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COON RAPIDS
Minnesota

May 24, 2016

Mr. John Becker
9526 Foley Blvd. NW
Coon Rapids, MN 55433

Re: June 2, 2016 Appeal to the Board of Adjustment and Appeals

Dear Mr. Becker:

Attached please find the City's proposed Findings of Fact, Conclusions of Law, and Order, being provided to the Board prior to the upcoming hearing on June 2, 2016, together with a proposed procedure for handling the hearing. Witness qualifications statements and exhibits will sent out with the Agenda Packet at a later date. If the matter is contested, the City would call the following witnesses:

Name, Title	Summary of Testimony
Matt Brown- Economic Development Coordinator	City Zoning in general, Zoning of property, limitations on conditional uses, current use of property, Anoka County property account summary.
Leya Drabczak, Inspector	Visit to the home on various occasions including but not limited to November 19, 2015; city code violations and status of property.
Trevor White, Inspector	Visit to the home on various occasions including but not limited to November 19, 2015; city code violations and status of property.

If you choose to call witnesses other than those noted above, please notify this office of their name and address at least five days before the hearing. If you require a subpoena to produce a witness, please contact me at your earliest convenience to secure a subpoena from the Board of Adjustment and Appeals. Note that you would be required to pay for and arrange for subpoena service.

Please note that this hearing is quasi-judicial in nature. City code allows you to appear on your own behalf and speak as a party; however, if you wish to have a representative speak on your

behalf, the Board must require that this person be an attorney licensed to practice law in Minnesota. You may, of course, call any witnesses you believe may be helpful to the Board's just resolution of the case. Witnesses may not, however, argue to the Board on your behalf.

The Board will adopt a procedure to conduct the hearing as it has in similar hearings. A synopsis of the City's proposed procedure is included with these materials.

At the hearing, you would have the right to admit the violations that are alleged from November 19, 2015, or you may continue to deny the violations. If you decide to admit the violations, you would have the right to address the Board before it determines the appropriate consequence. The City's recommended action, should a violation be affirmed, is noted in the attached proposed order. If you wish to admit the violations based on the attached materials, or wish to discuss this matter with me I can be reached at 763-767-6495.

Please note that the proceedings will be taken down by audio and video for a possible future appeal to the Minnesota Court of Appeals, but will not be transcribed unless ordered and paid for by the party that appeals.

Finally please note that the Board may not under the ordinances determine the validity of City Code provisions. The Board may, however, interpret City Code.

Please be prepared to either admit the violations or be prepared for a contested hearing on **Thursday June 2nd at 6:30pm** in the City Council Chambers within City Hall.

Thank you for your attention to this matter.

Very truly yours,

Melissa A. Westervelt

Melissa A. Westervelt
Assistant City Attorney

Enclosures

cc: Board of Adjustment and Appeals