



City of Saint Paul

City Hall and Court House
15 West Kellogg
Boulevard
Phone: 651-266-8560

Master

File Number: RLH SAO 16-22

File ID: RLH SAO 16-22

Type: Resolution LH Summary
Abatement Order

Status: Passed

Version: 2

**Contact
Number:**

In Control: City Council

File Created: 07/18/2016

File Name: 1084 Selby Avenue

Final Action: 08/17/2016

Title: Appeal of William H. Crowder to a Summary Abatement Order plus Notice to Cut Tall Grass and/or Weeds at 1084 SELBY AVENUE.

Notes:

Agenda Date: 08/17/2016

Agenda Number: 73

Sponsors: Thao

Enactment Date:

Attachments: 1084 Selby Ave.appeal.7-18-16, 1084 Selby Ave.City
Photos.7-25-16, 1084 Selby Ave.Owner Photos
#1.7-26-16, 1084 Selby Ave.Owner Photos
#2.7-26-16, 1084 Selby Ave.Owner Photos
#3.7-26-16, 1084 Selby Ave.Owner Photos
#4.7-26-16, 1084 Selby Ave.Owner Photos
#5.7-26-16, 1084 Selby Ave.Crowder-Leppanen
Ltr.7-27-16

Financials Included?:

Contact Name:

Hearing Date:

Entered by: Racquel.Naylor@ci.stpaul.mn.us

Ord Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Legislative Hearings	07/26/2016	Referred	City Council	08/17/2016		
	Action Text:	Referred to the City Council due back on 8/17/2016					
	Notes:	<i>William H Crowder and Ann K Leppanen, owners, appeared.</i>					
		<i>Inspector Lisa Martin:</i>					
		<i>-tall grass & weeds Order issued Jul 13, 2016</i>					
		<i>-under Chapter 45 - grass & weeds cannot exceed 8 inches; other issue is rank plant growth in the yard, blvd, near garage/alley</i>					
		<i>-photos</i>					
		<i>-we also have vegetation within 5 feet of a driveway</i>					
		<i>-the planting on the blvd cannot be more than 18 inches high and there cannot be any over hang onto a sidewalk or a street</i>					
		<i>Mr. Crowder:</i>					

-Ann & I have lived there since Jan 1989; this is our neighborhood
-every few years, they get a complaint; presume it's from the same person; the last complaint was 6 years ago; then, the inspector looked at it and said that it wasn't a problem - that it was just fine; that inspector has retired; now, we have a new inspector and this is round 3 or 4
-they took some pictures - entered them
-ferns in front yard; grass is about 5 inches tall; other plants there too; burdock makes a nice winter ground cover/decorative plant/goldfinches feed on them; cone flowers, pitcher plant, milkweed
-that's our driveway, not the neighbors
-there are no noxious weeds in our yard
-the yard is partly mowed and partly flowered; they spend dozens of hours keeping up the prairie flowers and hundreds of saplings
-entered many photos of other yards with vegetation growing - tall grasses over 18 inches
-we have short, medium and tall decorative grasses
-most of this is a question of taste but who determines that taste?
-in the past, we've had good communication with inspectors; the Notice is dated the 13th; I got it the evening of Fri, the 15th; I called up Sat and got a recording; it said that it had to be taken care of by Sun, the 17th; so, I came down here on Mon morning to file an appeal because the inspector was on vacation; and if we didn't do it, we wouldn't preserve our right to at least, talk it over with the inspector
-who determines what is a garden and what is a weed lot?
-he plants so that there are blooms all season; and he is proud of his yard; it contributes a lot to the neighborhood
-his concern is that the decision is being made with the lowest common denominator (someone has a grudge against someone else; then, they make a complaint)

Ms. Moermond:

-she mostly heard complaints about the height of the plantings on the blvd and the code is specific on that for obvious visibility reasons

Ms. Martin:

-blvd plantings is limited to 18 in high within 10 ft of the curb on street sections and within 5 feet of any alley or driveway or public utility fixture
-and for someone who's not familiar with rain gardens and these type of gardens, it looks as though it's overgrown

Ms. Moermond:

-can you come into compliance with that piece of the code?

Mr. Crowder:

-we have a very small yard
-I didn't get to my point; all those photos in the western half of the city are similar circumstances to our yard; who makes that determination as to whether or not it's enforced? You could make those same complaints about hundreds of houses

Ms. Moermond:

-ours is a complaint based system
-the photos will be on the record
-does the circumstance meet code or not; 18 inches for a blvd seems reasonable
-she is concerned about basic visibility; maybe some plants can be transplanted

Mr. Crowder:

-yes, some of them

Ms. Leppanen:

-their grass measured less than 3 inches; she measured it this morning
-they are both lawyers; she did a lot of research on noxious weeds; we have no noxious weeds..Ramsey County doesn't list more than 4
-inspector commented on the driveway; it's ours, not the neighbors
-she could not come up with the code on the blvd
-she will agree with whatever Bill wants to do & I appreciate what he's done with our yard

Ms. Martin:

-Section 105.04 Blvd planting

Mr. Crowder:

-he will get the blvd height down to 18 inches

Ms. Moermond:

-knows that it's an inconvenience; is alright with the yard

-blvd deadline: Sep 30, 2016

Deny appeal and grant an extension until September 30, 2016 to reduce the planting on the blvd to 18 inches; Summary Abatement Order for the couch on the boulevard has been abated.

2	City Council	08/17/2016	Adopted	Pass
	Action Text:		Adopted	
2	Mayor's Office	08/19/2016	Signed	
	Action Text:		Signed	

Text of Legislative File RLH SAO 16-22

Appeal of William H. Crowder to a Summary Abatement Order plus Notice to Cut Tall Grass and/or Weeds at 1084 SELBY AVENUE.

WHEREAS, in the matter of the Appeal of William H. Crowder to a Summary Abatement Order plus Notice to Cut Tall Grass and/or Weeds at 1084 SELBY AVENUE, the Legislative Hearing Officer has reviewed the appeal and considered the testimony of City staff and the appellant;

WHEREAS, the Legislative Hearing Officer recommends that the City Council deny and grant an extension to September 30, 2016 to reduce the planting on the boulevard to 18 inches; Now, Therefore, Be It

RESOLVED, that the Saint Paul City Council hereby accepts and adopts the Legislative Hearing Officer's recommendation in this matter.

(none listed)