



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

APR 09 2014

CITY CLERK

We need the following to process your appeal:

- \$25 filing fee payable to the City of Saint Paul (if cash: receipt number check 254649)
- 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>4-15-14</u>
Time <u>2:30 p.m.</u>
Location of Hearing: Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 889 Portland Ave. City: St. Paul State: MN Zip: 55105

Appellant/Applicant: Kathy Panciera on behalf of William Mitchell College of Law Email Kathy.panciera@wmitchell.edu

Phone Numbers: Business 651-290-7522 Residence - Cell 651-592-6033

Signature: Kathy Panciera Date: 4-8-2014

Name of Owner (if other than Appellant): William Mitchell College of Law

Mailing Address if Not Appellant's: 875 Summit Ave., St. Paul, MN 55105

Phone Numbers: Business 651-227-9171 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

classification as category 2 vacant building. (please see attachment)

STAMP - Activity Detail[New Search](#)[Help using this report](#)[E-mail Service Desk](#)**889 Portland Ave**

Click [here](#) to access other applications using this address - GISmo, MapIT, and Ramsey County Info

Run Date: 04/03/14 03:09 PM **In Date:** 08/16/13 **Status:** Under Review
Folder 13 222792 **Entered By:** Dornfeld, Matt **Closed:**
ID#:
Type: CS - CSO Complaint - Vacant Building Monitoring - Complaint

Description:

Opening a category II vacant building file due to a CofO revocation by Fire Inspector Imbertson. See extensive notes in CofO file for more info on revocation. Fire Insp., Zoning and PED all involved in occupancy issue (residential or office usage). Posted placards. 1 photo. ~MD

Associated Folders:

[13-222794](#) VB - Vacant Building - Category 2 - Single Family Residential
[13-222795](#) VF - Vacant Building Fee - Category 2 - Single Family Residential

Document:

[CE Attached document: VBRF received 9/18/13](#) - Sent: 09/18/2013

[CE Photo Document:](#) - Generated: 08/16/2013 - Sent: 08/16/2013

* Note: Clicking on above document links may not reflect the exact formatting of the original document.

People:

Owner:
William Mitchell College
875 Summit Ave
St Paul MN 55105-3030
651-290-6457

Responsible Party:
William Mitchell College Of Law
Attn: Kathy Panciera/Larry Eveland - 875 SUMMIT AVE
St Paul MN 55105-3030
651-290-6356

Info Value:

Behavior Complaint: No
Possible Student Housing?: No

Ward: 1
District Council: 8
VB/VF Created?: Yes
VB Category: Category 2
Usage: Single Family Residential
Field Find?: No
Code Compliant: No

See Click Fix: No

DSI CS Complaint Admin

Assigned To: CSO Complaint Analyst Pool 651-266-8989
Next Schedule Date: 03/14/15

DSI Vacant Building Response

Assigned To: Dornfeld, Matt 651-266-1902
08/15/2013: *Recheck

DSI Vacant Building Reinspection

08/22/2013: *Recheck - Vacant, secure and maintained at the time of my inspection. ~MD

10/11/2013: *Recheck - Vacant, secure and maintained at the time of my inspection. ~MD

12/03/2013: *Recheck - Vacant, secure and maintained at the time of my inspection. ~MD
Vacant Building Monitoring (Recheck)

01/31/2014: *Recheck - Vacant, secure and maintained at the time of my inspection. ~MD
Vacant Building Monitoring (Recheck)

03/07/2014: *Recheck - At the time of my inspection the dwelling was vacant, secure and maintained. ~MD
Vacant Building Monitoring (Recheck)

03/13/2014: *Recheck - Vacant, secure and maintained at the time of my inspection. ~MD

Vacant Building Monitoring (Recheck)

Next Schedule Date: 04/15/14



April 7, 2014

889 Portland Avenue, Saint Paul, MN 55105

Application for Appeal of classification as a category 2 vacant building
Attachment

William Mitchell College of Law (the "College") purchased the residence located at 889 Portland Ave., St. Paul, in July 2000. For some period of time thereafter, the College used the property as a residence for new and visiting professors. Subsequently, the College used the building as office space for one of its programs, the Public Health Law Center. In February, 2013, the Saint Paul City Council approved the amendment of the College's conditional use permit to include the 889 Portland building as well as a second residential property owned by the College (located at 46 Milton Street, St. Paul). Inclusion in the College's CUP boundary was needed in order to use both buildings as office space for College programs.

After the amendment of the CUP boundary, the College was notified by the City Inspector's office that both buildings would have to be made compliant with the Americans with Disabilities Act ("ADA") in order to continue to be used as office space. The College conducted a cost analysis and determined that it would not be cost effective to upgrade the Portland building for ADA compliance. The Milton building was, however, upgraded to conform to ADA requirements and is fully compliant with the City's building codes. Rather than upgrade the Portland building, the College determined to sell that building as a residential property. As a result of the decision not to bring the building into ADA compliance, the College could no longer operate it as an office building and vacated the building pending sale. The building is located directly across the street from the College's main campus and continues to be insured, monitored and maintained by College maintenance and custodial staff.

In August 2013, the College received notice from the Department of Safety and Inspections that the building would have to be registered as a vacant building, which was done, along with payment of an annual vacant building registration fee of \$1,440.00. It was not clear to us from the August 19 notice (copy attached) that the building was being registered as a category 2 building.

After some discussion with the City of Saint Paul's zoning office, the College sent a letter to that office in October, 2013, requesting removal of the Portland house from the College's Conditional Use Permit boundary so that the house could be sold (a copy of that letter is attached). The building is and has always been zoned residential.

The College now has a buyer for the property, and in preparation for a sale, commissioned a Truth-in-Sale of Housing Disclosure Report, which revealed the classification as a Category 2 vacant building.

The College has always intended to comply with all code requirements of the City of Saint Paul and has made improvements to the house during its ownership of the building. At this time, we wish to appeal the classification as a Category 2 vacant building and respectfully request a change to Category 1.



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

August 19, 2013

William Mitchell College
875 Summit Ave
St Paul MN 55105-3030

VACANT BUILDING REGISTRATION NOTICE

The premises at **889 PORTLAND 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 September 19, 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, 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(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, Matt Dornfeld, at 651-266-1902.

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: md
vb_registration_notice 11/12



WILLIAM MITCHELL
COLLEGE OF LAW

875 SUMMIT AVENUE
ST. PAUL, MINNESOTA
55105-3076

TELEPHONE: 651.227.9171

FACSIMILE: 651.290.6414

WWW.WMITCHELL.EDU

October 21, 2013

Ms. Karen Zacho
City of Saint Paul – DSI Zoning
375 Jackson Street, Suite 220
Saint Paul, MN 55101

RE: Removal of the house located at 889 Portland Avenue from the William Mitchell College of Law
Conditional Use Permit

Dear Ms. Zacho:

In February, 2013, the Saint Paul City Council approved the amendment of William Mitchell's conditional use permit to include two residential properties located at 46 Milton Street and 889 Portland Avenue in the City of Saint Paul. These properties are adjacent to the College's campus and were being used as office space for College programs. At this time, the College is requesting that the residence at 889 Portland Avenue be removed from the College's conditional use permit boundary.


The College plans to market and sell the Portland house as a single-family residence.

We will continue to use the Milton building to house College programs.

If you need any additional information or if there is something further that the College needs to do in order to make this change, please contact Kathy Panciera, the College's VP of Finance, at 651-290-7522 or kathy.panciera@wmitchell.edu.

We appreciate your assistance with this change.

Sincerely,



Eric S. Janus
President and Dean

cc: Irna Landrum, Summit-University (District 8) Planning Council
Kathy Panciera