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 15 2014
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 Check 1032)
- ☑ 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, October 28, 2014

Time 11:00 AM
Location of Hearing:
Room 330 City Hall/Courthouse

Left msg. on 10-15-14

Address Being Appealed:

Number & Street: 1126 Summit Ave City: St. Paul State: MN Zip: 55105

Appellant/Applicant: Julian Email

Phone Numbers: Business 612.839.0784 Residence 651.222.4030 Cell 612.839.0784

Signature: Date: Oct. 13, 2014

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 — bench and flower container, people are using & enjoying them And neighbors have them in the same location
- ☐ Fire C of O Deficiency List/Correction
- ☐ Code Enforcement Correction Notice
- ☐ Vacant Building Registration
- ☐ Other (Fence Variance, Code Compliance, etc.)

RECEIVED
OCT 15 2014
CITY CLERK

Juliann Geis
1126 Summit Avenue,
St. Paul, MN 55105
October 14, 2014

Dear City of St. Paul Legislative Staff,

Dear staff, please find enclosed our completed application for appeal: a check for the $25.00 filing fee; copies of the two letters from the City and attachments; 2 emails to David Kueber; a photo of a guest resting on our bench taken last week; an email about the City boulevards and a photo of my father's bench.

Benches have a special place in our hearts. They are so welcoming and useful. My father's head stone is a bench, which is the only place in the cemetery for people to sit and rest. A copy of the photo is enclosed.

There was an elderly lady who walked by our house and she would rest on our front steps, which looked exceedingly uncomfortable. So, four years ago we purchased a bench with the purpose to have it on our boulevard for people to use as they walk, run by or want to rest. Our lawn has an incline, so a bench for guests is not feasible on the lawn.

Our goal was to welcome people and to copy other benches in the neighborhood, which we have rested on. There are many benches on the boulevards with in a five block radius of our yard. Because the other benches were present, we believed ours would cause no hindrance. A friend and I even looked up what the City has posted on boulevard usage and the email is enclosed.

Originally, people believed the bench was free, and attempted to take it. So this year, we decided to plant a recycled fountain with flowers and place our bench next to it so people would understand it was not free for the taking. We also have displayed welcome signs, such as for the Fourth of July and to welcome guests of the Twin Cities Marathon.

In August, we received a Corrections Notice and I spoke with Officer Mark Kaiseratt and David Kuebler. Unaware that a permit was necessary, we attempted to attain one. The bench does not interfere with City plowing, nor does it infringe on the public walkway. At this time, we did not file an appeal since we thought we would be able to get a permit. Officer Kaisersatt called and asked for an update in September and I called him back and let him know I had spoken with David and had emailed him photos of the bench.

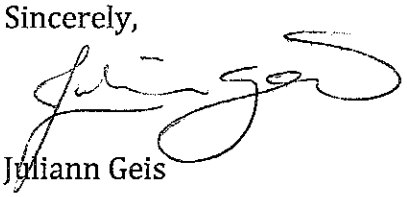
Officer Kaisersatt then called in October and I emailed David to ask for an update. This last Saturday, October 11th, we received a Summary Abatement Order.

Since I had not heard back from David, I called St. Paul City Permits and they said I needed to talk with Henry Ung in ordnance permits, who I then called and left a message yesterday. I have not heard back from David or Henry. At this point, I called our City Council Member Dave Thune and spoke with his legislative specialist, Pat. She said I could fill out an application for appeal, which I have done.

I am sorry that one person complained, but many people have thanked us, and expressed how they enjoy the bench, the welcome signs and the flower fountain.

I look forward to hearing from you and thank you for your consideration.

Sincerely,



Juliann Geis

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

October 09, 2014

14 - 319117

SUMMARY ABATEMENT ORDER

334

- 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.

Robert P Thavis/Juliann F S P Geis
1126 Summit Ave
St Paul MN 55105-2647

As owner or person(s) responsible for: 1126 SUMMIT AVE 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.**
☐	**Cut and remove tall grass, weeds and rank plant growth.**
☐	**Remove and properly dispose of all animal feces from yard areas.**
☐	**IMMEDIATELY secure all buildings which are open to unauthorized entry, including:**
X	**Other: REMOVE BENCH AND BIRD BATH FROM PUBLIC RIGHT OF WAY (BLVD)**

If you do not correct the nuisance or file an appeal **before October 15, 2014,** 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: Mark Kaisersatt *Badge* Number 334 *Phone Number* 651-266-1908
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) 266-8585. 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.

DEPARTMENT OF SAFETY AND INSPECTIONS
Steve Magner, Manager of Code Enforcement

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

- 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.

334

David. Kuebler @ Ci. St Paul. MN. US
651. 266. 6217

August 18, 2014

Robert P Thavis/Juliann F S P Geis
1126 Summit Ave
St Paul MN 55105-2647

CORRECTION NOTICE

Public Works (got permit)

RE: **1126 SUMMIT AVE**
File #: **14-319117**

Dear Sir or Madam:

The City of Saint Paul, Department of Safety and Inspections has inspected the above referenced property on **August 18, 2014** and has determined that the following deficiencies exist in violation of the Saint Paul Legislative Code[1] (see footnote 1, below).

1. Please remove bench and bird bath from blvd (public right of way)

extended since we are trying to get a permit

You are hereby notified to correct these deficiencies in accordance with the appropriate codes. The Enforcement Officer will reinspect these premises on or after **August 25, 2014**, by which date the violations noted must be corrected. **Failure to correct these deficiencies may result in the issuance of criminal charges**[2] 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 651-266-1908.

not needed now since getting A permit

emailed David photo Aug 28th

Sincerely,

Mark Kaisersatt ext.
Badge # 334

Mark called Sept. 9th for update
I left message Sept. 10th

CODE ENFORCEMENT OFFICER

l. m. Aug 20 10:30 a.m.

Footnotes: 0 Spoke 3pm

l.m. Aug 21 11:27 a.m. and David sent photo of bench + will follow up after he returns from vacation Sept. 2nd

Beautiful benches

3 messages

Joey Schoen <joanneschoen@yahoo.com> Sun, Jul 13, 2014 at 8:13 PM
To: Juliann Geis Thavis <juliann18@gmail.com>

Actually, the city encourages boulevard gardens and such. From the city's boulevard guidelines:

" It is the purpose and intent of the City of Saint Paul to allow property owners to plant and maintain the boulevard areas adjoining their property in a manner which enhances and improves the aesthetic appearance of city streets, avenues and alleys "

The only rules I found were about plant heights and weeds that cannot be planted.

Juliann Geis Thavis <juliann18@gmail.com> Sun, Jul 13, 2014 at 8:58 PM
To: Joey Schoen <joanneschoen@yahoo.com>

Thank You!
Makes my heart happy :)
Plus I loved our stroll.

I am working on details of the garden party corsage bar wrap up report to Eastcliff.
[Quoted text hidden]

Juliann <juliann18@gmail.com> Wed, Aug 20, 2014 at 10:37 AM
To: Juliann <juliann18@gmail.com>

Juliann Geis Thavis
Sent from my iPhone

Begin forwarded message:

From: Joey Schoen <joanneschoen@yahoo.com>
Date: July 13, 2014 at 8:13:25 PM CDT
To: Juliann Geis Thavis <juliann18@gmail.com>
Subject: Beautiful benches

Actually, the city encourages boulevard gardens and such. From the city's boulevard guidelines:

" It is the purpose and intent of the City of Saint Paul to allow property owners to plant and maintain the boulevard areas adjoining their property in a manner which enhances and improves the aesthetic appearance of city streets, avenues and alleys "

The only rules I found were about plant heights and weeds that cannot be planted.

1126 "welcome and rest" bench

1 message

Juliann <juliann18@gmail.com> Thu, Aug 28, 2014 at 6:03 PM
To: David Kuebler <david.kuebler@ci.stpaul.mn.us>

Hi David,
Here is a picture of our "welcome and rest" bench. We are happy it is being used.
Thanks for your help.
Juliann
M 612.839.0784

Juliann Geis Thavis
Sent from my iPhone

2 attachments

photo 1.JPG
167K

photo 2.JPG
167K

Update appreciated

2 messages

Juliann <juliann18@gmail.com> Mon, Oct 13, 2014 at 6:51 AM
To: "david.kuebler@ci.stpaul.mn.us" <david.kuebler@ci.stpaul.mn.us>
Bcc: juliann18@gmail.com

Hi David,

Could you please give us the update on our bench in front of her house at 11:26 Summit.

We would so appreciate being able to get a permit to have it there just like the benches on Portland that are about two blocks away from our house. Or the other benches we have seen on boulevards
In St Paul.

Thank you so much. my mobile is 612-839-0784 I am in class today but will check messages at our lunch break. I start class at 7:00 am.
Please be kind enough to leave your telephone number.

Sincerely,
Juliann

Juliann Geis Thavis
Sent from my iPhone

Juliann <juliann18@gmail.com> Mon, Oct 13, 2014 at 2:49 PM
To: Juliann <juliann18@gmail.com>

Juliann Geis Thavis
Sent from my iPhone

Begin forwarded message:

> **From:** Juliann <juliann18@gmail.com>
> **Date:** October 13, 2014 at 6:51:10 AM CDT
> **To:** "david.kuebler@ci.stpaul.mn.us" <david.kuebler@ci.stpaul.mn.us>
> **Subject: Update appreciated**

[Quoted text hidden]

Bench and guest

1 message

Juliann <juliann18@gmail.com> Tue, Oct 14, 2014 at 10:20 AM
To: Juliann <juliann18@gmail.com>

Juliann Geis Thavis
Sent from my iPhone

IMG_7548.JPG
148K

GEISS
LEROY F.
MAY 29, 1927
MAR. 17, 1990
DOROTHY P.
JUNE 30, 1929