



APPLICATION FOR APPEAL

Saint Paul City Clerk

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8560

RECEIVED

MAY 27 2011

CITY CLERK

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

<p>YOUR HEARING Date and Time:</p> <p>Tuesday, <u>6-14-11</u></p> <p>Time _____</p> <p>Location of Hearing:</p> <p>Room 330 City Hall/Courthouse</p>
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Address Being Appealed:

Number & Street: 1943 Randolph Ave. City: St. Paul State: MN Zip: 55105

Appellant/Applicant: Mike Kovolski & Shelley Jensen Email cheese4forever2005@yahoo.com

Phone Numbers: Business (651) 234-7770 Residence (651) 698-9132 Cell NA

Signature: Michael P. Kovolski Date: 5/27/11

Name of Owner (if other than Appellant): NA

Address (if not Appellant's): NA

Phone Numbers: Business NA Residence NA Cell NA

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
- Other
- Other

Appealing Summary Abatement Order dated May 20, 2011 and Correction Notice dated May 5, 2011. We request that both of these be stricken and removed from the record.

We also request the name of the individual providing the complaint be provided. Additional information regarding our appeal is attached

APPEAL SUMMARY

We are appealing the Correction Notice and Summary Abatement Order dated May 5, 2011 and May 20, 2011 respectively (attached).

We specifically request to have the Correction Notice and Summary Abatement Order stricken and removed from our record. We believe that the Correction Notice and Summary Abatement Order were not valid. Our reasons include but are not limited to the following.

We were given advice by a different inspector that conflicts with these documents. Further, there is nothing that has been cited from the ordinance that specifically addresses new lattice placed behind an existing fence or how to store it.

Despite our request, no written guidelines have been made available to us. In addition we request that the city provide the name of that individual who has been making complaints which we consider to be harassment.

DEPARTMENT OF SAFETY AND INSPECTIONS
 Steve Magner, Manager of Code Enforcement



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/dsa

325

Yog hais tic koj hais hys thimob thiab koj tic to tam tsab ntawv no. hnta nts tsab hys ntawv
 (651) 266-8989. Nws yog pab dawb zwb. Si necessita un traductor, por favor llamanos al (651) 266-
 8989. No costo.

May 05, 2011

Michael P Kowski/Shelley D Jensen
 1943 Randolph Ave
 St Paul MN 55105-1749

CORRECTION NOTICE

RE: 1943 RANDOLPH AVE
 File #: 11-127028

Dear Sir or Madam:

The City of Saint Paul, Department of Safety and Inspections has inspected the above referenced property on **May 04, 2011** and has determined that the following deficiencies exist in violation of the Saint Paul Legislative Code¹ (see footnote 1, below).

1. Remove illegal fence installed on the east side of the property. The fence exceeds legal height limitations, the posts are not firmly affixed in the ground and work was done without a permit.

You are hereby notified to correct these deficiencies in accordance with the appropriate codes. The Enforcement Officer will reinspect these premises on or after **May 18, 2011**, by which date the violations noted must be corrected. **Failure to correct these deficiencies may result in the issuance of criminal charges²** and/or a civil lawsuit, and possible abatement/assessment by the City. All repairs and new installations must be made in accordance with the appropriate codes. Permits may be obtained by calling 651-266-8989.

You may file an appeal to this notice by contacting the City Clerk's Office at 651-266-8688. Any appeal must be made in writing within 10 days of this notice. (You must submit a copy of this Notice when you appeal, and pay a filing fee.)

If you have any questions or request additional information, please contact me. To arrange an appointment or request an extension of time to complete repairs, you will need to speak directly to me at 651-266-1917.

Sincerely,

Ed Smith
 Badge # 325
 CODE ENFORCEMENT OFFICER

Footnotes:

May 05, 2011

1943 RANDOLPH AVE

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- ¹ To see the Legislative Code go to www.stpaul.gov on the internet, click on "Departments", then click on "Department of Safety and Inspections", scroll down the page for the "Codes". Most Correction Notices derive from Chapter 34.
- ² Criminal charges can be brought on the day the violation is observed, but generally we allow time to correct unless this is a repeat violation.

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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.

en60100 6/10



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

May 20, 2011

11 - 127028

SUMMARY ABATEMENT ORDER

325

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.

Michael P Kowski/Shelley D Jensen
 1943 Randolph Ave
 St Paul MN 55105-1749

As owner or person(s) responsible for: 1943 RANDOLPH AVE 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: lattice wedged between the trees and chain-link fence on the east side of the backyard.**
- 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 26, 2011**, 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: Ed Smith Badge Number 325 Phone Number 651-266-1917
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.