



APPLICATION FOR APPEAL

RECEIVED

MAY 14 2012

CITY CLERK

Saint Paul City Clerk

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8560

The City Clerk needs the following to process your appeal:

- ☐ \$25 filing fee payable to the City of Saint Paul (if cash: receipt number _____) *Waived*
- ☒ Copy of the City-issued orders or letter which are being appealed
- ☒ Attachments you may wish to include
- ☒ This appeal form completed
- ☒ Walk-In OR ☐ Mail-In

YOUR HEARING Date and Time:

Tuesday, 5-22-12

Time 11:30 A.M.

Location of Hearing:

Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 773 White Bear Ave. N. City: Saint Paul State: MN Zip: 55106

Appellant/Applicant: Diana K. Turner Email: diana@steps2forgiveness.com

Phone Numbers: Business 651 208 0362 Residence 651 208 0362 Cell (same)

Signature: *Diana K. Turner* Date: 5/14

Name of Owner (if other than Appellant): SAME

Address (if not Appellant's): SAME

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
- ☐ Fire C of O: Only Egress Windows
- ☐ Code Enforcement Correction Notice
- ☐ Vacant Building Registration
- ☒ Other EC

Please see Attached letter

St. Paul City Clerk
310 City Hall, 15 W. Kellogg Blvd.
St. Paul, Mn 55102

May 14, 2012

Re: Application for Appeal of Summary Abatement Order

Dear Marsha Moorman,

I am appealing to you once more, as I need your advocacy in mediating with the new inspector that I now have to collaborate with. Yet, Ms. Paula Seeley doesn't seem to want to work with me, jumping to conclusions that I don't care to comply rather than work with me and try to understand what I as a single mother, now working three jobs to make ends meet must do to keep my dream afloat and am undertaking as a beginning Urban Farmer.

It's harder work than I thought to do without a physical partner. When we had our meeting and when I made the schedule in January, I was unemployed and didn't realize what the future would bring. It's been a rough winter/spring financially so I have had to take on three jobs to make ends meet and am working 65 hours for someone else in order to do the gardening work I want to do, and I know I am behind in the schedule I submitted to you, but in no way am I criminally defiant in resisting working with the city. I intend to become a model Urban Farmer and need just as much understanding of what is negotiable and what is not as the Zoning ordinances need to be revamped as not to hinder anyone's potential for making an honest living.

I have been following the Food and Nutrition Commission task force for over a year now, and am super excited about the forward thinking and supportive changes they are proposing to City Council this Thursday. I am hoping that I can apply for a license and have a new set of ordinance standards that would apply to my situation. In the meantime, I am deferring to your good council and hope for an equitable and fair resolution concerning my situation.

The issues I am having with Ms. Seeley hopefully will be cleared up once the City Council determines how to proceed in support of encouraging Urban Farming and local food production to flourish in the city. I called her immediately this morning and tried to explain what was going on my end and assured her I was willing to be compliant, and she suggested I go ahead and appeal, even though it's past the first initial May 10th deadline, which I didn't know about. I am hoping we can go from here and find resolution.

I realize that in the change from Mr. Reardon to Ms. Seeley that my situation might have been misunderstood. I was very grateful to have had a chance to speak with Ms. Seeley the very first time she called me in April to explain what she wanted me to concentrate on taking care of. At that time, she didn't have a problem with the wire shelving, but was most displeased with the wood chip pile under the tarp. I complied with her request and didn't hear back via letter or phone call with any concerns and was hoping that if there was another issue that came up, she would again call me to let me know when she was coming out so I could collaborate and keep up with what she was concerned with.

I have a 17 year old son who used to be able to help me, but now since he is a Junior has had to concentrate on studying for the SAT/ACT's and passing his AP tests. He works 15 hours a week, and volunteers at a Food shelf in preparation for getting accepted into colleges. He has a terrible habit of leaving the mail in different spots around the house. The first abatement order that Ms. Seeley sent me, was in his room. It wasn't until Friday May 11, when I got the second one that I

even knew there was a problem and I ransacked the house looking for the May second letter. She called me the first time and we worked things out, now I am being fined \$50 for the second abatement, and a possible \$75 for the inspection that is due this Thursday. I would have been more than happy to work with Ms. Seeley and would have called immediately to clarify the change in tone, and expectations, but now that I am in project mode, we are at odds of what are reasonable expectations.

I do not want to sell my house, I do not want to give up in exasperation in jumping through what I feel is excessive compliance and dearly want to be able to make a living someday as an Urban Farmer and expand my operations once I can learn the ropes of what it takes to make any money from all the hard labor that goes into the work, but most importantly I feel that there are other would be Urban Farmers who do not have the resources like me, that might not have the training I have, nor the language skills, nor the culture to ask for collaboration with the city. Ms. Seeley should not be the sole authority on what projects I can or can not take on. I don't know what else to do but continue to work collaboratively with the city until we all are on the same page of understanding what it takes to allow Urban Farming to flourish and become a viable means of making a living for the working poor.

We are on the first wave of change in the way we produce food locally. I am only the first to challenge the unfair harshness of the ordinances that impede my tasks as an Urban Farmer. My yard will never be groomed as a backyard gardener would as Ms. Seeley's standard she seems to hold me too, as I am in production mode. The techniques and methods Urban Farmers need to use to ramp up food production will always challenge the codes as is, specially if Urban Farmers like me are on a budget. We need to take advantage of recycled materials, such as pallets, cardboard, free compost when its available, extra pots and rock, sand and dirt. I have no doubt that my nursery violates the aesthetics that Ms. Seeley is accustomed to, but where else can I grow 60 tomato plants, or house my beehive boxes. I have a better chance of making money selling honey, if the bees make it each season, than what I can sell growing veggies on my property.

I will move my bee boxes in compliance with our previous agreement. I was not able to sell them on Craig's list as I had hoped, and want to be able to use them myself. As a good faith effort I will store them else where in hopes that we can compromise on the compost containers, and leaves and sawdust I need throughout the growing season for mulch. I have removed the wire shelving and half of my pots, but need to ask that I can use my second trailer to hold the rest of them up off the ground and as storage until they are used. The seedlings aren't ready to be put into them yet. I would prefer not to have to dump out my sand or rocks, but keep them in smaller bags as they are easier to transport, but will do so if that would make a difference on the other alternative methodologies employed in the growing season.

Please grant me this appeal and let us all come together in the same room, with the new decisions made by the City Council this Thursday. I can not afford the fines which have been unreasonably been given to me as a phone call, a prior meeting could of prevented all of them, I can not afford City workers coming to take away that which I have worked so hard to maintain and be charged the exorbitant fees then required. Please let us continue to work with each other and find a middle ground as I am not a criminal, nor want to be treated as such.

Sincerely,

Diana K. Turner



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

May 02, 2012

11 - 272180

SUMMARY ABATEMENT ORDER

Yog hais tias koj hais lus Hmoob thiab koj 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.

Diana Turner
773 White Bear Ave N
Saint Paul MN 55106-4315

As owner or person(s) responsible for: **773 WHITE BEAR AVE N** 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. **REMOVE PILES OF MULCH, CARDBOARD, PILE OF DIRT ON THE BLVD, METAL SHELVES WITH IMPROPER STORAGE ON THEM, BUCKETS, PALLET, STORAGE UNDER TARPS, BAGS OF LEAVES, ETC. FINAL NOTICE.**
- ☐ 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 **May 10, 2012**, 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: Paula Seeley Badge Number 364 Phone Number 651-266-1916

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) 266-8688. 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.



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street., Suite 220
Saint Paul, MN 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-1919
Web: www.stpaul.gov/dsi

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May 10, 2012

Diana Turner
773 White Bear Ave N
Saint Paul MN 55106-4315

Dear Diana Turner, and others, if listed:

On May 10, 2012, this department conducted an inspection of your property at **773 WHITE BEAR AVE N** and because **you were not compliant with a previous order**

Deficiency: metal shelf with improper storage on it, trailer full of improper storage, cardboard on the ground, etc in yard.

YOU ARE BEING BILLED \$50.00 for the cost of this inspection. This is in accordance with Chapter 34.24 of the Saint Paul Legislative Code. Payment is due upon receipt of this letter. Make your check payable to the "City of Saint Paul" and mail your payment to:

Department of Safety and Inspections, Code Enforcement
Excessive Consumption Unit
375 Jackson Street, Suite 220
St. Paul, MN 55101-1806

If you do not pay within 30 days

the amount of this bill, plus administrative costs, will be assessed to your property taxes.

NOTICE

Your property is next scheduled for a REINSPECTION on

May 17, 2012

WARNING

IF YOU DO NOT HAVE THE VIOLATION(S) CORRECTED BY THE NEXT INSPECTION DATE, May 17, 2012, YOU WILL BE BILLED AN ADDITIONAL \$75.00 . CALL THE INSPECTOR IF YOU HAVE ANY QUESTIONS: Paula Seeley, at 651-266-1916

Paula Seeley
Code Enforcement Inspector

ec60169 10/11

City of Saint Paul, Department of Department of Safety and Inspections

May 10, 2012

EXCESSIVE CONSUMPTION
INVOICE # 978127

File #: 11-272180
Property Address: 773 WHITE BEAR AVE N
Property PIN: 272922440046
Owner Name: Diana Turner

<u>Fee Description</u>	<u>Amount</u>
Excessive Consumption \$50 Fee	\$ 50.00

Payment is due upon receipt of this letter.

Failure to pay within 30 days will result in this amount being assessed to your property taxes.

Make your check payable to the ACity of Saint Paul@.

Send payment to:

Department of Safety and Inspections
Excessive Consumption Unit
375 Jackson Street, Suite 220
St. Paul, MN 55101-1806

Keep this portion for your records: Date Paid: _____ Amt Paid: _____

Ck or M.O. # _____

364

Deficiency: metal shelf, trailer full of improper storage, cardboard on the ground, etc in yard.

↔ --- Cut HERE --- ↔ --- ↔ --- ↔ --- ↔ --- Cut HERE --- ↔ --- ↔ --- ↔ --- Cut HERE --- ↔

RETURN this portion with your payment

City of Saint Paul, Department of Department of Safety and Inspections, Code Enforcement Division

EXCESSIVE CONSUMPTION PAYMENT

INVOICE # 978127 dated May 10, 2012

File #: 11-272180
Property Address: 773 WHITE BEAR AVE N
Property PIN: 272922440046
Owner Name: Diana Turner

<u>Fee Description</u>	<u>Amount</u>
Excessive Consumption \$50 Fee	\$ 50.00

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RETURN THIS PORTION WITH YOUR PAYMENT