



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

MAY 29 2015

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, June 9, 2015

Time 11:00 A.M.

Location of Hearing:
 Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 2157 BEECH ST. City: ST. PAUL State: MN Zip: 55119

Appellant/Applicant: THOMAS BRACE Email THOMBRACE@GMAIL.COM

Phone Numbers: Business 651 736 2571 Residence 651 739 0494 Cell 651 343 2147

Signature: Thomas Brace Date: 5/29/2015

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/Correction
 - Code Enforcement Correction Notice
 - Vacant Building Registration
 - Other (Fence Variance, Code Compliance, etc.)
- FILE # 15-033891
- THIS IS NOT MY RETAINING WALL. I CAN PRESENT A PROFESSIONAL SURVEY WITH DRAWINGS, AN AFFIDAVIT FROM PRIOR OWNERS, AND NEED TO POSTPONE PENDING LEGAL SETTLEMENT FOR LOSS OF LATERAL SUPPORT.

Foss, Katie (CI-StPaul)

From: *CI-StPaul_LegislativeHearings
Sent: Friday, May 29, 2015 8:59 AM
To: Foss, Katie (CI-StPaul).
Subject: FW: Application for Appeal File #: 15-033891
Attachments: application for appeal 15-033891 20150529.pdf

*Katie,
Can you process this. Thanks.*

Mai

From: thom brace [<mailto:thombrace@gmail.com>]
Sent: Friday, May 29, 2015 8:27 AM
To: *CI-StPaul_LegislativeHearings
Subject: Application for Appeal File #: 15-033891

Please find attached my Application for Appeal for Summary Abatement Order File #: 15-033891.

I have not remitted a filing fee per instructions from Lisa Martin, Badge No. 335.

The reasons for my appeal are that ownership of the retaining wall and supporting structure belong to the owner of the adjacent lot. This has been established by multiple surveys, previous owners' statements, and affirmed in many conversations and communications.

I am now going through the expense and effort to prepare proof.

I am having a third professional survey performed and drawing prepared showing the property line and failing wall.

I am securing an affidavit from the previous owners attesting to the timeline, construction, and ownership of the wall.

If the city cannot enforce corrective action with the legal owner of the retaining wall, I will have to sue for Loss of Lateral Support to prevent further damage to my driveway, garage, and property.

Please acknowledge receipt of this communique.

My thanks for your consideration.

Thomas Brace
2157 Beech St. E
St. Paul, MN 55119
thombrace@gmail.com
651-343-2147



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

May 22, 2015

15 - 033891

SUMMARY ABATEMENT ORDER

335

- Yog tias koj tsis to taub tsab ntwav no, hu rau (651) 266-8989. Peb mam nhriav ib tug Hmoob los pab txhais Nws yuav pab dawb xwb.
- Si necessita un traductor, por favor llamanos al (651)266-8989. No costo.

Thomas J Brace/Carole A Johnson
 2157 Beech St
 St Paul MN 55119-3977

Occupant
 2157 BEECH ST
 St. Paul, MN 55119-3977

As owner or person(s) responsible for: 2157 BEECH ST 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: garbage, rubbish, discarded furniture, appliances, vehicle parts, scrap wood and metal, recycling materials, household items, building materials or rubble, tires, brush, etc., from yard areas.
- 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: REPAIR OR REPLACE THE COLLAPSED RETAINING WALL. PERMITS MAY BE REQUIRED.

If you do not correct the nuisance or file an appeal before **June 08, 2015**, 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: Lisa Martin Badge Number 335 Phone Number 651-266-1940
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.

Foss, Katie (CI-StPaul)

From: Foss, Katie (CI-StPaul)
Sent: Friday, May 29, 2015 9:26 AM
To: 'thombrace@gmail.com'
Subject: 2157 Beech St. - Application for Appeal

Mr. Brace –

This e-mail serves to notify you that we have received your **Application for Appeal of a Summary Abatement Order at 2157 Beech Street**, and that we have scheduled a legislative hearing for you to attend to address this matter. The hearing will take place on **Tuesday, June 9, 2015 at 11:00 a.m.**, in **Room 330 City Hall, 15 W. Kellogg Blvd., St. Paul, MN 55102.**

Please feel free to contact the Appeals Line with any questions, at (651) 266-8585.

Thank you,
Katie Foss
City Council Offices
15 W. Kellogg Blvd.
Room 310
St. Paul, MN 55102
(651) 266-8560