



APPLICATION FOR APPEAL

RECEIVED Saint Paul City Council – Legislative Hearings

AUG 14 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 (non-refundable) (payable to the City of Saint Paul) (if cash: receipt number 794032)
 - 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) <u>Tuesday, August 25, 2015</u>
Time <u>3:00 p.m.</u>
Location of Hearing: <u>Room 330 City Hall/Courthouse</u>

Address Being Appealed:

Number & Street: 1053 Beech St City: St. Paul State: MN Zip: 55106

Appellant/Applicant: Shirley Wytenback Email: _____

Phone Numbers: Business _____ Residence _____ Cell 651-329-0202

Signature: Shirley Wytenback Date: Aug. 14, 2015

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
- Fire C of O Deficiency List/Correction
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other (Fence Variance, Code Compliance, etc.)

appealing the Class 5 it should be grandfathered in.

Buyer's house in 1982



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.

335

August 05, 2015

Shirley R Wyttenback
1053 Beech St
St Paul MN 55106-4602

CORRECTION NOTICE

RE: 1053 BEECH ST
File #: 15-032129

Dear Sir or Madam:

The City of Saint Paul, Department of Safety and Inspections has inspected the above referenced property on **August 05, 2015** and has determined that the following deficiencies exist in violation of the Saint Paul Legislative Code¹ (see footnote 1, below).

1. Vehicles/Boats/Trailers parked on an unapproved parking surface. Remove, and file a site plan with Zoning for parking spaces in the yard. See attached flyer and previous orders.

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 24, 2015**, by which date the violations noted must be corrected. **Failure to correct these deficiencies may result in the issuance of criminal charges²** 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 651-266-1940.

Sincerely,

Lisa Martin
Badge # 335

CODE ENFORCEMENT OFFICER

S/O

Footnotes:

- ¹ To see the Legislative Code go to www.stpaul.gov on the internet, click on "Departments", then click on "Department of Safety and Inspections", scroll down the page for the "Codes". Most Correction Notices derive from Chapter 34.
- ² Criminal charges can be brought on the day the violation is observed, but generally we allow time to correct unless this is a repeat violation.

lm

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.



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

ENFORCEMENT NOTICE

May 20, 2015

SHIRLEY R WYTENBACK
1053 BEECH ST
ST PAUL MN 55106-4602

Re: 1053 Beech St

Dear Property Owner:

A complaint has been received regarding the illegal parking of vehicles at the above referenced address. This property is located in a RT1 zoning district.

During an inspection of the property, the following was observed: Cars, boats, trailers and a tow truck parked on an unapproved surface

Sections 63.202 and 34.08 of the Saint Paul Legislative Code require that a site plan be submitted and approved before you may pave or create new off-street parking. Off-street parking spaces shall not be located within a required front or side yard, shall be minimum of four (4) feet from any interior property line and shall be paved with asphalt or of material comparable to the adjacent street surfacing, as per Sections 63.312 and 63.316 of the Legislative Code.

In order to bring this property into Zoning compliance you must:

- Cease and desist parking in this illegal space prior to May 20, 2015.
- Submit a site plan for new off-street parking to my attention prior to June 3, 2015.
- Complete installation of parking area according to an approved site plan prior to July 4, 2015.

Failure to comply with this order or repeat violations will result in further legal action by this office, including criminal citations to all responsible parties and potential summary abatement proceedings.

I have enclosed a copy of all referenced sections of the Saint Paul Legislative Code. You may appeal this order and obtain a hearing before the Board of Zoning Appeals. The application for an appeal must be filed and the fee submitted to the Zoning Administrator within ten (10) days of the date this order was mailed. No appeal may be filed after that date. Applications are available at the Department of Safety & Inspections' main office or on the City of Saint Paul website (<http://www.stpaul.gov>). If you have any questions or concerns regarding this matter, you may contact me at 651-266-1940.

Sincerely,

Lisa Martin



REQUIRED PAVING OF RESIDENTIAL PARKING SPACES

A recent inspection showed that your parking area is not properly paved. You will need to pave your parking area to bring it into compliance with Zoning Code standards. However, before you pave, you must submit a site plan to the City that shows the parking space(s). City staff will review the plan to make sure the parking area will meet Zoning Code standards for setbacks, size of the spaces, paving material and access.

Parking areas with three or fewer spaces

You must prepare a site plan showing the parking spaces on your property. The plans must be drawn to scale and show dimensions. Send the plan to DSI Zoning, 375 Jackson Street, Suite 220, Saint Paul, MN 55101. There is no application fee.

Standards for parking areas

Location and size of parking spaces

- Parking must be on the same lot as the house.
- A standard parking space is a minimum of 9' wide x 18 long'.
- Parking spaces cannot be located in front yards or required side yards. Passenger vehicles may be parked on an approved driveway in a front or side yard if the driveway leads to a legal parking space. However, parking is not allowed in a driveway or apron over a public sidewalk or boulevard.
- In rear yards, parking spaces must be set back 4' from the side and rear property lines except they can be setback 1' from a property line along an alley.
- On corner lots, parking spaces in rear yards must be set back from the street equal to the required side setback for the zoning district in which located. If the rear yard has a common property line with a side or rear yard of the next property, it must be set back from that interior property line equal to the required side setback for the zoning district in which located.

Driveways and access to parking

- Access to off-street parking must be from an improved alley when available. (In other words, a driveway off of the street to parking in the rear yard is not allowed if there is an improved alley serving the property.) An exception to this rule is that on corner lots, access to parking may be from the side street.
- Driveways in front yards shall be no more than 12' in width, except that a driveway may be up to 4' wider than the garage door within 30' of the garage door.
- Driveways for one- and two-family dwellings shall be a minimum of 8' wide. There is no side yard setback required for a driveway leading to a legal parking space in the rear yard.
- Driveway pavement may be limited to wheel tracks if the wheel tracks are at least 2' wide.
- When allowed, any new cut in the street curbing ("curb cut") for a driveway that goes through the sidewalk and boulevard to the street requires a curb cut permit from the Dept. of Public Works.

Paving materials and drainage

- All off-street parking spaces must be paved with asphalt or concrete (either standard or pervious), or with pavers made of brick, concrete or stone.
- Grass, sand, dirt, gravel, or crushed rock are not acceptable parking surfaces.
- All driveways and parking spaces shall be graded and maintained so as to drain water away from neighboring properties and occupied structures.

For more information about parking areas with three or fewer spaces, contact the Zoning staff at 651-266-9008. For information about applying for zoning variances from the parking standards, see: <http://www.stpaul.gov/index.aspx?NID=1868>

Parking areas with four or more spaces

A formal site plan review is required for parking facilities of four or more spaces; see: <http://www.ci.stpaul.mn.us/index.asp?NID=1073>. For further information contact Tom Beach at 651-266-9086.

Sec. 63.202. - Site plan required.

A site plan approved by the planning commission shall be required for the establishment of a new off-street parking facility, for the paving of an unimproved off-street parking facility and for the repaving of an off-street parking facility whose existing paved surface is removed. These facilities shall meet all standards and regulations for parking facilities and site plans contained in this zoning code, and all paving shall require a building permit pursuant to chapter 33 of the Legislative Code. In such case, where the zoning administrator determines that excess parking exists for the site, the parking shall be brought into compliance with this zoning code unless there is an existing shared parking arrangement. A site plan shall not be required when a new coating is applied over an existing paved surface. Site plans for one- to four-family dwellings may be approved by the zoning administrator.

(C.F. No. 10-403, § 1, 6-16-10)

Sec. 63.312. - Setback:

Except as otherwise provided in section 66.442(a) or section 66.431(b) off-street parking spaces shall not be within a required front or side yard and shall be a minimum of four (4) feet from any lot line. For housing on Irvine Avenue, a guest parking space may be provided on the driveway or elsewhere. If it is provided elsewhere, a guest parking area is exempt from setback requirements for parking spaces and it may be paved with gravel.

(C.F. No. 10-403, § 1, 6-16-10)

Sec. 63.316. - Paving.

All parking spaces, driveways and off-street parking facilities shall be paved with standard or pervious asphalt or concrete, or with brick, concrete or stone pavers, or material comparable to the adjacent street surfacing, in accordance with specifications of the zoning administrator, within one (1) year of the date of the permit except as provided in section 61.402(e). For one-family and two-family dwellings, driveway pavement may be limited to wheel tracks at least two (2) feet wide.

For one-family through four-family dwellings, and for townhouses with garage doors that face and front on a public street, driveways in front yards shall be no more than twelve (12) feet in width, except that a driveway may be up to four (4) feet wider than the garage door within 30 feet of the garage door. The total amount of paving for surface parking spaces for one-family and two-family dwellings shall not exceed fifteen (15) percent of the lot area or one thousand (1000) square feet, whichever is less.

(C.F. No. 09-1286, § 3, 12-23-09)

YARD

SHED

CEMENT PAD

YARD

18 1/2'

2- 12' GATES

SIDE WALK

HOUSE

* CLASS 5 GRAVEL *

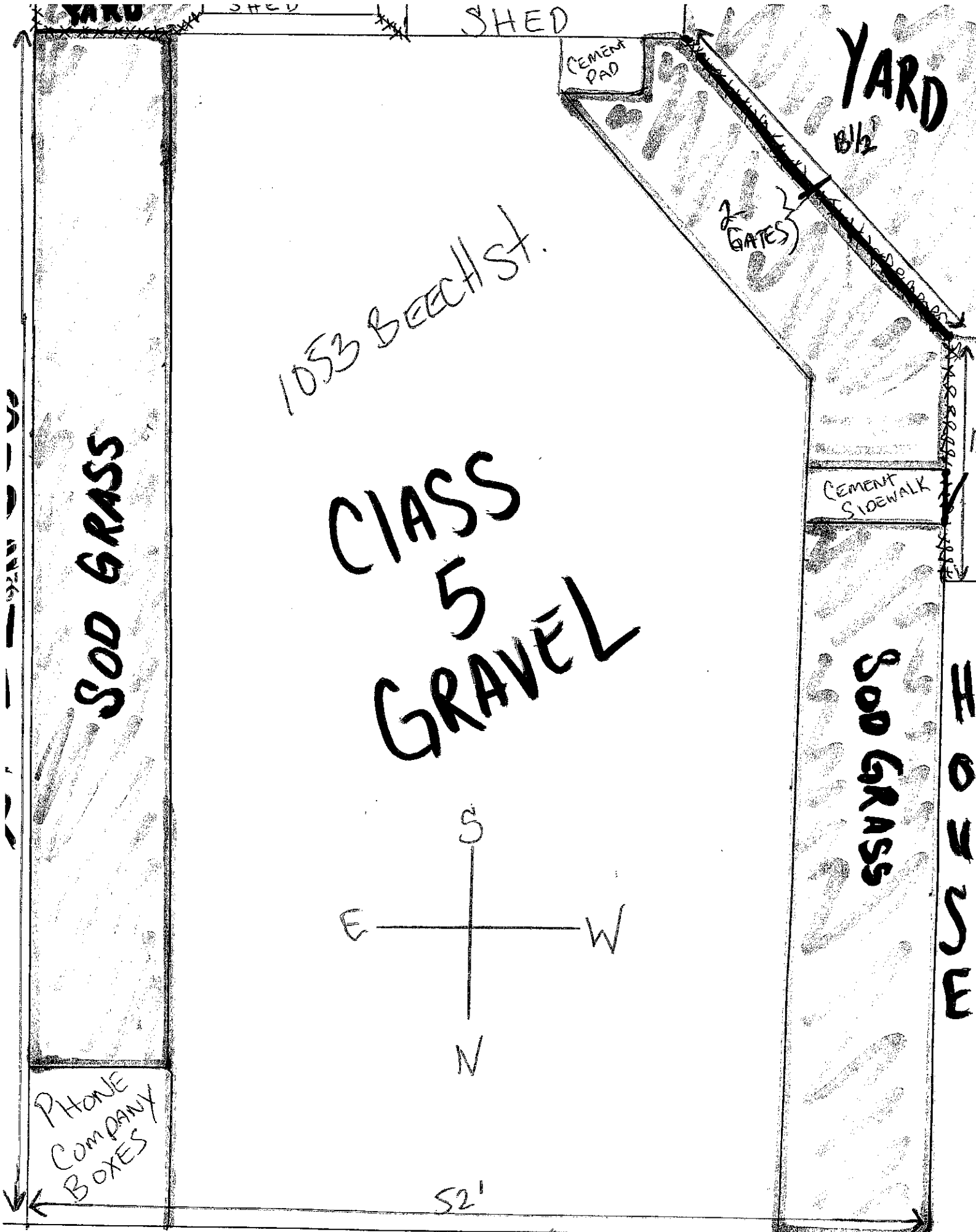
1053 BEECH ST.

52'

52'

PHONE COMPANY BOXES

AILEY WAY



SOD GRASS

CLASS 5 GRAVEL

SOD GRASS

CEMENT SIDEWALK

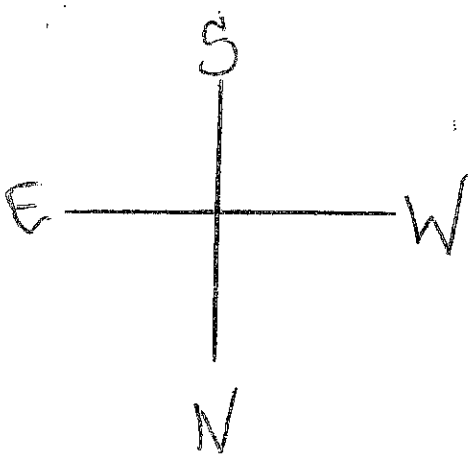
CEMENT PAD

2 GATES

B/H

YARD

1033 BEECH ST.



PHONE COMPANY BOXES

52'

ALLEY WAY

H O S W