



APPLICATION FOR APPEAL

RECEIVED
DEC 22 2011
CITY CLERK

Saint Paul City Clerk
310 City Hall, 15 W. Kellogg Blvd.
Saint Paul, Minnesota 55102
Telephone: (651) 266-8560

The City Clerk needs 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 or letter which are being appealed
- Attachments you may wish to include
- This appeal form completed
- Walk-In OR Mail-In

YOUR HEARING Date and Time:
Tuesday, <u>1-3-11</u>
Time <u>11:30</u>
Location of Hearing:
<u>Room 330 City Hall/Courthouse</u>

Address Being Appealed:

Number & Street: 1504 N. St. Albans City: St. Paul State: MN Zip: 55117

Appellant/Applicant: Kathleen Henderson Email Kathleen.Henderson@co.ramsey.mn.us

Phone Numbers: Business 651-266-2766 Residence 651-488-1126 Cell —

Signature: Kathleen A. Date: Dec. 22, 2011

Name of Owner (if other than Appellant): _____

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
- Fire C of O: Only Egress Windows
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other

I am requesting that this order be rescinded.



322

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

December 19, 2011

11 - 308876

SUMMARY ABATEMENT ORDER

Yog hais tias koj hais lus Hmoob thiab koj tsis to taub tsab ntawv no, hu rau tus txhais lus ntawm (651) 266-8989. Nws yog pab dawb zwb. Si necessita un traductor, por favor llamanos al (651)266-8989. No costo.

Kathleen Henderson
1504 St Albans St N
St Paul MN 55117-3426

Occupant
1504 ST ALBANS ST N
St Paul MN 55117-3426

As owner or person(s) responsible for: 1504 ST ALBANS ST N 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. TREE DEBRIS FROM TRAILER IN REAR DRIVEWAY AREA.

Other: DISENGAGE TRAILER FROM TREE AND DIPOSE OF TRAILER (BY APRIL 16, 2012).

If you do not correct the nuisance or file an appeal before **January 17, 2012**, 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: Joel Essling Badge Number 322 Phone Number 651-266-1904
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) 266-8688. 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.

December 22, 2011

City of St. Paul
St. Paul City Clerk
310 City Hall
15 W. Kellogg Blvd.
St. Paul MN 55102

RE: Summary Abatement Order: 11-308876
Dated Dec. 19, 2011
1504 N. St. Albans St.

This is an appeal for the Summary Abatement Order 11-308876 dated Dec. 19, 2011, and received Dec. 20, 2011, ordering: Disengage trailer from tree and dispose of trailer (by April 16, 2012) in violation of Chapter 45 of St. Paul Legislative Code. This order was issued by Joel Essling.

Environmental sculpture: In this appeal, I am requesting that the order be rescinded. What Mr. Essling calls a "trailer" is a long-established, site-specific environmental sculpture that is bound to its surroundings. The site-specificity of the piece is extremely important: There is no way to remove it without destroying it.

It was permanently established on the property in 1953 and has stood there for all these years and years and years without any complaint or controversy – officially or in neighborly conversations. I was shocked to receive the Summary Abatement Order.

Reconfiguration in process: At this time, the sculpture is currently in the first phase of a reconfiguration process.

The original work incorporated a growth of ash trees, a tree that symbolizes sacrifice and higher awareness. The metaphor that guided the artist's vision was that over the passage of time, the young saplings would grow into mature trees and in doing so, their living greenery would become enmeshed with the army-green, rigid metal, turning an object used in wartime destruction into an environmental art work expressing life, hope, transformation, and regeneration. The aging process and weathered forms would gradually underscore the organic composition. It was designed to involve and encompass the spectator. It was never designed to be moved.

Sadly, the artist never anticipated the Emerald Ash Borer. The trees that were an essential part of the artist's vision were professionally removed and the wood disposed of on Nov. 10, 2011. Anticipating removal of the trees, the plans for reconfiguration will incorporate the sculpture into a meditation garden setting, including the re-installation of greenery in the spring and the addition of seating and a mandala meditation mosaic. Until new growth saplings replaced the fallen, flag poles would symbolically take their place, adding the uplifting dimensional quality. Even though the trees are gone, the sculpture will remain be a spiritual and meaningful place, a tribute.

Artistic interpretation: Beyond cultural and artistic achievement, environmental sculpture represents imaginative outlook, emotions, and collective identity, even the telling of a historic story. However, an

art experience is personal in nature, depending upon what the individual has experienced and personal values of beauty and appeal. Like many contemporary, non-representational sculptures, this piece offers many levels of interpretation and meaning, yet it may challenge a viewer who more comfortable with representation or more conventional art forms or may be judgmental on what art is acceptable and what is not. As you may be aware, even in the City Hall/Courthouse, tour guides often have to provide information to viewer who misinterpret the art on the elevator panels or explain historic concept behind the décor of Council Chambers. Thus, while I find the complexity of bleakness and isolation that resulted with the removal of the trees to be inspiring and symbolic on so many levels, perhaps Mr. Essling just sees it as a "trailer in the rear driveway area" that is bound by government rules and regulations, rather than an artistic freedom of expression located at one's residence.

The forced destruction of this environmental sculpture would break my heart. The City has a legacy of artistic tolerance ranging from controversial public art installations to private artistic expression such as the Frogtown shoe house. I would like to work cooperatively with the City to somehow keep this work that means so much to me and would be most willing to hear any alternative suggestions they may have to allow it to remain in place - such as the addition of privacy fencing or screening, time to complete the reconfiguration plan, etc. I am certain that the City and I can find a way to accomplish this.

*If art is to nourish the roots of our culture,
society must set the artist free to follow
his vision wherever it takes him.*

- John F. Kennedy

Sincerely,

A handwritten signature in black ink that reads "Kathleen Henderson" with a long horizontal flourish extending to the right.

Kathleen Henderson