

Stacey Davidson
1853 Randolph #203
St. Paul, MN 55105
651 983 0563

June 9, 2011

To the City of St. Paul,

I am writing on behalf of my most excellent neighbor-citizens, Shelley Jensen and Mike Kowski. We have been friends for nearly 14 years, as they were the first to welcome our family here in 1997 when we moved into 1966 James Ave., newly transplanted from Cincinnati. I moved 2 blocks away in 2009, but we continue to be friends and neighbors. I am aware of the state of their property as I see them once per week socially, and often run down Randolph for exercise.

The Jensen-Kowskis are and have always been excellent stewards of their property. They shovel their corner property sidewalks with absolute consistency, including clearing space at the cross-walk (Randolph Ave.) after the plow has gone through. They did it in perfect timeliness for every snow this winter. I am very grateful for this, as many of the now rental property proprietors do not do this and it is a problem that is not being addressed.

Their yard always looks wonderful: regularly mowed grass, well-tended gardens and trees.

They keep their house well maintained, lately with newly painted exterior wood trim.

They have been utterly responsive to a series of unjustified complaints, which is a testament to their good citizenry. They are truly good caring people: they care about St. Paul. For 5 years Mike Kowski has been our grid representative on the Macalester Groveland Community Council and a member of the council's Transportation Committee.

Please drop any complaints that have been made. The complaints are unjustified and truly make no sense. They indicate an unreasoned and perhaps malicious intent.

Sincerely,



Stacey Davidson

6-11-11

To Whom It May Concern:

I have lived in the neighborhood of Mac-Grove-Highland since 1995 when I bought my house. The first night on a cold January night, Shelly Jensen-Kowski came over with a baby in tow + fresh strawberry bread to welcome me into the neighborhood. Last summer I broke my ankle. The whole family assisted me through the entire ordeal, shopping for groceries, doing laundry, + simply checking in on me. Their yard is always pristine. They are very concerned about their neighborhood and their personal + physical actions reveal their love of the community.

Laura Rubel Raymond
1937 Randolph Ave. (Live directly across
from the Jensen-Kowskis)

In Re:

Home at 1943 Randolph Avenue

Request that Correction Notice and
Summary Abatement Order be revoked
and stricken.

I. Introduction

Ms. Jensen and Mr. Kowski are home owners at 1943 Randolph Avenue in St. Paul. We purchased our home twenty one years ago and have lived there continuously. We have made multiple improvements and maintained our property while being active members of the community. This property has been well maintained. Our neighbors opinion is the property is well kept and maintained (in example 2 letters are attached). Ms. Jensen and Mr. Kowski do not agree that the city code has been violated, and have received conflicting information from the city. However each city notice has been complied with in a timely manner.

For multiple reasons, including but not limited to the reasons described herein, Ms. Jensen and Mr. Kowski request that the Correction Notice and Abatement Order be revoked and stricken pursuant to Saint Paul Code of Ordinances Part II – Legislative Code Title VI Sec. 45.10.

In addition, we request that the name of the complainant be provided.

II. Summary of City Communication

Ms. Jensen's and Mr. Kowski's connection with the City of Saint Paul Correction Notice(s) and Abatement Orders include, but are not limited to the following. The City of Saint Paul mailed a Summary Abatement Order dated October 7, 2010 to Ms. Jensen and Mr. Kowski ordering all trees growing over the Prior Avenue public sidewalk to be cut back to the property line. No prior request or order had been received. However, Mr. Kowski immediately cut back the trees.

Next, on November 24, 2010 (the day before Thanksgiving) a red tag notice was attached to the door. This notice stated "Fence/lattice installed, No permits & over 6' 6" high without variance Please remove or call Zoning". This was in reference to 6 pieces of lattice placed behind an existing chain link fence. Mr. Kowski called and spoke to Mr. Mike Palm and discussed the situation. Mr. Palm indicated that as long as it was less than 6' 6" in height it could be left there until the following Spring/Summer. Mr. Kowski planned to install a new

fence in the Spring/Summer of 2011 with the appropriate permit. The lattice was moved so that it was a maximum height of 6'.

A notice from the City of Saint Paul from Mr. Ed Smith dated May 5, 2011 stated that the property at 1943 Randolph Avenue was inspected on May 4, 2011 and required removal of an "illegal fence". This notice still referred to the 6 pieces of lattice attached to wooden supports located behind the chain link fence. Mr. Kowski removed the slats and leaned the lattice against the trimmed trees.

Next a Summary Abatement Order from the City of St. Paul issued by Mr. Smith dated (Friday) May 20, 2011 required removal on or by May 26, 2011. This notice was not received until May 23, 2011. The lattice was removed before May 26, 2011.

The Summary Abatement Order and Notice were appealed. This appeal included but was not limited to a request that these be stricken.

The only reference that the City of Saint Paul made to support its Orders and Notices is to an alleged violation of Chapter 45 of the Saint Paul Legislative Code. The letter dated May 6, 2011 stated that most Correction notices derive from Chapter 34. There was no specific citation to the Code. However, Mr. Smith added "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."

After receipt of the Abatement Order dated May 26, 2011 Mr. Kowski called Mr. Smith and requested a specific citation but did not receive one. Ms. Jensen spoke to Mr. Magnar requesting written citation or written policy that specifically provided direction about storage of such items as new lattice or other to assist in compliance. However none was available.

Both Ms. Jensen and Mr. Kowski requested the name of the individual complaining but it was not provided.

III. Discussion

Ms. Jensen and Mr. Kowski request that the Correction Notice dated May 5, 2011 and the Summary Abatement Orders dated October 7, 2010 and May 20, 2011 be revoked and stricken. Our reasons include, but are not limited to the following.

No verbal or written request was made prior to the October 7, 2010 Summary Abatement Order. Upon notification, it was immediately resolved. The Summary Abatement Order was premature and unnecessary. Further there is no consistent enforcement of that alleged policy regarding tree trimming.

There were no code violations involving the lattice. It was placed behind an existing chain link fence and was not a fence. It was new lattice in good condition.

Mr. Smith's Correction Notice and Summary Abatement Order were inconsistent with the discussion between Mr. Palm and Mr. Kowski.

Even though Ms. Jensen and Mr. Kowski believe no code violation occurred, every effort was made to comply promptly with the City's requests.

The statement that criminal charges may result was unsupported and unjustified and must be revoked and stricken.

Ms. Jensen and Mr. Kowski request the name of the individual making the complaints. Further we request that if any additional complaints are made the City of Saint Paul notifies us immediately and prior to any proposed inspection.

We have lived in our home for 21 years and consistently maintained and cared for our property. Our neighbors state "their yard always looks good", "house well maintained" the yard is "always pristine" (see examples attached). These sudden anonymous complaints appear to us to be harassment. For our well being, safety and pursuant to our legal rights we request the name of the person complaining. In addition we request the cooperation of the City of Saint Paul in preventing any future harassment.

IV. Conclusions

We request the Correction Notice and Summary Abatement Order and all statements therein be revoked and stricken pursuant to Saint Paul Code of Ordinances Part II – Legislative Code Title VI Sec. 45.10.

We request that we be provided with the name of the individual who made the complaints.

We request that the City of Saint Paul aid us as per our request that we can protect ourselves from harassment.