

Building Appeal Board
Wednesday, October 9, 2024

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

MEMBERS ABSENT: Don O'Connor

STAFF PRESENT: Paige Orcutt; Steven Robertson; Bonnie Engseth

1. ROLL CALL

2. Motion made by Board Member Hoffmann, seconded by Board Member Krizaj, to approve the August 14, 2024 minutes. Motion passed unanimously.

3. NEW BUSINESS

An Appeal to Reverse a Condemnation for Demolition Order of the Building Official for 123 S Blackman Avenue, brought by appellant LaSheenlaruba Tyacke.

Record of appeal consists of: Appeal Letter with attachments, City Staff report, and statements made at the hearing

- a. Blake Nelson, Building Official summarized the staff report for the Board. He recommended a stay of 60 days to pursue completion of probate and to solicit bids for rebuilding or wrecking of building.
- b. Board Member Krizaj asked about the garage. Mr. Nelson stated the garage could stay if the house is rebuilt or wrecked with an agreement with the city (zoning), that a new home will be built within a specified timeframe.
- c. Board Member Hoffmann asked the appellant when probate will be finalized. The appellant stated she did not know.
- d. The appellant was given an opportunity to present the reasons for her appeal. The appellant shared the history of the property, her understanding of her role as PR of the estate and the probate action, and goals for the family to utilize the property as their home in the near future. She also asked for a 120-day stay instead of 60 days, which was the original length of time requested in her appeal.
- e. Board Member Hinzmann stated the board will probably grant a stay, but stated it may be cheaper to wreck the building and start over. A discussion was held by the board regarding how long of a stay to grant.

Motion made by Board Member Krizaj, seconded by Board Member Scalzo, to grant a 90-day stay of the demolition order with the conditions of providing a contract from a MN licensed contractor for the repair work or a city bonded contractor for the wrecking and provide proof from a financial institution of financial means to complete the rebuild or wreck the buildings. Motion passed unanimously.

Assistant City Attorney Paige Orcutt stated the Board needed to enter findings of fact, as required under City Code 10-5:

Discussion on these factors ensued. Board Member Krizaj stated that if Life Safety finds it necessary to board up the property due to unsafe conditions, the city will assess the costs to the property. He also stated it may be wise for the appellant to install security cameras.

Motion made by Board Member Scalzo, seconded by Board Member Hoffmann, to adopt the findings of fact, specifically that:

- A. There is substantial compliance with the provisions of the Code;
- B. No detriment to public health or safety will result from granting such relief;
- C. The intent of the Code is not compromised;
- D. The relief granted will not result in increased cost expense to the city.

Motion passed unanimously.

Motion made by Board Member Hinzmann, seconded by Board Member Krizaj, to adjourn at 3:35 p.m.
Motion passed unanimously.

A handwritten signature in black ink, appearing to read 'Blake Nelson', with a long horizontal flourish extending to the right.

BLAKE NELSON, SECRETARY
BUILDING APPEAL BOARD