



# 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

SEP 06 2013

CITY CLERK

We need 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/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

|   |
|---|
| <b>HEARING DATE &amp; TIME</b><br>(provided by Legislative Hearing Office)<br>Tuesday, <u>9-17-13</u><br><br>Time <u>2:30 PM</u><br>Location of Hearing:<br>Room 330 City Hall/Courthouse |
|---|

E-mailed on 9/6/13

## Address Being Appealed:

Number & Street: 690 Watson Ave City: St Paul State: MN Zip: 55102

Appellant/Applicant: Jason Maxwell-Wiggins Email Jason.Maxwell@gmail.com

Phone Numbers: Business 651 293 8204 Residence 612 310 2271 Cell 612 310 2271

Signature: [Signature] Date: 8/28/13

Name of Owner (if other than Appellant): Same as appellant

Mailing Address if Not Appellant's: 3627 Garfield Ave Minneapolis 55409

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 → Building is not vacant (was not)
- Other → Category 2 designation

August 28, 2013

To:

St. Paul City Council-Legislative Hearings  
310 City Hall  
15 W Kellogg Blvd  
St. Paul, MN 55102

Re:

Vacant Building Registration  
690 Watson Ave  
St. Paul, MN 55102

Owner:

Jason R. Maxwell-Wiggins  
3627 Garfield Ave  
Minneapolis, MN 55409-1112  
Mobile: 612-310-2271

To whom it may concern,

This is an appeal regarding 690 Watson Ave, St. Paul, MN 55102. It was recently designated as a Category 2 Vacant Building. I believe this to be erroneous firstly because it is not meant to be vacant, and secondly because even if it were vacant it should not be designated as a Category 2 property.

**Per your ordinance:**

The City of Saint Paul has ordinances regulating vacant and unoccupied structures. Property owners must register these buildings with the Department of Safety and Inspections if the building is unoccupied and:

1. Unsecured, or
2. Secured by other than normal means, or
3. A dangerous structure, or
4. Condemned, or
5. Has multiple housing or Building Code violations, or
6. Is condemned and illegally occupied, or
7. Is unoccupied for a period of time longer than one year during which time the Enforcement Officer has issued an order to correct nuisance conditions.

Starting numerically:

1. 690 Watson Ave was not unsecured. It is true that the city of St. Paul found that the lock/door handle to the garage was broken, but the house itself was completely secure.
2. 690 Watson Ave is not secured by "other than normal means"
3. 690 Watson Ave is not a dangerous structure
4. 690 Watson Ave is not Condemned
5. 690 Watson was NOT FOUND to have multiple housing or Building Code violations by YOUR OWN INSPECTORS in December 2012. (at least not enough to call it "category 2" in December)
6. 690 Watson Ave is not condemned and illegally occupied
7. 690 Watson Ave has not been unoccupied for a period of time longer than one year. It has been occupied from January 17 through mid/end July 2013.

Although I acknowledge that the door handle to the garage (not the main door, the side door) was broken, I have difficulty imagining that a house can be considered "vacant" because the door knob to the garage door is broken. On a side note, I fixed this issue immediately upon receiving word from the city.

Additionally, although there are a few building code issues, I have been fixing those during the time that my brother has lived in the house.

Next, I appeal the decision that 690 Watson was even a vacant building. I will give you the history.

I bought the house in January 2013 for my brother (Jeremy Lillijord-Wiggins) and his 3 children, so that they would not be homeless. As background, in the Fall of 2012 Jeremy's wife procured an Order for Protection against him, drained his bank accounts, and left him effectively penniless and homeless. She also initiated divorce proceedings. I therefore purchased the house in January of 2013 and he and his three children moved in on the day I closed which was January 17, 2013. I own the house, but he and his children live there. They cover utilities only, and he does routine maintenance (cutting grass, etc). We have a verbal AND WRITTEN agreement that he will live there, cover utilities, and maintain the grounds until he and his wife have legally reconciled, or until he no longer needs the lodging. The first anticipated change of lodging was to be May/June 2014.

At the end of July 2013 he and his wife decided that they would try to reconcile. Unbeknownst to me, he moved many (not all) of his belongings out of 690 Watson Ave in end-July. He was to cut the grass, but did not. Thus, the grass went uncut for 3 weeks. During this time neighbors complained about the grass, and St. Paul personnel labeled 690 Watson as vacant. However, it should be noted that Jeremy and his wife are nowhere near a stable relationship and he STILL officially lives at 690 Watson Ave even though most of his affects are at his wife's apartment. (there were still many affects on the second floor until I received the Vacant Building notice). This is not a vacant abandoned house. It is a house that has a tenant who moved out prior to his contractual obligation. Moreso, this is a needed house because it is extremely likely that Jeremy and his wife will have severe personal problems in the near future and he will end up homeless again (this is the pattern with them). In other words, the house is not vacant even though much of the Living Room furniture was moved out.

Third: I appeal the designation of 690 Watson Ave as "Category 2". This exact property was inspected by St. Paul Inspectors in December of 2012 and was determined to NOT be Category 2 housing. Over the last 7 months I have made several improvements. Thus, I fail to see how a house can be purchased as a non-Category 2 house, improved, and then found to be Category 2 AFTER the improvements.

I personally believe that laws and regulations should have a rationale. I wholeheartedly agree that houses should not be abandoned and left to rot. I agree that the city should enact policies to improve the code compliance of St. Paul Housing. But I believe these goals are not being furthered with this designation. 690 Watson Ave is a home that was purchased to have family live in, and it was renovated in order to make it a better place. Designating this Category 2 Vacant Building destroys everything, since now I CAN'T have my brother go over there when his relationship sours (so now it has BECOME vacant against my will). It also puts a large burden on me as I can't sell it (since buyers don't want a "Category 2" house), I can't rent it, I can't use it.

I therefore beg City Hall to look at the merits of my case, and reclassify this house as a non-Category 2 house so that I can either sell it or make improvements and get a rental license. I promise you that reclassifying the house as a non-Category 2 Vacant building will lead to a much better outcome than leaving the designation.

Respectfully,



Jason R. Maxwell-Wiggins  
Owner, 690 Watson Ave, St. Paul MN 55102



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)

August 13, 2013

Jason Maxwell Wiggins  
3627 Garfield Ave  
Minneapolis MN 55409-0527

## VACANT BUILDING REGISTRATION NOTICE

The premises at **690 WATSON 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 13, 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, Dennis Senty, at 651-266-1930 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, Dennis Senty, at 651-266-1930.

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: ds  
vb\_registration\_notice 11/12



The City of Saint Paul  
Minnesota's Capital City



**690 WATSON AVE -- Property Information --**

| PIN          | Zoning/Use                       | HPC District |
|--------------|----------------------------------|--------------|
| 112823410151 | RT2 - Vacant Building Category 2 |              |

**Information disclaimer...**

Data Disclaimer:-

The City of Saint Paul and its officials, officers, employees or agents does not warrant the accuracy, reliability or timeliness of any information published by this system, and shall not be held liable for any losses caused by reliance on the accuracy, reliability or timeliness of such information. Portions of such information may be incorrect or not current. Any person or entity that relies on any information obtained from this system does so at his or her own risk.

**List of Activity...**

| <u>Number</u>          | <u>Address</u>       | <u>Description</u>         | <u>Details</u>   | <u>Status</u>   |
|------------------------|----------------------|----------------------------|--|-----------------|
| 13 219639<br>VAC 00 CS | 690<br>WATSON<br>AVE | DSI CO Program<br>referral | Complaint Date: 08/08/2013<br>Initial Inspection: 08/08/2013<br>VB Category 2 - Single Family Residential<br>Next Inspection on or after: 09/09/2013<br>Inspector: 352<br><br>Inspection Results (most recent first):<br><br>08/19/2013: Grass/Weeds (Abated)<br>VB Monitoring (Recheck)<br>Boarding/Securing (Abated)<br><br>08/08/2013: Grass/Weeds (Summary Abatement)<br>VB Monitoring (Recheck)<br>Boarding/Securing (Summary Abatement)                              | Under<br>Review |
| 13 218575<br>EXT 00 CS | 690<br>WATSON<br>AVE | vacant                     | Complaint Date: 08/06/2013<br>Initial Inspection: 08/07/2013<br>Closed on: 08/08/2013<br>Inspector: 320  | Resolved        |
| 12 220806<br>000 00 TH | 690<br>WATSON<br>AVE |                            | Inspection Results (most recent first):<br>08/07/2013: Maintenance - Exterior (No Action Taken)<br>Truth In Sale of Housing Inspection (Most Recent)<br>Type: Single Family Dwelling<br>Report Date: Dec 14, 2012<br>Owner: Jason Maxwell Wiggins<br>Evaluator: Richard Killan<br>Smoke Detector Hardwire: Y<br><br>Documents:<br><a href="#">12/17/2012: TISH Page 1 City Information - Cover Sheet</a><br><a href="#">12/21/2012: TISH Evaluator's disclosure Report</a> | Completed       |
| 12 006821<br>WRM 00 W  | 690<br>WATSON<br>AVE |                            | Warm Air, Ventilation & General Sheet<br>Type: Warm Air Only Residential Replace<br>Issued Date: 01/20/2012<br>Contractor: Bonfes Plbg & Htg Inc<br>Estimated Value: \$2,000.00  | Active/Issued   |

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|                        |                      |   |               |
|------------------------|----------------------|---|---------------|
| 12 006811<br>GAS 00 M  | 690<br>WATSON<br>AVE | Activity (most recent first):<br>Web Application Review-Warm Air: 01/18/2012:<br>Approved to Pay<br>Mechanical Permit<br>Type: Gas Residential Replace<br>Issued Date: 01/20/2012<br>Contractor: Bonfes Plbg & Htg Inc<br>Estimated Value: \$2,000.00 | Active/Issued |
| 10 117522<br>000 00 PA | 690<br>WATSON<br>AVE | Remove snow and<br>ice from public<br>sidewalk full width,<br>salt and sand as<br>needed.<br>Parks Summary Abatement<br>Type: Snow Ice<br>Entered on: 03/05/2010<br>Closed on: 03/08/2010   | Closed        |