



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

SEP 25 2017

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 956384)
 - 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>October 3, 2017</u></p> <p>Time <u>1:30 p.m.</u></p> <p>Location of Hearing: <u>Room 330 City Hall/Courthouse</u></p>
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Address Being Appealed:

Number & Street: 1685 Taylor Ave. City: St Paul State: MN Zip: 55104

Appellant/Applicant: Brett Ripley Email brettr.ripley@gmail.com

Phone Numbers: Business 218-329-7759 Residence Cell

Signature: [Signature] Date: _____

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.)

Hello. I own a 4-plex that existed and was zoned and inspected as a 4-plex for many years. Just prior to purchasing, the elderly lady who owned it decided to make it a 3-plex (w/ the fire inspector). I now own a 4-plex that is zoned as a 3-plex. In trying to find a legal use for it, we let family stay there when we had our twin boys. We let friends stay if they were moving houses. And occasionally (like for State Fair) we would put it on AirBnb. (see attached)

Revised 8/11/2014

(cont'd from application)

In doing so, we were intentionally limit our use in a way that we believed was consistent with the law - namely that it was never anyone's residence. There has never been a mailing address associated with our "bonus" unit.

In the inspection on Sept. 12, the fire inspector acknowledged that this was indeed a gray area - that is what does it mean to occupy a unit? I was up-front with how we used it, and he mentioned that our use was OK as long as there were never any permanent residents.

Wednesday of that week we got a call from the inspector informing us that they had changed their mind and would now order us to remove everything

The completely back-and-forth nature of this ruling is a testament, I think, to the subjectivity of the interpretation and enforcement of this law.

The reality is that this order results in significant hardship for our family. Primarily, we lose a place for our parents (the grandparents to our boys) to stay. We lose Air-BnB income which has been essential to surviving the first year of twin boys on solely my income (as my wife is now a stay-at-home mom). Lastly, as the enforcement asks us to even remove the couch I've

lost even a home office space (which was another way in which we used the basement unit).

It strikes us as odd that all of these uses are available to any resident in St. Paul for this single family house but that these uses are denied to us as multi-family owners. We have been left scratching our heads as we try to figure out what is a legal use for this unit. Can we even enter it? Can we use the bathroom? Without the couch is it even legal to sit and watch TV?

Because of the ill-defined nature of occupancy, the inconsistencies between the enforcement between single-family homes and multi-family homes, and the personal hardship this enforcement causes, I ask you to reconsider your ruling/enforcement of SPLC 34.23 as it pertains to our house.

Thank you,
Brett (and Laura) Ripley





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

September 13, 2017

Brett Ripley
1685 TAYLOR AVE. APT. 1
ST PAUL MN 55104

CORRECTION NOTICE - RE-INSPECTION COMPLAINT

RE: 1685 TAYLOR AVE
Ref. # 16008

Dear Property Representative:

A re-inspection was made on your building on September 12, 2017, in response to a complaint. You are hereby notified that the following deficiencies must be corrected prior to re-inspection date.

A re-inspection will be made on September 29, 2017 at 1:00 pm.

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

DEFICIENCY LIST

1. BASEMENT - SPLC 34.23 (2) Illegal occupancy. If any dwelling unit, structure or any part thereof is occupied by more occupants than provided by this chapter or is erected, altered or occupied contrary to law, the unit, structure or part thereof shall be deemed an unlawful structure and the enforcement officer shall cause the unit or structure vacated. It shall be unlawful to occupy such unit or structure until it or its occupation, as the case may be, has been made to conform to the law.
-Basement is not approved as a 4th unit per Zoning. Owner has admitted to recently allowing occupancy for Air BNB and for relative use. IMMEDIATELY REMOVE ALL ITEMS USED FOR LIVING AND SLEEPING PURPOSES INCLUDING BUT NOT LIMITED TO; BED, COUCH, AND KITCHENETTE.

IF THIS IS FOUND TO BE OUUCPIED AGAIN, A CRIMINAL CITATION WILL BE ISSUED.

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 Joe.Brown@ci.stpaul.mn.us or call me at 651-266-8946 between 7:30 a.m - 9:00 a.m.

Please help to make Saint Paul a safer city in which to live and work.

Sincerely,

Joe Brown

Ref. # 16008