



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

JUN 04 2018

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 (non-refundable) (payable to the City of Saint Paul) (if cash: receipt number # 6830)
 - 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

HEARING DATE & TIME
(provided by Legislative Hearing Office)

Tuesday, JUNE 12, 2018

Time 1:30

Location of Hearing:

Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 485 OTIS AVENUE City: ST PAUL State: MN Zip: 55104

Appellant/Applicant: ROBERT D BUTTERBRODT Email bead@butterbrodt.com

Phone Numbers: Business 651 292 1000 Residence 651 690 2789 Cell 651 203 3468

Signature: [Handwritten Signature] Date: 06/01/2018

Name of Owner (if other than Appellant): _____

Mailing Address if Not Appellant's: 2146 SARAGENT AVENUE ST PAUL MN 55105

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/Correction
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other (Fence Variance, Code Compliance, etc.)

STATEMENT ATTACHED



CITY OF SAINT PAUL

May 23, 2018

ROBERT D BUTTERBRODT
MARGARET MARRINAN
2146 SARGENT AVE
ST PAUL MN 55105-1127

CORRECTION NOTICE - COMPLAINT INSPECTION

RE: 485 OTIS AVE
Ref. # 106917

Dear Property Representative:

An inspection was made of your building on May 22, 2018 in response to a referral. You are hereby notified that the following deficiency list must be corrected immediately.

A re-inspection will be made on June 27, 2018 at 2:30 PM.

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

DEFICIENCY LIST

1. Exterior - Dead Pine Tree at south end of property - MSFC 315.4 - Relocate storage of combustible materials to at least 10 feet from property lines.-
Remove.
2. Exterior - See Comments - SPLC 34.09 (2), 34.33 (3) - Provide and maintain foundation elements to adequately support this building at all points.-
Front/East side of Dwelling: Repair the stucco façade that has cracked at the base of south deck.
North side of Dwelling: hole in ground next to dwelling with cone upside-down-approximately 15 inches deep.
Front stairway is deteriorating on sides of the stairway.

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: (651-266-8585) and must be filed within 10 days of the date of the original orders.

If you have any questions, email me at: Laura.Huseby@ci.stpaul.mn.us or call me at 651-266-8998 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,

Laura Huseby
Fire Inspector

Ref. # 106917

Robert D. Butterbrodt

From: Robert D. Butterbrodt <bead@butterbrodt.com>
Sent: Thursday, May 31, 2018 4:15 PM
To: 'Laura.Huseby@ci.stpaul.mn.us'
Cc: Andrew M. Butterbrodt (Andrew.Butterbrodt@gmail.com)
Subject: 485 Otis Ref # 106917

Inspector Huseby,

I'm troubled by this correction notice. I'll concede the dead Christmas tree and the sink hole. Those are easily fixed, but I have issues with the stucco and concrete, given that the inspection was evidently triggered by a neighbor's complaint and that these conditions existed and were not cited when this property was last inspected, after which we were told we would not be inspected for another four years.

The stucco fascia on the front patios has had visible cracks since we acquired this property in 1981. We have had stucco people look at the patio stucco numerous times, and again this week in response to your notice. No one wants to touch it because they can't guarantee a patch will hold. The usual recommendation is demolition and replacement, which we simply can't afford to do, especially on short notice. We did demolish and replace the back entry staircases, at great expense, several years ago. They were of the same concrete and stucco construction. Eventually we expect the front patios will need to be replaced but their deterioration has not advanced as rapidly as did the back stairways. They are still solid, safe and they are not the priority issues we are confronting at present with building integrity.

Last year we replaced the flat roof on the entry portico because it leaked. This year we had the main flat roof professionally evaluated because it is near the end of its useful life. We hope to extend its life another 1 to 2 years by installing heat tapes at the roof drain and making small repairs at certain weak seams. We need to extend the life of the flat roof because we have already contracted for major repairs to the front windows, doors and trim as well as replacement of all first floor storm doors, at a projected cost of \$10,000. We expect the upcoming roof replacement will cost at least \$25,000. We also have a heating system alteration in the works to improve heat retention in the basement, a major issue because of continuing subsidence of the soil along Otis Avenue that has been going on ever since I-94 was constructed.

We consider these projects to be more important to the habitability of the building than the appearance of the stucco and stairway facades in front. The front entry stairs and patios—the entire house for that matter—are on foundation footings that rest on bedrock. They have not budged an inch since we've owned this property. If you examine the front stairs carefully you will notice the bottom step was later added because the surrounding ground had settled. That stair addition was done before we owned the house. Now the ground has further settled making the first step up from walk we poured most recently (we have poured a new walk twice) an unusually high one. The day is coming when we will need to raise the walk or add another bottom stair, or both, again.

To summarize, the condition of the stucco and stairs is not materially different than it was when our building passed its last inspection and when we were told we were not due for another inspection for four years. We believe we have a pretty good handle on the problems with our building and we are doing our best, within our means, to address them. This inspection and the resulting correction notice, if triggered by a complaining neighbor, encourages behavior that we would not condone in ourselves; if not, it represents, at least as far as the stucco and concrete items are concerned, a change in enforcement policy that appears frivolous and arbitrary.

I would like to discuss informal resolution of these issues with you if that is possible.

ROBERT D. BUTTERBRODT



CITY OF SAINT PAUL

375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806Telephone: 651-266-8989
Facsimile: 651-266-1919
www.stpaul.gov/dsi

5/21/18

ROBERT D BUTTERBRODT
2146 SARGENT AVE
ST PAUL MN 55105-1127**NOTICE TO CUT TALL GRASS AND/OR WEEDS**

485 OTIS AVE

File #: 18 - 064214

Insp: 326

**IF THE GRASS AND/OR WEEDS HAVE ALREADY BEEN CUT,
THANK YOU AND PLEASE DISREGARD THIS NOTICE.**

Dear Owner/Occupant/Responsible Party:

We received a complaint of tall grass and/or weeds for this property address. The Saint Paul Legislative Code, Chapter 45, requires property owners and/or occupants to keep the grass and/or weeds less than eight (8) inches in height. **This is your official notice to cut and remove tall grass, weeds and rank plant growth from your yard, the boulevard, and from the garage and/or alley areas.**

To ensure compliance with the ordinance, a Code Enforcement Officer will inspect the property after 72 hours from the postmark on this letter. If the grass and/or weeds are more than eight (8) inches, the Enforcement Officer will schedule a City Work Crew to immediately do this work. The cost of cutting the tall grass and/or weeds is **\$160 per hour plus expenses, with a minimum charge of one (1) hour.** This fee plus administrative costs will be added to the special assessments against the property, to be paid with the Real Estate Taxes.

Your cooperation in cutting the grass and/or weeds will be appreciated by the people in your neighborhood. Let's all work together to make Saint Paul the best it can be! If you have any further questions regarding this notice, if you are elderly or disabled and need help with cutting the grass or if you no longer own this property, please call the Code Enforcement Area Inspector Daniel Hesse at 651-252-8293.

The scheduled inspection date for your property is on or after: May 25, 2018

Also Sent To:

Robert D Butterbrodt 2146 Sargent Ave St Paul MN 55105-1127

APPEALS: You may appeal this order and obtain a hearing before the City Council by completing an appeal application with the City Clerk immediately upon receipt of this letter. You may obtain an appeal application from the City Clerk's Office, Room 310 in City Hall, 15 W Kellogg Blvd., St. Paul, MN 55102. The telephone number is (651) 266-8688. You must submit a copy of this Summary Abatement Notice 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 said 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.

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