

RLH FCO 15-64



# APPLICATION FOR APPEAL

## Saint Paul City Council – Legislative Hearings

### RECEIVED

APR 30 2015

### CITY CLERK

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

#### We need the following to process your appeal:

- \$25 filing fee 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 & Faxed
- for abatement orders only:  Email OR  Fax

<b>HEARING DATE &amp; TIME</b> (provided by Legislative Hearing Office) Tuesday, <u>May 12, 2015</u> Time <u>1:30 p.m.</u> Location of Hearing: <u>Room 330 City Hall/Courthouse</u>
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Brikti left voice mail choosing may 12. E-mail sent to her.

### Address Being Appealed:

Number & Street: 1068 Summit Avenue City: St. Paul State: MN Zip: 55105

Appellant/Applicant: Kidane Assefa; Brikti Ytharek Email: milu\_yt@hotmail.com

Phone Numbers: Business Use Cell # Residence Use Cell # Cell 340 690 6866

Signature: B. Ytharek Date: 4/25/15

Name of Owner (if other than Appellant): Kidane Assefa; Brikti Ytharek

Mailing Address if Not Appellant's: 3121 42nd Ncs Minneapolis, MN 55406 or P.O. Box 302682 St. Thomas, VI 00803

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell 340 690 6866

### 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
- Vacant Building Registration
- Other \_\_\_\_\_

Given Deficiency list on 4/12/2015 regarding  
 "All parking spaces shall be paved w/ asphalt, concrete or durable dustless surfacing."  
 However we do not use this space for parking. The tenants have ample parking in the front paved driveway and also on the street. They were told in the past not to park in this area and we will reinforce this by way of <sup>better</sup> signage and barriers thus, no need (and we can't afford to pave it) to pave the area. Thank you for your time.

Revised 5/31/2013

## **Naylor, Racquel (CI-StPaul)**

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**From:** Milu Yt <milu\_yt@hotmail.com>  
**Sent:** Monday, April 27, 2015 8:59 AM  
**To:** Naylor, Racquel (CI-StPaul)  
**Subject:** RE: 1068 Summit Avenue

Good Morning Ms. Naylor,

I just faxed the appeal were we discussing the other day.

We are being asked to pave a backyard area for parking---this is the deficiency we are cited for. However this area is NOT for parking as the tenants have ample paved parking in the front of the building and plenty of street parking.

The "no parking" rule was given to the tenants when they moved in but we can certainly use better signage and perhaps a barrier method to further enforce the rule.

Thus we are requesting not to pave the area because

1. it is not meant for parking
2. tenants have sufficient parking in paved area in front and street parking

We will provide better signage and place barriers for tenants not to park in the area stated.

Moreover, at this point we simply can not afford to pave this area--we just got through paying a little over \$8,000.00 (eight-thousand) in property tax for this unit (4/2015) and we also spent a good deal on correcting all the other deficiencies and one of the tenants is moving out the end of this month. These are all economic challenges.

I realize you are busy and I am sure there are plenty of people with similar issues but I do thank you for your time and follow up.

Thank you.

Respectfully,  
Brikti Ytbarek and Kidane Assefa  
340-690-6867/340-690-6866

> From: [racquel.naylor@ci.stpaul.mn.us](mailto:racquel.naylor@ci.stpaul.mn.us)

> To: [milu\\_yt@hotmail.com](mailto:milu_yt@hotmail.com)

> CC: [katie.foss@ci.stpaul.mn.us](mailto:katie.foss@ci.stpaul.mn.us)

> Subject: RE: 1068 Summit Avenue

> Date: Thu, 16 Apr 2015 20:36:58 +0000

>

> We apologize for the inconvenience. Would you like for me to hang onto the check? It is the correct amount for the appeals. If you want to appeal the next set of orders you receive, you would just have to submit the Application for Appeal, which you could send via e-mail or fax. Let me know what you would like to do. You can speak to me or the City Council receptionist Katie Foss. She handles most of our appeals.

>

**Naylor, Racquel (CI-StPaul)**

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**From:** Naylor, Racquel (CI-StPaul)  
**Sent:** Friday, April 17, 2015 10:46 AM  
**To:** \*CI-StPaul\_LegislativeHearings; Foss, Katie (CI-StPaul)  
**Subject:** FW: 1068 Summit Avenue

The check is in my inbox. -Racquel, 6-8573

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

From: Milu Yt [mailto:milu\_yt@hotmail.com]  
Sent: Thursday, April 16, 2015 10:33 PM  
To: Naylor, Racquel (CI-StPaul)  
Subject: Re: 1068 Summit Avenue

RLH FCO  
15-64

Yes, please keep the check and I will fax the appeal in.  
Thank you for listening to me and I really do thank you for taking the extra steps.  
Good evening Ms. Naylor.

Sent from my iPhone

On Apr 16, 2015, at 3:37 PM, "Naylor, Racquel (CI-StPaul)" <racquel.naylor@ci.stpaul.mn.us > wrote:

> We apologize for the inconvenience. Would you like for me to hang  
> onto the check? It is the correct amount for the appeals. If you  
> want to appeal the next set of orders you receive, you would just have  
> to submit the Application for Appeal, which you could send via e-mail  
> or fax. Let me know what you would like to do. You can speak to me  
> or the City Council receptionist Katie Foss. She handles most of our  
> appeals.  
>  
> Again, I apologize for the inconvenience.  
>  
> -Racquel, 651-266-8585  
>  
> -----Original Message-----  
> From: Milu Yt [mailto:milu\_yt@hotmail.com]  
> Sent: Thursday, April 16, 2015 3:12 PM  
> To: Naylor, Racquel (CI-StPaul)  
> Subject: Re: 1068 Summit Avenue  
>  
> Good day Ms. Naylor,  
>  
> I submitted the appeal I thought in a timely manner. Actually when it  
> first arrived in March someone called me and told me they were going  
> to forward it via interoffice mail to the correct department and I was  
> given a Name and number for a gentleman named Yaya Diatte??? (forgive  
> my spelling) at 651-266-9080. We did call that number end of  
> March--have not heard back.

>  
> Anyhow , I doubt I have any say in this matter.  
> Thank you for your time and thank you for sending a new application  
> and the check back.  
> Good day .  
> Brikti Ytbarek

>  
> Sent from my iPad

>  
> On Apr 16, 2015, at 2:57 PM, "Naylor, Racquel (CI-StPaul)"  
> <racquel.naylor@ci.stpaul.mn.us  
>> wrote:

>  
>> We received your application today for 1068 Summit Avenue. Your  
>> inspection is tomorrow and your notice is dated 3-19-15, so the  
>> appeal is not timely and is not being accepted. I will be mailing  
>> back your paperwork and your check for \$25.

>>  
>> If you get a new set of orders from your 4-17-15 inspection, you may  
>> be able to appeal that. The Application for Appeal is attached.

>>  
>> Thank you.

>>  
>> Racquel Naylor  
>> City Council Offices  
>> 651-266-8585

>>  
>> <Form-Application for Appeal.pdf>  
> <Form-Application for Appeal.pdf>



CITY OF SAINT PAUL  
*Christopher B. Coleman, Mayor*

375 Jackson Street, Suite 220  
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989  
Facsimile: 651-266-8951  
Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

April 20, 2015

Kidane Assefa  
3121 42nd Ave S  
Minneapolis MN 55406-2240

RE: RE-INSPECTION FIRE CERTIFICATE OF OCCUPANCY WITH DEFICIENCIES  
1068 SUMMIT AVE

Ref. # 106588

Dear Property Representative:

Your building was re-inspected for the Fire Certificate of Occupancy on April 17, 2015. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected immediately.

A reinspection will be made on June 15, 2015 at 11:00 AM.

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

#### DEFICIENCY LIST

1. Rear parking & driveway to garage - 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 651-266-8989.

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>

You have the right to appeal these orders to the Legislative Hearing Officer. Applications for appeals may be obtained at the Office of the City Clerk, 310 City Hall, City/County Courthouse, 15 W Kellogg Blvd, Saint Paul MN 55102 Phone: (651-266-8585) and must be filed within 10 days of the date of the original orders.

An Equal Opportunity Employer

If you have any questions, email me at [Justin.Elvestad@ci.stpaul.mn.us](mailto:Justin.Elvestad@ci.stpaul.mn.us) or call me at 651-266-8982 between 7:30 a.m - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Justin Elvestad  
Fire Inspector  
Ref. # 106588





**APPLICATION FOR APPEAL**

Department of Planning and Economic Development  
Zoning Section  
1400 City Hall Annex  
25 West Fourth Street  
Saint Paul, MN 55102-1634  
(651) 266-6589

Zoning Office Use Only  
File #: \_\_\_\_\_  
Fee: \_\_\_\_\_  
Tentative Hearing Date: \_\_\_\_\_

**APPELLANT**

Name Kidane Assefa & Briki Yharc Email Jemal192000@yahoo.com  
mih\_yt@hotmail.com  
Address #1 1612 St. Joseph & Rosendahl (Physical address)  
St. Thomas, Usvi 00803  
Mailing address 3121 42nd Ave S  
City Minneapolis St. MN Zip 55406 Daytime Phone 340 690 6866 or  
340 690 6867

**PROPERTY LOCATION**

Zoning File Name \_\_\_\_\_  
Address / Location 1068 Summit Ave  
St. Paul, MN 55105

**TYPE OF APPEAL:** Application is hereby made for an appeal to the:

**Planning Commission**, under provision of Chapter 61, Section 701, Paragraph c of the Zoning Code, of a decision made by the Planning Administrator or Zoning Administrator

OR

**City Council**, under provision of Chapter 61, Section 702, Paragraph a of the Zoning Code, of a decision made by the Planning Commission

Date of decision: \_\_\_\_\_, 20\_\_\_\_ File Number: \_\_\_\_\_

**GROUND FORS FOR APPEAL:** Explain why you feel there has been an error in any requirement, permit, decision or refusal made by an administrative official, or an error in fact, procedure or finding made by the Planning Commission.

Please see #7 on attached paper mailed to us after inspection that was completed on 3/19/2015.

RE:- rear parking and driveway to Garage. This area is NOT a parking space. The tenants have been informed in the past not to park in this area. The garage is used as storage, not for parking of cars.

We will put up "NO PARKING" signs in this space to make tenants aware not to park here. We will also place a chain with posts to serve as a barrier to prevent them from parking in this space. We can not afford to pave this space and we will make sure no one parks here. Thank you for your consideration.

Attach additional sheets if necessary

Appellant's Signature B. Yharc Date 4/1/15 City Agent \_\_\_\_\_



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220  
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989  
Facsimile: 651-266-8951  
Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

March 19, 2015

KIDANE ASSEFA  
3121 42nd Ave S  
Minneapolis MN 55406-2240

Handwritten notes in blue ink: "2/24", "2/25", "2/26", "2/27", "2/28", "2/29", "3/0", "3/1", "3/2", "3/3", "3/4", "3/5", "3/6", "3/7", "3/8", "3/9", "3/10", "3/11", "3/12", "3/13", "3/14", "3/15", "3/16", "3/17", "3/18", "3/19", "3/20", "3/21", "3/22", "3/23", "3/24", "3/25", "3/26", "3/27", "3/28", "3/29", "3/30", "3/31", "4/01", "4/02", "4/03", "4/04", "4/05", "4/06", "4/07", "4/08", "4/09", "4/10", "4/11", "4/12", "4/13", "4/14", "4/15", "4/16", "4/17", "4/18", "4/19", "4/20", "4/21", "4/22", "4/23", "4/24", "4/25", "4/26", "4/27", "4/28", "4/29", "4/30", "5/01", "5/02", "5/03", "5/04", "5/05", "5/06", "5/07", "5/08", "5/09", "5/10", "5/11", "5/12", "5/13", "5/14", "5/15", "5/16", "5/17", "5/18", "5/19", "5/20", "5/21", "5/22", "5/23", "5/24", "5/25", "5/26", "5/27", "5/28", "5/29", "5/30", "5/31", "6/01", "6/02", "6/03", "6/04", "6/05", "6/06", "6/07", "6/08", "6/09", "6/10", "6/11", "6/12", "6/13", "6/14", "6/15", "6/16", "6/17", "6/18", "6/19", "6/20", "6/21", "6/22", "6/23", "6/24", "6/25", "6/26", "6/27", "6/28", "6/29", "6/30", "7/01", "7/02", "7/03", "7/04", "7/05", "7/06", "7/07", "7/08", "7/09", "7/10", "7/11", "7/12", "7/13", "7/14", "7/15", "7/16", "7/17", "7/18", "7/19", "7/20", "7/21", "7/22", "7/23", "7/24", "7/25", "7/26", "7/27", "7/28", "7/29", "7/30", "7/31", "8/01", "8/02", "8/03", "8/04", "8/05", "8/06", "8/07", "8/08", "8/09", "8/10", "8/11", "8/12", "8/13", "8/14", "8/15", "8/16", "8/17", "8/18", "8/19", "8/20", "8/21", "8/22", "8/23", "8/24", "8/25", "8/26", "8/27", "8/28", "8/29", "8/30", "8/31", "9/01", "9/02", "9/03", "9/04", "9/05", "9/06", "9/07", "9/08", "9/09", "9/10", "9/11", "9/12", "9/13", "9/14", "9/15", "9/16", "9/17", "9/18", "9/19", "9/20", "9/21", "9/22", "9/23", "9/24", "9/25", "9/26", "9/27", "9/28", "9/29", "9/30", "10/01", "10/02", "10/03", "10/04", "10/05", "10/06", "10/07", "10/08", "10/09", "10/10", "10/11", "10/12", "10/13", "10/14", "10/15", "10/16", "10/17", "10/18", "10/19", "10/20", "10/21", "10/22", "10/23", "10/24", "10/25", "10/26", "10/27", "10/28", "10/29", "10/30", "10/31", "11/01", "11/02", "11/03", "11/04", "11/05", "11/06", "11/07", "11/08", "11/09", "11/10", "11/11", "11/12", "11/13", "11/14", "11/15", "11/16", "11/17", "11/18", "11/19", "11/20", "11/21", "11/22", "11/23", "11/24", "11/25", "11/26", "11/27", "11/28", "11/29", "11/30", "12/01", "12/02", "12/03", "12/04", "12/05", "12/06", "12/07", "12/08", "12/09", "12/10", "12/11", "12/12", "12/13", "12/14", "12/15", "12/16", "12/17", "12/18", "12/19", "12/20", "12/21", "12/22", "12/23", "12/24", "12/25", "12/26", "12/27", "12/28", "12/29", "12/30", "12/31".

### FIRE INSPECTION CORRECTION NOTICE

RE: 1068 SUMMIT AVE  
Ref. #106588  
Residential Class: B

Dear Property Representative:

Your building was inspected on March 19, 2015 for the renewal of your Fire Certificate of Occupancy. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected prior to the re-inspection date.

**A re-inspection will be made on April 17, 2015 at 2:15 PM.**

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

YOU WILL BE RESPONSIBLE FOR NOTIFYING TENANTS IF ANY OF THE FOLLOWING LIST OF DEFICIENCIES ARE THEIR RESPONSIBILITY.

#### DEFICIENCY LIST

1. **Lower unit - Bedroom** - MN State Statute 299F.50 Immediately provide and maintain an approved Carbon Monoxide Alarm in a location within ten (10) feet of each sleeping area. Installation shall be in accordance with manufacturers instructions.
2. **Lower unit - Behind fridge & Left bedroom** - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.

5pm  
applications for appli



3. **Lower unit - Kitchen** - MSFC 605.4 - Discontinue use of all multi-plug adapters.
4. **Lower unit - Bedroom** - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.
5. **Rear garage** - SPLC 71.01 - Provide address numbers on building per attached HN-1 handout.
6. **Rear garage** - SPLC 34.19 - Provide access to the inspector to all areas of the building.-
7. **Rear parking & driveway to garage** - 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 651-266-8989.
8. **Rear screen door** - Ext. Door SPLC 34.09 (3), 34.33 (3) - Repair and maintain the door in good condition. **-Replace glass or screen on door.**
9. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.

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>

You have the right to appeal these orders to the Legislative Hearing Officer. Applications for appeals may be obtained at the Office of the City Clerk, 310 City Hall, City/County Courthouse, 15 W Kellogg Blvd, Saint Paul MN 55102 Phone: (651-266-8585) and must be filed within 10 days of the date of this order.

If you have any questions, email me at: [Justin.Elvestad@ci.stpaul.mn.us](mailto:Justin.Elvestad@ci.stpaul.mn.us) or call me at 651-266-8982 between 7:30 a.m. - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Justin Elvestad  
Fire Inspector

Reference Number 106588

*makes him*  
*Dear Kyle*  
*This is to inform you that the inspector found several*  
*deficiencies in each unit that will need to be addressed*  
*prior to the next reinspection which is scheduled for*  
*April 17 at 2pm*

An Equal Opportunity Employer

*A repair person will be*  
*entering your units each*  
*weekend to make the*

*Necessary repairs that were ordered as*