



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

OCT 11 2013

CITY CLERK

We need the following to process your appeal:

- \$25 filing fee payable to the City of Saint Paul (if cash: receipt number 351997)
 - 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>October 22, 2013</u>
Time <u>1:30 PM</u>
Location of Hearing: <u>Room 330 City Hall/Courthouse</u>

Address Being Appealed:

Number & Street: 80 Cleveland Ave N. City: St Paul State: MN Zip: 55104

Appellant/Applicant: Pete Lehner Email Pete@LindsayGroup.com

Phone Numbers: Business _____ Residence _____ Cell 612-963-4844

Signature: Pete Lehner Date: 10/10/13

Name of Owner (if other than Appellant): Jonathon Lindsay

Mailing Address if Not Appellant's: 3450 County Road 101 S., Minnetonka MN 55345

Phone Numbers: Business 952-931-3131 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 _____
- Code Enforcement Correction Notice see attachments
- Vacant Building Registration _____
- Other _____

APPLICATION FOR APPEAL

10/10/2013

Re: 80 CLEVELAND AVE N
FILE #: 10-898251 & 101510

Applicant: Pete Lehner

REASON FOR APPEAL:

I am appealing the Correction Notice regarding the order to Cease Parking on Unapproved Service. I would ask that the residents be allowed to park behind the house until the improvement to the surface can be made. This property has had gravel behind it as a parking surface for at least the last 15 years, since before the current owner purchased the property. The residents benefit from being able to park off street especially since this area has densely parked streets.

Item #3 of the correction notice lists the code relating to the parking lot. The owner has contacted two trusted contractors who produced bids of \$5,605 (Broberg Construction) and \$6,300 (ACS). Given the snow in May and heavy rains in May and June, most contractors are behind on their contracted work and cannot complete any new work this year before the weather turns too cold to do a good quality resurfacing job. This is the case with these two contractors.

The owner is therefore asking for an extension of time until July 15, 2014 to complete the resurfacing of this lot.

On Sept 17, 2013, an inspection of the property was made which generated File #101510. The letter was received on Sept 20th. I immediately lined up six different contractors to tend to the correction notice items. The following items were acted upon:

1. Repairs to some bad siding/soffit. Cost \$730.50. Completed on Sept 25-27
2. Painting of windows frames and trim (per code: exterior unprotected wood surfaces to be painted): \$767.63
3. Concrete steps: \$2,975.00. Completed Sept 30th
4. Concrete work on above-grave foundation: \$1,400. Completed Sept 30th.
5. Railing: \$430. Installation pending complete concrete cure time
6. Chimney: \$1,700. Under contract. Pending contractors schedule
7. Reroof: \$9,575 - \$14,000. Pending chimney completion. Price varies based on severity of roof underlayment.
8. Lot resurfacing: \$5,605. Pending extension of deadline into 2014.

Total improvements completed: \$5,873

Total improvements pending: \$17,310 - \$21,735

Total Improvement, completed & pending: \$23,183 - \$27,608

I have listed the costs to show what the owner has already spent and what he is under contract to spend. **I trust that this will show his good faith in his desire to comply with the correction notice.**

I am appealing the October 3, 2013 inspection correction notice, item #1 which lists the need to paint. Since wood exterior unprotected surfaces have been painted (Sept 27-28) and are protected from the elements, **can this item be listed as corrected?**

I am appealing the October 3, 2013 inspection correction notice, item #4. No fires have been made since the first Sept 17th inspection. The fire ring was removed immediately following receipt of the letter. A review of the City website's property information does not list any complaints about fires ever at this property. The police dept does not show any complaints of open fires. The Fire Dept's dispatch or emergency line 651-266-7702 shows no records of complaints of open fires in 2013 or ever. **Can this item be removed from the list and shown as corrected?**

I am including my email communication with Inspectors Mike Urmann and Adrian Neis on 09/30/13, 10/02/03 and 10/11/13. I trust this will show my responsiveness to the Correction Notice.

Thank you for your understanding,

A handwritten signature in blue ink that reads "Pete Lehner". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Pete Lehner
On behalf of owner for 80 Cleveland Ave. N., St Paul
Cell: 612-963-4844
Pete@LindsayGroup.com

Enclosures:

09/17/13 Correction Notice

09/30/13 Correction notice

10/03/13 Correction notice

Email Communication between Pete Lehner & City Inspectors

Invoices paid and estimates of work pending

Photos (4)



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220 Telephone: 651-266-8989
Saint Paul, MN 55101-1806 Fax: 651-266-8951

RECEIVED OCT 7 - 2013

October 3, 2013

JONATHAN J LINDSAY
3450 S COUNTY ROAD 101
MINNETONKA MN 55345-1016

CORRECTION NOTICE - RE-INSPECTION COMPLAINT

RE: 80 CLEVELAND AVE N
Ref. # 101510

Dear Property Representative:

A re-inspection was made on your building on October 3, 2013, in response to a complaint. You are hereby notified that the following deficiencies must be corrected prior to re-inspection date. **A reinspection will be made on October 31, 2013 at 1:30pm.**

Failure to comply may result in a criminal citation or the revocation of the Certificate of Occupancy. The Saint Paul Legislative Code requires that no building shall be occupied without a Certificate of Occupancy. The code also provides for the assessment of additional reinspection fees.

DEFICIENCY LIST

1. Exterior - SPLC 34.09 (1) b,c, 34.33 (1) b, c - Provide and maintain all exterior walls free from holes and deterioration. All wood exterior unprotected surfaces must be painted or protected from the elements and maintained in a professional manner free from chipped or peeling paint.
2. Exterior - SPLC 34.09 (1) e, 34.32 (1) d - Provide and maintained the roof weather tight and free from defects.
3. Exterior - SPLC 34.08 (7) - All parking spaces shall be paved with asphalt, concrete, or durable dustless surfacing. Before any existing spaces may be paved, site plan approval must be obtained as specified in the St. Paul Zoning Code. Contact DSI Zoning at 651-266-9090.
4. Exterior - MSFC 307.1 Fire Prevention has been receiving complaints regarding fires conducted on your property. 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 under 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.-Exterior Open Burning: - MSFC 307.1 All fires on the ground must be a minimum of 25 feet from structures and property line or contained in an approved container grill or outdoor fireplace and 15 feet from structures and property line. Wind speeds must be under 10 mph,

constantly attended, a means of extinguishments 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.-Remove the fire pit and fire debris in the back yard.

5. Exterior - Chimney MMC 101: Immediately contact a licensed masonry contractor to repair and tuck-point Chimney. Remove any loose and damaged brick and repair the Chimney in an approved manner all work must be done under permit and approved.
6. Exterior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window frame.
7. Exterior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window sash.
8. Throughout - SPLC 34.19 - Provide access to the inspector to all areas of the building for a full certificate of occupancy inspection.

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>

If you have any questions, email me at mike.urmann@ci.stpaul.mn.us or call me at 651-266-8990 between 7:30 a.m - 9:00 a.m.

Please help to make Saint Paul a safer city in which to live and work.

Sincerely,

Michael Urmann
Fire Inspector

Ref. # 101510