



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

JUL 15 2013

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 payable to the City of Saint Paul (if cash: receipt number CK # 2243)
 - 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	
<i>(provided by Legislative Hearing Office)</i>	
Tuesday,	<u>7-23-13</u>
Time	<u>11:00 a.m.</u>
Location of Hearing:	
<u>Room 330 City Hall/Courthouse</u>	

Address Being Appealed:

Number & Street: 132 KING ST.W. City: ST. PAUL State: MN Zip: 55107

Appellant/Applicant: STHELLEY PECHA Email specha@gmail.com

Phone Numbers: Business _____ Residence _____ Cell 651-808-0834

Signature: [Signature] Date: 7/15/13

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

Fallen limbs from public trees are supposed to be picked up by the city.

Garage was in the process of being painted.

False Complaint comes from vengeful neighbor

July 13, 2013

Steve Magner, Manager of Code Enforcement
Department of Safety and Inspections
375 Jackson Street, Suite 220
St. Paul, MN 55101-1806

Dear Mr. Magner,

This letter is in regard to a Safety and Inspections letters I received in the mail this morning. I would like this reply letter to be officially on file with the Correction Notice I received. I plan on submitting formal appeals with the City Clerk's Office.

The first grievance of the correction notice says my garage is in violation of the Saint Paul Legislative Code due to the "defective, peeled, flaked, scaled or chalking paint or has unpainted wood surfaces." I am in the process of having my garage painted. The date of this inspection, July 11, was AFTER the painter I hired performed the power washing but BEFORE he painted, so the surface of the garage was in the condition that the correction notice stated but only because the painter was in the middle of the process. I planned on painting my garage this summer and I have worked with the painter for many weeks trying to schedule time to complete the job. Due to our rainy weather and my mother's recent death, on June 20, there were a few weeks of delay. The painter did the power washing on Friday July 5 and started the primer coat yesterday, July 12. He plans on returning Sunday, July 14, to finish the garage, weather permitting.

I am quite aware that my neighbor, Mike Peterson (621 Bidwell Ave.) is the person who called to complain and have this inspection done. Mike was well aware that I was working with a painter and that the garage would be completed by August. I have been in continual contact and communication with Mike to tell him the updates with the painter and weather issues. Mike Peterson's call to you was an act of revenge against me because people in the neighborhood have been calling the police on him. The Saint Paul police FORCE unit, Commander Paul Iovino, Councilmember Dave Thune, and Pat Lindgren (Mr. Thune's Legislative Aide) are all aware of the issues I have had with this particular neighbor.

The second grievance stated in your letter was that there was "accumulated refuse including; brush from the boulevard and driveway curb-cut." I had TWO branches fall from my public boulevard tree during a big storm a couple weeks ago. When this happened in the past and I called the Forestry Hotline they told me that after a big storm the city will eventually get down my street to pick up the fallen limbs so in the future I don't have to call.

I have been waiting for the city to pick up the fallen branches in my neighborhood and there are still many other neighbors who have fallen limbs and branches in the boulevard grass area, just like I did. Shall I assume that your inspectors are giving dozens of my neighbors and hundreds of families across Saint Paul this exact same abatement order?

When I went out this morning to cut the limbs up to bring to the compost site (which I did and it is done) I found that there were MANY branches added to this pile by someone other than me. My only conclusion is that my vengeful neighbor, Mike Peterson, added debris to this pile.


I have lived at my present address for four years and hope to stay for many more, but I want everyone I have cc'ed on this letter to know that both I and my neighbor on the other side of Mr. Peterson (who also received a Correction Notice) have contemplated moving because we have to live with this nightmare.

Mike Peterson has lived in that house for LESS THAN 6 MONTHS and he has caused numerous issues in the neighborhood: he has woken neighbors up at the wee hours of the morning too many times to count; he has caused several calls to the police; and his disruptive behavior caused an emergency neighborhood block meeting. Not to mention the numerous laws and city ordinances he has broken. I will add that he has been fairly quiet since his last drunken episode when the police had to intervene (early morning June 27) and I truly hope we can all stop wasting our time, energy and city resources on his immature, ridiculous behavior.

I greatly value the work and service that our civic employees perform. I understand why inspections are done. But, in the future, if Mike Peterson calls to complain if my grass gets one inch too high I want you to understand that it is an act of vengeance on his part and I am doing everything I can to take good care of my house and property. In regards to the WARNING on the bottom of both letters; it is Mike Peterson who is wasting taxpayers money so you can charge him for any future inspections.

I am a conscientious citizen who just wants to live peacefully in my home.

Thank you,



Shelley Pecha
132 King St. W.
St. Paul, MN 55107

cc: Councilmember Dave Thune, Ward 2, St. Paul, MN
cc: Pat Lindgren, Legislative Aide
310-B City Hall
15 Kellogg Blvd., West
Saint Paul, MN 55102

cc: Commander Paul Iovino, Central District FORCE Unit
367 Grove Street
Saint Paul, MN 55101

cc: Ed Smith, Code Enforcement Officer, Badge #325
Department of Safety and Inspections
375 Jackson Street, Suite 220
St. Paul, MN 55101-1806

Post Script

I looked the complaint up on-line and it said paint chips were falling in his yard. Where any peeled paint may be falling is most likely on my property. He has put his fence across the property line and is using my property behind my garage as part of his back yard, which I am actually fine with ~~it~~, but it is still my property.

Also - I feel terrible that I have to bother everyone with this but it is horribly unfair and I will not let this blemish be on my record. Hopefully the official appeal will clear this matter up and I truly want all issues to just stop.



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CITY OF SAINT PAUL
DEPARTMENT OF SAFETY AND INSPECTIONS
DIVISION OF CODE ENFORCEMENT
375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806

July 11, 2013

13 - 205206

SUMMARY ABATEMENT ORDER

- Yog hais tias koj hais tsis to taub tsab ntawv no, hu rau tus txhais lus ntawm (651) 266-8989. Nws yog pab dawb zwb.
- Si necessita un traductor, por favor llamanos al (651)266-8989. No costo.

Shelley M Pecha
132 King St W
Saint Paul MN 55107-2723

As owner or person(s) responsible for: 132 KING ST W you are hereby ordered to eliminate all nuisance conditions which are in violation of Chapter 45 of Saint Paul Legislative Code.

- Remove improperly stored or accumulated refuse including: brush from the boulevard and driveway curb-cut.**
- Cut and remove tall grass, weeds and rank plant growth.**
- Remove and properly dispose of all animal feces from yard areas.**
- IMMEDIATELY secure all buildings which are open to unauthorized entry, including:**
- Other:**

If you do not correct the nuisance or file an appeal before **July 18, 2013**, the City will correct the nuisance and charge all costs, including boarding costs, against the property as a special assessment to be collected in the same way as property taxes.
Charges: If the City corrects the nuisance, the charges will include the cost of correction, inspection, travel time, equipment, etc. The rate will be approximately \$260.00 per hour plus expenses for abatement.

You must maintain the premises in a clean condition and provide proper and adequate refuse storage at all times
FAILURE TO COMPLY MAY RESULT IN A CRIMINAL CITATION

Issued by: Ed Smith Badge Number 325 Phone Number 651-266-1917
If you have any questions about this order, the requirements or the deadline, you should contact the Inspector listed above, Monday through Friday.

Appeals: You may appeal this order and obtain a hearing before the City Council by completing an appeal application with the City Clerk before the appeal deadline noted above or seven (7) days after the date mailed, whichever comes first. No appeals may be filed after that date. You may obtain an appeal application from the City Clerk's Office, Room 310, City Hall, St. Paul, MN 55102. The telephone number is (651) 266-8585. You must submit a copy of this Correction Order 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 such 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.



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

325

- Yog hais tias koj hais tsis to taub tsab ntawv no, hu rau tus txhais lus ntawm (651) 266-8989. Nws yog pab dawb zwb.
- Si necessita un traductor, por favor llamanos al (651)266-8989. No costo.

July 11, 2013
Shelley M Pecha
132 King St W
Saint Paul MN 55107-2723

CORRECTION NOTICE

RE: 132 KING ST W
File #: 13-205206

Dear Sir or Madam:

The City of Saint Paul, Department of Safety and Inspections has inspected the above referenced property on **July 11, 2013** and has determined that the following deficiencies exist in violation of the Saint Paul Legislative Code¹ (see footnote 1, below).

1. The exterior walls and/or trim of the garage has defective, peeled, flaked, scaled or chalking paint or has unpainted wood surfaces. Scrape and repaint to effect a sound condition in a professional manner.

You are hereby notified to correct these deficiencies in accordance with the appropriate codes. The Enforcement Officer will reinspect these premises on or after **August 11, 2013**, by which date the violations noted must be corrected. **Failure to correct these deficiencies may result in the issuance of criminal charges²** and/or a civil lawsuit, and possible abatement/assessment by the City. All repairs and new installations must be made in accordance with the appropriate codes. Permits may be obtained by calling 651-266-8989.

You may file an appeal to this notice by contacting the City Clerk at 651-266-8585. Any appeal must be made in writing within 10 days of this notice. (You must submit a copy of this Notice when you appeal, and pay a filing fee.)

If you have any questions or request additional information, please contact me. To arrange an appointment or request an extension of time to complete repairs, you will need to speak directly to me at 651-266-1917.

Sincerely,

Ed Smith
Badge # 325
CODE ENFORCEMENT OFFICER

Footnotes:

- ¹ To see the Legislative Code go to www.stpaul.gov on the internet, click on "Departments", then click on "Department of Safety and Inspections", scroll down the page for the "Codes". Most Correction Notices derive from Chapter 34.
- ² Criminal charges can be brought on the day the violation is observed, but generally we allow time to correct unless this is a repeat violation.

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