



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

OCT 25 2013

CITY CLERK

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 payable to the City of Saint Paul (if cash: receipt number Check 6466)
 - 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

<p>HEARING DATE & TIME (provided by Legislative Hearing Office) Tuesday, <u>November 5, 2013</u></p> <p>Time <u>1:30 PM</u></p> <p>Location of Hearing: <u>Room 330 City Hall/Courthouse</u></p>

Address Being Appealed:

Number & Street: 196
198 Maple St City: Saint Paul State: MN Zip: 55106

Appellant/Applicant: Douglas Boysen Email Clyde.Boysen@Decopac.com

Phone Numbers: Business 763-586-4823 Residence 651-776-2399 Cell 651-334-4335

Signature: [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/Revocation of Fire C of O
- Summary/Vehicle Abatement
- Fire C of O Deficiency List
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other Five CofO Inspection: property not a rental storage for adjacent owner-occupied residence



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806Telephone: 651-266-8989
Fax: 651-266-8951

October 14, 2013

ROSE M FELSHEIM
DOUGLAS A BOYSEN
198 MAPLE ST
ST PAUL MN 55106-5516**INSPECTION APPOINTMENT**

Dear Property Owner:

An inspection of your property has been scheduled as follows:

Address:	196 MAPLE ST	Units:	1
Date:	November 7, 2013	Time:	1:00 pm
Inspector:	Sean Westenhofer	Phone:	651-266-8982
		Email:	sean.westenhofer@ci.stpaul.mn.us

You or your responsible representative is requested to meet the inspector at the front of the building to admit and accompany the inspector throughout the building, including each rental unit. It is the responsibility of the owner to notify the tenants at least 24 hours in advance that an inspection will be done. Please have keys available to all units and common areas.

Saint Paul Legislative Code authorizes this inspection and the collection of inspection fees. It is a criminal misdemeanor violation should you not permit this inspection by failing to appear for this appointment without rescheduling with the inspector. In addition, a **No Entry Fee of \$60.00** may be assessed to the Renewal Fee whenever the owner or responsible representative needs to re-schedule the appointment but fails to notify the inspector, **in writing**, by 8:00 a.m. on the date of the inspection.

If you no longer own this building, contact the inspector immediately between 7:30 - 9:00 a.m., Monday through Friday.

FOR CONDOS:

The interior of owner-occupied dwelling units are **exempt** from this inspection. In condominium buildings, only *rental* units, the common areas, and utility area will be inspected.

FOR APARTMENTS AND DWELLINGS:

A **Smoke Detector Affidavit** and an **Existing Fuel Burning Equipment Safety Test report** **must be completed at the time of inspection**. For these forms, fee schedules, information and other inspection handouts, please visit our web page at: <http://www.stpaul.gov/cofo>

Thank you for your co-operation.

Clyde Boysen

To: marcia.moermond@ci.stpaul.mn.us
Cc: Biales, Ellen (CI-StPaul); Lantry, Kathy (CI-StPaul); cboysen@aol.com; RMFelsheim@aol.com
Subject: Fire Inspection Appeal, 196 Maple Street
Attachments: Notice of Inspection Appointment.pdf; Application for Appeal.pdf

Good morning, Marcia,

Thank you for your assistance in the matter. I hope it is as straightforward as you perceive it to be!

I am sending the following to your attention via USPS:

- Notice of Inspection Appointment
- Application for Appeal
- Copy of this email string
- Check for \$25 filing fee payable to the City of Saint Paul.

Please notify the Department of Safety and Inspections to cancel the inspection appointment.

If there is anything else I need to do to expedite this situation or if you would like additional information, please contact me promptly.

Thanks again!

Douglas Boysen (aka Clyde, a long-standing nickname)

From: Lantry, Kathy (CI-StPaul) [mailto:kathy.lantry@ci.stpaul.mn.us]
Sent: Monday, October 21, 2013 5:11 PM
To: Clyde Boysen
Cc: Biales, Ellen (CI-StPaul)
Subject: RE: Hudson and Maple - And now for something completely different

Hi Clyde,

Here is the response I received from our staff:

Kathy,

This looks pretty straight-forward to me. I think we can tailor a resolution to keep these properties out of the Fire C of O program -- with the proviso that the issue would be re-visited upon a change in use or ownership. We would still need to get an appeal form and \$25, for our records. Unless something totally unexpected comes up, this can be done without a hearing.

~Marcia

It looks like we can accommodate your schedule but you would need to pay the \$25 application fee. (I think she does that to be consistent with everyone) You can contact Marcia at marcia.moermond@ci.stpaul.mn.us to get the ball rolling.

Let me know if this works for you or if you need anything else.

Thanks,
Kathy

From: Lantry, Kathy (CI-StPaul)
Sent: Friday, October 18, 2013 4:16 PM
To: Clyde Boysen; Biales, Ellen (CI-StPaul)
Subject: RE: Hudson and Maple - And now for something completely different

Let me see what I can do.

Kathy

From: Clyde Boysen [mailto:Clyde.Boysen@decopac.com]
Sent: Friday, October 18, 2013 12:09 PM
To: Biales, Ellen (CI-StPaul)
Cc: Lantry, Kathy (CI-StPaul)
Subject: RE: Hudson and Maple - And now for something completely different

I am contacting you for a little guidance and, hopefully, an intervention on our behalf. If possible, I would like to avoid the cost/hassle (both \$ and time) of either a fire inspection of my house or a Legislative Hearing.

We received an Inspection Appointment notice from the Fire Inspection Division regarding 196 Maple Street (scheduled for 11/7/13, 1:00 pm). I spoke to the Inspector, Sean Westenhofer, and, apparently, they are under the misperception that 196 is a rental property; it is not. My wife and I own two adjacent houses, 198 (our primary residence) and 196, a small cottage that we use for storage and for project space (artsy/craftsy), not rental. Until our new accountant did our income taxes a couple of weeks ago (being the two-extension-kind-a guy that I am), we had thought both 198 and 196 were homesteaded. In speaking with Ramsey County Homestead Department, that is not so and 196 cannot be homesteaded.

So we are stuck in a bureaucratic conundrum. We cannot homestead 196, yet we occupy it as, in effect, an extension of our primary residence, 198. On paper, to the City, it looks like a non-owner-occupied property, presumably a rental in need of a Fire Certificate of Occupancy at a significant cost to me (\$170 for the inspection and an estimated \$200 for a third-party furnace inspection, plus the cost of any other repairs deemed unnecessarily necessary). I spoke with Leanna Shaff, Fire Inspection Supervisor, who informed me of the applicable code and the option of an appeal to the Legislative Hearing Officer. Although empathetic to our situation, she feels duty-bound by the Code and emphasized the hearing as our course of action to avoid the inspection. If my understanding of the process is correct, after the hearing, the Officer makes a recommendation to the City Council, which has the ultimate authority and makes the ultimate decision. The fee for appeal is \$25 and I would need to take vacation time from work in order to attend the hearing and, in turn, the Council's public hearing (just to make sure everything goes our way).

Is it possible to avoid the "middle-man" and the associated cost/hassle? Can Kathy, our beloved City Councilperson (OK, admittedly, I am pandering), intervene on our behalf to wave off the inspection and eliminate the need for a hearing? Short of that, can you provide some guidance to navigate this regulatory morass and get this straightened out at minimal cost/hassle for me?

Ellen, we have owned these properties for 30 years. This situation has never come up before and it seem totally unnecessary for it to become an issue now. Any assistance on our behalf will be greatly appreciated; please advise. Have a great weekend!

P.S. and FYI re the other properties in this string: Little has changed on the two Hudson Road properties, at least from an outside view. As predicted, Masters-of-the-Minimum at 886 Wilson did only what was required by the inspection. They filled in the fire pit, shuffled the dilapidated vehicles around, rebuilt the retaining wall and removed the "temporary" storage shelters (that had been there for years). Now the L-shaped back yard is a denuded, mud-bog-in-waiting and all the crap that was formerly hidden in the shelters is piled or strewn around the yard.

D.A. "Clyde" Boysen
Director, Technical Services
DecoPac, Inc.
(763) 586-4823 Direct
(763) 574-1060 Fax
Clyde.Boysen@decopac.com