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**COON
RAPIDS**
Minnesota

EXHIBIT

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21a
16-09V

March 1, 2016

**Notice of Determination of Hearing Examiner
Following Section 2-1106(1) Hearing**

John Becker
9526 Foley Boulevard
Coon Rapids, Minnesota 55433

Re: 9526 Foley Boulevard, Coon Rapids, Minnesota
John D. Becker, Property Owner
Administrative Citation Number – 63043-26061
Offense Date – November 19, 2015
Hearing Date – January 13, 2016

To the Above-referenced Party:

This written Notice of Determination is made pursuant to Coon Rapids City Code Section 2-1106(1). The undersigned Hearing Examiner is duly designated by the Coon Rapids City Manager to conduct an appeal under Chapter 2-1100. The Hearing Examiner has the power to affirm, rescind, or modify the Administrative Citation, and must provide a written Notice of the Determination after the Hearing, by personal service or U.S. Mail.

Findings: The appeal hearing was conducted on Wednesday, January 23, 2016, at Coon Rapids City Hall. Mr. Becker appeared with James T. Hanvik, Attorney, Bassford Hanvik PLLC. Coon Rapids Property Maintenance Inspector Trevor White attended.

Coon Rapids Administrative Citation Number 63043-26061, was issued to Mr. Becker on November 19, 2015, citing violations of the following Coon Rapids City Code Sections: violation of Section 12-309(5) for maintaining a tent as an accessory structure on the premises, violation of Section 11-601.5 for maintaining a vehicle (red truck MN 112JLC) in exterior storage on the premises without display of current vehicle registration and violation of Section 11-601.3(1)(c) for exceeding the maximum number of major recreational equipment maintained per residential dwelling unit in a residential district.

Coon Rapids City Code Section 12-309(5) requires accessory structures or buildings “be structurally sound and be maintained in good repair and appearance.” Photographs taken by Property Maintenance Inspector Trevor White on November 19, 2015, maintained in the code enforcement file for 9526 Foley Boulevard and available for viewing at the hearing, reveal a large structure constructed chiefly of a metal framework draped in vinyl fabric pieces of varying dimensions. The structure is rectangular in shape and open to the elements on one end. Mr. Becker stated the fabric was recycled billboard fabric. The temporary nature of the tent framework and its finishing materials do not meet the requirements of City Code.

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Coon Rapids City Code Section 11-601(5) prohibits junk vehicles on residential property. City Code Section 11-201 defines a junk vehicle to include any motor vehicle or trailer that does not display current registration. A photograph taken on November 19, 2015 by Property Maintenance Inspector Trevor White, maintained in the code enforcement file for 9526 Foley Boulevard and available for viewing at the hearing, reveals that Minnesota license plate number 112JLC, mounted on a red pickup truck displayed registration expiring July 2015. During the hearing on January 13, Mr. Becker stated the registration for the red Ford truck had been brought current.

Coon Rapids City Code Section 11-601.3(1)(c) limits the number of major recreational equipment to two per residential dwelling unit. During his inspection on November 19, 2015, Property Maintenance Inspector Trevor White identified four items of major recreational equipment, including "a boat, jet-ski, camper and RV" located on the property. During the hearing on January 13, 2016, Mr. Becker stated the boat and its trailer, the camper and the RV were all currently licensed. He stated that the personal watercraft was now under a tarp in the "rear of a pickup truck" on the property and that he intended to sell it and the Starcraft pop-up camper but that he needed additional time to sell these items in order to comply with the citation.

Determination: Based on the evidence provided, the undersigned issues the following Notice of Determination: *Administrative Citation Number 63043-26061 is affirmed in its entirety.*

You have the right to appeal this Notice of Determination. If you choose to appeal, you must make your appeal in writing to Cheryl Bennett, Hearing Examiner at 11155 Robinson Drive NW, Coon Rapids, MN 55433. The appeal must be in writing and may only be executed by the owner of the property. The appeal must include a statement why the decision is in error. The appeal may be served in person or delivered by U.S. Mail only. The appeal must be received by the Hearing Examiner by no later than 4:30 p.m. on Monday, March 14, 2016. Include the Administrative Citation number on all documents and correspondence.

Upon receipt of an appeal conforming to City Code, the matter will be placed before the City of Coon Rapids Board of Adjustment and Appeals at its next available hearing date, subject to the requirements of City Code Section 2-1106(3). You will be notified of the hearing date, and any additional information, by mail to the address provided in your appeal document.

Please contact me at 763-767-6422 if you have questions.



Cheryl Bennett
Hearing Examiner

cc: James T. Hanvik, Lawyer