



# APPLICATION FOR APPEAL

## Saint Paul City Council – Legislative Hearings

RECEIVED

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

NOV 03 2021

CITY CLERK

We need the following to process your appeal:

- \$25 filing fee (non-refundable) (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, November 23, 2021

Time 1:00 p.m. to 3:00 p.m.

Location of Hearing:  
 Teleconference due to Covid-19 Pandemic

### Address Being Appealed:

Number & Street: 1285 Beechwood <sup>Place</sup> City: St Paul State: MN Zip: 55114

Malcolm P. Terry, Attorney at Law  
 Appellant/Applicant: Rebecca Amidon Email: becky@amidongraphics.com  
 mterry@bernicklifson.com

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell 612 868 9661  
 763-746-7975

Signature: RA Date: 10/29/21

Name of Owner (if other than Appellant): Michael Amidon

Mailing Address if Not Appellant's: 2044 Thuve Ave, St Paul MN 55114

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell 612 805 0635

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

September 14, 2021

St. Paul City Council  
[legislativehearings@ci.stpaul.mn.us](mailto:legislativehearings@ci.stpaul.mn.us)

**RE: Vacant Building Assessment for 1285 Beechwood Place**  
**File No.: VB2111**  
**Assessment No.:218817**

Dear Council:

I represent the owners of above refenced property, Rebecca and Michael Amidon, and I am writing this letter on their behalf to address the identification of their property as subject to the vacant building list and assessed an annual fee. For the reasons below, placing the propriety on the vacant building list is an error as the residential home does not meet any of the Ordinance definitions and does not meet the criteria to be placed on the list.

As a paramount matter, the residential home in question simply does not meet any of the categorical classification standards as set forth in Saint Paul Legislative Code, Chapter 43, Section 43.02.7.a-g required to be identified as a vacant property. The Legislative Code defines a vacant property as meeting one of the following requirements:

- a. Unoccupied and unsecured.
- b. Unoccupied and secured by other than normal means.
- c. Unoccupied and a dangerous structure.
- d. Unoccupied and condemned.
- e. Unoccupied and has multiple housing or building code violations.
- f. Condemned and illegally occupied.
- g. Unoccupied for a period of time over 365 days and during which time the enforcement officer has issued an order to correct nuisance conditions.

The residential home in questions does not meet any of the above requirements to be listed on the vacant building list and at no time during the ownership by the Amidon's, or otherwise, has it met any of the above requirements. By the very definition of the Ordinance, the home simply cannot be subject to the vacant building list.

In addition, the Amidon's have a summer lawn service that maintains the property and its gardens and has a winter snow removal service that maintains the walkways and driveways in the winter. The property is maintained and visited 4-6 times a week by the Amidon's who purchased the home and have been in the process of renovating the home themselves to move into as their family home. The home is also maintained by a security system.

Attached you will find photos three homes, one of which is the subject property. You will be hard pressed to identify which home it is and, in fact, the home is maintained in the same condition of the neighboring homes, if not better.

At one point in time, there were apparently summary abatement orders from November 2020 and June 2021 were issued at the time they were doing yardwork cleanup and had placed the debris in the driveway for the crew to return and pick up the tree debris and remove the same and on the second occasion to clear cut areas around the home. In fact, by the time the Amidon's received the orders, the yard debris had already been cleaned up on both occasions.

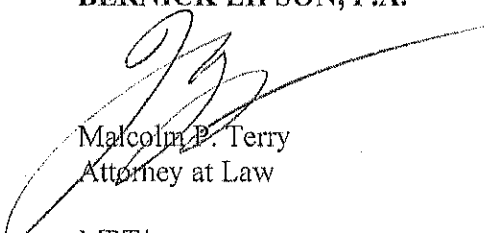
This entire frustrating issue for the Amidon's began with the City of St. Paul in 2017 when the Amidon's were worried and busy dealing with a family health crisis. At that time, the St Paul water department accused the Amidon's of stealing water due to lack of use. The City then shut off the water and reported it to the City as a vacant house. However, lack of water use does not meet vacant building criteria under the Ordinance and should not have been basis for a City employee to simply add the home to the vacant building list.

Based on the above and the plain reading of the Ordinance, the home in question here should be removed from the Vacant Building list and any assessment amounts paid to date returned to the Amidon's.

Please let me know if you have any questions at all.

Very truly yours,

**BERNICK LIFSON, P.A.**



Malcolm P. Terry  
Attorney at Law

MPT/gmz



CITY OF SAINT PAUL

375 Jackson Street, Suite 220  
Saint Paul, MN 55101-1806Telephone: 651-266-8989  
Facsimile: 651-266-1919  
www.stpaul.gov/dsi

November 03, 2021

Michael P Amidon/Rebecca A Amidon  
1285 Beechwood Pl  
St Paul MN 55116-2202Customer #: 1566408  
Bill #: 1606954**VACANT BUILDING REGISTRATION FEE  
WARNING LETTER**

The Saint Paul City Council has adopted legislation which requires owners of vacant buildings to pay an annual fee and submit a registration plan on the form(s) enclosed with this letter. The annual fee is **\$2,127.00**. The purpose of this fee is to partially reimburse the City for administrative costs for registering and processing the Vacant Building Owner Registration forms and for the cost of monitoring these properties for compliance with Saint Paul Legislative Codes.

***The fee for the vacant building located at 1285 BEECHWOOD PLACE is now past due. You have fifteen (15) days from the date of this letter to pay this bill before this fee is sent to assessment, to be collected with your property taxes.***

**DO NOT MAIL CASH**

Saint Paul Legislative Code, Chapter 43, requires this fee be paid no later than thirty (30) days after the building becomes vacant, and if not paid, the owner shall be subject to collections and prosecution as prescribed in the Legislative Code. Also, if at any time the registration fee is unpaid and owing, building permits will be denied for this building.

**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 owner(s) still will be subject to a criminal Summons and Complaint for failure to pay this vacant building registration fee. This citation will necessitate a court appearance in Ramsey County District Court and the owner(s) will be subject to penalties provided for by law. The enclosed registration form must accompany the fee payment.

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 be 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

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.

If you have questions about this registration fee or other vacant building requirements, please contact the Enforcement Officer, Matt Dornfeld, at 651- 266- 1902.

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

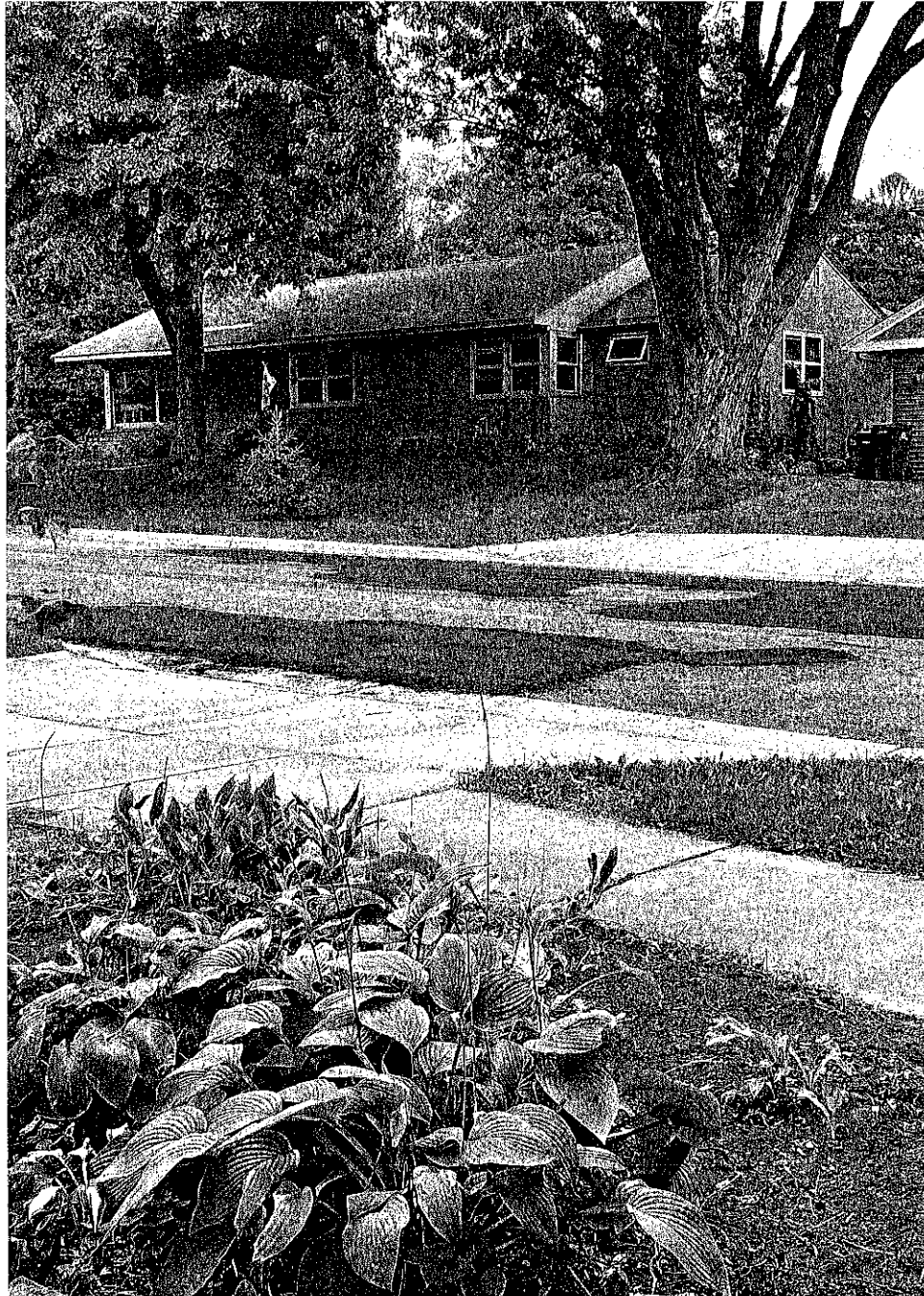
You may file an appeal to this fee or registration requirements, **unless the fee was previously appealed**, by contacting the City Clerk's Office by calling (651)266- 8688. Any appeal of this fee must be made within ten (10) days of the date of this notice.

Steve Magner  
Vacant Buildings Program Manager

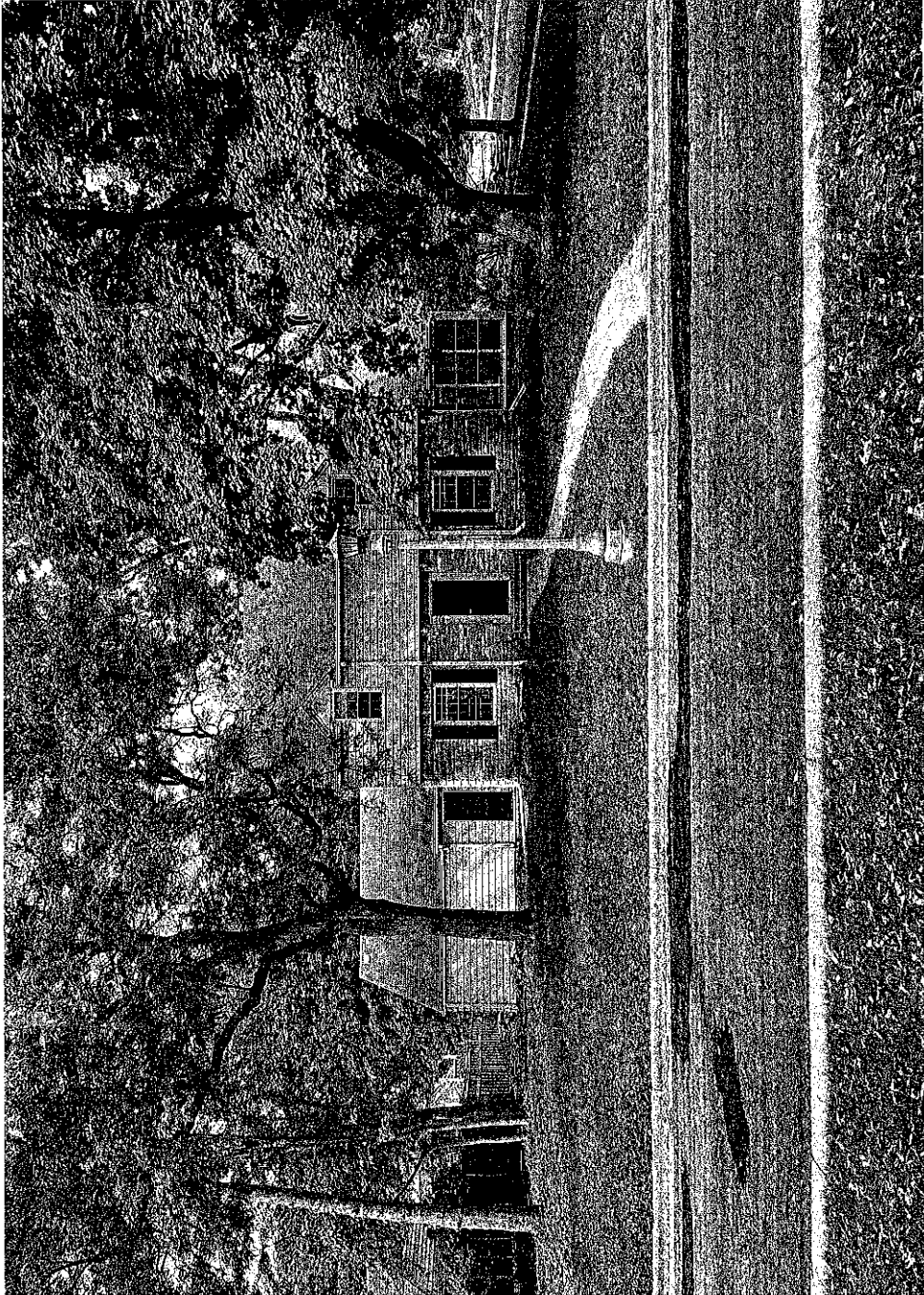
Enclosures: Regulations Requirements Information  
Vacant Building Registration Form

SM: md  
vb\_warning\_letter 2/15

1285 Beechwood Place



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