



# APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

MAY 03 2019

Telephone: (651) 266-8585

CITY CLERK

We need the following to process your appeal:

- \$25 filing fee (non-refundable) (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, May 14, 2019

Time 11:30 a.m.

Location of Hearing:

Room 330 City Hall/Courthouse

## Address Being Appealed:

Number & Street: 1324/1326 Grand Ave City: St. Paul State: MN Zip: 55105

Appellant/Applicant: William Rolf / NCK1, LLC Email willroff@aol.com

Phone Numbers: Business 612-296-6866 Residence \_\_\_\_\_ Cell \_\_\_\_\_

Signature: [Handwritten Signature] Date: 5/3/19

Name of Owner (if other than Appellant): NCK1, LLC

Mailing Address if Not Appellant's: 476 Summit Ave

Phone Numbers: Business 612-296-6866 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 (Fence Variance, Code Compliance, etc.)

The unapproved use was made in violation of the lease and the lease is being terminated, and the tenant evicted. An order to cease the unapproved use and close out the permit pulled by tenant on 7/2/18 would be more appropriate than condemnation. There is no need for plans for change in occupancy if the space continues being used as retail space.



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](http://www.stpaul.gov/dsi)

April 24, 2019

Nek1 LLC  
1043 Grand Ave Pmb 256  
Saint Paul MN 55105-3002

## **CORRECTION NOTICE - COMPLAINT INSPECTION**

RE: 1324 GRAND AVE -SUITE 1326B (Jabba Warehouse Space)  
Ref. # 11511

Dear Property Representative:

An inspection was made of your building on April 24, 2019 in response to a referral. You are hereby notified that the following deficiency list must be corrected immediately.

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. WAREHOUSE SPACE - CONDEMNED AS UNSAFE & DANGEROUS - SPLC 34.23, MSFC 110.1** - This occupancy is condemned as unsafe or dangerous. This occupancy must not be used until re-inspected and approved by this office. -The use of the S-1 warehouse area of this building has been changed from that in was previously approved. The use as a A-2 Assembly use is dangerous due to lack of a required fire sprinkler system, fire alarm system, and number of required exits.
- 2. WAREHOUSE SPACE - SUBMIT PLANS FOR CHANGE IN OCCUPANCY - MSBC 1300.022 Subp. 3** - The occupancy group or use division of this building has been changed from that previously approved. Discontinue the unapproved occupancy or use, or contact the Building Official at 651-266-8989 with your code analysis and to comply with requirements for approved occupancy. -The A-2 Assembly use of the S-1 Warehouse space is unapproved and must cease immediately. Submit architectural plans to the Building Official for review. Other corrections and City of St Paul Licenses will be required.

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: (651-266-8585) and must be filed within 10 days of the date of the original orders.

If you have any questions, email me at: [james.perucca@ci.stpaul.mn.us](mailto:james.perucca@ci.stpaul.mn.us) or call me at 651-266-8996 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,

James Perucca  
Fire Safety Inspector

Ref. # 11511



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3:00 Monday

April 23, 2019

NCK III, LLC  
Will Rolf  
1043 Grand Ave #256  
St. Paul MN 55105

Re: 1326 Grand Ave.

Mr. Wolf,

We have received several complaints regarding activity of the tenants of your building at the above address. There was apparently an assembly in your building at 1326 Grand held by Jibba, on April 13, 2019 and another advertised for May 18, 2019.

The St. Paul Police Dept. made contact with a promoter for the upcoming event on May 18, 2019. He indicated that the rear of the building was set up for events like this. The open permit on file is for a demo of walls. This permit has not been finale, and there have been no building permits for construction for this location applied for or issued.

This is to notify you that all activity for events of assembly must cease and desist until all necessary permits have been finale and license that may be required to operate have been applied for and approved. The condemnation that was posted on April 24, 2019 of the space will need to be lifted before any occupation of the space can take place.

If you wish to move forward with the development of this property I suggest a meeting with the Department of Safety and Inspection so that we can review your plans.

Please contact me with any questions.

Respectfully,

Kristina Schweinler  
Sr. License Inspector

Cc. Dan Niziolek, Deputy Director  
Sgt. Rob Stanway, SPPD  
Angie Wiese, Fire Safety Manager  
Therese Skarda, Asst. City Attorney  
Mr. Will Rolf, 476 Summit Ave.