



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

OCT 29 2018

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 820591)
 - 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

<p>HEARING DATE & TIME (provided by Legislative Hearing Office) Tuesday, <u>NOV. 13, 2018</u> Time <u>2:30</u> Location of Hearing: Room 330 City Hall/Courthouse</p>

Address Being Appealed:

Number & Street: 362 Topping St City: St Paul State: MN Zip: 55117

Appellant/Applicant: James & Cynthia Westphal Email: cwestphal1222@gmail.com

Phone Numbers: Business _____ Residence 651-488-0377 Cell 651-235-0297

Signature: Cindy Westphal Date: 10-29-18

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
 - Code Enforcement Correction Notice
 - Vacant Building Registration
 - Other (Fence Variance, Code Compliance, etc.)
- See attached

October 29, 2018

ST PAUL CITY COUNCIL

15 W. KELLOGG BLVD
ST. PAUL, MN 55102

Dear City Council members,

We are requesting an appeal regarding the Vacant Building registration renewal fee. We've struggled to get the rebuild process moved forward. Here is a brief timeline of events.

On November 8, 2017 our house caught fire.

November 9, 2017 we hired public adjuster Jim Whalen of Whalen and Associates. Whalen instructed us not to remove any contents until inventory was finalized with insurance. Whalen's estimated conclusion of claim was December, 2017.

November 2017 through March 2018, while waiting on claim submission, reached out to contractors who advised us to call them when they could access the house.

March 2018, Whalen said we could remove content from only the first floor.

April 2018, Whalen advised inventory was submitted and we could now hire a contractor. We reached out to our prior contacts that we were ready to start, but they were now unavailable. We sought out new contractors and were advised to have blueprints drawn to received bids.

April through September 2018, tried to get blueprints drawn, bringing our 118 year old home up to code.

September 20, 2018, received approved blueprints

September 21, 2018 submitted blueprints to DSI. Instructed to provide report of inspection sewer lines before permits would be issued. Hired sewer inspector.

September 26, 2018 received and provided DSI with sewer inspection report. City required property surveyed before permits would be issued.

September 28, 2018 received letter from city dated September 19, issuing fine and requesting it paid by September 26, 2018.

October 1, 2018 went to court house to request appeal. Told we were too late and had to pay it.

October 18, 2018 call city council president Amy Brendmoen's office requesting help getting permits pulled. Email sent to Ward 1.

October 23, 2018 received email from Dai Thao's office stating they will contact DSI.


October 24, 2018 received surveyor report, submitted it to DSI.

October 29, 2018 still waiting for our contractor to receive permits so we can rebuild.

We feel we've worked as diligently as we could to keep the process moving along. We would like nothing better than to be back in our home.

Sincerely,


Jim and Cindy Westphal





CITY OF SAINT PAUL

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

Telephone: 651-266-8989
Facsimile: 651-266-1919
www.stpaul.gov/dsi

October 15, 2018

James A Westphall/Cynthia M Westphall
362 Topping St
St Paul MN 55117- 5225

Customer #:379368

Bill #: 1402314

VACANT BUILDING REGISTRATION RENEWAL NOTICE

Dear Sir or Madam:

As the owner or responsible person for the property located at

362 TOPPING ST

you are required by law to register this building with the Department of Safety and Inspections on the form provided with this letter and to pay the annual Vacant Building registration fee of **\$2,127.00**. The purpose of this fee is to provide partial reimbursement to the City for administrative costs. This fee is due annually as required in Saint Paul Legislative Code Chapter 43.

The renewal due date for this building is **November 13, 2018**. The annual registration fee and the enclosed registration form for this building is due on the renewal date. If you pay by mail, please fill in the enclosed registration form and return it with your payment.

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.

You may pay this registration fee online by going to **online.stpaul.gov** and selecting the 'Make a Payment' option. You will need your customer number and bill number to process a payment - both can found on this letter.

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

Do Not Mail Cash

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.

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 , Matt Dornfeld, at 651- 266- 1902 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, Matt Dornfeld, at 651- 266- 1902.

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

Steve Magner
Vacant Buildings Program Manager

Enclosures: Regulations Requirements Information
Vacant Building Registration Form

SM: md
vb_registration_renewal_notice 11/14