



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

RECEIVED
MAR 14 2013
CITY CLERK

We need 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/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>3-19-13</u>
Time <u>1:30 p.m.</u>
Location of Hearing: <u>Room 330 City Hall/Courthouse</u>

Address Being Appealed:

Number & Street: 935 W. University Ave City: Saint Paul State: MN Zip: 55104

Appellant/Applicant: Gilbert Marty Email: sharel.marksgraf@yahoo.com

Phone Numbers: Business 651-647-1771 Residence 651-224-5369 Cell none

Signature: [Handwritten Signature] Date: 3-13-13

Name of Owner (if other than Appellant): _____

Mailing 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
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other

The rear deck is listed as to be replaced which is a very expensive project and the Contractor Al Stobbe says it is not necessary.

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St. Paul, MN 55102
651-266-8585

March 13, 2012

RE: Application for Appeal of Correction Notice – Complaint Inspection Reference # 17265

Dear Appeal Board:

This letter is being sent in regards to an appeal in reference to the Correction Notice – Compliant Inspection reference # 17265.

My name is Gilbert Marty; I was hospitalized in the fall of 2011 because I broke my hip and was in rehabilitation for a few months and again just recently for major cancer surgery and was just released on March 3, 2013. I will be under going bi-weekly cancer treatments possibly for the rest of my life.

On March 4th I received the correction notice. I can handle most of the repairs but I just need more time, due to my failing health and the enormous cost of the repair (approximately \$30,000.00). The City wants the rear deck and steps to be replaced (which is only 10 years old and still is good condition), as verified by Al Stobbe, the contractor.

I have had a second hand store called “Marty’s Second Hand Store” since 1985 located at 935-937 W. University Ave., St. Paul, MN 55104. Business back then was really good, so I purchased the building in year 2000.

Years ago, I was able to set my merchandise out on the sidewalk and the people were able to see them from the street as they passed by and stop to shop, at that time there was parking on the street in front of the store, which there is NO parking now, and I have very limited parking in the back of the building. The customers used to be able to drive up to the curb and stay in their parked cars and make the transaction (kind of like the drive up at any fast food establishment). But now because of the towering dividers and the rail system they can hardly even see the store let alone the merchandise I set out on the sidewalk. And because there is now NO parking in the front of the store they do not want to drive in the back of the building.

However, I still have a lot of my older customers, but because of the economy I’ve had to lower my prices and thus take in a lower amount of income.

I used to make between \$300-\$500 per day. But due to the light rail construction and the poor economy I now only make between \$100-\$125 per day; sometimes not even that amount.

Thank you in advance for your assistance in this matter and please feel free to call me at 651-647-1771 with any questions that may arise.

Thank you again,



Gilbert Marty
Sharol Markgraf (assisting)

Y Partys Second Hand Store during the light rail construction year 2012

*Y Partys Store
935 W University
St Paul MN 55109*

Catherine Reid Day is a neighborhood business consultant hoping to transform part of

\$4.8 million

subsidies for existing businesses

\$26 million

for new housing and business development



Light-rail construction along University Avenue in St. Paul has made conditions very difficult for the businesses there.

By

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CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220 Telephone: 651-266-8989
Saint Paul, MN 55101-1806 Fax: 651-266-8951

March 4, 2013

GILBERT G MARTY
826 UNIVERSITY AVE W
ST PAUL MN 55104-4807

CORRECTION NOTICE - COMPLAINT INSPECTION

RE: 935 UNIVERSITY AVE W
Ref. # 17265

Dear Property Representative:

An inspection was made of your building on March 4, 2013 in response to a referral. You are hereby notified that the following deficiency list must be corrected immediately. **A reinspection will be made on March 22, 2013 at 1100am.**

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 reinspection fees.

DEFICIENCY LIST

1. Exterior - SPLC 34.09 (2), 34.32(2) - Replace the unsafe stairways, porch, decks or railings in an approved manner. This work will require a permit(s). Call DSI at (651) 266-9090.-Unsafe stairway: SPLC 34.09 (2), 34.32(2) - Contact a licensed contractor to remove and replace the required exit stairway on the north. Replace the unsafe stairways, porch, decks and railings in an approved manner. This work will require a permit(s). Call DSI at (651) 266-9090.
2. Exterior - SPLC 71.01 - The address posted is not visible from street. (HN-1)-Provide reflective numbers or background or illuminate at night.
3. Exterior - SPLC 34.08 (1), 34.31 (1) - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces.
4. Exterior - SPLC 34.08 (6), 34.31 (4) - Remove the accumulation of exterior storage that creates a nuisance or harbors rodents.
5. Exterior - SPLC 34.23, MSFC 110.1 - This unsafe stairways, porch, decks or railings is condemned as unsafe or dangerous. This occupancy must not be used until re-inspected and approved by this office.-Unsafe stairway: SPLC 34.09 (2), 34.32(2) - Immediately contact a licensed contractor to remove and replace the required exit stairway on the north. Replace the unsafe stairways, porch, decks and railings in an approved manner. This work will require a permit(s). Call DSI at (651) 266-9090.

6. Throughout - SPLC 34.19 - Provide access to the inspector to all areas of the building for a full certificate of occupancy inspection.

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: (651-266-8688) and must be filed within 10 days of the date of the original orders.

If you have any questions, email me at: mike.urmann@ci.stpaul.mn.us or call me at 651-266-8990 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,

Michael Urmann
Fire Inspector

Ref. # 17265

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