



# 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

JUN 13 2013

CITY CLERK

We need 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/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

HEARING DATE & TIME (provided by Legislative Hearing Office) Tuesday, <u>June 25, 2013</u>
Time <u>2:30 p.m.</u>
Location of Hearing: Room 330 City Hall/Courthouse

## Address Being Appealed:

Number & Street: 944 GRAND AVE City: ST PAUL State: MN Zip: 55105

Appellant/Applicant: Jon BRUGGEMAN Email Jonb@BITSTREAM.NET

Phone Numbers: Business \* 612-590-1903 Residence 651-696-9049 Cell \* 612-590-1903

Signature: [Signature] Date: 6/14/2013

Name of Owner (if other than Appellant): \_\_\_\_\_

Mailing Address if Not Appellant's: 76 Exeter Place, St. Paul 55104

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
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other

WE HAVE BEEN WORKING WITH MICHAEL EFFERSON SINCE LAST APRIL TO CONVERT A SINGLE FAMILY IN A BC ZONE TO BUSINESS. THIS SPRING HAS BEEN REALY BOSSY AND I HAVE TAKEN A BIT LONGER TO GET ARCHITECTURE DRAWING TO ZONING/PLANNING, BUT HAVE KEPT MICHAEL EFFERSON UP TO DATE BY EMAIL & PHONE. THE FIRST TIME I SAW HIS MAY 2 LETTER AS I WAS OUT OF TOWN THE FIRST HALF OF MAY FOR FAMILY REASONS.

Revised 2/13/2013

SEE BACK

I GOT A COPY OF THE MAY 2 LETTER WHEN I WAS MEETING WITH  
JIM BLOOM IN PLANNING & CODES REVIEW FOR CHANGES AND SOLEY REID ON VACANT BUILDING  
THIS MEETING WAS JUNE 7TH  
THANK YOU FOR YOUR UNDERSTANDING  
AS I MOVE FORWARD ON THE COMPLIANCE  
ISSUES

# Legislative Hearing Fact Sheet

Legislative Hearings provide a forum to review appeals of City-issued orders and develop recommendations for City Council consideration. Appellants not satisfied with the recommendation of the Hearing Officer also have an opportunity to be heard before the City Council if they wish to appeal further. Any person unsatisfied by the quasi-judicial decision of the City Council may obtain judicial review by timely filing of an action.

## Appeal Applications

Appeal application forms are available online at <http://www.stpaul.gov/index.aspx?NID=161> or they can be mailed to you calling 651-266-8585. Appeal applications may be submitted in person at or by mail at Legislative Hearings, 310 City Hall, 15 Kellogg Boulevard W., St. Paul, MN 55102. Appeal applications should be filed within ten days of the date of written notification of the item(s) being appealed.

## Scheduling Your Appeal Hearing

The date and time of the hearing for those applications submitted in person will usually be set at that time. Mailed applications will be copied and returned to the appellant with the date and time clearly indicated on the form. Generally, appeal hearings are scheduled one to four weeks after the application is submitted. Once an appeal has been scheduled, it may not be rescheduled more than once. Additional rescheduling will only be done by referral from the City Council.

*If you are appealing a special assessment or wish to be heard on a proposed order to abate a nuisance building, the appeal dates and times are automatically listed in the orders themselves.*

## Hearings Are Held on Tuesdays & The Schedule Typically Is:

- 9:00 Tax Assessments & Orders to Remove or Repair
- 11:00 Summary & Vehicle Abatement Orders
- 11:30 Condemnations, Revocations & Vacate Order
- 1:30 Fire Certificate of Occupancy Letters & Code Enforcement Notices
- 2:30 Vacant Building Registration Notices
- 3:00 Other Cases and Overflow Hearings

## What to Expect at the Hearing

A number of appeals are heard in each hearing session. For each appeal, City Staff will give a report and appellants will be given time to present information, testimony, photos or other documents. The Hearing Officer will take all of this into account to develop a recommendation for Council consideration. Occasionally, a decision cannot be made at the hearing and the matter will be laid over or continued to allow the appellant and/or staff time to gather more information. The hearings are quite informal but it is still expected that cell phones and pagers will be turned off, and City staff and appellants will address one another respectfully.

**Interpreter:** If you need an interpreter for your hearing, please call 651-266-8585 for us to arrange one.



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](http://www.stpaul.gov/dsi)

June 07, 2013

Jon J Bruggeman/Sally R  
Bruggeman  
76 Exeter Place  
St Paul MN 55104-5707

## VACANT BUILDING REGISTRATION NOTICE

The premises at **944 GRAND 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 **\$1,440.00**. 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 07, 2013.**

### **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, Dennis Senty, at 651-266-1930 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, Dennis Senty, at 651-266-1930.

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: ds  
vb\_registration\_notice 11/12



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

375 Jackson Street., Suite 220  
Saint Paul, MN 55101-1806

Telephone: 651-266-8989  
Facsimile: 651-266-1919  
Web: [www.stpaul.gov/dsj](http://www.stpaul.gov/dsj)

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June 06, 2013

Jon J Bruggeman  
Sally R Bruggeman  
76 Exeter Place  
St Paul MN 55104-5707

Dear Sir or Madam:

**944 GRAND AVE** is a Registered Vacant Building that requires a Code Compliance Inspection per the Vacant Building Statute (Chapter 43). This inspection can be obtained by calling Building and Inspections and Design at (651) 266-9016. **This dwelling can not be occupied without a Certificate of Code Compliance.** Call (651) 266-9016 for a permit sign-off.

**THE VACANT BUILDING REGISTRATION FORM AND REGISTRATION FEE MUST BE RECEIVED BY THE VACANT BUILDING PROGRAM BEFORE DSI MAY ISSUE PERMITS.**

Violation of the Vacant Building Statute (Chapter 43) will result in the issuance of a criminal citation.

**Written permission from the City of Saint Paul is required before a Category 2 or Category 3 Vacant Building can be sold.** Requirements that must be met for Category 2 vacant buildings include: 1. register/re-register the building, 2. Pay outstanding fees, 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. In addition to meeting all 6(six) of these requirements a Category 3 vacant building must obtain a **Certificate of Occupancy** or a **Certificate of Code Compliance** prior to the sale of the building.

If you have any questions you can call me at the number below.

**PROPERTIES THAT ARE SUSPECTED TO BE ILLEGALLY OCCUPIED ARE SUBJECT TO INSPECTIONS AT ANY HOUR OF THE DAY OR NIGHT.**

Sincerely,

**Dennis Senty**

651-266-1902

Vacant Buildings Code Enforcement Officer



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](http://www.stpaul.gov/dsi)

May 2, 2013

JON J BRUGGEMAN  
SALLY R BRUGGEMAN  
76 EXETER PL  
ST PAUL MN 55104-5707

LETTER FIRST VIEWED  
JUN 7, 2013 COPY SUPPLIED  
BY SOLEY REID DSI  
INSPECTOR AT STPAUL  
375 JACKSON STREET LOCATION  
B

### Revocation of Fire Certificate of Occupancy and Order to Vacate

RE: 944 GRAND AVE  
Ref. # 112614

Dear Property Representative:

Based on the non-compliance to a required zoning change it has become necessary to revoke the Certificate of Occupancy for this building. The building will no longer be legal to occupy after May 31, 2013.

Saint Paul Legislative Code provides that no building shall be occupied without a Certificate of Occupancy. In order to re-occupy the building, the following deficiencies (if applicable) must be corrected and a complete Certificate of Occupancy inspection will be required.

#### DEFICIENCY LIST

1. SBC 3405.1, SBC 110.2 - The occupancy group or use division of this building has been changed from that previously approved. Discontinue the unapproved occupancy or use, or provide a code analysis and contact the Building Official at 651-266-9090 to comply with requirements for approved occupancy. Building has been illegally converted from a single family home (R-3) to a Business (B).
2. SBC 3405.1, SBC 110.2 - The occupancy group or use division of this building has been changed from that previously approved. Discontinue the unapproved occupancy or use, or contact the Building Official at 651-266-9021 for a code analysis and to comply with requirements for approved occupancy.
3. SPLC 62.101 - Use of this property may not conform to zoning ordinance. Discontinue unapproved use or call DSI Zoning at (651) 266-8989 to convert to legal use. Building has been converted from a single family home (R-3) to a business (B).

4. SPLC 34.11 (6), 34.34 (3) - Provide service of heating facility by a licensed contractor which must include a carbon monoxide test. Submit a completed copy of the Saint Paul Fire Marshal's Existing Fuel Burning Equipment Safety Test Report to this office.
5. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.

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 this order.

If you have any questions, email me at: [michael.efferson@ci.stpaul.mn.us](mailto:michael.efferson@ci.stpaul.mn.us) or call me at 651-266-8981 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Michael Efferson  
Fire Inspector

Ref. # 112614