

RLH SAO 16-27



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

AUG 01 2016

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 _____)
 - 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

<p>HEARING DATE & TIME (provided by Legislative Hearing Office) Tuesday, <u>August 9, 2016</u></p> <p>Time <u>11:00 a.m.</u></p> <p>Location of Hearing: <u>Room 330 City Hall/Courthouse</u></p>
--

Address Being Appealed:

Number & Street: 764 Carroll Ave City: St. Paul State: MN Zip: 55104

Appellant/Applicant: Michael A Binns / Tamiko V. Trott-Binns Email: tamikovtb1@gmail.com

Phone Numbers: Business _____ Residence _____ Cell 651.492.5632

Signature: Tamiko V. Trott-Binns Date: 8.1.16

Name of Owner (if other than Appellant): Michael A. Binns

Mailing Address if Not Appellant's: _____

Phone Numbers: Business _____ Residence _____ Cell 651.428-0847

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 Pls. see Attachments
- Vacant Building Registration
- Other (Fence Variance, Code Compliance, etc.)

Michael A. Binns
Tamiko V. Trott-Binns
764 Carroll Avenue
Saint Paul, MN 55104
August 1, 2016

City of Saint Paul
Department of Safety and Inspections
375 Jackson Street, Suite #220
Saint Paul, MN 55101-1806

Dear City of Saint Paul
Department of Safety and Inspections:

As a long standing resident of the City of Saint Paul and property owner I am looking for the City Councils assistance regarding the Summary Abatement Order received on Wednesday, July 28, 2016, for property address: 764 Carroll Avenue. This order states I am in violation of Chapter 45 of the Saint Paul Legislative Code.

1. Remove improperly stored or accumulated refuse including: garbage, rubbish, loose and scattered litter, discarded furniture, appliances, vehicle parts, scrap wood and metal, recycling materials, household items, building materials or rubble, tires, brush, etc., from yard areas. **INCLUDING REMOVAL OF THE LOOSE LITTER AROUND THE PROPERTY/BOULEVARD AND ANY OTHER GARBAGE/RUBBISH.** Comply before August 2, 2016.

In the 17+ years I have resided at this dwelling the tenants from the Saint Philips Apartment complex have been discarding their liquor bottles, cigarettes, cigarette packaging, chip bags, drink bottles, bags of food, cups/lids, red drinking cups, water bottles, soda cans etc., into the street, on the boulevard and our yard. These instances have gotten increasingly worse these past couple of years. Now to the point where I am receiving notices of code violations for their tenants infractions. Most recently I witnessed a man in the neighbor's yard urinating. When he saw me exiting my home, he turned his back finished and then walked back across the street to the apartment complex.

I have contacted Saint Philips Garden property management with regard to the noise and debris over the course of the years, to no avail.

City of Saint Paul
Department of Safety and Inspections
August 1, 2016
Page 2

I have also called the police and made numerous complaints with regard to the apartment complex: Saint Philips Gardens, located at 754 Concordia Ave, St Paul, MN 55104. Complaints pertaining to: vehicle noise past 10 pm, trash, loitering at all hours of the day and night, hanging out in vehicles, vehicles blocking my driveway, vehicles blocking the middle of the street obstructing traffic flow etc. The police have instructed me to continue to call and complain. However, it has gotten me nowhere. The nuisance orders ought to go to Saint Philips Garden Apartments and its tenants not to me at my residence.

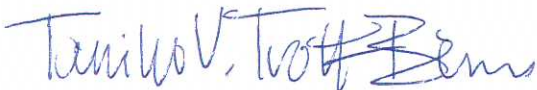
So to be receiving this Summary Abatement Order for code violations that are not to our doing is ridiculous and pointless, unless you are going to get to the root source of the problem. The tenants hang out in their cars, on the streets and around our property aimlessly, blatantly and with no regard to our property, maintenance and City Code are discarding their trash on the street and boulevard. What makes this matter even worse is there are two trash cans (one located at my property and the other at the adjacent neighbor's property) they can easily dispose of their trash. Or better yet dispose of their trash in the trash cans provided on Saint Philips Garden grounds. They simple chose not to.

My son and I cleaned the yard and removed trash and debris upon notification of this order by my wife. Literally, the same evening upon our return from dinner there was trash and debris in the street and on the boulevard. We have been doing our part in past years and will continue to do so however, this is an issue greater than our residence and our fellow neighbors.

Now we have to incur costs associated with the inability of the management of Saint Philips Gardens regarding their tenants. Costs inclusive of: Appeal filing fee \$25, parking fee for downtown Saint Paul, loss time from work to file Appeal, loss time from work to attend an Appeal Hearing, out of pocket financial costs. Who will reimburse these costs?

Your assistance in resolving this ongoing and persistent problem with Saint Philips Garden Apartment complex is greatly appreciated.

Sincerely,



Michael A. Binns
Tamiko V. Trott-Binns



326

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

July 26, 2016

16 - 061312

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 llamamos al (651)266- 8989. No costo.

MICHAEL A BINNS
 764 CARROLL AVE
 ST PAUL MN 55104- 5507

As owner or person(s) responsible for : 764 CARROLL AVE you are hereby ordered to eliminate all nuisance conditions which are in violation of Chapter 45 of Saint Paul Legislative Code.

- 1. Remove improperly stored or accumulated refuse including: garbage, rubbish, loose and scattered litter, discarded furniture, appliances, vehicle parts, scrap wood and metal, recycling materials, household items, building materials or rubble, tires, brush, etc., from yard areas. INCLUDING REMOVAL OF THE LOOSE LITTER AROUND THE PROPERTY/BOULEVARD AND ANY OTHER GARBAGE/RUBBISH. Comply before August 2, 2016**

If you do not correct the nuisance or file an appeal **before August 02, 2016** , 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, equipments, etc. The rate will be approximately \$260 per hour plus expensed 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: Daniel Hesse Badge: 326 Phone Number: 651- 266- 1909

If you have any questions about this order, the requirements or the deadline, you should contact the Inspector listed above, Monday through Friday.

Also Sent To:
 Occupant

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, which ever comes first. **No appeals may be filed after that date. You may obtain an appeal application from the City Clerk's Office, Room 310 in City Hall, 15 W Kellogg Blvd., St. Paul, MN 55102. The telephone number is (651) 266- 8688. You must submit a copy of this Summary Abatement Notice 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 said 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.

sa.rpt 9/15