



APPLICATION FOR APPEAL

RECEIVED
OCT 31 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 _____)
- 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, <u>NOV. 13 2012</u>
Time <u>1:30 P.M.</u>
Location of Hearing:
<u>Room 330 City Hall/Courthouse</u>

Address Being Appealed:

Number & Street: 268 DUKE STREET City: ST. PAUL State: MN Zip: 55102

Appellant/Applicant: David Harrington
FOUR CORNERS PROPERTIES OF MN Email Craft.construction@hotmail.com

Phone Numbers: Business _____ Residence _____ Cell 651-210-0912

Signature: [Signature] Date: 10-26-2012

Name of Owner (if other than Appellant): _____

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
 - Fire C of O: Only Egress Windows
 - Code Enforcement Correction Notice
 - Vacant Building Registration
 - Other
- Please find attached
1. Written Appeal.
2. Photographs

Four Corners Properties of MN, LLC

1678 Selby Avenue

St. Paul

MN

55104

APPEAL AGAINST DEFICIENCY JUDGEMENT AT 268 DUKE STREET, ST PAUL

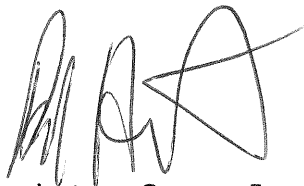
To whom it may concern,

I would first like to thank you for hearing our appeal. We appreciate your understanding in regard to our missing the original appeal period.

After investigating the costs associated with recapping the boundary wall of the property we felt that we had to appeal the deficiency judgment. The cheapest estimate we received was \$1500. We feel that this cost is prohibitively expensive when offset against the condition of the wall and the rest of the property overall. Attached are several photographs which document the condition of the wall all the way around the property. As you can see the wall is, on the whole, in excellent condition. We believe that there is no safety hazard posed by the current condition of the boundary wall and that even with future weathering of the caps there is little or no chance of a safety hazard to our tenants or pedestrians, cyclists or motorists passing by the property.

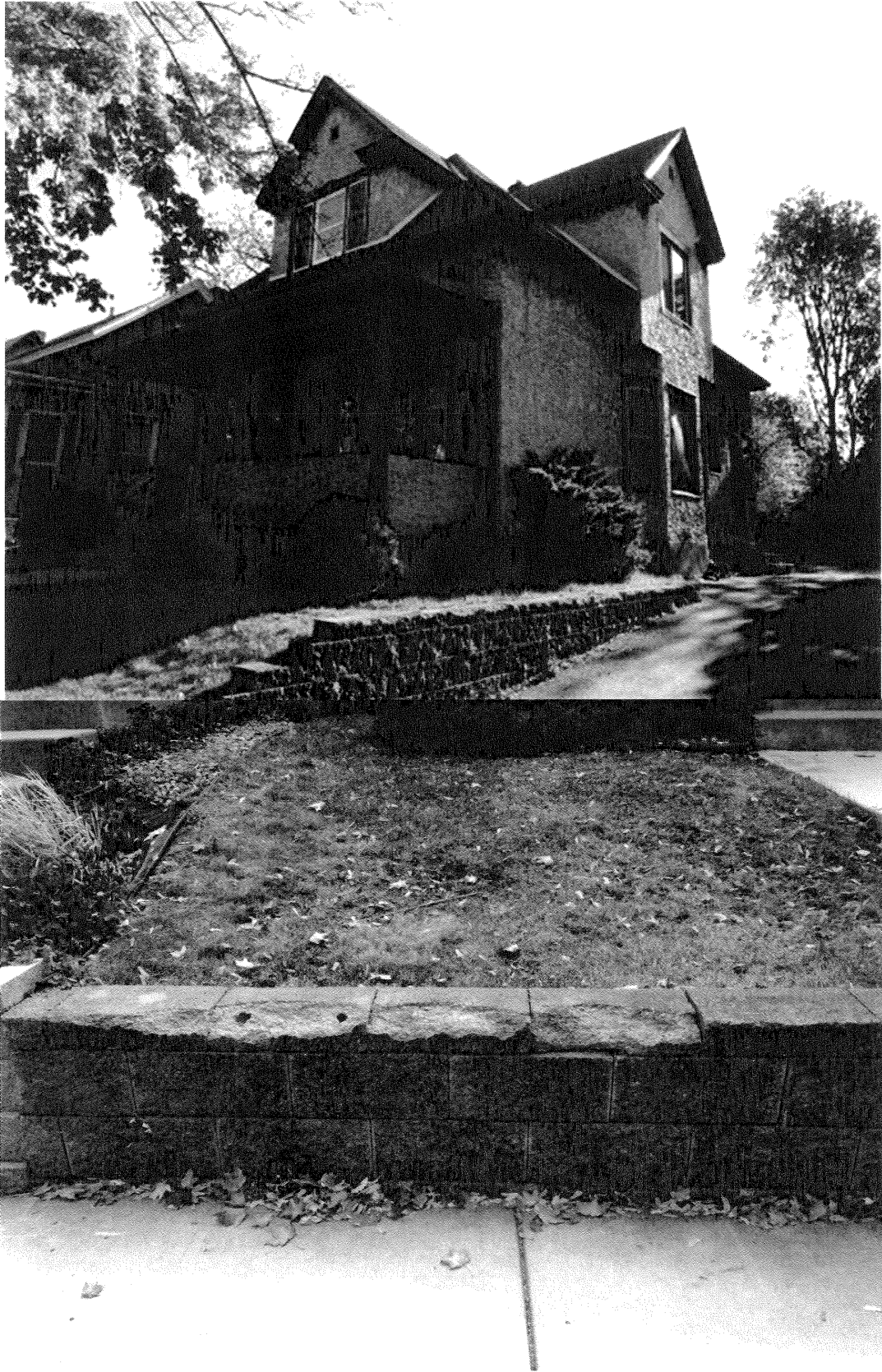
I would also like to point to the overall condition of this property which has received a provisional A rating from the inspection. Much time and money was invested in this property to achieve the highest standards in safety and while the wall represents what is a minor cosmetic issue we reiterate that we feel the cost associated with recapping the wall should relinquish us of the need to commit to the work.

Many thanks for your time

A handwritten signature in black ink, appearing to read 'D. Harrington', written in a cursive style.

David Harrington – Owner – Four Corners Properties of MN, LLC

268 Duke – Retaining Wall Photos









CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-8951
Web: www.stpaul.gov/dsi

October 8, 2012

FOUR CORNERS PROPERTIES LLC
1678 SELBY AVE
ST PAUL MN 55104-6149

FIRE INSPECTION CORRECTION NOTICE

RE: 268 DUKE ST
Ref. #115252
Residential Class: A

Dear Property Representative:

Your building was inspected on October 8, 2012 for the renewal of your Fire Certificate of Occupancy. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected prior to the re-inspection date.

A re-inspection will be made on November 6, 2012 at 2:00 pm.

Failure to comply may result in a criminal citation or the revocation of the Fire Certificate of Occupancy. The Saint Paul Legislative Code requires that no building shall be occupied without a Fire Certificate of Occupancy. The code also provides for the assessment of additional re-inspection fees.

YOU WILL BE RESPONSIBLE FOR NOTIFYING TENANTS IF ANY OF THE FOLLOWING LIST OF DEFICIENCIES ARE THEIR RESPONSIBILITY.

DEFICIENCY LIST

1. Front and side. - SPLC 34.08 (5), 34.31 (3) - Repair, replace and maintain all exterior surfaces on fences, sheds, garages and other accessory structures free from holes and deterioration. Provide and maintain exterior unprotected surfaces painted or protected from the elements.- Replace caps on retaining wall.

Saint Paul Legislative Code authorizes this inspection and collection of inspection fees. For forms, fee schedule, inspection handouts, or information on some of the violations contained in this report, please visit our web page at: <http://www.stpaul.gov/cofo>

You have the right to appeal these orders to the Legislative Hearing Officer. Applications for appeals may be obtained at the Office of the City Clerk, 310 City Hall, City/County Courthouse, 15 W Kellogg Blvd, Saint Paul MN 55102 Phone: (651-266-8688) and must be filed within 10 days of the date of this order.

If you have any questions, email me at: mike.cassidy@ci.stpaul.mn.us or call me at 651-266-8984 between 7:30 a.m. - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Mike Cassidy
Fire Inspector

Reference Number 115252