



# APPLICATION FOR APPEAL

## Saint Paul City Council – Legislative Hearings

310 City Hall, 15 W. Kellogg Blvd.  
Saint Paul, Minnesota 55102  
Telephone: (651) 266-8585

RECEIVED  
SEP 01 2020  
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  
**Dropped off**
- for abatement orders only:  Email OR  Fax

HEARING DATE & TIME  
(provided by Legislative Hearing Office)  
Tuesday, Sept. 8, 2020

Time 11:00 a.m.

Location of Hearing:  
Room 330 City Hall/Courthouse  
Teleconference

Call between 11:00 a.m. & 12:30 p.m.

### Address Being Appealed:

Number & Street: 125 COMO AVENUE City: ST. PAUL State: MN Zip: 55115

Appellant/Applicant: FRANCIS X. VIGGIANO  
VigCo, LLC Email FVIGGIANO@COMPAST.NET

Phone Numbers: Business 651-336-4243 Residence 651-407-6041 Cell 651-336-4243

Signature: [Signature] Date: AUGUST 31, 2020

Name of Owner (if other than Appellant): SAME

Mailing Address if Not Appellant's: 86 SPRUCE STREET, MAHOMET, MN 55115

Phone Numbers: Business 651-336-4243 Residence 651-407-6041 Cell 651-336-4243

### 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: REF. # 107 719

(see attached letter)

August 31, 2020

A.J. Neis, Fire Safety Inspector

Department of Safety and Inspections

Fire Inspections Division

St. Paul, MN 55101

Dear Inspector Neis,

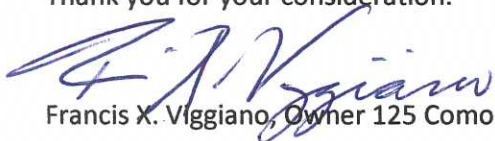
I have received the Revocation of Fire Certificate of Occupancy and Order to Vacate.

I have been working with Inspector Jack Toeller after he took over for another inspector who had to withdraw because of health reasons. I had a tenant who accumulated too many possessions for the size apartment she had. Then she began filling the basement without my authorization. To make a long story short her husband died recently and we began emptying the unit and filled 3 large dumpsters of belongings. She also had 8 cats we needed to bring to animal control. She moved out of the unit and it was rented to a family with a young child. They are currently living in the unit.

Recently, the persons living in the unit above them have created problems and filled the yard with trash, furnisher, and other items not authorized by myself. We have informed them that it had to be cleaned up but it has become worse. I have attempted to work with the tenants to clean the property but I have been unsuccessful. Other persons have moved into the unit it appears and have made matters worse. I have been unable to take legal action because of the current state of affairs.

I have ordered a dumpster to clean up the yard and am working to that end. I will continue to work with the City and its representatives. I have been a landlord in St. Paul since the 1980s and have done the best I can under the circumstances. I am concerned for the family living in the lower unit of the building and do not believe they should be displaced because of the actions of the tenants in the upper unit.

Thank you for your consideration.



Francis X. Viggiano, Owner 125 Como Avenue – St. Paul, MN 55103



CITY OF SAINT PAUL

August 28, 2020

FRANCIS X VIGGIANO  
86 SPRUCE ST  
MAHTOMEDI MN 55115

## **FINAL NOTICE**

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

RE: 125 COMO AVE  
Ref. # 107719

Dear Property Representative:

Your building was inspected on August 27, 2020, 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 September 30, 2020 at 11:00am.**

**Full compliance with the following deficiency list must be completed by the reinspection date or the property must be vacated at that time.**

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. Exterior - Broken windows - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window glass. **-Repair or replace broken windows throughout.**
2. Exterior - Rear stairway and porch - SPLC 34.09 (3), 34.33(2) - Repair or replace the unsafe stairways, porch, decks or railings in an approved manner. This work may require a permit(s). Call DSI at (651) 266-8989. **-Paint and scrap were needed, replace any broken boards and improper footings.**
3. Exterior - Throughout - SPLC 34.09 (4), 34.33 (3) -Provide or repair and maintain the window screen. **-Repair or replace missing window screens throughout.**

An Equal Opportunity Employer

4. Exterior - MSFC 307.1 - All fires on the ground must be a minimum of 25 feet from structures or contained in a grill or outdoor fireplace. Wind speeds must be less than 10 mph, constantly attended, a means of extinguishment must be provided. Only natural firewood can be burned (no construction materials, brush or waste materials), and fire shall be extinguished if the smoke is deemed a nuisance. A citation will be issued for non-compliance. **-Evidence of burning for disposal. Immediately cease burning for this purpose.**
5. Exterior - SPLC 34.08 (3) - Provide and maintain suitable ground cover on all exterior areas to control erosion. **-Seed or sod where ground cover is missing.**
6. Exterior Rear - Upper unit - SPLC 34.33 (3) - Repair and maintain the door in good condition. **-Rear door going into upper unit needs to be repaired.**
7. Interior - Front Porch - MN Stat 299F.18 - Immediately remove 50% and discontinue excessive accumulation of combustible materials. **-Front porch was filled with furniture, mattresses and other combustible materials.**
8. Interior - Unit 2 - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped. **-Put light globes back onto light fixtures. Outside front entry door and in master bedroom.**

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: [adrian.neis@ci.stpaul.mn.us](mailto:adrian.neis@ci.stpaul.mn.us) or call me at 651-266-8992 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

A.J. Neis  
Fire Safety Inspector

Ref. # 107719