



# APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

AUG 21 2013

Telephone: (651) 266-8585

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

<b>HEARING DATE &amp; TIME</b> (provided by Legislative Hearing Office) Tuesday, <u>9/13/13</u>
Time <u>11:30 AM</u>
Location of Hearing: <u>Room 330 City Hall/Courthouse</u>

## Address Being Appealed:

Number & Street: 1148 MAGNOLIA AVE E City: SI PAUL State: MINN Zip: 55106

Appellant/Applicant: Oghenouch Gbejowoh Email UCMC147@GMAIL.COM

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell 612-501-9284

Signature: Oghenouch Gbejowoh Date: 08/21/13

Name of Owner (if other than Appellant): Fams-moe (Carrington Service)

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

On the 20th Aug 2013 a Fire Marshall came and asked me to vacate the building for non compliance with the code. I am the tenant and that was the first time am hearing about this. the house is a foreclosed house managed by Carrington and I signed lease that would end in Nov '13. I don't know where to go. All plans to move is on Nov '13. Am also still trying to get the house to code then deal with Carrington. All I need is time pls.

# Legislative Hearing Fact Sheet

Legislative Hearings provide a forum to review appeals of City-issued orders and develop recommendations for City Council consideration. Appellants not satisfied with the recommendation of the Hearing Officer also have an opportunity to be heard before the City Council if they wish to appeal further. Any person unsatisfied by the quasi-judicial decision of the City Council may obtain judicial review by timely filing of an action.

## Appeal Applications

Appeal application forms are available online at <http://www.stpaul.gov/index.aspx?NID=161> or they can be mailed to you calling 651-266-8585. Appeal applications may be submitted in person at or by mail at Legislative Hearings, 310 City Hall, 15 Kellogg Boulevard W., St. Paul, MN 55102. Appeal applications should be filed within ten days of the date of written notification of the item(s) being appealed.

## Scheduling Your Appeal Hearing

The date and time of the hearing for those applications submitted in person will usually be set at that time. Mailed applications will be copied and returned to the appellant with the date and time clearly indicated on the form. Generally, appeal hearings are scheduled one to four weeks after the application is submitted. Once an appeal has been scheduled, it may not be rescheduled more than once. Additional rescheduling will only be done by referral from the City Council.

*If you are appealing a special assessment or wish to be heard on a proposed order to abate a nuisance building, the appeal dates and times are automatically listed in the orders themselves.*

## Hearings Are Held on Tuesdays & The Schedule Typically Is:

- 9:00 Tax Assessments & Orders to Remove or Repair
- 11:00 Summary & Vehicle Abatement Orders
- 11:30 Condemnations, Revocations & Vacate Order
- 1:30 Fire Certificate of Occupancy Letters & Code Enforcement Notices
- 2:30 Vacant Building Registration Notices
- 3:00 Other Cases and Overflow Hearings

## What to Expect at the Hearing

A number of appeals are heard in each hearing session. For each appeal, City Staff will give a report and appellants will be given time to present information, testimony, photos or other documents. The Hearing Officer will take all of this into account to develop a recommendation for Council consideration. Occasionally, a decision cannot be made at the hearing and the matter will be laid over or continued to allow the appellant and/or staff time to gather more information. The hearings are quite informal but it is still expected that cell phones and pagers will be turned off, and City staff and appellants will address one another respectfully.

**Interpreter:** If you need an interpreter for your hearing, please call 651-266-8585 for us to arrange one.



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

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

Telephone: 651-266-8989  
Facsimile: 651-266-8951  
Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

August 20, 2013

CARRINGTON PROPERTY SERVICES  
PO BOX 145  
HUDSON WI 54016-0145

CITY OF SAINT PAUL  
DEPARTMENT OF SAFETY AND INSPECTIONS

I CERTIFY THIS IS A TRUE AND  
CORRECT COPY OF THE ORIGINAL

DATE 8/21/2013 SIGNED Marie Notarone

**Revocation of Fire Certificate of Occupancy and Order to Vacate**

RE: 1148 MAGNOLIA AVE E  
Ref. # 119277

Dear Property Representative:

Your building was inspected on August 20, 2013, for the renewal of the Certificate of Occupancy. Since you have failed to comply with the applicable requirements, it has become necessary to revoke the Certificate of Occupancy in accordance with Section 40.06 of the Saint Paul Legislative Code.

**A reinspection will be made on August 23, 2013 at 1:30 PM or the property vacated.**

The Saint Paul Legislative Code further provides that no building shall be occupied without a Certificate of Occupancy. Failure to immediately complete the following deficiency list or the building vacated may result in a criminal citation.

DEFICIENCY LIST

1. Back Yard. - SPLC 34.08 (7) - All parking spaces shall be paved with asphalt, concrete, or durable dustless surfacing. Before any existing spaces may be paved, site plan approval must be obtained as specified in the St. Paul Zoning Code. Contact DSI Zoning at 651-266-9090.
2. Back Yard. - SPLC 163.03, 163.01 (2), (3) - Currently license (tabs) all vehicles on the property and return the vehicles to an operative mechanical condition or remove vehicles from the property.
3. Entire Property - SPLC 34.19 - Provide access to the inspector to all areas of the building.

4. Front of House - SPLC 71.01 - The address posted is not visible from street. (HN-1)  
-Provide reflective numbers or background or illuminate at night.  
-Provide address numbers that contrast with the background.
5. Garage - SPLC 34.08(5), 34.32(3) - All accessory structures including, but not limited to, detached garages, sheds and fences shall be maintained structurally sound and in good repair. Provide and maintain exterior unprotected surfaces painted or protected from the elements.  
-The garage needs to be scraped and painted.
6. House - Throughout - SPLC 34.09 (3), 34.33 (3) -Provide or repair and maintain the window screen.
7. House - SPLC 34.09 (1) e, 34.32 (1) d - Provide and maintained the roof weather tight and free from defects.  
-The shingles on the roof are curled.
8. House - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window frame.  
-Frames need to be painted.
9. House - SPLC 34.12 (2), SPLC 34.36 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition to properly and safely perform their intended function in accordance with the provisions of the applicable code.  
-Gutters are hanging off the side of the house throughout.
10. Yard - MSFC 304.1 - Remove excessive combustible storage and/or vegetation from exterior property areas.  
-Remove brush pile on the east side of the house.
11. Yard - SPLC 34.13 (4) - Provide and maintain the egress window well in accordance with the provided EW-1 attachment.  
-Fill in or finish the egress window well on the west side of the house.
12. SPLC 34.11 (6), 34.34 (3) - Provide service of heating facility by a licensed contractor which must include a carbon monoxide test. Submit a completed copy of the Saint Paul Fire Marshal's Existing Fuel Burning Equipment Safety Test Report to this office.
13. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.

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 this order.

If you have any questions, email me at: [brian.tonnancour@ci.stpaul.mn.us](mailto:brian.tonnancour@ci.stpaul.mn.us) or call me at 651-266-8955 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Brian Tonnancour  
Fire Inspector

Ref. # 119277