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
JAN 24 2018
CITY CLERK

We need the following to process your appeal:

- [x] **$25 filing fee** (non-refundable) **(payable to the City of Saint Paul)**
  (if cash: receipt number_____)
- [x] **Copy of the City-issued orders/letter being appealed**
- [x] **Attachments you may wish to include**
- [x] **This appeal form completed**
- [x] **Walk-In** *OR* ○ **Mail-In**

for abatement orders only: ○ **Email** *OR* ○ **Fax**

HEARING DATE & TIME
(provided by Legislative Hearing Office)
Tuesday, Jan. 30, 2018

Time 11:00 a.m.

Location of Hearing:
Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 865 Howell ST. N. City: St. Paul State: MN Zip: 55109

Appellant/Applicant: Victoria Downey Email vdowneyc@gmail.com

Phone Numbers: Business _____ Residence _____ Cell 913.461.6702

Signature: [signature] Date: 1/23/18

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**
- [x] **Code Enforcement Correction Notice**
- ○ **Vacant Building Registration**
- **Other** (Fence Variance, Code Compliance, etc.)

Comments:
The fence in question has been in place since before I purchased the home in April 2013, and based on the discoloration of the wood even at that time, I suspect it was in place for much longer than that. Additionally, the fence that exceeds 6'6" is to obscure a site line to the industrial area to the west, and therefore should be approved for a varience.

DEPARTMENT OF SAFETY AND INSPECTIONS
Steve Magner, Manager of Code Enforcement

CITY OF SAINT PAUL

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.

330

January 17, 2018

Victoria Downey
865 Howell St N
Saint Paul MN 55104-1027

CORRECTION NOTICE

RE: **865 HOWELL ST N**
File #: **18-018194**

Dear Sir or Madam:

The City of Saint Paul, Department of Safety and Inspections has inspected the above referenced property on **January 10, 2018** and has determined that the following deficiencies exist in violation of the Saint Paul Legislative Code[1] (see footnote 1, below).

1. **Sec. 33.07, - Fences – (a) Permit.** No person shall construct, or cause to be constructed, any fence in the city without first obtaining a permit from the building official. **PLEASE FILL OUT PERMIT DOCUMENT AND RETURN TO DSI AT 375 JACKSON ST.**
2. **Sec. 33.07, - Fences – (b) Height of fences.** No fence shall be erected exceeding six (6) feet six (6) inches in height above the sidewalk or finished grade of any lot in a residence district or on any lot occupied for residential purposes.

You are hereby notified to correct these deficiencies in accordance with the appropriate codes. The Enforcement Officer will re-inspect these premises on **February 16, 2018**, by which date the violations noted must be corrected. **Failure to correct these deficiencies may result in the issuance of criminal charges**[2] 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 651-266-1914.

Sincerely,

Sean Westenhofer
Badge # 330
CODE ENFORCEMENT OFFICER

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.

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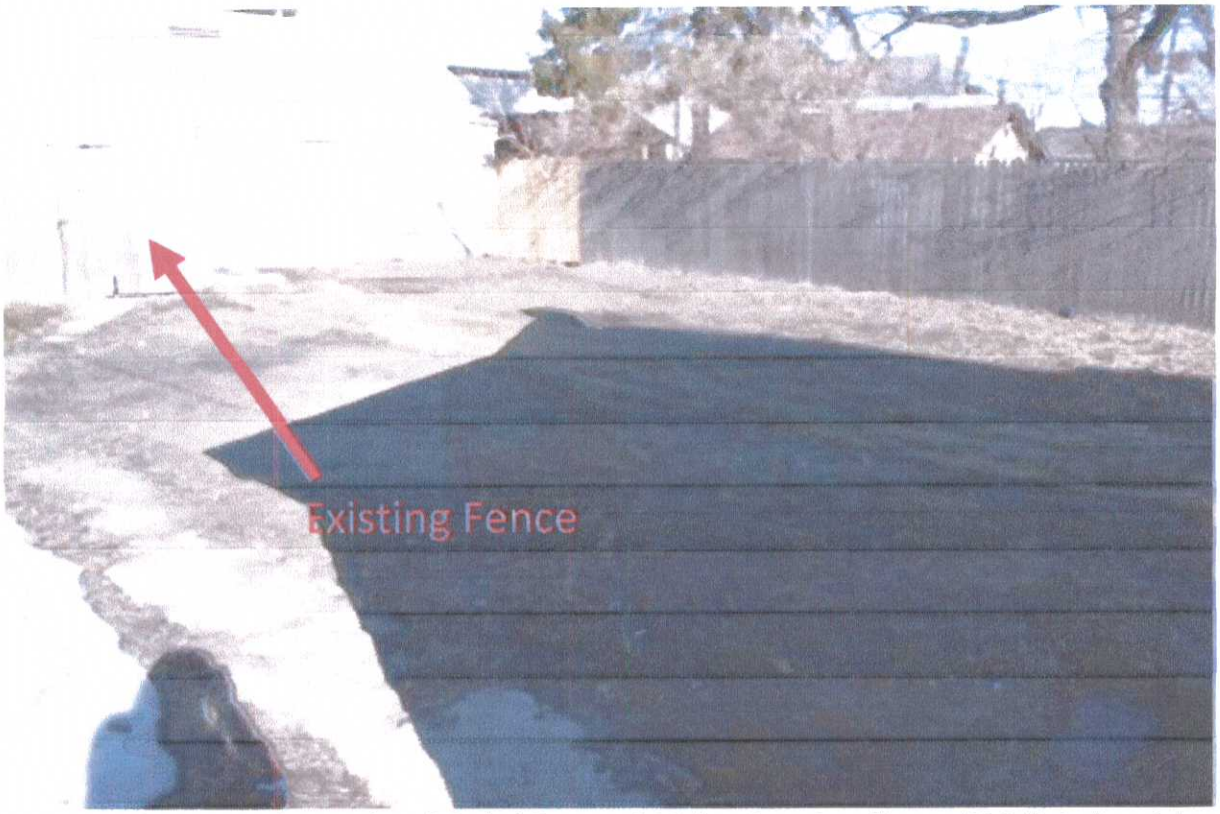
WARNING Code inspection and enforcement trips cost the taxpayers money. If the violations are not corrected within the time period required in this notice, the city's costs in conducting a reinspection after the due date for compliance will be collected from the owner rather than being paid by the taxpayers 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.

cn60100 4/13

865 Howell Street N., St. Paul, MN 55104

Photos Taken by Victoria Downey

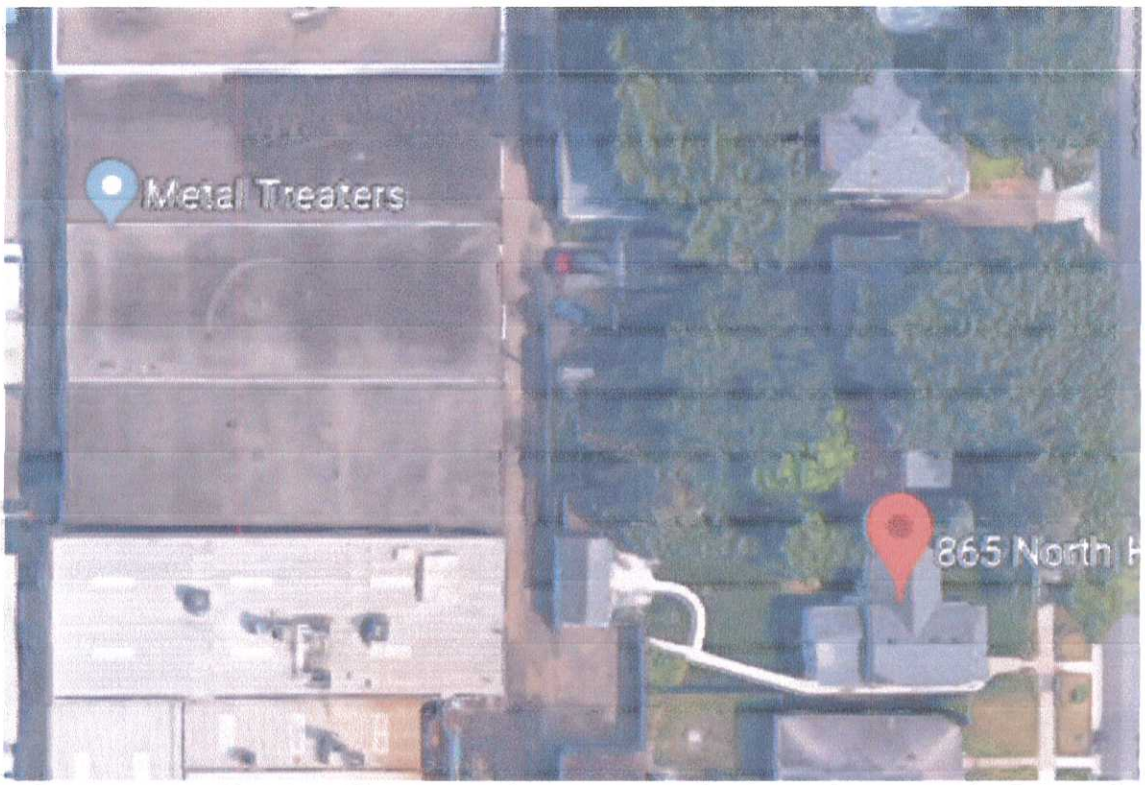
April 5, 2013 (Date of Final Walk Thru Before Home Purchase)



View of backyard facing northwest (see labeled fence which borders the alley and MTI's industrial complex)

View of Back of Home (see fence on left side of photo, borders neighbor's yard to the north)

View of Backyard (see fence on right side of photo, borders neighbors' yard to the south)



Aerial View of my property, bordered by MTI on the west side. The fence that exceeds 6'6" borders the alley and blocks some sitelines to the industrial property (Source: Google.com/maps)

Photo showing backyard looking west, towards MTI. The fence helps to obscure site lines to industrial area on the property's west side (Photo taken 9/28/17 by Victoria Downey).