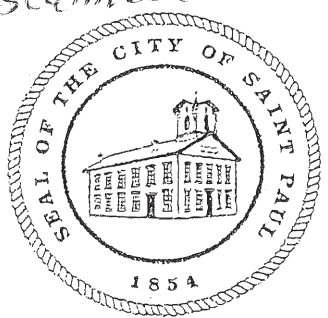


✓ Scanned

VBR-12-28

APPLICATION FOR APPEAL



RECEIVED
APR 30 2012
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 _____)
- 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, <u>5-8-12</u>
Time <u>2:30 P.m.</u>
Location of Hearing:
Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 1411 Albemarle City: St. Paul State: MN Zip: 55117

Appellant/Applicant: LAWFORD BAXTER Email lbaxter@artfruitexpress.com

Phone Numbers: Business _____ Residence 612-581-9962 Cell 612-581-9962

Signature: [Signature] Date: 4-27-2012

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

The building has been occupied by my son



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

April 24, 2012

Lawford Baxter
11585 Courthouse Blvd
Inver Grove Heights MN
55077-5911

VACANT BUILDING REGISTRATION NOTICE

The premises at **1411 ALBEMARLE 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 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 **\$1,100.00**. 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 May 24, 2012.

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, Mike Kalis,
at 651-266-1929 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, Mike Kalis, at 651-266-1929.

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: mk
vb_registration_notice 06/10

(2) *Enforcement officer*: The director of the department of safety and inspections, or duly authorized representative.

(3) *Owner*. Those shown to be the owner or owners on the records of the Ramsey County Department of Property Taxation, those identified as the owner or owners on a vacant building registration form, holder of an unrecorded contract for deed, a mortgagee or vendee in possession, a mortgagor or vendor in possession, assignee of rents, receiver, executor, trustee, lessee, other person, firm or corporation in control of the freehold of the premises or lesser state therein. Any such person shall have a joint and several obligation for compliance with the provisions of this chapter.

(4) *Secured by other than normal means*: A building secured by means other than those used in the design of the building.

(5) *Unoccupied*: A building which is not being used for a legal occupancy as defined in the Saint Paul Legislative Code.

(6) *Unsecured*: A building or portion of a building which is open to entry by unauthorized persons without the use of tools or ladders.

(7) *Vacant building*: A building or portion of a building which is:

- 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; or
- g. Unoccupied for a period of time over three hundred sixty-five (365) days and during which time the enforcement officer has issued an order to correct nuisance conditions.

(8) *Code violations*: violations of any code adopted and/or enforce by the city, which may include but not be limited to the St. Paul Legislative Code, codes covering plumbing, electrical, mechanical or building construction, installation or maintenance standards, zoning or fire codes.

(Ord. No. 17862, § 1, 8-13-91; C.F. No. 97-91, § 1, 3-5-97; C.F. No. 99-751, § 1, 9-1-99; C.F. No. 03-887, § 4, 11-5-03; C.F. No. 05-399, 5-25-05; C.F. No. 07-149, § 12, 3-28-07)

Sec. 43.03. Vacant building registration.

(a) The owner shall register with the enforcement officer not later than thirty (30) days after any building in the city becomes a vacant building, as defined in section 43.02(7).

(b) The registration shall be submitted on forms provided by the enforcement officer and shall include the following information supplied by the owner:

None of these apply to 1411 Albemarle

11585 Courthouse Blvd
Inver Grove Heights, MN

April 27, 2012

Saint Paul City Clerk
310 City Hall
15 W. Kellogg Blvd.
St. Paul, MN 55102

RE: Alleged Vacant Building, 1411 Albemarle St.

The designation of 1411 Albemarle St. as a vacant building is incorrect. The house has been occupied by my son and does not meet any of the criteria for a vacant building under Saint Paul Legislative Code, Chapter 43.

Please remove the vacant building designation for this property.

Thanks,


Lawford Baxter