

✓ Scanned



# APPLICATION FOR APPEAL

RECEIVED

JUL 27 2012

CITY CLERK

JUL 27 2012

CITY CLERK

**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,	<u>Aug. 14</u>
Time	<u>2:30 P.M.</u>
Location of Hearing:	
<u>Room 330 City Hall/Courthouse</u>	

## Address Being Appealed:

Number & Street: 1240 Beech St City: St Paul State: MN Zip: 55106

Appellant/Applicant: Julie Kosbab Email: julie@rideboldly.org

Phone Numbers: Business 651 253 2493 Residence 763 780 7329 Cell \_\_\_\_\_

Signature: [Handwritten Signature] Date: 7/27/2012

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

see attached

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

July 26, 2012

## APPEAL OF VACANT BUILDING REGISTRATION REQUIREMENT & FEE

Property Address: 1240 Beech Street  
St. Paul, MN 55106

Reason: House does not meet legal definition of a registered vacant building, and has not been inspected by city staff as falsely claimed in the letter. To gain access to the home would require the action of the owner or one of two designated representatives with key access. This has not occurred.

Per documentation sent with notice demanding fee payment, owner "must register this building with St. Paul Department of Safety and Inspections, Vacant/Nuisance Buildings Code Enforcement Unit if the building is unoccupied" and meets any of 8 criteria. The house above meets none of the criteria. In detail:

1. Unsecured, or  
House is secured in a usual and customary fashion, including keyed deadbolt locks and exterior doors.
2. Secured by other than normal means (boarded), or  
See #1. House is not boarded and has no cause to be.
3. A dangerous structure, or  
House is not a dangerous structure.
4. Condemned as uninhabitable, or  
House is not condemned.
5. Condemned or Vacated by Fire Marshal Certificate of Occupancy Program, or  
No such condemnation notice has been received. House was scheduled for such inspection earlier this year, but waived as it is not a rental property, and is being prepared for sale. No further correspondence has been received on this matter.
6. Has multiple housing or Building Code violations,  
None are on record or known to owner. House is 100 years old, but to the best of my knowledge that is not a barrier to occupancy or sale of a home in city limits.
7. Is condemned and illegally occupied, or  
Home is solely occupied by the owner and immediate legal family members on a part-time basis. House is not, as stated above, condemned.
8. Has been unoccupied for a period of time longer than one year during which time the Enforcement Officer has issued an order to correct nuisance conditions.  
No orders re: nuisance conditions have been received.

The house has utilities, including electric and gas. Grass is mowed regularly, the shrubbery has been trimmed, and the tree has been tended by a trained arborist. The house is not unsafe or a nuisance and no notice to the contrary has been received by owner at either legal postal address used by owner.



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)

July 19, 2012

Julie L Vanmersbergen  
9825 Fillmore St Ne  
Blaine MN 55434-3507

## VACANT BUILDING REGISTRATION NOTICE

The premises at **1240 BEECH ST**

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 August 19, 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