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Revised 8/11/2014



# APPLICATION FOR APPEAR

### Saint Paul City Council - Legislative Hearings

RECEIVED

310 City Hall, 15 W. Kellogg Blvd. Saint Paul, Minnesota 55102 Telephone: (651) 266-8585

DEC 15 2014 We need the following to process your appeal: CITY CI FOR \$25 filing fee (non-refundable) (payable to the City of Saint Paul) HEARING DATE & TIME (if cash: receipt number Check 4199 (provided by Legislative Hearing Office) Tuesday, Dec. 23 2014 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 Time 3:00 PM Location of Hearing: Room 330 City Hall/Courthouse

## Address Being Appealed:

Number & Street: 155 S16	aney St City: 57	Yau State: $MN$ Zip: $990$
Appellant/Applicant: Meeghan	Francisco Em	ail aquarius lady 213@ yahoo
Phone Numbers: Business 651-365-	5169Residence	Cell 612-296-9147
Signature: A		Date: 12/12/14
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/		
Vacate Order/Condemnation/ Revocation of Fire C of O	Fence Encro	achment Permit
□ Summary/Vehicle Abatement		
☐ Fire C of O Deficiency List/Correction		
□ Code Enforcement Correction Notice		
□ Vacant Building Registration		
✓ Other (Fence Variance, Code Compliance, etc.)		

#### To Whom It May Concern:

I am requesting to appear before the city council to appeal the decision to deny my Encroachment for the following reasons;

- 1. The denial states that there should be a minimum of 10 foot clearance to allow any future tree planting and maintenance. I am asking to go approximately 6 feet past the city lines, giving 14 feet of clearance.
- 2. I cannot reasonably put up a fence to enclose the pre-existing walkway. I bought the house in June of this year, and the walkway was already placed where it is on the property. I am not simply asking to just put up a fence, I am asking to enclose the walkway that I bought the house with that connects my house to the garage.
- 3. I am unsure as to where exactly the lighting conduit is located, but I can't imagine it is that close to the cement walkway that I am asking to enclose in a fence line. I am asking to go only about a foot past the walkway with the fence so I have reasonable space for lawn maintenance. If needed, I am willing to place the fence line directly next to the walkway.

Please consider these points when deciding on my appeal request.

Sincerely,

Meeghan Francisco 155 Sidney St E Saint Paul, MN 55107 (612)296-9147



#### DEPARTMENT OF PUBLIC WORKS

Rich Lallier, Director



#### CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

Traffic Engineering Division Paul St. Martin, P.E., Manager

800 City Hall Annex 25 West Fourth Street Telephone: 651-266-6150 Fax: 651-298-4559

Saint Paul, Minnesota 55102-1660

October 21, 2014

Ms. Meeghan Francisco 155 Sidney Avenue East Saint Paul, Minnesota 55107

Subject: Encroachment Permit Request for 155 Sidney Avenue East

Dear Ms. Francisco:

The City of St. Paul Department of Public Works has received and reviewed your application for an encroachment permit to place a fence onto the boulevard alongside your property at 155 Sidney Avenue East. After review by various City Departments and Utility Companies, your request for an encroachment permit, as described in your application, is denied.

The Department of Public Works and the Forestry Division of Parks and Recreation offer the following reasons for denying your encroachment permit request:

- 1) A minimum 10-foot clear boulevard must be maintained along Riverview Avenue for any future street tree planting and maintenance. A fence at this location would interfere and be in conflict with Forestry's ability to access and maintain any boulevard trees.
- 2) There is lighting conduit that runs underground along that side of the property. It is not acceptable for the fence to be located in such close proximity to this lighting conduit. Sufficient space must be available for future maintenance and/or removal without risk of damage to the fence.
- As per Chapter 134 of the St. Paul Legislative Code, your request can be reasonably accomplished on your private property.

We are aware that a fence was installed on the Riverview side of the property at 149 Sidney Avenue East. That fence was installed without prior authorization from St. Paul Public Works. Although they did have a building permit to install a fence, they did not have permission to install it into the public right-of-way and that issue has since been turned over to the Code Enforcement division of the Department of Safety and Inspection.

If you wish to appeal the encroachment permit denial, a written appeal can be sent to the Department Director, Mr. Rich Lallier, 25 West Fourth Street, 1500 City Hall Annex, St. Paul, Minnesota 55102.

If you have additional questions regarding the permit process, please call me at 651-266-6217.

Sincerely,

David Kuebler, P.E.

ROW Management Section Traffic and Lighting Division

St. Paul Public Works Department

cc: Rich Lallier, Department Director

Paul St. Martin, Division Manager

Clint Mrozinski, Right-of-Way Inspector



CITY OF SAINT PAUL Christopher B. Coleman, Mayor

1500 City Hall Annex 25 W. Fourth Street Saint Paul, MN 55102-1660 Fax: 651-266-6222

November 5, 2014

Ms. Meeghan Francisco 155 Sidney Avenue East Saint Paul, Minnesota 55107

Re: Appeal of Encroachment Permit Denial for 155 Sidney Avenue East

Dear Ms. Francisco:

I received your appeal letter related to the denial of the Encroachment Permit request dated October 23, 2014. I have reviewed with staff and looked at the property information. For the reasons stated in the October 21, 2014 letter I am denying your appeal.

The denial letter clearly indicated the reasons for denying this appeal including the needs communicated to provide access for Forestry and the proximity of the lighting conduit. It is also apparent that you are able to construct the fence completely off the right of way.

If you wish to pursue this matter further you can appeal this to the City council for a hearing. You can contact Marcia Moermond, Legislative Hearing Officer, at 651-266-6570 for more information.

Sincerely,

Rich Lallier Director

cc: John Maczko, City Engineer

Paul St. Martin, Traffic and Lighting Division Manager

David Kuebler, Traffic and Lighting Right of Way Management Section

Marcia Moermond, Legislative Hearing Officer



