

December 5th, 2014

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CITY CLERK

Legislative Hearing Officer
310 City Hall
15 West Kellogg Blvd
Saint Paul, MN 55102

Regards: License Number 20140002648

Legislative Hearing Officer,

Received your notification regarding the "neighborhood notification" as relates to the above noted license application. This is my response to that request.

1. I purchased the real property in the 1980's, with the following PIN 192922320074, said property located at -0- West Cottage Avenue, Saint Paul, MN, adjacent to the property that the license request is being made for, as above noted. I purchased this property from my father's estate, my father having purchased the property in the early 1970's.

2. Immediately upon purchasing the property, and during the subsequent years, I was able to walk across my property (40 foot width) during any year without stepping in water.

3. I noticed in 2004 that my neighbor to the South had been bringing in fill, and raising the level of his property above the level that it was at the time that I purchased my father's property.

4. In the Southeast corner of the property directly south of mine, there was a wetland, and it is disclosed on the aerial photographs that were taken at various times during the 1990's and 2000's. I also noticed that a man-made

drainage ditch from the Southeast corner had been constructed northward to the Southeast corner of my lot. This caused the water at high time in that Southeast corner of the lot directly south of mine to spill water over into the Southeast corner of my lot.

5. During the period from 2004 until 2007, I noticed that additional fill had been placed on the real property directly to the South of my lot, starting at the West portion of that property directly east of the alley.

6. In 2007, upon being at my real property directly South of Cottage Avenue West, I noticed that my real property was being flooded from the overflow of the wetland pond in the Southeast corner of my neighbor's lot to the South, which overflowed and followed the man-made drainage ditch directly from the pond on my neighbor's property to the South onto my real property, causing flooding on my real property.

7. At the time that I noticed my real property above noted being flooded by the overflow of the wetland pond on my neighbor's property to the South, I notified the Capital Region Watershed District Office, and requested that they immediately inspect the overflow of the wetland pond. In response, the Capital Region Watershed District Office came out to my real property and put pink flags to mark the boundaries of the wetland and the pond. The individual from the Capital Region Watershed District Office didn't state anything as related to the water that was being backed up onto my lot.

8. In December of 2012 I telephoned the Department of Safety & Inspections for the City of Saint Paul, and informed them that my neighbor to the South of my real property was engaged in excavation work on his real property.

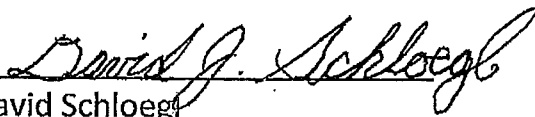
Upon my doing so, the Department of Safety & Inspections sent out an inspector by the name of Tom Beech. Mr. Beech informed me that the project would be stopped until the owner (Robert L. Brackey) of the real property submitted a proper site plan. A site plan was filed by Mr. Brackey on May 15th, 2013.

9. In 2014, based on the above, the owner of the lot directly South of my lot on Cottage Avenue West, Robert L. Brackey, by filling in his lot with fill dirt, and putting a base material on top of that, together with at least 4 inches of asphalt material has caused all the snow melt, rain water to drain to the Southeast corner of his property, and fill the wetland pond with water, which overflows into the drainage ditch which drained the wetland pond directly onto my real property mentioned above, and resulted in denying me the use of my real property as it is inundated with water during the entire year at this time.

10. I have not received any notices relating to any real property improvement requests or changes to any item relating to either my real property or any of my neighbor's real properties in the Cottage Avenue area. I realize that the City of Saint Paul needs additional Real Estate Tax money and Permit money, but to grant a license to a used car dealer on a piece of real property where the owner, whether individual or LLC has so blatantly violated the City of Saint Paul's Rules and Regulations for the conduct of construction of real property would be reprehensible, and any licensing should be denied at this time until the listed owner of the property for the purpose of the license correct this individual or compensate him for the injury that he has inflicted located at -0- West Cottage Avenue.

11. A prior check by this individual discloses that the

tenant/owner/lessee/lessor has already violated his agreement with the City of Saint Paul in the fact that in his operation of his above stated business, he has placed 73— 76 automobiles on the real property, in violation of his agreement with the City of Saint Paul to only place 66 vehicles on the real property at any one time.

A handwritten signature in cursive script, reading "David J. Schloegl", written over a horizontal line.

David Schloegl
395 Daly Street
Saint Paul, Minnesota 55102
(651) 224-7021