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APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

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

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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 4199 **)**
- ☑ **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, Dec. 23, 2014

Time 3:00 PM

Location of Hearing:
Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 155 Sidney St City: St Paul State: MN Zip: 55107

Appellant/Applicant: Meeghan Francisco Email aquariuslady213@yahoo.com

Phone Numbers: Business 651-365-5864 Residence _____ Cell 612-296-9197

Signature: _____ Date: 12/12/14

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** Fence Encroachment Permit
- ☐ **Summary/Vehicle Abatement**
- ☐ **Fire C of O Deficiency List/Correction**
- ☐ **Code Enforcement Correction Notice**
- ☐ **Vacant Building Registration**
- ☒ **Other** (Fence Variance, Code Compliance, etc.)

Revised 8/11/2014

December 12th, 2014

To Whom It May Concern:

I am requesting to appear before the city council to appeal the decision to deny my Encroachment for the following reasons;

1. The denial states that there should be a minimum of 10 foot clearance to allow any future tree planting and maintenance. I am asking to go approximately 6 feet past the city lines, giving 14 feet of clearance.

2. I cannot reasonably put up a fence to enclose the pre-existing walkway. I bought the house in June of this year, and the walkway was already placed where it is on the property. I am not simply asking to just put up a fence, I am asking to enclose the walkway that I bought the house with that connects my house to the garage.

3. I am unsure as to where exactly the lighting conduit is located, but I can't imagine it is that close to the cement walkway that I am asking to enclose in a fence line. I am asking to go only about a foot past the walkway with the fence so I have reasonable space for lawn maintenance. If needed, I am willing to place the fence line directly next to the walkway.

Please consider these points when deciding on my appeal request.

Sincerely,

Meeghan Francisco
155 Sidney St E
Saint Paul, MN 55107
(612)296-9147

721
149
155
146
SIDNEY ST E
RIVERVIEW AVE
THIS IS NOT A LEGAL DOCUMENT
GeoMoose
Powered
Parcel
Selected Parcel
Railroad
PRIMARY
SECONDARY
OTHER
UNOFFICIAL ALIAS
LANDLOCKED
PROVISIONAL
Interstate
Highway or County Road
Local Road
Ramp
Other Street
WATER
FENCE LINE
N
W
E
S

DEPARTMENT OF PUBLIC WORKS
Rich Lallier, Director

CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

Traffic Engineering Division
Paul St. Martin, P.E., Manager
800 City Hall Annex *Telephone: 651-266-6150*
25 West Fourth Street *Fax: 651-298-4559*
Saint Paul, Minnesota 55102-1660

October 21, 2014

Ms. Meeghan Francisco
155 Sidney Avenue East
Saint Paul, Minnesota 55107

Subject: **Encroachment Permit Request for 155 Sidney Avenue East**

Dear Ms. Francisco:

The City of St. Paul Department of Public Works has received and reviewed your application for an encroachment permit to place a fence onto the boulevard alongside your property at 155 Sidney Avenue East. After review by various City Departments and Utility Companies, your request for an encroachment permit, as described in your application, is denied.

The Department of Public Works and the Forestry Division of Parks and Recreation offer the following reasons for denying your encroachment permit request:

1) A minimum 10-foot clear boulevard must be maintained along Riverview Avenue for any future street tree planting and maintenance. A fence at this location would interfere and be in conflict with Forestry's ability to access and maintain any boulevard trees.
2) There is lighting conduit that runs underground along that side of the property. It is not acceptable for the fence to be located in such close proximity to this lighting conduit. Sufficient space must be available for future maintenance and/or removal without risk of damage to the fence.
3) As per Chapter 134 of the St. Paul Legislative Code, your request can be reasonably accomplished on your private property.

We are aware that a fence was installed on the Riverview side of the property at 149 Sidney Avenue East. That fence was installed without prior authorization from St. Paul Public Works. Although they did have a building permit to install a fence, they did not have permission to install it into the public right-of-way and that issue has since been turned over to the Code Enforcement division of the Department of Safety and Inspection.

If you wish to appeal the encroachment permit denial, a written appeal can be sent to the Department Director, Mr. Rich Lallier, 25 West Fourth Street, 1500 City Hall Annex, St. Paul, Minnesota 55102.

If you have additional questions regarding the permit process, please call me at 651-266-6217.

Sincerely,

David Kuebler, P.E.
ROW Management Section
Traffic and Lighting Division
St. Paul Public Works Department

cc: Rich Lallier, Department Director
Paul St. Martin, Division Manager
Clint Mrozinski, Right-of-Way Inspector

DEPARTMENT OF PUBLIC WORKS
Rich Lallier, Director

CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

1500 City Hall Annex
25 W. Fourth Street
Saint Paul, MN 55102-1660

Fax: 651-266-6222

The Most Livable City in America

November 5, 2014

Ms. Meeghan Francisco
155 Sidney Avenue East
Saint Paul, Minnesota 55107

Re: Appeal of Encroachment Permit Denial for 155 Sidney Avenue East

Dear Ms. Francisco:

I received your appeal letter related to the denial of the Encroachment Permit request dated October 23, 2014. I have reviewed with staff and looked at the property information. For the reasons stated in the October 21, 2014 letter I am denying your appeal.

The denial letter clearly indicated the reasons for denying this appeal including the needs communicated to provide access for Forestry and the proximity of the lighting conduit. It is also apparent that you are able to construct the fence completely off the right of way.

If you wish to pursue this matter further you can appeal this to the City council for a hearing. You can contact Marcia Moermond, Legislative Hearing Officer, at 651-266-6570 for more information.

Sincerely,

Rich Lallier
Director

cc: John Maczko, City Engineer
Paul St. Martin, Traffic and Lighting Division Manager
David Kuebler, Traffic and Lighting Right of Way Management Section
Marcia Moermond, Legislative Hearing Officer