



APPLICATION FOR APPEAL

RECEIVED
JUL 06 2012
CITY CLERK

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Saint Paul City Clerk

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8560

The City Clerk needs the following to process your appeal:

- \$25 filing fee payable to the City of Saint Paul (if cash: receipt number _____)
- Copy of the City-issued orders or letter which are being appealed
- Attachments you may wish to include
- This appeal form completed
- Walk-In OR Mail-In

YOUR HEARING Date and Time:

Tuesday, 7-17-12

Time 2:30 P.M.

Location of Hearing:

Room 330 City Hall/Courthouse

emailed 7-6-12 gfruce

Address Being Appealed:

Number & Street: 1340 Stillwater City: St Paul State: MIN Zip: _____

Appellant/Applicant: Desert Capital Trust
John Schillinger, Trustee Email johns@fox1financial.com

Phone Numbers: Business 480-443-3526 Residence 602-686-4959 Cell 602-686-4959

Signature: Date: 6-21-12

Name of Owner (if other than Appellant): _____

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
- Fire C of O: Only Egress Windows
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other

Property had some debris because a tenant we were evicting did not care for the property. We have cleaned up the property and mowed and will continue to do so. Its now up for sale and although vacant, it does not meet any of the other criteria to be registered. See Pictures See Attached Letter.

Revised 3/7/2011

Thanks

Trustee Desert Capital Trust

.....
Desert Capital Trust

June 25, 2012

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

Attention: Dave Nelmark

Re: 1340 Stillwater Ave.

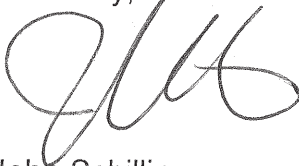
Dear Mr. Nelmark:

We received the Vacant Building Registration Notice dated June 15, 2012, and are appealing it. The building is owned by Desert Capital Trust, and is currently for sale. We had to evict the former tenant and clean up the place, and that is now complete. This property has not been unoccupied for very long, since the tenant has just left.

The house is secure. No board-ups or other non-conventional means are being used. The house has been fixed up and is on MLS for sale. It is fully inhabitable with water and electrical being on. The water had to be temporarily disconnected for the meter to be replaced on June 28th, 2012. The house has no building violations. We just received a message from you that lawn should be mowed and some debris moved from the front. This has been taken care of very promptly and has now also been completed. Please see today's picture (enclosed).

We would like to work with the City of St. Paul and amicably resolve this issue. We have a nice property and therefore strongly appeal the Vacant Building Registration Notice, since this property does not meet the legal definition of a Vacant Property.

Sincerely,



John Schillinger

ENCL



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

Nuisance Building Code Enforcement

375 Jackson Street, Suite 220

Saint Paul, MN 55101-1806

651-266-8989

651-266-1919

www.stpaul.gov/dsi

June 15, 2012

Desert Capital Trust
7119 E Shea Blvd Unit 109-466
Scottsdale AZ 85254-6107

VACANT BUILDING REGISTRATION NOTICE

The premises at **1340 STILLWATER AVE**

has been inspected and found to meet the legal definition of a Vacant Building as described in Saint Paul Legislative Code, Chapter 43. You are required to register this building with the Department of Safety and Inspections, Vacant Buildings Division, by filling out and returning the registration form provided with this letter. You are also required to pay the annual Vacant Building Registration Fee of **\$1,100.00**. The fee is due upon receipt of this letter and must be paid no later than thirty (30) days from the date of this letter, as required in Saint Paul Legislative Code Chapter 43. If this building is vacant due to a fire, complete the enclosed registration form and return it to this office within 30 days.

Please return the enclosed registration form along with your payment by July 15, 2012.

Do not mail cash.

If you wish to pay in person, you may do so from 8:00 a.m. to 4:00 p.m. Monday through Friday at:

DEPARTMENT OF SAFETY AND INSPECTIONS
375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806

You may file an appeal to this fee or registration requirements by contacting the Office of the City Clerk at (651) 266-8688. Any appeal of this fee must be made within ten (10) days of the date of this notice.

If the registration fee is not received in this office within 45 days of the date of this letter the full amount owed will be assessed to, and collected with, the taxes for this property as permitted by Saint Paul Legislative Code Chapter 43.

The Code Enforcement Officer has notified the Building Inspection And Design Section that this property meets the legal definition of a registered vacant building and in accordance with Legislative Code Chapter 33, no permits (except demolition, wrecking and removal permits) will be issued until the requirements of all applicable ordinances are fulfilled.

All category 2 and category 3 vacant buildings must be winterized with gas and water services shut off or, alternately, an excess flow gas valve must be installed in the dwelling, within sixty (60) days of the date of this Notice.

**WRITTEN PERMISSION FROM THE CITY OF SAINT PAUL IS REQUIRED BEFORE A
CATEGORY 2 OR CATEGORY 3 VACANT BUILDING CAN BE OCCUPIED OR SOLD.**

Category 2: Requirements include: 1. register/re-register the building, 2. pay outstanding fee(s), 3. obtain a code compliance report, 4. submit for approval a rehab cost estimate from a licensed contractor and a schedule for completion of all code compliance work, 5. submit proof of financial responsibility acceptable to the City, and 6. obtain Zoning approval of the proposed use.

Category 3: All requirements listed for Category 2 vacant buildings, AND obtain a **Certificate of Occupancy OR Certificate of Code Compliance** prior to the sale of the building.

If the use of this building meets the definition of a nonconforming use by the Zoning Code then the use will lose its nonconforming status 365 days from the date the building was declared vacant.

**You must contact the Enforcement officer, Dave Nelmark,
at 651-266-1931 to find out what must be done before this
building can be legally reoccupied.**

The Enforcement Officer may declare this building(s) to constitute a Nuisance Building subject to demolition and issue an Order to Abate under authority of Legislative Code Chapter 45. In the event this building is declared a Nuisance Building subject to demolition, the Enforcement Officer will notify all owners and interested parties of the Order to Abate, as provided in the Legislative Code Chapter 45.

If you have questions about this annual registration fee or other vacant building requirements, please contact the Enforcement Officer, Dave Nelmark, at 651-266-1931.

This registration form and fee is required by law. Your prompt attention to this matter is appreciated.

Thank You,

Steve Magner
Vacant Buildings Program Manager
Department of Safety and Inspections

Enclosures: Regulations Requirements Information
Vacant Building Registration Form

SM: dn
vb_registration_notice 06/10