



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

MAR 02 2018

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

We need the following to process your appeal: **CITY CLERK**

- \$25 filing fee (non-refundable) (payable to the City of Saint Paul) (if cash: receipt number 820061)
 - 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, <u>MARCH 6, 2018</u>
Time <u>11:00</u>
Location of Hearing:
Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 65⁶⁷ W. Winifred St. City: Saint Paul State: MN Zip: 55107

Appellant/Applicant: Eugene Schwalbe Email _____

Phone Numbers: Business _____ Residence _____ Cell 763-226-5665

Signature: Eugene Schwalbe Date: 3-2-2018

Name of Owner (if other than Appellant): Donald Schwalbe

Mailing Address if Not Appellant's: 67 W. Winifred St Saint Paul MN 55107

Phone Numbers: Business _____ Residence _____ Cell 651-226-7594

What Is Being Appealed and Why? Attachments Are Acceptable

- Vacate Order/Condemnation/ Revocation of Fire C of O Condemnation / no money and
- Summary/Vehicle Abatement No place else to go until I get a job
- Fire C of O Deficiency List/Correction _____
- Code Enforcement Correction Notice _____
- Vacant Building Registration _____
- Other (fence) Variance, Code Compliance, etc.) Accessory Structures



CITY OF SAINT PAUL

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

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

330.0

March 02, 2018

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

Donald E Schwalbe
67 Winifred St W
St Paul MN 55107-1138

Occupant
65 Winifred St. W.
St. Paul MN 55107

Dear Sir or Madam:

The Department of Safety and Inspections, Division of Code Enforcement, has determined that the dwelling and premises at **65 WINIFRED ST W** is "Unfit for Human Habitation". In accordance with Saint Paul Legislative Code, Chapter 34, Section 23, the premises will be placarded on **MARCH 2, 2018** and ordered vacated no later than **MARCH 2, 2018**.

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

"Any dwelling unit, structure or portion thereof which has been condemned or placarded as unfit for occupancy shall be vacated within the time set forth in the placard and/or order. No person shall occupy or let for occupancy any structure which is condemned."

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.

1. **SPLC 34.23 CONDEMNATION:** This occupancy is condemned as unsafe or dangerous. It constitutes a condition of material endangerment to occupants and emergency personnel. The interior of the commercial space is being used as an illegal unit for the owner's brother to live and sleep in. No CO or smoke detector present, combustibile material all over the ground inside the commercial space. **IMMEDIATELY DISCONTINUE ILLEGAL USE OF COMMERCIAL SPACE AS A LIVING AREA AND REMOVE ALL BEDDING AND PERSONAL BELONGINGS.**
2. **SPLC 34.08 ACCESSORY STRUCTURES/FENCES:** All accessory structures including, but not limited to, detached garages, sheds and fences shall be kept in a professional state of maintenance and repair and maintained structurally sound. All exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by paint which is not lead-based paint or by other protective covering or treatment. Service doors to accessory structures shall be provided with securing locks. **SECURE THE SERVICE DOOR ALONG WINIFRED ST. WEST.**

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

3. **SPLC 34.09 EXTERIOR WALLS:** The exterior walls and/or trim of the house and/or garage has defective or peeling paint, or unpainted wood surfaces. Maintain in a professional state of maintenance and repair. **PLEASE SCRAPE AND PAINT THE COMMERCIAL SPACE EXTERIOR WALLS.**
4. **SPLC 34.09 GUARDRAIL:** Provide an approved guardrail. Intermediate balustrade must not be more than 4 inches apart. Intermediate rails must be provided if the height of the platform is more than 30 inches. **SECURE AND RE-ATTACH THE GUARDRAIL TO MEET CODE.**
5. **SPLC 45.03 STORAGE:** Provide and maintain orderly storage of materials. Provide and maintain at least 2 feet clearance below the lowest structural member or the ceiling. **PLEASE ORGANIZE AND MAINTAIN STORAGE MATERIALS IN AN ORDERLY FASHION.**

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) 266-8585. 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, Sean Westenhofer, at 651-266-1914. To arrange an appointment or request an extension of time to complete repairs, you will need to speak directly to the inspector.

Sincerely,

Sean Westenhofer
Code Enforcement Officer

sw

cc: Posted to ENS