



# APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

JUN 05 2015

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

We need the following to process your appeal:

CITY CLERK

- \$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

<b>HEARING DATE &amp; TIME</b> (provided by Legislative Hearing Office) Tuesday, <u>June 23, 2015</u>
Time <u>11:00 a.m.</u>
Location of Hearing: <u>Room 330 City Hall/Courthouse</u>

## Address Being Appealed:

Number & Street: 1449 ST. ALBANS ST. N. City: ST. PAUL State: MN Zip: 55117

Appellant/Applicant: STEVEN WERTZ Email sdwertz@msn.com

Phone Numbers: Business 651-290-7440 Residence 651-771-0496 Cell 612-570-5026

Signature: Steven Wertz Date: 6/5/15

Name of Owner (if other than Appellant): Same

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 Please see attached
- Vacant Building Registration \_\_\_\_\_
- Other (Fence Variance, Code Compliance, etc.) \_\_\_\_\_

June 5, 2015

Saint Paul City Council – Legislative Hearings  
310 City Hall, 15 W. Kellogg Blvd.  
St. Paul, MN 55102

RE: Correction Notice

To Whom It May Concern:

Last Spring (2014) I had accepted a bid from a professional painting business (Freeman Painting) to paint both the trim and the rest of my house and garage. Due to some employee turnover and other weather issues, he didn't make it over last year.

This Spring I was in touch and told him I still wanted the work done, and he promised to put me on his list and get it done this summer.

Earlier this week I received a Correction Notice (copy attached) stating that on May 28, 2015 a City Code Enforcement Officer had stopped by my house and issued an order for correction by June 29, 2015.

I put myself in touch with the painter (Dan Freeman) on June 2<sup>nd</sup> to ask where I was at on his schedule. He responded to me and told me he should be able to get over to my place by mid-July.

So I would like to appeal the notice and ask for an extension of time until the August 15, 2015. Then, if Freeman Painting has not shown up by the end of July, I will go ahead and scrape and paint the areas of the garage as-needed to correct the deficiency myself.

Would that be acceptable? I've also enclosed my most recent email exchanges with Dan Freeman to document my conversations with him.

Thank you for your consideration.

Respectfully,



Steve Wertz  
1449 St. Albans Street North  
St. Paul, MN 55117



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

375 Jackson Street., Suite 220  
Saint Paul, MN 55101-1806

Telephone: 651-266-8989  
Facsimile: 651-266-1919  
Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

- Yog hais tias koj hais 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.

330

May 28, 2015

Steven D Wertz  
1449 St Albans St N  
St Paul MN 55117-3450

RECEIVED

JUN 05 2015

CITY CLERK

## CORRECTION NOTICE

RE: 1449 ST ALBANS ST N  
File #: 15-123701

Dear Sir or Madam:

The City of Saint Paul, Department of Safety and Inspections has inspected the above referenced property on **May 28, 2015** and has determined that the following deficiencies exist in violation of the Saint Paul Legislative Code<sup>1</sup> (see footnote 1, below).

1. The exterior walls and/or trim of the garage has defective, peeled, flaked, scaled or chalking paint or has unpainted wood surfaces. Scrape and repaint to effect a sound condition in a professional manner.

### SCRAPE AND PAINT THE GARAGE.

You are hereby notified to correct these deficiencies in accordance with the appropriate codes. The Enforcement Officer will re-inspect these premises on or after **June 29, 2015**, by which date the violations noted must be corrected. **Failure to correct these deficiencies may result in the issuance of criminal charges<sup>2</sup>** and/or a civil lawsuit, and possible abatement/assessment by the City. All repairs and new installations must be made in accordance with the appropriate codes. Permits may be obtained by calling 651-266-8989.

You may file an appeal to this notice by contacting the City Clerk at 651-266-8585. Any appeal must be made in writing within 10 days of this notice. (You must submit a copy of this Notice when you appeal, and pay a filing fee.)

**If you have any questions or request additional information, please contact me. To arrange an appointment or request an extension of time to complete repairs, you will need to speak directly to me at 651-266-1924.**

Sincerely,

Sean Westenhofer  
Badge # 330

CODE ENFORCEMENT OFFICER

Footnotes:

- <sup>1</sup> To see the Legislative Code go to [www.stpaul.gov](http://www.stpaul.gov) on the internet, click on "Departments", then click on "Department of Safety and Inspections", scroll down the page for the "Codes". Most Correction Notices derive from Chapter 34.
- <sup>2</sup> 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.

SW

**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.

cn60100 4/13



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From: **STEVEN WERTZ** (sdwerts@msn.com)  
Sent: Wed 6/03/15 8:55 AM  
To: Dan Freeman (dan@freemanpainting.com)

Thanks Dan, I'll check in with the City and let them know. Maybe if they are still on me I can just slap some paint on the worst spots and that will hold them over until you can show up. Thanks again for getting back to me.

Thanks,  
Steve Wertz  
[sdwerts@msn.com](mailto:sdwerts@msn.com)

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Date: Wed, 3 Jun 2015 08:35:00 -0400  
Subject: RE: Painting / Checking in with you  
From: [dan@freemanpainting.com](mailto:dan@freemanpainting.com)  
To: sdwerts@msn.com

Hi Steve, that's too bad about your busy-body neighbors! Most of the time the city is willing to give an extension if you have the work contracted. If the weather isn't too horrible this month I should be able to get there in the first half of July. Hopefully that's soon enough for them, thanks - Dan

----- Original Message -----

Subject: RE: Painting / Checking in with you  
From: "STEVEN WERTZ" <sdwerts@msn.com>  
Date: Tue, June 2, 2015 6:10 pm  
To: "Dan Freeman" <dan@freemanpainting.com>

- > Hi Dan, thought I'd check in with you.  
>  
> Yesterday I received a Notice of Correction letter from the City informing me an inspector had come out on 5/29 based on a complaint and that I had until the end of the month to scrape and paint my garage to avoid further legal action.  
>  
> I think its the retired couple who live across the alley from me essentially making the complaint to harass me, I've had problems with them before; the garage right next to mine and one a few doors down are in worse shape, but I doubt any one is complaining about them. But anyway, wondering where I am at on your schedule for this summer. I may have to go ahead and work on the garage myself to avoid further problems.  
>  
> I did pick out another color for the house and garage. Well, hope to hear from you soon.  
> Thanks,

>

> Steve Wertz  
> sdwerts@msn.com

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From: sdwerts@msn.com  
> To: dan@freemanpainting.com  
> Subject: RE: Painting / please put me back on your list!  
> Date: Mon, 2 Mar 2015 08:35:33 -0600

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> Great! Thanks, Dan. I still need to pick out the house color, the trim will be painted the same color as my gutters.

> Thanks,

>

> Steve Wertz  
> sdwerts@msn.com

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> Date: Fri, 27 Feb 2015 08:28:43 -0500  
> Subject: RE: Painting / please put me back on your list!

>

From: dan@freemanpainting.com  
> To: sdwerts@msn.com

>

> Hi Steve, I'll put you back on the schedule. The summer's only about half booked at this point so I'll be sure to get to you this year. I'll be in touch as it warms up, thanks - Dan

>

> ----- Original Message -----

>

> Subject: RE: Painting / please put me back on your list!

>

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From: "STEVEN WERTZ" <sdwerts@msn.com>

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> Date: Thu, February 26, 2015 7:07 pm

>

> To: "Dan Freeman" <dan@freemanpainting.com>

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>> Hi Dan, well, I was able to come up with some extra money and so I'd like to get back on your

painting job list for next Spring. Hopefully you don't have your entire summer filled yet. Let me know, Thanks!

>

>> Thanks,

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>> Steve Wertz

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>> sdwerts@msn.com

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>> Date: Wed, 12 Nov 2014 09:26:05 -0500

>

>> Subject: RE: Painting / take me off your list if I'm still on it

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From: dan@freemanpainting.com

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>> To: sdwerts@msn.com

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>> Hi Steve,

>

>> I am very sorry that we couldn't get to you this year. This whole summer has been a struggle to catch up as one of my main guys took a job on the east coast and left with no warning, and good help is increasingly hard to find these days. I should have kept you updated

>

>> though. If you change your mind about doing it yourself or just want us to spray the stucco for you, let me know and I'll find an early spot for you this summer. Once again, I apologize and hope you have a good winter. - Dan

>

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>> ----- Original Message -----

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>> Subject: RE: Painting / take me off your list if I'm still on it

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