



APPLICATION FOR APPEAL

RECEIVED

MAR 17 2015

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 check 5176)
- 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, April 7, 2015

Time 2:30 PM

Location of Hearing:
Room 330 City Hall/Courthouse

e-mailed appt. info on 4-2-15 -KF

Address Being Appealed:

Number & Street: 572 Point Douglas Rd S City: St. Paul State: MN Zip: 55119

Appellant/Applicant: Viktar Lesnikou Email viktar.lesnikou@gmail.com

Phone Numbers: Business _____ Residence _____ Cell 315-842-0178

Signature: *[Signature]* Date: 3/12/2015

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

I'd like to appeal extensive number of re-inspections that we're forced to undergo. Deficiencies identified in the original VBF report have been fixed, however, inspectors keep coming back and adding more. We cannot go on with our lives any more and live under constant stress. I'll provide additional details during the hearing.



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

March 30, 2015

Viktar Lesnikou
572 Point Douglas Rd S
Saint Paul MN 55119- 5338

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 **\$1,440.00**. 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 572 POINT DOUGLAS ROAD S 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.

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, Dave Nelmark, at 651- 266-1931.

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 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.

Stever Magner
Vacant Buildings Program Manager

Enclosures: Regulations Requirements Information
Vacant Building Registration Form

SM: dn
vb_warning_letter 2/15



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

Code Compliance Report

April 02, 2014

Viktar Lesnikou
572 Point Douglas Rd S
Saint Paul MN 55119-5338

**** This Report must be Posted
on the Job Site ****

Re: 572 Point Douglas Road S
File#: 13 246246 VB2

Dear Property Owner:

The following is the Code Compliance report you requested on March 06, 2014.

Please be advised that this report is accurate and correct as of the date April 02, 2014. All deficiencies identified by the City after this date must also be corrected and all codes and ordinances must be complied with. This report is valid for 365 days from April 02, 2014. This report may be used in lieu of a Truth in Housing Report required in St Paul Legislative Code 189. This building must be properly secured and the property maintained at all times.

In order to sell or reoccupy this property the following deficiencies must be corrected:

ZONING

1. This property is in a(n) R1 zoning district.
2. This property was inspected as a Single Family Dwelling.

BUILDING Inspector: Jim Seeger Phone: 651-266-9046

- Install handrails (34 inches - 38 inches above each nosing) and guardrails (36 inch minimum) at all stairways, and return hand rail ends into a newel post or wall per attachment.
- Prepare and paint interior and exterior as necessary. Observe necessary abatement procedures (EPA, MPCA and St. Paul Legislative Code, Chapter 34 for additional information) if lead base paint is present.
- Provide major clean-up of premises.
- Repair siding, soffit, fascia, trim, etc. as necessary.
- Provide proper drainage around house to direct water away from foundation of house.
- Provide proper drainage around house to direct water away from foundation of garage.
- Install downspouts and a complete gutter system.

Re: 572 Point Douglas Road S
April 02, 2014
Page 2

- Install rain leaders to direct drainage away from foundation.
- Provide durable, dustless parking surface as specified in the zoning code.
- Provide ladder in egress well.
- Ventilate lower bathroom to code.
- Remove decayed paneling between house and garage.
- Provide structural inspection for new concrete (added weight) on garage.
- Provide smoke detector for 2nd floor bedroom.
- South and west sides have water trapped between house and garage. Seal and properly drain water out of that area.
- Re-support center beam under front porch that has been cut off, also insulate floor to code or provide door between porch and house.
- Replace entry stairs with code compliant steps.
- Provide handrail and guardrail at front stairs.
- South side steps , bottom riser not uniform .(Correct steps)
- Replace/repair loose, damaged or missing soffit and fascia.
- People living in house at time of inspection.
- A building permit is required to correct the above deficiencies.

ELECTRICAL Inspector: Peggy Schlichte Phone: 651-266-9039

- Ground the electrical service to the water service with a copper conductor within 5 feet of the entrance point of the water service (Insure grounding to well to current NEC)
- Bond around water meter with a copper wire sized for the electrical service per Article 250 of the NEC
- Provide a complete circuit directory at service panel indicating location and use of all circuits
- Verify that fuse/circuit breaker amperage matches wire size
- Close openings in service panel/junction boxes with knockout seals, breaker blanks, and/or junction box covers
- Repair or Replace all broken, missing or loose light fixtures, switches and outlets, covers and plates
- Check all outlets for proper polarity and verify ground on 3-prong outlets
- Remove any 3-wire ungrounded outlets and replace with 2-wire or ground 3-wire to code
- Install hard-wired, battery backup smoke detector and other smoke detectors as required by the IRC. Also, Install carbon monoxide detector(s) within 10 feet of all bedrooms
- Remove and or/ re-wire all illegal, improper or hazardous wiring in basement/garage and exterior of garage/shower area (conduit, junction box, non metallic sheathed cable on ceiling not rated for damp/wet area)/wiring to well
- Replace all painted-over receptacles.
- Enclose all gaps around outlet boxes
- Provide GFCI protection to bathroom fan located in the shower area (first floor)
- Protect non metallic sheathed cable located by electrical panel
- All added receptacles must be grounded, tamper-resistant and be on an Arc-Fault Circuit Interrupter-protected circuit.
- Any open walls or walls that are opened as part of this project must be wired to the standards of the current NEC.
- All electrical work must be done by a Minnesota-licensed electrical contractor under an electrical permit.

PLUMBING Inspector: Steve Fernlund Phone: 651-266-9052

- Basement - Water Heater - No gas shut off or gas piping incorrect (MFGC 402.1)
- Basement - Water Heater - Vent must be in chimney liner (MFGC 501.12)
- Basement - Water Heater - Water piping incorrect (MPC 1730 Subp. 1)
- Basement - Water Heater - gas venting incorrect (MFGC 503)
- Basement - Gas Piping - run dryer vent to code (MFGC 614.1 - 614.7)
- Basement - Soil and Waste Piping - improper connections, transitions, fittings or pipe usage (MPC 2420)
- Basement - Soil and Waste Piping - no soil stack base clean out
- Basement - Toilet Facilities - unvented (MPC 0200. E)
- First Floor - Lavatory - waste incorrect (MPC 2300)
- First Floor - Toilet Facilities - reset the toilet on a firm base (MPC 0870)
- All the above corrections to waste, vent, water, and gas piping shall be per the Minnesota Plumbing Code Chapter 4715 & Chapter 326, the Minnesota Mechanical Code, the Minnesota Fuel Gas Code, and the Saint Paul Regional Water Code. All plumbing must be done by a plumbing contractor licensed in the State of Minnesota and the City of St. Paul under an approved permit.

HEATING Inspector: Maureen Hanson Phone: 651-266-9043

- Clean and Orsat test furnace burner. Check all controls for proper operation. Check furnace heat exchanger for leaks; provide documentation from a licensed contractor that the heating unit is safe
- Vent clothes dryer to code.
- Provide adequate combustion air and support duct to code.
- Provide support for gas lines to code.
- Plug, cap and/or remove all disconnected gas lines.
- Provide a window in the bathrooms with an aggregate glazing area of not less than 3 square feet, one-half of which must be openable or provide exhaust system vented to outside. A mechanical ventilation permit is required if an exhaust system is installed.
- All supply and return ducts for warm air heating system must be clean before final approval for occupancy. Provide documentation from a licensed duct-cleaning contractor that the duct system has been cleaned.
- Repair and/or replace heating registers as necessary
- Provide heat in every habitable room and bathrooms
- Mechanical gas and warm air permits are required for the above work and the recently installed furnace.

Notes:

- See attachment for permit requirements and appeals procedure.
- Most of the roof covering could not be inspected from grade. Recommend this be done before rehabilitation is attempted.

Re: 572 Point Douglas Road S
April 02, 2014
Page 4

This is a registered vacant building. In order to sell or reoccupy this building, all deficiencies listed on this code compliance report must be corrected in accordance with the Minimum Housing Standards of the St. Paul Legislative Code (Chapter 34) and all required permits must receive final approval within six (6) months of the date of this report. One (1) six-month time extension may be requested by the owner and will be considered if it can be shown that the code compliance work is proceeding and is more than fifty (50) percent complete in accordance with Legislative Code Section 33.03(f).

You may file an appeal to this notice by contacting the City Clerk's Office at 651-266-8688. Any appeal must be made in writing within 10 days of this notice. (You must submit a copy of this notice when you appeal, and pay a filing fee.)

If you have any questions regarding this inspection report, please contact Jim Seeger between 7:30 - 9:00 AM at 651-266-9046 or leave a voice mail message.

Sincerely,

James L. Seeger
Code Compliance Officer
Department of Safety and Inspections
City of Saint Paul
375 Jackson Street, Suite 220
Saint Paul MN 55101
Phone: 651-266-9046
Email: jim.seeger@ci.stpaul.mn.us

JLS:ml
Attachments

Foss, Katie (CI-StPaul)

From: Foss, Katie (CI-StPaul)
Sent: Thursday, April 02, 2015 9:36 AM
To: 'Viktar Lesnikou'
Subject: RE: FW: 572 Point Douglas Rd. S.

Mr. Lesnikou -

We have you scheduled to attend a legislative hearing to address your appeal of the Vacant Building Registration Fee at 572 Point Douglas Road South on Tuesday, April 7, 2015 at 2:30 p.m., in Room 330 of City Hall, at 15 W. Kellogg Blvd., St. Paul, MN 55102.

Please feel free to contact the Appeals Line with any questions, at (651) 266-8585.

Thank you,
Katie Foss
Receptionist
City Council Offices
(651) 266-8560

From: Viktar Lesnikou [mailto:viktar.lesnikou@gmail.com]
Sent: Thursday, April 02, 2015 9:03 AM
To: Foss, Katie (CI-StPaul)
Subject: Re: FW: 572 Point Douglas Rd. S.

Good morning Katie,
Yes, please proceed with the appeal request.
Thank you,
Viktar

On Apr 1, 2015 4:23 PM, "Foss, Katie (CI-StPaul)" <katie.foss@ci.stpaul.mn.us> wrote:
Mr. Lesnikou -

In follow up to our previous e-mails, I checked in this week to see if there was a new Vacant Building Registration letter issued, since the extension was to expire on March 28th, 2015. In checking, I saw that a new letter was issued on March 30, 2015. Would you at this point like to continue with your Application for Appeal of the Vacant Building Registration, or would you like me to shred your application and application fee?

-----Original Message-----

From: Foss, Katie (CI-StPaul)
Sent: Wednesday, March 18, 2015 9:20 AM
To: Viktar Lesnikou
Subject: RE: 572 Point Douglas Rd. S.

At this point there is no document to appeal. What we will do, is hold onto your application for appeal and \$25 application fee until next week. Since the Vacant Building Fee has been waived until March 28th, if the Code Compliance is not met by then, the Vacant Building Fee will be issued, and we can process the appeal on that issue alone with the new document.

Per Legislative Hearing staff, you need to get your contractors to work with the trade inspectors in order to meet Code Compliance Report requirements as best as possible.

Katie Foss
Receptionist
City Council Offices
310 City Hall
15 West Kellogg Blvd.
St. Paul, MN 55102-1615
(651) 266-8560

-----Original Message-----

From: Viktor Lesnikou [mailto:viktar.lesnikou@gmail.com]
Sent: Wednesday, March 18, 2015 8:56 AM
To: Foss, Katie (CI-StPaul)
Subject: Re: 572 Point Douglas Rd. S.

Good morning,

My apologies for the misunderstanding. We're not trying to appeal the VBF report (I attached it as a reference). What we do contest is the numerous subsequent re-inspections by plumbing and electrical inspectors:

a. Plumbing. After 1st final inspection, we had to correct an issue with a gas supply to a water heater and utility sink, so we did. On the next 3 plumbing inspections we had a "Colombo effect", when inspector was saying: "Oh, btw, and then adding more items for us to fix.." Items that are not on the VBF report, neither were noted on the 1st final inspection; b. Electrical. Same situation. 1st final was done by Joe Sobanski who was filling in for our assigned inspector. He identified few deficiencies for us to fix in order to pass, however, when our assigned inspector came back from vacation to do the re-inspection - she has been adding a lot more to that list. We had 4 re-inspections so far and it looks that there's no end in sight. I've complied with everything, my house is safer than it ever was, but the inspector is trying to hold a 1927 house to new construction requirements, like putting an excessive number of expensive AFCI breakers on existing circuits (report says we're to replace them with AFCIs on those circuits where we change the receptacles). Also, we were made to do some questionable things to our house, that none of the licensed industry professionals I consulted ever heard of:
-2 ground rods separated by 6 ft and we were made to put ground wire in the conduit, which proved to be very tricky given that none of the home improvement stores sold clamps for that type of projects, neither Menards or Home Depot sales reps ever heard of something bizarre like that too.

To summarize, we were ready to do our final with head inspector, Jim Seeger, however he told us that in order to do so we need to pass electrical, plumbing and mechanical sections of the code compliance report. At this point, it turned into a closed loop, when we cannot get Jim to sign off, because 2 inspectors would not sign off and keep adding things to the original report. Due to that we have accrued VBF fee and 1-2 re-inspection fees.

What we'd like to get from the appeal hearing:

- Have inspectors either sign off on their respective sections or have them re-assigned;
- We're in the position that due these numerous re-inspections (we spent over \$1000 for electrical and \$500 for plumbing for the "colombo effect" repairs) we won't be able to pay the VBF fee and the re-inspection fees. We would like to get them waived;
- Get a clean bill of health for our home. Jim visited our house not too long ago and I don't see a reason why he cannot sign off on the VBF inspection once the plumbing and electrical are through.

Let me know if you have any questions or need any additional info.

Thank you,
Viktar

On 3/17/15, Foss, Katie (CI-StPaul) <katie.foss@ci.stpaul.mn.us> wrote:

> Mr. Lesnikou -

>

> We have received your Application for Appeal relating to 572 Point

> Douglas Rd. S., but I've got some questions for clarification. You

> attached a copy of the Code Compliance Report, dated April 2, 2014.

> This document can't be appealed at this point, because there is only a

> ten (10) day appeal period from the date of the letter, as stated at

> the end of the report. You also check the Vacant Building Registration

> box in addition to the Code Enforcement Correction Notice box. It

> appears that the Vacant Building Registration Fee has been waived

> several times already. Is it the Vacant Building Registration Fee that you are wishing to appeal?

>

> I need clarification so that I know how to process this appeal, if we

> are able to do so.

>

> Katie Foss

> Receptionist

> City Council Offices

> 310 City Hall

> 15 West Kellogg Blvd.

> St. Paul, MN 55102-1615

> (651) 266-8560

>

>