



RLH CO 24-13

APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

legislativehearings@ci.stpaul.mn.us

OCT 17 2024

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 & any attachments you may wish to include Walk In Mail EmailAppeal taken by: Janie**HEARING DATE & TIME***(provided by Legislative Hearing staff)*Tuesday, October 20, 2024**Location of Hearing:** Telephone: you will be called between _____ & _____ In person (Room 330 City Hall) at: 11:00 a.m.
*(required for all condemnation orders and Fire C of O revocations and orders to vacate)***Address BeingAppealed:**Number & Street: 997 Sherburne Ave City: St. Paul State: MN Zip: 55104Appellant/Applicant: James Dittel Email: j.dittel007@centurylink.netPhone Numbers: Business NA Residence NA Cell 651-270-4480Signature: James C. Dittel Jr. Date: 10-15-2024

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.)Blue Storage Container need for safety

Never received the Sept 10, 2024 notice
Reason for late appeal approved to file

Revised 1/31/2023

Dear Sir or Madam;

Short version:

In short, the container is a safety issue for many, and I'd like a variance to make it permanent and not worry about getting shot or robbed from the entrance on my alley way.

Longer version:

The story below, is of my life living here, and though it may be a lengthy read, I feel it important for others to understand my position. Forgive me for not being able to shorten my letter to you.

This house 997 Sherburne Ave has been in the family for 80 years. My 82 year old father grew up there; and after I divorced in 1996 I've lived here with my two children, my son has Down Syndrome. Dad sold me grandmas house after grandma passed away 20 years ago. so I know allot of history of this house and area.

Back in the days grandma was upset that people would open her back gate and cut through her yard. The violations continued when I started living here in 1996, and I was concerned for my children, so I had a new 6 foot fence installed to keep things in my back yard safe, and my son had issues with trying to get out of the yard to explore.

Even though I had a fence around my yard and I locked the fence, I did not feel completely safe as several times in the first 20 years people would still break through my fence and steal stuff, and have broken into my garage side door at least 10 times and stole stuff.

Even though you can lock your fence, a strong man can bend the horseshoe clamp which locks the fence to the pole. I've had to bend that part back several times over the years, but they still broke into my yard and garage, and I didn't feel safe even leaving something simple in my yard if I had to run inside the house because crooks always roamed up and down the back alley under the cover because they can get closer to your back yard without you seeing them coming, unlike the front yard sidewalk where the crooks are at a disadvantage of being seen.

Around 2019 a woman I married came to live with me and we needed something to temporarily store her belongings since my house is very small.

So I called to rent a container to temporarily put in my back yard to store things, but they couldn't make the turn to get it in my back yard and suggested they put it on the back alley pad area up against my fence so it would not stick out into the alley.

It was at that point I felt very safe in my own back yard because of the ten foot tall steel container on my back pad, as nobody's walking down the alley can even see into my back yard or get to my garage side door to break in and rob me.

Over time stuff has come and gone from being stored in the locked container. However, even when it was empty and I was going to get rid of it as you can rent one for \$100 a month or own it outright; I decided to keep it so I would feel safe and never got a complaint from anyone in my area in the last 5 years it has been there.

Most importantly, I have also not had any break ins to my yard or garage in the last five years.

My sons swing set is up against the container in my yard and I feel safe with him playing in the yard and not being taken by somebody walking down the alley because they can't see him or any stuff I have in my back yard.

I also now have a Hotub in my back yard too, for medical reasons and purposes; where as I can use my Hotub or yard at anytime of the day or year and feel completely safe and comfortable in my Frog Town neighborhood where there are numerous crimes and gunfire.

In fact, just last summer someone drove down my alley and shot up my neighbors garage and the bullets went right through the structure. A bullet well not make it through the two strong steel walls that protect my backyard, and that's not the only time gunfire has happened in my alley as I can remember half a dozen since I've lived here. The steel walls of the container prevents me or my son from getting shot in my own back yard from someone in the alley, it keeps my son contained where I don't have to worry as to him going missing out the back yard, it keeps me and the public safe from anyone seeing my Hotub and attempts to use when I cannot see what's going on and so no accidental drowning to the public.

When I original inquired about having the container place on my back pad I was told that I could from someone I called at the city years ago but cannot remember their name.

I want to keep this container where it is for my safety, my sons safety, and the public's safety, even if there is nothing inside the container and even if I have to continue to rent it monthly but really want to buy it and make it permanent to save money on rent.

I'm disabled myself, and I'm home all day mostly, and spend a great deal of time in my backyard and have never felt safer in my own yard. The neighborhood is not the best for safety of crimes against a person or their property, and my house is paid off, I pay taxes on my property, and I cannot afford to move to a safer area right now on a fixed income.

I consider having another garage built that covers the whole back yard from the alley and considered doing so even had plans drawn up over 20 years ago; and I wish I would have done that but did not and now the prices are at least 4 times they were in 2000 for a new garage build. Even so, if I had a new garage which I can't afford, the bullets would go right threw my garage and possibly cause me or my son with Down syndrome's death or grave injury.

In short, the container is a safety issue for many, and I'd like a variance to make it permanent and not worry about getting shot or robbed from the entrance on my alley way.

Please let me keep it permanently for now.

As the saying goes, we don't lock our house, car or Garage up to stop a criminal from entry, because a determined person will always figure out another way to breach your property; out of sight out of mind; we simply lock things up to help keep the honest people honest and not temp them to break in.

Thank you.

James Dittel
997 Sherburne Ave
St. Paul, MN. 55104

Dated: October 15, 2024

Signed

A handwritten signature in black ink, appearing to read "James C. Dittel". The signature is fluid and cursive, with "James" and "C." being more stylized and "Dittel" being more clearly legible.

Alley

garage Pds

997
Sherburne Ave

garage

House
↓

Steel

Container

Big Blue Box Company

fence

Scrap
Steel

Door

sidewalk

sidewalk

Hot
tub



375 Jackson Street, Suite 220

Saint Paul, MN 55101-1806

Tel: 651-266-8989 | Fax: 651-266-9124

- Yog hais tias koj tsis to taub tsab ntawv no, hu rau tus txhais lus ntawm (651) 266-8989. Nws yuav pab dawb xwb.
- Si necesita un traductor, por favor llamanos al (651)266-8989. No costo.

September 10, 2024

James C Dittel Jr
997 Sherburne Ave
St Paul MN 55104-2608

CORRECTION NOTICE

Date: **September 10, 2024**

RE: **997 SHERBURNE AVE**

File #: **24-075529**

Dear Sir/Madam:

The City of Saint Paul, Department of Safety and Inspections has inspected the above referenced property on **September 10, 2024** and has determined that the following deficiencies exist in violation of the Saint Paul Legislative Code¹ (see footnote 1, below).

- 1. EXTERIOR PROPERTY AREAS ON RESIDENTIAL PROPERTIES: SPLC 34.08**
(6) Stored materials. It shall be unlawful to accumulate and store building material, lumber, boxes, cartons, **portable storage containers, inter modal cargo containers or other containers**, machinery, scrap metal, junk, raw material, or fabricated goods.

PLEASE REMOVE THE INTER MODAL CARGO CONTAINER LOCATED AT THE REAR OF THE PROPERTY FROM THE PROPERTY. THANK YOU.

You are hereby notified to correct these deficiencies in accordance with the appropriate codes. The Enforcement Officer will re-inspect these premises on or after **October 10, 2024**, by which date the violations noted must be corrected. Failure to correct these deficiencies may result in an abatement and/or additional fees for re-inspection.

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.)

September 10, 2024
997 SHERBURNE AVE
Page **2** of **2**

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 651-266-8995.

Sincerely,

David Smith
Badge # 362
CODE ENFORCEMENT OFFICER

Footnote:

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.

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 for compliance after the due date will be collected from the owner rather than being paid for 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 for by the taxpayers of the City. Any such future costs will be collected via assessment against the real property and are in addition to any other fines or assessments which may be levied against you and your property.



SAINT PAUL
SAFETY & INSPECTIONS

DEPARTMENT OF SAFETY & INSPECTIONS (DSI)
ANGIE WIESE, PE(MN), CBO, DIRECTOR

375 Jackson Street, Suite 220

Saint Paul, MN 55101-1806

Tel: 651-266-8989 | Fax: 651-266-9124

October 10, 2024

James C Dittel Jr
997 Sherburne Ave
St Paul MN 55104-2608

Dear James C Dittel Jr and others, if listed:

On October 10, 2024, this department conducted an inspection of your property at **997 SHERBURNE AVE** and because **you were not compliant with a previous order.**

Deficiency: "PLEASE REMOVE THE INTER MODAL CARGO CONTAINER LOCATED AT THE REAR OF THE PROPERTY FROM THE PROPERTY. THANK YOU."

YOU ARE BEING BILLED \$134, for the cost of this inspection. This is in accordance with Chapter 34.24 of the Saint Paul Legislative Code. Payment is due upon receipt of this letter. Make your check payable to the "City of Saint Paul" and mail your payment to:

Department of Safety and Inspections, Code Enforcement
Excessive Consumption Unit
375 Jackson Street, Suite 220
St. Paul, MN 55101-1806

If you do not pay within 30 days, the amount of this bill, plus administrative costs, will be assessed to your property taxes.

NOTICE

Your property is scheduled for a REINSPECTION on **November 12, 2024**.

****WARNING****

IF YOU DO NOT HAVE THE VIOLATION(S) CORRECTED BY THE NEXT INSPECTION DATE, November 12, 2024, YOU WILL BE BILLED AN ADDITIONAL \$134.00. CALL THE INSPECTOR IF YOU HAVE ANY QUESTIONS: David Smith, 651-266-8995

David Smith
Code Enforcement Inspector

City of Saint Paul, Department of Department of Safety and Inspections

October 10, 2024

EXCESSIVE CONSUMPTION

Invoice #: 1906460

File #: 24-075529

Property Address: 997 SHERBURNE AVE

Property PIN: 352923230077

Owner Name: James C Dittel Jr

<u>Fee Description</u>	<u>Amount</u>
Excessive Consumption (Non Compliance)	\$ 134

Payment is due upon receipt of this letter. **Failure to pay within 30 days will result in the amount due assessed to your property taxes.** Make your check payable to the City of Saint Paul.

Send payment to: Department of Safety and Inspections
Excessive Consumption Unit
375 Jackson Street, Suite 220
St. Paul, MN 55101-1806

Keep this portion for your records:

Date Paid: _____ Amount Paid: \$ _____ Check or Money Order #: _____

CUT HERE

*****RETURN THIS PORTION WITH YOUR PAYMENT*****

City of Saint Paul, Department of Department of Safety and Inspections, Code Enforcement Division

EXCESSIVE CONSUMPTION PAYMENT

Folder #: **24-075529**
Invoice: No: 1906460 Date: October 10, 2024
Property Address: 997 SHERBURNE AVE
Property PIN: 352923230077
Owner Name: James C Dittel Jr

<u>Fee Description</u>	<u>Amount</u>
Excessive Consumption (Non Compliance)	\$ 134

Deficiency: "PLEASE REMOVE THE INTER MODAL CARGO CONTAINER LOCATED AT THE REAR OF THE PROPERTY FROM THE PROPERTY. THANK YOU."