



APPLICATION FOR APPEAL

RECEIVED
JUL 24 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>Aug 7</u>
Time <u>11:30 P.M.</u>
Location of Hearing:
Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 2165 Carroll Ave City: St Paul State: MN Zip: 55104

Appellant/Applicant: Ancil M Payne Jr Email _____
Mary E. Payne

Phone Numbers: Business _____ Residence 651-644-4051 Cell 651-503-4847

Signature: Mary E Payne (for Ancil M Payne Jr) Date: July 24, 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

Owners assert residence is not "uninhabitable"

2165 Carroll Avenue
Saint Paul, Minnesota 55104
July 24, 2012

Appeal from
" Notice of Condemnation as Unfit for
Human Habitation and Order to
Vacate " dated July 18, 2012

addressed to

Ancil N. Payne / Mary E. Payne
2165 Carroll Ave
St Paul MN 55104-5043

We, Ancil N. Payne and Mary E. Payne,
husband and wife, owners and residents of the
single-family dwelling house at

2165 Carroll Avenue,
appeal from the above-referenced Notice and
Order. We expect to retain professional

legal representation, but the attorney to whom
Mary E. Payne has spoken and who expressed
interest in ~~and probable~~ the matter and probable
willingness to undertake the representation will
not be available until July 26, 2012.

This notice of our appeal will, we respectfully
ask, be susceptible of supplementation and
amendment by the lawyer we expect to retain.

We are particularly requesting that the
intended placarding and requirement for us to move out,
scheduled for July 31, 2012, not be ~~be~~ carried out
but be suspended during the consideration and
decision of this appeal.

Without prejudice to further assertion of facts
and arguments on our behalf by the lawyer
we expect to retain,

Ancil N. Payne and Mary E. Payne
2165 Carroll Avenue
~~July~~ July 24, 2012 page two

We deny that the house is unfit for human habitation, and we deny that there is any blockage of either of the two and only two exits from the house.

Ancil N. Payne, Jr., has email at

anpayne2165@yahoo.com

Mary E. Payne has email at

mepayne@centurylink.net

Our home telephone number is
(651) 644-4051.

Mary E. Payne's cell telephone number is
(651) 503-4847.

Respectfully submitted,

Ancil N. Payne, Jr.

Mary E. Payne



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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July 18, 2012

NOTICE OF CONDEMNATION AS UNFIT FOR HUMAN HABITATION AND ORDER TO VACATE

Ancil N Payne/Mary E Payne
2165 Carroll Ave
St Paul MN 55104-5043

Dear Sir or Madam:

The Department of Safety and Inspections, Division of Code Enforcement, has determined that the dwelling and premises at **2165 CARROLL AVE** is "Unfit for Human Habitation". In accordance with Saint Paul Legislative Code, Chapter 34, Section 23, the premises will be placarded on **7.31.12** and ordered vacated no later than **7.31.12**.

Your attention is called to the following provisions of Section 34.23, Subsection 6 entitled, "Vacation of Structure or Unit":

"Any residential structure or residential unit which has been condemned or placarded as unfit for human habitation shall be vacated within the time set forth in the placard and/or order. It shall be unlawful for any person to let to any person for human habitation any structure or unit so condemned or placarded, and no person shall occupy the structure or unit after the date set forth in the placard and/or notice."

THIS DWELLING SHALL NOT AGAIN BE USED FOR HUMAN HABITATION UNTIL WRITTEN APPROVAL IS SECURED FROM THE CITY OF SAINT PAUL; DEPARTMENT OF SAFETY AND INSPECTIONS, DIVISION OF CODE ENFORCEMENT

Principle Violations: These deficiencies must be corrected before this condemnation and vacate order will be removed.

FIRE HAZARD

1. Excessive accumulation of combustible material: There is an excessive accumulation of storage/combustible material throughout the dwelling. Remove storage from dwelling.

2. Exiting: There are blocked exits and or access to exits due to storage. Remove storage from dwelling.

LACK OF BASIC FACILITIES

3. Smoke Detector: Lack of properly installed and operable smoke detector. Provide functioning smoke detectors in accordance with the attached requirement, within 24 hours.
4. Carbon monoxide detector: MN State Statute 299F.50 Immediately provide and maintain an approved carbon monoxide alarm in a location within ten (10) feet of each sleeping area. Installation shall be in accordance with manufacturers instructions.
5. Interior walls: The interior walls are defective. Repair all wall defects and finish in a professional manner.
6. The exterior walls of the house are defective. There are sections of missing stucco. Repair walls in a professional manner.
7. Further inspection: A complete inspection is not possible at this time due excessive storage. Further inspection will be required once dwelling has been cleared. Out.

Other Violations: These deficiencies must be corrected in order to bring this property into compliance with the Saint Paul Legislative Code.

8. Rank plant growth: There volunteer growth around the foundation of the house and weeds and plantings have overgrown the rear yard. Cut and remove.

Authorization to reoccupy this/these dwelling unit(s) will not be given until it is demonstrated that all principal violations have been corrected and that no new conditions exist which could constitute material endangerment or which threaten the peace, health, safety or welfare of the occupants of this building.

All repairs and new installations must be made in accordance with the appropriate codes. Permit information may be obtained from the Building Inspection and Design Section, 375 Jackson Street, Suite 220, (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 the date of this notice.

It is the responsibility of the property owner to keep all buildings secured and to properly maintain the premises at all times.

If you have any questions concerning this matter, please contact the Inspector, Joel Essling, at 651-266-1904. To arrange an appointment or request an extension of time to complete repairs, you will need to speak directly to the inspector.

Sincerely,

Joel Essling
Enforcement Officer

je

c: Posted to ENS

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