



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

We need the following to process your appeal:

- \$25 filing fee (non-refundable) (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 emailed 11/30/20
for abatement orders only: Email OR Fax

HEARING DATE & TIME
(provided by Legislative Hearing Office)
Tuesday, 12/8/20

Time between 3 and 4 pm

Location of Hearing:
[REDACTED]

VIA TELEPHONE

Address Being Appealed:

Number & Street: _____ City: _____ State: _____ Zip: _____

Appellant/Applicant: _____ Email _____

Phone Numbers: Business _____ Residence _____ Cell _____

Signature: _____ Date: _____

Name of Owner (if other than Appellant): _____

Mailing Address if Not Appellant's: _____

Phone Numbers: Business _____ Residence _____ Cell _____

What Is Being Appealed and Why?

Attachments Are Acceptable

- Vacate Order/Condemnation/ **Comments:**
- Revocation of Fire C of O
- Summary/Vehicle Abatement
- Fire C of O Deficiency List/Correction
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other (Fence Variance, Code Compliance, etc.)

Vang, Mai (CI-StPaul)

From: Jake Sprecher <jsprecher@rjryan.com>
Sent: Monday, November 30, 2020 10:24 AM
To: *CI-StPaul_LegislativeHearings
Cc: Ubl, Stephen (CI-StPaul); Benjamin VandenWymelenberg; 'vperbix@interstatedevelopment.com'; Aaron Waller; Hilleson, Kari (CI-StPaul)
Subject: FW: 274 Fillmore Ave E, Fence Permit 20-084335 Barbed Wire
Attachments: 274 Fillmore Fence Permit.pdf; Application for Appeal Form- RJ Ryan_Woodchuck Fence 11.30.20.pdf

Importance: High

Hello,

I left a voicemail with Marcia Moermond's office last week – I was hoping to speak with her regarding this appeal before proceeding, but have not heard back.

We would certainly like to avoid the appeals process if possible, we are open to modifying the fence as needed to satisfy the City.

In any case, if an appeal is the “mandatory” course of action, I have attached the appeals form.

Please let me know if there is anything else you need from us to move forward.

Thank you,
Jake

Jake Sprecher | Project Manager
R.J. Ryan Construction, Inc. | Commercial Design and Construction
1100 Mendota Heights Road | Mendota Heights, MN 55120
Cell: 651-955-5120 | www.rjryan.com



From: Benjamin VandenWymelenberg <ben@woodchuckcase.com>
Sent: Sunday, November 22, 2020 10:17 AM
To: stephen.ubl@ci.stpaul.mn.us; kari.hilleson@ci.stpaul.mn.us
Cc: vperbix@interstatedevelopment.com; esimmer@interstatedevelopment.com; Aaron Waller <awaller@rjryan.com>; Jake Sprecher <jsprecher@rjryan.com>
Subject: Re: 274 Fillmore Ave E, Fence Permit 20-084335 Barbed Wire

Steve/ Kari,

I know Jake has provided you the below information already, however I wanted to add a few items here as the business owner. My staff has not felt safe even walking to their cars without this installation. We were experiencing 2-3 break ins per week to cars, as Jake mentioned in broad daylight. We installed over 25 cameras around the property (including outside) and were catching many of these thefts right on camera. When we

called police to respond to these, many times (because it was below \$1000) they recommended we just file online. I can understand their response as they are extremely overwhelmed with the recent amount of activity.

Sometimes, the break ins would just be for fun as we instructed employees to remove EVERYTHING from their cars. Even after they did this, it seemed the thief would just break windows for fun as it was clear there was nothing in the cars.

Since adding this fence with barbed wire, and the lights, **we have had 0 instances** to date. On top of having no instances, my 50+ employees feel safe. That is more important to me than anything. We moved to St. Paul from Minneapolis as we have grown exponentially and are ready for a facility to grow our business and employee count in. Although this was an unexpected obstacle we had to deal with, we feel it is now under control due to the measures we took.

I would ask that we can keep the existing infrastructure to continue this sense of safety for my employees, and hopefully a 0 theft zone. Im happy to tilt the barbed wire in whichever direction is desirable but would like to keep things as close to the existing as possible because it's been working.

Thank you for your consideration in advance,

Have a great thanksgiving,

Ben

BENJAMIN VANDENWYMELENBERG
FOUNDER + CEO
WOODCHUCK USA - **BUY ONE. PLANT ONE.**

c. 920.412.6846
@benjaminjovandenwymelenberg

+ Bestselling Author "[The World Needs Your F*cking Ideas](#)"

+ 2019 Ernst & Young Regional Entrepreneur of the Year
+ 40 Under 40 - Minnesota Business Magazine
+ 32 under 32 - Ad Federation

WOODCHUCKUSA.COM | 274 E Fillmore Ave, St. Paul MN 55107 | 612.331.4980

On Nov 20, 2020, at 12:39 PM, Jake Sprecher <jsprecher@rjryan.com> wrote:

Steve/Kari,

I just wanted to circle back with you before we proceed with an appeals process.

The owner (Woodchuck) would be completely willing to have the barbed wire on the fence modified to a vertical position, as opposed to the current out-facing orientation, if that would satisfy your concerns/requirements.

Per Victoria's message below, I would like to reiterate that they had persistent problems with property crime and homeless folks loitering & harassing employees. They had numerous instances of smash and grab car break-ins in broad daylight. Additionally – for what it's worth – almost every business in the area has a barbed wire fence, including the adjacent business (ABC Supply). The fence installed at Woodchuck has a black finish, which in my opinion is much more subtle and aesthetically pleasing than the galvanized fences on the adjacent properties.

We do apologize if there was any due diligence that was not completed on our end, but we proceeded since we assumed everything was "good to go" per the approved permit application.

Thank you again, and I hope we can avoid any appeals that could be otherwise addressed by re-orienting the barbed wire or other measures.

Regards,
Jake

Jake Sprecher | Project Manager
R.J. Ryan Construction, Inc. | Commercial Design and Construction
1100 Mendota Heights Road | Mendota Heights, MN 55120
Cell: 651-955-5120 | www.rjryan.com

<image010.png><image011.jpg>

From: Victoria Perbix [<mailto:VPerbix@interstatedevelopment.com>]
Sent: Friday, November 20, 2020 10:06 AM
To: Aaron Waller <awaller@rjryan.com>; Eric Simmer <ESimmer@interstatedevelopment.com>
Cc: Jake Sprecher <jsprecher@rjryan.com>
Subject: Re: 274 Fillmore Ave E, Fence Permit 20-084335 Barbed Wire

Please note that there have been 4-5 break ins a week without the fence- with the fence, this has been reduced to 0 with the barbed wire fence. Neighboring properties have barbed wire.

Victoria Perbix
vperbix@interstatedevelopment.com
952-658-6460 office direct
612-964-3503 mobile

From: Hilleson, Kari (CI-StPaul) <Kari.Hilleson@ci.stpaul.mn.us>
Sent: Thursday, November 19, 2020 1:41 PM
To: Jake Sprecher <jsprecher@rjryan.com>
Subject: 274 Fillmore Ave E, Fence Permit 20-084335 Barbed Wire

Jake,

Please, see below for email from the Building Official. The permit for a fence with **barbed wire was issued in error** and will need to be appealed to the Legislative Hearing Officer by calling 651-266-8560.

This is due to the issues of having barbed wire in the city. Note, that an 8' fence would be allowed with no barbed wire, if that would be sufficient for your customer.

<image012.jpg> **Kari Hilleson**

Plans Examiner II

Department of Safety and Inspections
375 Jackson St, Suite 220
Saint Paul, MN 55101-1806
P: 651-266-9074
kari.hilleson@ci.stpaul.mn.us

<image013.png><image014.png><image015.png><image016.jpg>

Making Saint Paul the Most Livable City in America

“DSI’s Mission: To preserve and improve the quality of life in Saint Paul by protecting and promoting public health and safety for all.”

From: Ubl, Stephen (CI-StPaul) <stephen.ubl@ci.stpaul.mn.us>
Sent: Thursday, November 19, 2020 1:27 PM
To: Hilleson, Kari (CI-StPaul) <Kari.Hilleson@ci.stpaul.mn.us>
Subject: 274 Fillmore Ave E

Hi Kari,

The fence permit at 274 Fillmore Ave. E. that was issued in error will need to be appealed to the LHO. Could you please forward this to the owner or contactor so they can proceed with the appeals process.

Thank you,

<image017.png>

Stephen Ubl
Pronouns: He/His/Him
Building Official
Department of Safety and Inspections
375 Jackson St.
Saint Paul, MN 55101
P: 651-266-9021
Email: Stephen.ubl@ci.stpaul.mn.us
<image018.png> <image019.png> <image020.png>



FENCE PLAN REVIEW

PLAN REVIEW#: 20 20 084335
Issued Date: October 23, 2020

CITY OF SAINT PAUL
Department of Safety & Inspections
375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806
www.stpaul.gov/dsi
Phone: 651-266-8989
Fax: 651-266-9124

CONTRACTOR:	OWNER:
RJ RYAN CONSTRUCTION, INC 1100 MENDOTA HEIGHTS ROAD MENDOTA HEIGHTS MN 55120	WOODCHUCK INDUSTRIAL LLC 274 FILLMORE AVE E ST PAUL MN 55107-1417

PLAN REVIEW ADDRESS: 274 FILLMORE AVE E ST PAUL MN 55107-1417	SUB TYPE: Fence Plan Review WORK TYPE: Commercial
--	--

INSTALL SECURITY FENCE WITH TWO GATES AT BUILDING EXTERIOR/PARKING LOT (total 550 FEET in length)

NOTE BARBED WIRE FENCE !

Application Method	Email	Date Received	Oct 14, 2020
Fence Location	Front and Side	Non-Obscuring Fence	Yes
Privacy Fence	No	Fence Length	550
Fence Height (Feet)	6	Fence Height (Inches)	0
Estimated Value of Work	\$60,000.00	Estimated Start Date	Oct 22, 2020
Estimated Completion Date	Oct 30, 2020	Corner Lot?	Yes
Fence Variance Required?	No		

FEES	
Permit Fee	93.00
TOTAL	\$93.00

The City of Saint Paul cannot locate your property markers and does not settle private property line disputes among property owners. Fence Permit/Plan Review Applicants are responsible for properly locating the property boundaries. It is your responsibility to know where your property line is, so make sure you have located the property markers before you install your fence. Your fence and all supporting structures must be located entirely inside your property line. The fence cannot be on the property line, on a neighbors property or on public property (boulevard, right of way, sidewalk area, etc.). The City of Saint Paul recommends that you discuss your fence with your neighbors before installation to help avoid a costly property line dispute.

Fence heights allowed: Front Yard - 4 feet maximum, except for corner lots where an obscuring fence may only be 2 feet high at the corner of the intersection. Behind the front setback of the house and in the rear yard - 7 feet maximum, without a fence variance.

Call "Gopher State One Call" at 651-454-0002 to have utilities located before you dig.