



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

APR 24 2015

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 Check 10911)
- ☒ 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, May 5, 2015

Time 2:30 PM

Location of Hearing:

Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 1659-1669 Grand Ave City: St. Paul State: MN Zip: 55105

Grand Heritage Properties, LLC

Appellant/Applicant: Eugene V. Sitzmann Email _____

Phone Numbers: Business (651) 698-4616 Residence _____ Cell _____

Signature: Fred A. Kueppers, Jr. Date: 4-23-2015

Fred A. Kueppers, Jr. - attorney for appellant/owner

Name of Owner (if other than Appellant): (651) 222-5000
fkueppers@kuepperslaw.com

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 Over broad
- ☐ Summary/Vehicle Abatement _____
- ☐ Fire C of O Deficiency List/Correction _____
- ☐ Code Enforcement Correction Notice _____
- ☒ Vacant Building Registration Not required by Notice dated 4-15-2015
- ☐ Other (Fence Variance, Code Compliance, etc.) _____



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
www.stpaul.gov/dsi

April 21, 2015

Grand Heritage Properties LLC
Po Box 16548
Saint Paul MN 55116-0548

VACANT BUILDING REGISTRATION NOTICE

The premises at **1659 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 by law to register this building with the Department of Safety and Inspections, Vacant Building 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 **\$2,025.00**. 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 May 21, 2015 .

Do Not Mail Cash

If you wish to pay in person, you may do so from 8:00am to 4:00pm 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 City Clerk's Office by calling (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 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 Office 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 District Inspector, Dennis Senty, at 651- 266- 1930.

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

Stever Magner
Vacant Buildings Program Manager

Enclosures: Regulations Requirements Information
Vacant Building Registration Form

SM: md
vb_registration_notice 11/14



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

April 16, 2015

Grand Heritage Properties Llc
Po Box 16548
Saint Paul MN 55116-0548

NOTICE OF CONDEMNATION UNFIT FOR HUMAN HABITATION ORDER TO VACATE RESIDENTIAL UNITS

RE: 1659 GRAND AVE
Ref. # 13194

Dear Property Representative:

Your building was inspected on April 16, 2015, in response to a complaint.

The building was found to be unsafe, unfit for human habitation, a public nuisance, a hazard to the public welfare or otherwise dangerous to human life. A Condemnation Placard has been posted on the building.

The following deficiency list must be completed or the building vacated by the re-inspection date.

A reinspection will be made on April 17, 2015 at 12:00pm.

CONDEMNATION OF THE BUILDING REVOKES THE CERTIFICATE OF OCCUPANCY.

Failure to complete the corrections may result in a criminal citation. The Saint Paul Legislative Code requires that no building be occupied without a Fire Certificate of Occupancy.

DEFICIENCY LIST

1. INTERIOR - RESIDENTIAL UNITS - SPLC 34.23, MSFC 110.1 - This occupancy is condemned as unsafe or dangerous. This occupancy must not be used until re-inspected and approved by this office. **-Residential units are condemned due to multiple code violations including but not limited to; lack of basic facilities, unsanitary conditions, lack of smoke detectors, lack of fire separation, fire damage, overcrowding, and lack of egress.**
2. EXTERIOR - Ext. Door SPLC 34.09 (3), 34.33 (3) - Repair and maintain the door in good condition. -Door leading to residential units was jammed.
3. EXTERIOR - SPLC 34.08 (1), 34.31 (1) - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces.
4. EXTERIOR - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window in good condition. -Replace all broken windows
5. EXTERIOR - SPLC 34.09 (3), 34.33 (3) -Provide or repair and maintain the window screens, where broken or missing.
6. INTERIOR - RESIDENTIAL UNITS - SPLC 34.10 (4), 34.33 (3) - Provide a bathroom floor impervious to water.
7. INTERIOR - RESIDENTIAL UNITS - MN Stat 299F.18 - Immediately remove and discontinue excessive accumulation of combustible materials.
8. INTERIOR - RESIDENTIAL UNITS - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition. -Interior units are unsanitary. There is excess dust, plaster and covering some of the units.
9. INTERIOR - RESIDENTIAL UNITS - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner.
10. INTERIOR - RESIDENTIAL UNITS - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the floor in an approved manner.
11. INTERIOR - RESIDENTIAL UNITS - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner.
12. INTERIOR - RESIDENTIAL UNITS - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the cabinets in an approved manner.
13. INTERIOR - RESIDENTIAL UNITS - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 4715.0200.C - Provide an approved number and type of plumbing fixtures. -Units missing plumbing and bathroom fixtures.

14. INTERIOR - RESIDENTIAL UNITS - SPLC 34.11(4), 34.34(1) SPC 4715.0200A - Provide an adequate water supply to all water closets, sinks, showers and tubs. -Restore water to units that no longer have running water.
15. INTERIOR - RESIDENTIAL UNITS - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area. -Units were lacking required smoke detectors.
16. INTERIOR - RESIDENTIAL UNITS - SPLC 34.09 (3) i - Provide and maintain an approved one-inch throw single cylinder deadbolt lock.
17. INTERIOR - RESIDENTIAL UNITS - MN State Statute 299F.50 Immediately provide and maintain an approved Carbon Monoxide Alarm in a location within ten (10) feet of each sleeping area. Installation shall be in accordance with manufacturer's instructions.-All units were lacking CO detectors.
18. INTERIOR - SECOND FLOOR - MSFC 703 - Provide, repair or replace the fire rated door and assembly. The minimum rating must be: 20minutes. -Several units doors are damaged.
19. INTERIOR - SECOND FLOOR - MSFC 703 - Repair and maintain the required fire resistive construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090. -Several fire rated walls were removed and repaired with improper materials
20. INTERIOR - UNIT 3 - SPLC 34.13 (2), (3), SPLC 34.17 (2) - Reduce and maintain the number of occupants.-There were five occupants in the one bedroom apartment. Illegal bedroom without necessary escape window.
21. INTERIOR - UNIT 3 - MSFC 1026.1 - Provide and maintain an approved escape window from each sleeping room or area, or discontinue use of area as a sleeping room. This work may require permit(s). Call DSI at (651) 266-8989.-Interior room not intended for sleeping purposes was in use as a bedroom.
22. INTERIOR - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.
23. INTERIOR - MSFC 605.6 - Provide all openings in junction boxes to be sealed.
24. INTERIOR - MSFC 605.6 - Provide all electrical splices within junction boxes.
25. INTERIOR - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.
26. INTERIOR - MSFC 605.1 - Remove unapproved exposed wiring and install in accordance with the electrical code. This work may require a permit(s). Call DSI at (651) 266-8989.

27. INTERIOR - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.
28. INTERIOR - MSFC 1028.3 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway. -Remove the construction materials and items in the exit stairwells.
29. INTERIOR - MSFC 1003.3.1.8 - Remove unapproved locks from the exit doors. The door must be openable from the inside without the use of keys or special knowledge or effort. -Remove double keyed locks and chains marked exit doors.
30. INTERIOR - MSFC 901.6 - Provide required annual maintenance of the fire extinguishers by a qualified person and tag the fire extinguishers with the date of service.-
31. INTERIOR - MSFC 308.2.1 - No person shall throw or place, or cause to be thrown or placed, a lighted match, cigar, cigarette, matches, or other flaming or glowing substance or object on any surface or article where it can cause an unwanted fire. -Several cigarette butts scattered throughout the buildings common areas.
32. INTERIOR - SPLC 34.11, MSBC 2902.1, SPLC 34.17, MSPC 415.0220 - Repair or replace and maintain all parts of the plumbing system to an operational condition.-Identify the source of the leaky plumbing and repair under permit.
33. INTERIOR - RESIDENTIAL UNITS - SPLC 34.10 (7), 34.33 (6) - Repair or replace and maintain the woodwork in an approved manner.
34. STAIRWELL - SPLC 34.09 (2), 34.32(2) - Repair or replace the damaged handrail in an approved manner.
35. 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.
36. 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 the original orders.

If you have any questions, email me at: adrian.neis@ci.stpaul.mn.us or call me at 651-266-8992 between 7:30 - 9:00 a.m. Please help make Saint Paul a safer place in which to live and work.

Sincerely,

A.J. Neis
Fire Inspector
Ref. # 13194

cc: Housing Resource Center
Force Unit