

RLH OA 18-2



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

MAR 19 2018

CITY CLERK

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

We need the following to process your appeal:

- \$25 filing fee (non-refundable) (payable to the City of Saint Paul) (if cash: receipt number 820068)
 - 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, <u>MARCH 27, 2018</u>
Time <u>11:00</u>
Location of Hearing: <u>Room 330 City Hall/Courthouse</u>

Address Being Appealed:

Number & Street: 1265 3rd St. E. City: St. Paul State: MN Zip: 55106

Appellant/Applicant: Opal D. Sherwood Email opal donne@gmail.com

Phone Numbers: Business _____ Residence _____ Cell 612.968.9555

Signature: Opal Sherwood Date: 3/19/18

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.)

Comments:

I painted an aurora borealis mural on the front of my house. It is art, not graffiti. The mural contains no gang signs or tags. It also does not contain any words or images that could be perceived as "offensive."

Graffiti Abatement order.

I painted a mural of an Aurora Borealis on the front of my house using a combination of spray paint and outdoor acrylic paint. It is art, not graffiti. Whether it is a great piece of art or not is debatable. My mural contains no gang signs or tags. It also does not contain any words or images that are offensive.

I started this mural three years ago. During the first phase my goal was to paint an abstract garden scene (photo attached). Somewhere in the process I decided that my mural was lacking a solid composition which led me to completely cover it over and start again. The following spring I completely covered it over and started from scratch. This was the point I decided to go with an Aurora Borealis. I left it in that stage because I rather much enjoyed it. Last summer I decided that I wanted to change it a bit. The greens would eventually become trees, the light blues in the foreground would become a lake, the pinks buildings, and the yellows a mountain. I was also planning on adding a moon in the top center.

It is a work-in-progress. Last year's weather didn't afford me much opportunity to work on my mural. When using spray paint as a medium, the weather condition have to be fair. If it's too windy the paint will be taken by the wind. For both spray paint and acrylic paint, the temperature can neither be too cold nor too hot or the paint will not set. I also need to use a ladder to work on this mural, which is not safe to use in wet conditions. As a novice artist I don't have the repertoire of tools that a professional does. I make do with what I have, which in turn slows the process. I am not trying to make excuses for myself. I just want the potential non-artist to understand that a project like this often takes a lot of time and often good conditions to complete.

I haven't looked at my mural up-close since last fall. After receiving this abatement order, I did go out and look at. I noticed that some of the paint had peeled and the mural looked a little shabby (photo attached). I have every intention of repairing this problem and I have every intention of seeing it to completion.

RECEIVED
MAR 19 2018
CITY CLERK

Aside from the fact that it is art, not graffiti, and the fact that I own my house and should be free to paint it whatever color I choose, I would like to state that forcing me to cover my mural is a detriment to our city. One of the reasons I have always loved St. Paul is because of the artist community. Artists of all levels could find a place to show their art or participate in artistic events. The environment has always felt nurturing, and that is a really special quality for a city to have. It's okay to be an amateur or novice without worrying about getting chewed up and spit out like is often the case in places like New York City. That's what sets St. Paul, and Minneapolis, apart from other major cities in the United States.

I would love to see the art community thrive. I would love to see more artists displaying their art for the community to see. One of the reasons I really wanted to paint a mural on the front of my house is because I wanted others to see it. I live on a relatively busy street with a stop light and bus stop at the end of the block. Traffic gets backed up and people have to sit at the light. The bus stop creates a lot of foot traffic in front of my house. I wanted my art to be a reprieve from an otherwise mundane commute. I also think that I have been successful in that regard. When I am outside working in my garden or on my mural, people walking by will often stop and tell me that my mural is cool. Many people have told me how much they enjoy seeing it when they go by. People sitting in traffic will roll down their windows and shout to me how much they enjoy what I am doing. All I ever wanted to accomplish with that mural is to brighten someone's day. Make someone smile. Add some positivity to our community. I have accomplished that and would love to continue to do so.

RECEIVED
MAR 19 2018
CITY CLERK



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

March 14, 2018

Date Mailed

dy

Mailed by (dy)

GRAFFITI ABATEMENT ORDER

Folder ID: 18 037146

Opal D Sherwood/Daniel W Knoflicek
1265 3rd St E
St Paul MN 55106- 5778

Yog hais tias koj jaís 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 llamenos all (651) 266- 8989. No costo.

As owner or person(s) responsible for: **1265 3RD ST E**

You are hereby notified of graffiti on your property. You can assist the city by doing the following:

- If you need help with graffiti removal, the city has a graffiti removal program that provides free removal. However, the city will not restore the damaged surface to its original color or appearance. Please sign the enclosed WAIVER AND CONSENT TO REMOVE OR ABATE GRAFFITI form to request graffiti removal from the city. This waiver form will remain in effect for the entire time you own the property or until you request it to be terminated. Return the form within 14 days to:

DSI - Code Enforcement
375 Jackson Street, Suite 220
Saint Paul, MN 55101- 1806

OR fax to: 651-266-1919

- If you choose to remove the graffiti yourself, please remove the graffiti as soon as possible. (Please consult the attached Graffiti Removal Tips to assist you in removing the graffiti.)
- It is not necessary to contact this office if you have already removed the graffiti.
- It is not necessary to contact this office if you plan to remove this graffiti yourself on or before the date below.
- If the damage is extensive, consider filing a claim with your insurance company. If you do this, take a photograph of the damage for documentation for insurance purposes. Also, get an estimate to repair the graffiti damage.

The graffiti must be removed by: March 19, 2018 You must either remove the graffiti, OR file an appeal by this date. If you do not do one of these things, the City will send a work crew to remove or cover the graffiti at the owner's expense, unless the enclosed WAIVER is received within 14 days of the date this notice was mailed (see upper right corner of this Notice).

If you have questions about this order, the requirements or deadline, please call the Information and Complaint line at 651-266-8989, Monday through Friday, 8 a.m. to 4:30 p.m.

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 compliance date 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, Saint Paul, MN 55102. The telephone number is (651) 266-8688. You must submit a copy of this Order with your appeal application.



