



# 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

FEB 27 2018

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 8200591)
  - 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, March 6, 2018  
 Time 2:30 p.m.  
 Location of Hearing:  
 Room 330 City Hall/Courthouse

## Address Being Appealed:

Number & Street: 664 Plum St. City: St. Paul State: MN Zip: 55106

Appellant/Applicant: Marjorie Pitz Email pitz@bitstream.net

Phone Numbers: Business \_\_\_\_\_ Residence 651-778-9558 Cell 651-214-8248

Signature: *Marjorie Pitz* Date: Feb. 27, 2018

Name of Owner (if other than Appellant): \_\_\_\_\_

Mailing Address if Not Appellant's: 182 Mounds Blvd., St. Paul, MN 55106

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/Correction
  - Code Enforcement Correction Notice
  - Vacant Building Registration
  - Other (Fence Variance, Code Compliance, etc.)
- Comments: \_\_\_\_\_

## APPEAL FOR THE REGISTRATION OF 664 PLUM ST. AS A VACANT BUILDING

By Marjorie Pitz, Owner

I respectfully request that the City of St. Paul withdraw their decision to list 664 Plum Street as a vacant building. I understand the City's concerns about vacant buildings, but this one is in good hands, and is being cared for while it transitions back to good health. In the 70's I worked for the St. Paul HRA assessing vacant homes, and working to renovate Irvine Park and the Selby-Western area. The passion I felt then for renovating buildings and strengthening neighborhoods still motivates me. 664 Plum will be renovated to high standards. Penalizing us with a stiff fee is counter-productive.

I live around the corner from 664 Plum—a two-minute walk—in my home at 182 Mounds Blvd., which I purchased in 1979. Our home on Mounds Blvd has been skillfully improved and lovingly maintained. We have a great relationship with our neighbors, and they trust us to do a good job with 664 Plum St. Most of the people on our block are pleased we purchased 664 Plum, knowing we will carefully and thoroughly reclaim it.

664 Plum was built in the 1890's, and is in need of major attention. Sadly, it has suffered abuse in the hands of previous owners who made poor choices while living there. In the wrong hands, this vulnerable property could destabilize our neighborhood and become a slummy wreck. Our block is mostly wonderful homeowners, but there are rental properties with absentee landlords, drugs, and occasional criminals that keep us alert.

The recent history of 664 Plum is summarized at the end of this document. It has seen some drama, culminating in a Sheriff's auction. When neighbors became aware that a foreclosure vulture was scheming to get the property, it seemed important to outbid him at the auction. As a committed neighbor and lover of building rehabilitation, I did out bid him, despite never seeing the interior.

Since the auction, our goal of rehabilitating 664 Plum has taken over a year. Understandably, this is too long in the City's opinion. We have made mistakes, but our integrity is not in question. Below is a list of reasons for our delays. Please review these factors and reconsider your decision to register 664 Plum as a vacant building.

### FACTORS LEADING TO A DELAY IN 664 PLUM'S RENOVATION

#1 664 Plum was in horrible condition when we finally saw inside. We discovered infestation, illegal and cracked plumbing, and previous poor renovations. We realized with dismay that 664 Plum needed much more than a cosmetic overhaul, and more effort than we could provide in our free time. I had buyer's remorse, and nightmares of mice for a year. It took time to reconcile myself to the scale of the issues. I have now retired from my business to work on 664 Plum. We are committed, and can afford to do a quality renovation to strengthen our neighborhood.

#2 Decision-making has been slow for us, as we have never owned rental property, and the purchase of 664 Plum was a surprising event. Several scenarios needed to be considered. Should the home be returned to a single family home, in order to better stabilize the neighborhood? Do we want to simply renovate it, then sell it? Or become landlords? Should we rent 664 Plum to a young couple as a rent-to-own, to help them get started? Do I want to use one floor as a much-desired art studio? Could we use the duplex as both a rental property and a studio?

We have finally decided that we want one unit for my husband to live in, while I reside at 182 Mounds Blvd. This will be a gentle marital separation that allows us both to remain in the neighborhood. This way we can help each other when needed, stay close to our neighbors and friends, and yet find the separation we want for peaceful and friendly coexistence. The second unit at the duplex will be a rental property.

#3 In order to evaluate our options, it was necessary to assess the property and study floor plan alternatives. 664 Plum has been carefully measured and opened to reveal its secrets, yet it has been difficult to come up with a functional floor plan for several reasons. The building is very old, and I was unfamiliar with balloon framing, and needed to learn what this means in terms of renovation. The layout of rooms is currently peculiar. Is it because the building was originally a single-family home, and the duplex conversion was not great? How could it return to a single family home? Is it so old that bathrooms were squeezed in at a later date? Were some spaces odd because they were for servants? How many changes were by the drug dealer to create spaces for illicit uses? The peculiar layout of walls and odd sizes of rooms has made it very difficult to create bathrooms that are logically located, and meet codes. I am now close to a final layout.

#4 Each potential layout impacts ductwork and plumbing in a different way. We tried to get preliminary bids to inform our layout decisions, but we were stunned by the prices. We realized we had to make our decisions on floor plan alternatives before getting bids, as it was impossible to evaluate an open-ended bid. We still haven't quite finalized the floor plans.

#5 To mitigate renovation costs, we want to do our own redesign, demolition, and some carpentry, sheet rock, tiling, cabinet work, and painting. We did these tasks successfully on our own home, and mostly enjoyed it. However, we have been unsure of whether we could do our own work on the duplex, not knowing for some time if this was going to be a property we lived in, or one we rented, or one we worked in.

#6 The current real estate market boom that followed the foreclosure crisis and economic depression of 2009 has made it difficult to find a contractor. During the depression many carpenters and contractors went out of business. Now, there is a shortage of quality contractors trying to respond to a surge in renovations resulting from the real estate boom. We failed in our early attempts to find available contractors who understand 100 year-old homes. Most contractors said they were too busy, and had commitments far into the future. The bids we did receive for windows, plumbing, heating, and electrical were shockingly high, perhaps due to the vigorous market and so few contractors. We really want to work with a historically sensitive contractor. I thought it wise to bide our time until the crunch for contractors eased, and we could find a skilled contractor, and a better price. It is disturbing if this strategy resulted in the City's decision to register 664 Plum as a vacant building.

#7 We were told that 664 Plum was out of danger from being listed as a vacant property in 2016, because we took out a permit and began work. We are vigilant about snow shoveling and yard care, and visit the property several times a week. Even so, we have been served with nuisance orders by the Department of Safety and Inspections. None of these orders were legitimate. We believe the complainer is the next-door neighbor at 658 Plum, who is angry that he was unable to purchase 664 Plum. When we received nuisance orders, we did not protest them in writing. We didn't realize these unmerited orders might result in having the duplex classified as a vacant property.

Instead of responding in writing to nuisance complaints, we discussed them over the phone with the officers in charge. During one of these conversations, an officer insisted he had met me at the duplex, when we hadn't. Later, I realized he had met my 25-year old daughter at 664 Plum, and mistook her as being the owner. Perhaps he was alarmed by her youth and ignorance, and increased his skepticism towards 664 Plum as a result.

#### WORK THAT WE HAVE ACCOMPLISHED

Please be assured that 664 Plum St. has not been neglected. My husband and I have worked hard to achieve the following accomplishments since the property was listed in my name in June 2016:

- Installed new door locks, and secured a window opening that was vacant from an air conditioner

- Cleaned out previous owner's belongings that filled every room, the basement, and garage.
- Cleaned the soggy basement of rotting wood and moldy sheet rock
- Installed dehumidifiers
- Shoveled the basement and soaked it with peroxide to kill mold
- Removed basement insulation and walls that sheltered an old marijuana-growing room
- Cleaned floors, windows and walls of bird poop, as a rooster and tropical birds had free reign
- Cleaned some air ducts that were chock full of peanut shells, carried there by mice
- Cleaned mouse urine trails that were thick, brown corridors around every wall in every room
- Removed dropped ceilings of filthy acoustic tiles that were infested with mice in the space between them and the plaster ceilings, in every room
- Researched lime mortars for historic limestone foundations, to mix our own mortar.
- Dug out construction rubble from beneath two porches that were sealed shut, to expose the foundation for repair
- Removed a box elder tree and dozens of weedy shrubs to expose the foundation for repair
- Cleaned and mortared every loose joint and stone to restore the limestone foundation's integrity, and to seal out rodents
- Searched for and sealed rodent entry portals above the foundation
- Removed two small bathrooms that were not-to-code, and strangely located
- Removed one kitchen that was poorly designed and substandard
- Opened up walls to inspect the condition of plumbing
- Removed spongy flooring overlays in kitchens and bathrooms, to inspect base conditions
- Removed some infested attic insulation to assess attic conditions
- Removed hundreds of volunteer trees that had sprouted in the last 20 years in the back yard.
- Cut back an apple tree the 658 Plum neighbor detested, and pruned other shrubs and trees
- Removed abandoned tanks near the garage, and repaired a broken wall
- Secured the garage after the Dept. of Safety and Inspections told us it was required to be locked
- Drew floor plans to help decide if 664 Plum should remain a duplex or become a single family
- Drew floor plan alternatives to make the duplex function better, and to test options for one or two bedrooms on each floor
- Did considerable research and drew floor plans to explore ways to make the building more respectful of its Victorian origins while also serving contemporary needs

#### RECENT HISTORY OF 664 PLUM STREET

An elderly woman named Annette vacated the property in the summer of 2015. She had purchased 664 Plum in 1999 from her former landlord, who occupied the first floor unit when she rented upstairs. He was a drug dealer and marijuana grower, who renovated the property himself with illegal plumbing and electrical work, and no City inspections. He created a growing room in the basement with ugly defenses to elude detection. After the police arrested him for drugs and illegal weapons, Annette purchased 664 Plum. Annette paid for a new roof, vinyl siding, and a new single furnace, but routine maintenance didn't happen, as is common for elderly residents.

Annette lived alone in the duplex with a menagerie of large birds, fish, multiple cats and 4 dogs— no one in the neighborhood knew how filthy the inside of her home was becoming. As Annette became unsteady on her feet, neighbors saw her less. Her adult children pressured her to get a second mortgage on 664 Plum, and took the money for themselves. In 2015, her children told her to leave, and moved some furniture to a rental trailer in a Florida trailer park. They advised her to stop paying her two mortgages.

Annette didn't want to abandon her home, so she listed her home for sale with realtor Jim Peterson, who lives at 180 Mounds Blvd, next door to me. Annette's next-door neighbor at 658 Plum immediately made an offer far below the asking price, and also below the mortgage debts. Annette did not like this neighbor (the same one we think has filed nuisance complaints on us), and didn't want to sell to him. The home

was pulled from sale, and Annette abandoned it, moved to Florida, and stopped making both mortgage payments.

Five months later the sheriff's office listed it on auction after the bank holding the first mortgage pursued foreclosure. Neighbors were unaware of the auction until one week before.

However, a foreclosure vulture named Joe Steinmaus was aware of the auction, and was hot for the property. He approached Annette's next-door neighbor, Althea, living at 666 Plum, said he was Annette's friend, and wanted her new address. Althea was tricked into sharing Annette's new phone number and address in Florida. Steinmaus pressured the elderly Annette to quit claim deed the property, and she changed her phone number. Prior to the auction, he was caught breaking into the back door of 664 Plum by Althea, who called the realtor, who called police. When the police arrived, Steinmaus said the house was his, and that he had obtained the deed to 664. The police let him go. No one knew if had a quit claim deed or not at the time.

One week before the auction, Althea learned that 664 Plum was part of the Sheriff's sale. She became upset that Steinmaus was going to bid on it, and become her sleazy next-door neighbor. She was furious that she had fallen for his initial charm and deceit. Althea entreated neighbors to intercede and bid on the property to prevent the property from going further downhill.

I decided to attend the auction, ready with cash to bid. Steinmaus was there, and true to nature, first used charm, and then threats to scare me from bidding against him. The auction was nerve-racking for everyone due to his belligerence and angry claims. Based upon his threats, I expected him to cause more trouble after the auction, or to perhaps obtain a claim during the 6-month redemption period.

The City removed hundreds of outdoor possessions Annette had left in the backyard the week after the auction, because of a complaint. When I discovered all those things were gone—some of value— I was fearful that Steinmaus had stolen them in retaliation.

During the 6-month redemption period, we changed the locks, but did no work on the house. I believed the second bank, that was owed \$44,000, would purchase it from me, as was their right. I had been warned that Steinmaus might make a deal with the second bank, too, but neither the bank nor Steinmaus stepped forward to claim the duplex.

At the end of the 6-month redemption period, the house had been abandoned for almost a year. When we knew 664 Plum was really ours in June 2016, we had to clear out a shocking amount of abandoned and disturbingly sad possessions before we could even see the interior conditions. Knowing Annette, and reconciling my memories of her with the filthy conditions she lived in was pitiful. Unfortunately she had abandoned her food and quantities of pet food that allowed her rodent problem to surge out of control. The basement had become sopping wet during the year from lack of dehumidification and loose foundation stones. Mold ate at sheetrock, and everything touching the floor had rotted. The condition of 664 Plum was a fearful situation to recover from.

Time heals revulsion, and despite what we've experienced while confronting the challenges of 664 Plum, we are steadfast in our goal of restoring it well, so it can serve for another lifetime.

The City's decision to list 664 Plum as a vacant property—and the accusations of nuisances that don't exist— feel like penalties directed towards scoundrels or troubled owners. We are not scoundrels, and do possess the funds, skills and commitment to renovate 664 Plum. We would prefer to put \$2,127 towards restoration expenses, rather than pay a fee for a "vacant" property we are working on.

Please withdraw your decision to list 664 Plum as a vacant property. Please work with us to support our efforts to turn this property into a place of pride. Thank you.



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

February 19, 2018

Marjorie E Pitz  
182 Mounds Blvd  
St Paul MN 55106-6231

## VACANT BUILDING REGISTRATION NOTICE

The premises at **664 PLUM ST** 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 by law to register this building with the Department of Safety and Inspections, Vacant Building 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 **\$2,127.00**. 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 March 19, 2018**

### Do Not Mail Cash

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

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.

**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 , Rick Gavin, at 651- 266- 1910 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, Rick Gavin, at 651- 266- 1910.

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: rg  
vb\_registration\_notice 11/14