1959	336	336	-	DETACHED		
Segment	Story	Width	Length	Area	Foundation		
BAS	1	24	14	336	FLOATING SLAB		
Sales Reported to the St. Louis County Auditor							
Sale Date		Purchase Price			CRV Number		
04/2022		\$14,639			249027		
Assessment History							
Year	Class Code (Legend)	Land EMV	Bldg EMV	Total EMV	Def Land EMV	Def Bldg EMV	Net Tax Capacity
2023 Payable 2024	201	\$42,600	\$146,400	\$189,000	\$0	\$0	-
	<b>Total</b>	<b>\$42,600</b>	<b>\$146,400</b>	<b>\$189,000</b>	<b>\$0</b>	<b>\$0</b>	<b>1,688.00</b>
2022 Payable 2023	201	\$40,500	\$138,200	\$178,700	\$0	\$0	-
	<b>Total</b>	<b>\$40,500</b>	<b>\$138,200</b>	<b>\$178,700</b>	<b>\$0</b>	<b>\$0</b>	<b>1,575.00</b>
2021 Payable 2022	201	\$35,000	\$119,300	\$154,300	\$0	\$0	-
	<b>Total</b>	<b>\$35,000</b>	<b>\$119,300</b>	<b>\$154,300</b>	<b>\$0</b>	<b>\$0</b>	<b>1,309.00</b>
2020 Payable 2021	201	\$28,100	\$114,200	\$142,300	\$0	\$0	-
	<b>Total</b>	<b>\$28,100</b>	<b>\$114,200</b>	<b>\$142,300</b>	<b>\$0</b>	<b>\$0</b>	<b>1,179.00</b>
Tax Detail History							
Tax Year	Tax	Special Assessments	Total Tax & Special Assessments	Taxable Land MV	Taxable Building MV	Total Taxable MV	
2023	\$2,385.71	\$302.29	\$2,688.00	\$35,705	\$121,838	\$157,543	
2022	\$2,189.96	\$360.04	\$2,550.00	\$29,703	\$101,244	\$130,947	
2021	\$1,942.42	\$359.58	\$2,302.00	\$23,275	\$94,592	\$117,867	



# PROPERTY DETAILS REPORT

St. Louis County, Minnesota



Date of Report: 9/9/2024 2:11:34 PM

**Disclaimer:** St. Louis County makes no representation or warranties, express or implied, with respect to the use or reuse of data provided herewith, regardless of its format or the means of its transmission. THE DATA IS PROVIDED 'AS IS' WITH NO GUARANTEE OR REPRESENTATION ABOUT THE ACCURACY, CURRENCY, SUITABILITY, PERFORMANCE, MERCHANTABILITY, RELIABILITY OR FITNESS OF THIS DATA FOR ANY PARTICULAR PURPOSE. St. Louis County shall not be liable for any direct, indirect, special, incidental, compensatory or consequential damages or third party claims resulting from the use of these data, even if St. Louis County has been advised of the possibility of such potential loss or damage. These data may not be used in states that do not allow the exclusion or limitation of incidental or consequential damages.



Internal Info CSI 377-vA082324-0824

**Condemn for Demo Initiation Form**

Property Address: 123 S Blackman Ave

PIN(s): 010-2710-06002

Date of Initiation: 08-23-2024

Condemnation Date Notes: \_\_\_\_\_

Brief Description of Damage: Structure fire

Assessor's record market value of building: 154,000

60% of Improvement value: 94,200

Estimated total repair cost ÷ assessor's record value 740%

Owner name: Henry Koski

Notification: Posted building & certified mail

**Other Notes**

1. All notices should be sent by regular mail and by certified mail, return receipt requested, deliver to addressee only.
2. Publish in DNT twice, at least one week apart.
3. Post condemnation order on the building in one or more locations, with posted notice photographed so that it is clear that the notice is on the condemned building and so that the order can be read in the photo. Save photos to the CDEMO record, and enter detailed inspection note with the name of the person who posted it, where on the building it was placed, and the date of the posting.

Is the building in compliance with UDC regulations?  Yes  No  Check with Zoning Coordinator

**Extent of Damage Evaluation**

Property Address: 123 S Blackman Ave

Date: \_\_\_\_\_

Brief Description of Conditions: Structure fire, roof rafters, ceiling & floor joist damage  
extensive smoke damage and hoarding waste, electrical /plumbing damage

Assessor's Imp Value: 157,000

60% Imp Value: 94,200

<b>Estimated Repairs</b>	
Foundation	NA
Exterior Walls	31,400
Roof & Roof Structure	25,000
Doors, Windows, Frames	10,000
Porches	NA
Exterior Stairs	NA
Chimneys	Repair -2000
Interior Support Structure	
Flooring & Floor Structure	10,000
Interior Partitions & Ceilings	12,000
Heating System	Unknown
Electrical System	3,000
Plumbing System	4,000
Interior Stairs	1,500
Other	Dumpsters /clean up 2,800
	Costs per sqft = 157.05
<b>TOTAL EST REPAIR COST</b>	See Comment sheet for cost \$101,700





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 @duluthmn.gov

**DEMOLITION ORDER NO. CSDEMO-2408-0002**

Date of Order 23 August, 2024

TO: HENRY KOSKI  
 123 S BLACKMAN AVE  
 DULUTH MN 55811

PARCEL NO: 010-2710-06002

**YOU WILL PLEASE TAKE NOTICE**, that the building or structure located on the following described property and situated in the City of Duluth, in the County of St. Louis, and State of Minnesota, to wit:

SLY 87 FT OF NLY 660 FT OF ELY 165 FT OFNE 1/4 OF SW 1/4

and known by address as **123 S BLACKMAN AVE** has been inspected under the authority of the Duluth Legislative Code (DLC) Section 10-3 and in the opinion of the building official based upon information documented in the official file and records, such building has been damaged or deteriorated to the extent that in the building official's good faith opinion, a reasonable estimate of the cost of repairing and restoring the building is more than 60 percent of the current fair market value of the building, as shown in the records of the city assessor. The Assessor's record indicates the value for this building at \$157,000. Based on standardized construction cost information, the estimated cost to return the building to code compliance exceeds \$94,200. This building has been damaged by causes to the extent of 60 percent (%) of the value of the building.

THEREFORE, I, Blake Nelson, Building Official for the City of Duluth, MN, in accordance with DLC Chapter 10, Article II, Section 10-3, do hereby order you to tear down the above described building, including any accessory buildings or structures on the property, and remove said buildings or structures and all material and debris of same from said premises within thirty (30) days from the date of such service.

Pursuant to DLC Section 10-5, any person wishing to appeal a demolition order shall serve written notice of appeal to the building official within fifteen (15) days after receiving notice of such decision, which appeal shall be accompanied by the required fee. The notice of appeal shall contain a complete statement of the matter in controversy and relief requested.

Sincerely,

Blake Nelson  
 City of Duluth Building Official

cc: Water & Gas Credit, Water & Gas Applications, Fire Marshal, Lead Housing Inspector, Police Department, Assessor, Treasurer, MN Power, Housing & Redevelopment Authority



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RECEIVED  
SEP 6 2024  
Doc 243-vD122922-1219  
CONSTRUCTION SERVICES AND INSPECTIONS

Building Appeal Board Application Form

City of Duluth MN

Submit this form and the items indicated below to Construction Services & Inspections at the address above.

This completed Application form and additional information must be accompanied by the filing fee of \$145 (check payable to City of Duluth). Appeals must be submitted within 15 days of notification of the decision being appealed.

For appeals requesting the stay of a demolition order, the following information is required to be submitted with the application for appeal:

1. Documentation that the owner has dedicated sufficient funds to pay for the repair of the building
2. A valid contract to have the repair completed within 18 months.

Incomplete applications will be determined incomplete and will not be placed on the agenda.

The deadline for application is 14 days prior to the scheduled Building Appeal Board meeting.

Appellant Name: Estate of Henry Koski/ La Sheen Property location: 123 S. Blackman Ave. Duluth, MN  
 Appellant Mailing Address: 117 N. 18th Ave. E. , Duluth, MN 55812  
(street) (city) (state/zip)  
 Appellant Phone Number: 218-213-1502 E-mail: documentsigner1@gmail.com

Type of appeal

- |   |   |
|---|---|
| <input type="checkbox"/> Housing Code Order (DLC Chapter 29A) | <input checked="" type="checkbox"/> Request Stay of Demolition Order (DLC Section 10-3)     |
| <input type="checkbox"/> Fire Code Order (DLC Chapter 21)     | <input type="checkbox"/> Other Building Official Order (DLC Chapter 10, Articles II or III) |

NOTE: Appeals to building official decisions administering the MN State Building Code are to the State Appeals Board. See <http://www.dli.mn.gov/about-department/boards-and-councils/state-appeals-board>

Description of item you are appealing: (ie, specific code section, interpretation or order being appealed)  
DLC Section 10-3. Parcel NO 010-2710-06002 and Pursuant to DLC Section 10-5 appealing a Demolition order.

Statement of the matter in controversy: statement of matter is attached.

Relief requested: relief requested is attached.

You may use the back of this form or attach other documents to this application if needed.

Office Use  
Date Received  
File No.

www.duluthmn.gov

The City of Duluth is an Equal Opportunity Employer.

**Property Address: 123 S. Blackman Avenue, Duluth, MN**  
**Demolition Order No. CSDEMO-2408-002**  
**Parcel No. 010-2710-06002 (S'ly 87 ft of N'ly 660 ft of E'ly 165 ft of NE ¼ of SW ¼)**

Oscar Koski was a 16-year-old young man who chose Duluth, MN as the place that he would work, and raise himself, and ultimately, a family of five.

As an Immigrant from Finland, Oscar built the home at 123 S Blackman Avenue in 1958 with his bare hands and love and determination. He wanted to make America and Duluth his "forever home". He and his family did just that.

Henry Koski was one of Oscar's sons. Henry lived in that home for over 65 years and passed away on November 10, 2023, in the home.

Henry's two living siblings, Scott's mom, Martha, and his Aunt, Josie, are the sole heirs to his Estate. They grew up in this home. As a child, Scott came to Duluth every summer and spent long amazing summers in the home.

The two of us and our son Skyler moved here in 2018. We wanted to instill in our son the importance of family roots. We wanted to teach him about the change of seasons and to be in some of the best schools in the world. Great school ratings confirm this. It has been a great place for us. La Sheenlaruba is a Joy Award winner at Essentia Health and sat on the Duluth Human Rights Commission. She is always advocating for those who have no voice. Scott obtained his Realtor license but had two strokes last year changing his career path. Our son is now attending Ordean East and shows leadership skills. He graduated from Congdon having been a part of the student council and drum club.

Scott's mom and aunt will be conveying the home to us once the probate is complete. We plan to stay here and make 123 S Blackman Ave. our forever home and continue the legacy in the heritage home that Oscar built.

In over 65 years, Oscar's home never had a collapsed roof, like the Miller Hill Mall, never a break in, and never arson. A week prior to the fire, we received a call asking if we wanted to sell the property. Scott declined the offer stating that the home would be staying in the family.

Relief requested: We would like 60 days to look for a homeowner's insurance policy that Henry may have had and to talk with contractors. Our intent is to be able to rehab the home so that our family can move in and continue the family legacy. We do not have debt, and we are dedicated to preserving it. If in talking with Contractors, we are unable to save the home, we would like to demolish it and to place another home on the property. We have lived in Duluth for the last seven years and plan to remain here, living at 123 S Blackman Avenue.

Thank you for your consideration,

Scott Tyacke and La Sheenlaruba Tyacke, Personal Representative of the Henry Koski Estate.

Filed in District Court  
State of Minnesota

STATE OF MINNESOTA

COUNTY OF ST. LOUIS

May 1 2024 8:04 AM

SIXTH JUDICIAL DISTRICT  
DISTRICT COURT  
PROBATE DIVISION

Court File No. 69DU-PR-24-108

Estate of

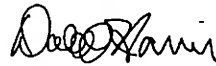
HENRY N. KOSKI,

Decedent

LETTERS OF  
GENERAL ADMINISTRATION

1. The Decedent died on November 10, 2023.
2. La Sheenlaruba Tyacke has been appointed Personal Representative of Decedent's Estate in a formal unsupervised administration and is now qualified to act as Personal Representative of the Estate and has authority to administer the Estate according to law.

BY THE COURT



Harris, Dale  
Apr 30 2024 4:22 PM

Judge of District Court

Registrar

STATE OF MINNESOTA  
COUNTIES OF CARLTON / COOK / LAKE / ST. LOUIS

I hereby certify that I have compared the foregoing document with the official court record in this office, and that it is a true and correct copy of said record. I do further certify that said appointment is in full force and effect.



Dated July 23, 2024

By Nicole Oster Deputy