



# APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

RECEIVED

JUN 20 2014

CITY CLERK

We need the following to process your appeal:

- \$25 filing fee payable to the City of Saint Paul (if cash: receipt number \_\_\_\_\_)
  - Copy of the City-issued orders/letter being appealed
  - Attachments you may wish to include
  - This appeal form completed
  - Walk-In OR  Mail-In
- for abatement orders only:  Email OR  Fax

<b>HEARING DATE &amp; TIME</b> (provided by Legislative Hearing Office) Tuesday, <u>July 8, 2014</u>
Time <u>11:00 a.m.</u>
Location of Hearing: Room 330 City Hall/Courthouse

E-mailed 6-20-14

## Address Being Appealed:

Number & Street: 2228 E 6<sup>th</sup> St City: St Paul State: MN Zip: 55119

Appellant/Applicant: Therese Scherbel Email Scherbel@gmail.com

Phone Numbers: Business 651-266-7048 Residence 651-501-2883 Cell \_\_\_\_\_

Signature: *Therese Scherbel* Date: 6/20/14

Name of Owner (if other than Appellant): Same as above

Mailing Address if Not Appellant's: \_\_\_\_\_

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell \_\_\_\_\_

## What Is Being Appealed and Why? Attachments Are Acceptable

- Vacate Order/Condemnation/Revocation of Fire C of O
- Summary/Vehicle Abatement
- Fire C of O Deficiency List
- Code Enforcement Correction Notice
- Vacant Building Registration

Other summary abatement order

I have been asked to remove three garden stakes and rails I have along my back fence. I don't believe I'm violating any codes. More info attached.

I will be out of town 6/27/14 - 7/2/14.

**What is being appealed and why:  
(regarding summary abatement for 2228 E 6<sup>th</sup> St, 55119)**

I have a chain link fence along the back of my property about 12 inches in from the alley. I have three metal garden stakes that stick out through the fence about 8 to 10 inches. I have gardens and grow vegetables, flowers, and herbs on both sides of this fence.

Aside from supporting my plants, I have these three stakes in my fence as a deterrent against having my fence pushed over by vehicles coming out of the driveway directly across the alley. Many times over the past few years my fence has been damaged and bent into my yard. After getting help from a friend to re-straighten the fence as much as we could, I put in these thin aluminum stakes hoping to deter cars and trucks from pushing my fence in.

**Please see attached photos of damage to my fence.**

These garden stakes do not impede normal right of way access of the alley.

I have a plastic bin which is filled with leaves and has drainage holes to keep water from accumulating. It is about 18 inches in diameter and is up tight against my fence. It probably does stick out into the alley several inches, but many of my neighbors have trash cans that are out in the alley further than this and I don't think anyone sees this as being in the alley's right of way. My neighbor directly across the alley from me, in fact, parks his car in the alley between the bin and the other neighbor's driveway. The truck is obviously much larger than the bin. Moving the bin will not increase right of way access of the alley in any way.

**Please note: I will be out of town from 6/27/14 – 7/2/14. Thank you.**



CITY OF SAINT PAUL  
 DEPARTMENT OF SAFETY AND INSPECTIONS  
 DIVISION OF CODE ENFORCEMENT  
 375 Jackson Street, Suite 220  
 Saint Paul, MN 55101-1806  
**SUMMARY ABATEMENT ORDER**

June 17, 2014

14 - 296905

335

- Yog hais tias koj hais tsis to taub tsab ntawv no, hu rau tus txhais lus ntawm (651) 266-8989. Nws yog pab dawb zwb.
- Si necessita un traductor, por favor llamanos al (651)266-8989. No costo.

Karl W Scherbel/Theresa M Scherbel  
 2228 6th St E  
 St Paul MN 55119-3919

Occupant  
 2228 6TH ST E  
 St. Paul, MN 55119-3919

**As owner or person(s) responsible for: 2228 6TH ST E you are hereby ordered to eliminate all nuisance conditions which are in violation of Chapter 45 of Saint Paul Legislative Code.**

- Remove improperly stored or accumulated refuse including: garbage, rubbish, discarded furniture, appliances, vehicle parts, scrap wood and metal, recycling materials, household items, building materials or rubble, tires, brush, etc., from yard areas. **PAILS, TRASH CONTAINER AND METAL STAKES PROTRUDING FROM FENCE AND IN ALLEY RIGHT OF WAY REMOVE.**
- Cut and remove tall grass, weeds and rank plant growth.
- Remove and properly dispose of all animal feces from yard areas.
- IMMEDIATELY** secure all buildings which are open to unauthorized entry, including:
- Other:

If you do not correct the nuisance or file an appeal before June 23, 2014, the City will correct the nuisance and charge all costs, including boarding costs, against the property as a special assessment to be collected in the same way as property taxes. Charges: If the City corrects the nuisance, the charges will include the cost of correction, inspection, travel time, equipment, etc. The rate will be approximately \$260.00 per hour plus expenses for abatement.

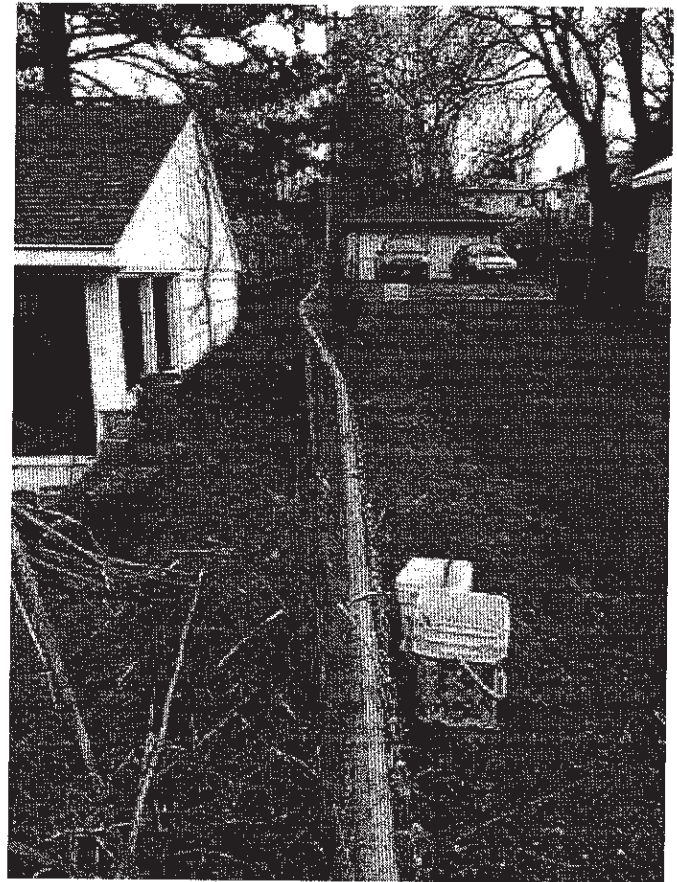
**You must maintain the premises in a clean condition and provide proper and adequate refuse storage at all times**  
**FAILURE TO COMPLY MAY RESULT IN A CRIMINAL CITATION**

*Issued by: Craig Mashuga Badge Number 335 Phone Number 651-266-1909*  
**If you have any questions about this order, the requirements or the deadline, you should contact the Inspector listed above, Monday through Friday.**

Appeals: You may appeal this order and obtain a hearing before the City Council by completing an appeal application with the City Clerk before the appeal deadline noted above or seven (7) days after the date mailed, whichever comes first. No appeals may be filed after that date. You may obtain an appeal application from the City Clerk's Office, Room 310, City Hall, St. Paul, MN 55102. The telephone number is (651) 266-8585. You must submit a copy of this Correction Order with your appeal application.

**\*WARNING** Code inspection and enforcement trips cost the taxpayers money. If the violations are not corrected within the time period required in this notice, the city's costs in conducting a reinspection after the due date for compliance will be collected from the owner rather than being paid by the taxpayers of the city. If additional new violations are discovered within the next following 12 months, the city's costs in conducting additional inspections at this same location within such 12 months will be collected from the owner rather than being paid by the taxpayers of the city. Any such future costs will be collected by assessment against the real property and are in addition to any other fines or assessments which may be levied against you and your property.

Images of damaged fence at 2228 E 6th St, taken May 2014.



Photos facing east and west along my back property line. I'm at the end of a deadend alley. The only people using the alley behind my house are the neighbors at the end of the alley and those across the alley.

**Vang, Mai (CI-StPaul)**

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**From:** Scherbel, Therese (CI-StPaul)  
**Sent:** Friday, June 20, 2014 10:22 AM  
**To:** \*CI-StPaul\_LegislativeHearings  
**Cc:** scherbel@gmail.com  
**Subject:** Summary Abatement Appeal for 2228 E 6th St  
**Attachments:** summary abatement appeal for 2228 E 6th St.pdf

This file is four pages (includes attachments.)

I'll be out of town from 6/27 to 7/2, if that impacts the hearing process.

Also, I've tried contacting the inspector for this order, Craig Mashuga, twice by phone and once via email, and I haven't heard back. I'll try again later. I believe I know the details of the order, but there may be items referenced in the list of items under the check box in the form that I'm not addressing. I'm addressing everything noted in capital letters.

Thank you.

Therese Scherbel

Community & Digital Services Office  
Saint Paul Public Library | Saint Paul, Minnesota

651-266-7048

## **\*CI-StPaul\_LegislativeHearings**

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**From:** \*CI-StPaul\_LegislativeHearings  
**Sent:** Friday, June 20, 2014 12:09 PM  
**To:** Scherbel, Therese (CI-StPaul)  
**Subject:** Legislative Hearing - Summary Abatement Appeal for 2228 Sixth Street East

Ms. Scherbel,

Your appeal is scheduled for Tuesday, July 8, 2014, 11:00 a.m., Suite 330 City Hall/Courthouse, 15 Kellogg Boulevard West.

Because you have filed an appeal, there is no need to contact the inspector.

Have a good day. —Racquel, 651-266-8585

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Therese Scherbel

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