



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

MAR 17 2014

Telephone: (651) 266-8585

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 3567)
 - 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>March 25, 2014</u>
Time <u>2:30 pm</u>
Location of Hearing: Room 330 City Hall/Courthouse

E-mailed 3-17-14

Address Being Appealed:

Number & Street: 1944 Ivy Ave E City: St. Paul State: MN Zip: 55121

Appellant/Applicant: Chad Unruh Email chad.unruh@gmail.com

Phone Numbers: Business 612-303-7430 Residence --- Cell 651-724-8131

Signature: Chad Unruh Date: 3/12/14

Name of Owner (if other than Appellant): _____

Mailing Address if Not Appellant's: 3040 Shields Dr #102, Eagan, MN 55121

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
- Other

See Attached

- Check for filing fee
- Letters from City
- Appeal ~~Attachment~~ Attachment

We are appealing the \$1440 Vacant Building Registration fee.

As of today (3.12.14) we are waiting for more information from Dave Nelmark (the Vacant Building Inspector for our property) explaining why our house has been deemed vacant. Dave is currently out of the office until March 17th and his supervisor (Rich Singerhouse) was unsure of Dave's full explanation of why he deemed our property the way he did so he told Michelle Unruh (my wife) to wait until Dave is back in the office. Rich said that Dave noted the house is in good condition, it's secured and maintained so he wanted to speak further with Dave to find out why it was deemed the way it was.

The house previously was rented with the last rental lease ending in September of 2011. At that time, I moved back into the house as my primary residence and homesteaded it. We then put it on the market for sale in March of 2012.

Since listing the house, it has been visited and maintained at least once a week—more frequently if the lawn needed mowing or if storms or snow had moved through. When reviewing the criteria on our letter for what constitutes a "vacant" property, we're unsure of which items we are falling under.

We currently have a pending purchase agreement on our house (pending the sale of the buyers home). We are selling at a loss—the house is currently underwater—however, we are putting forth great effort to maintain the house well so it's in very good condition, oftentimes in better condition than other houses in the neighborhood.

Here are some pictures (recent ones and ones throughout the last year) to show that we **always** keep an eye on the property and consistently keep it clean and maintained.

Condition of back yard and house the during fall.





Pictures from March 5th 2014. Even while on vacation we lined up people to check on the house. As the pictures show, we have the sidewalk cleared (one of the best in the neighborhood) and salted and sanded. We are also careful to always have both entrances/exits and the side sidewalk clear as well. This is done not only to keep up with local snow removal code, but to help in the sale of the house. (The sidewalk along the house in the first picture.)



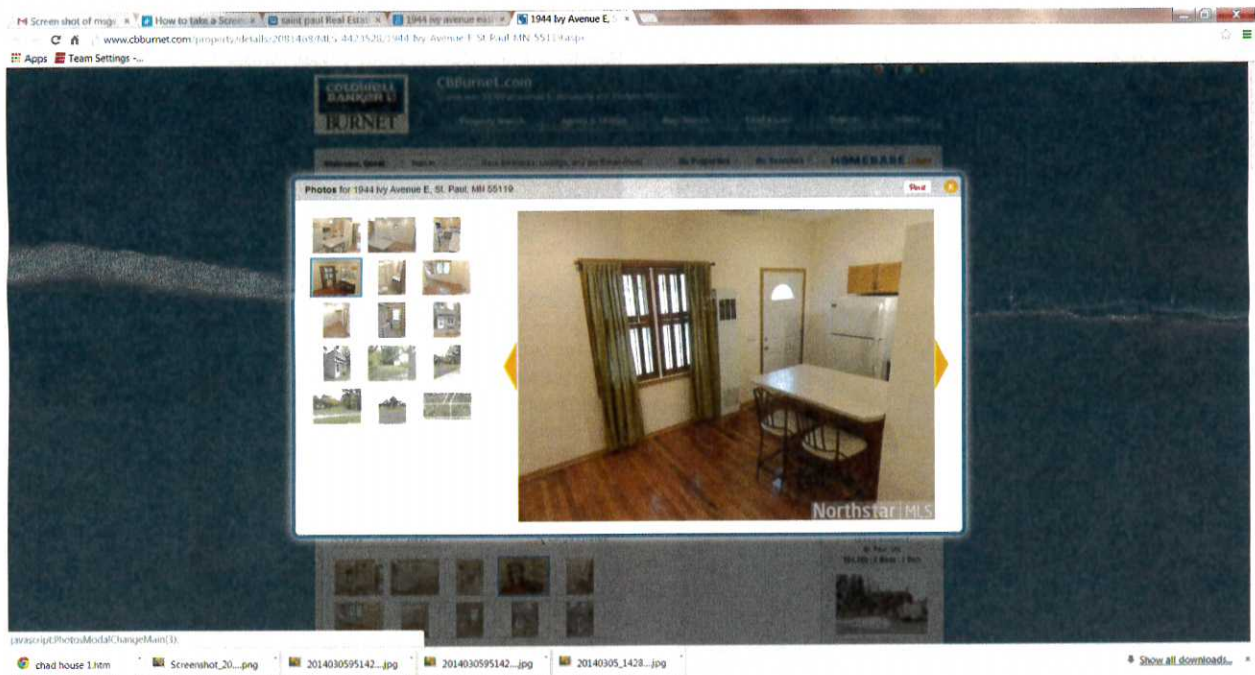
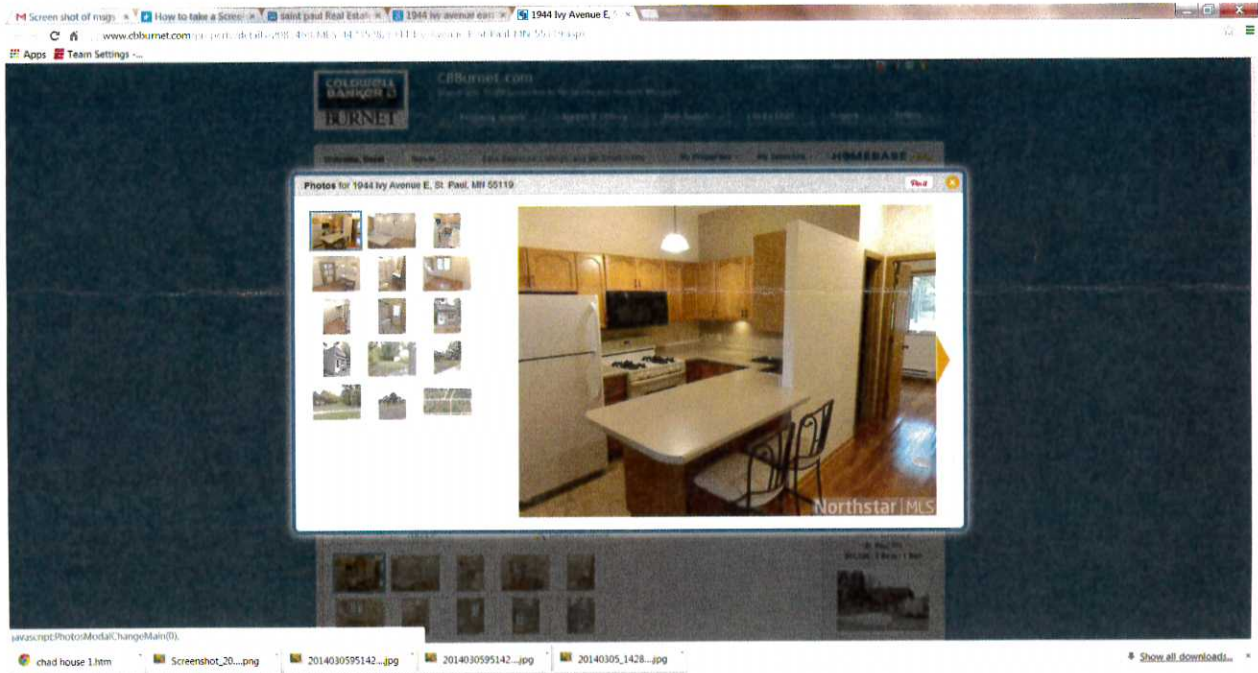


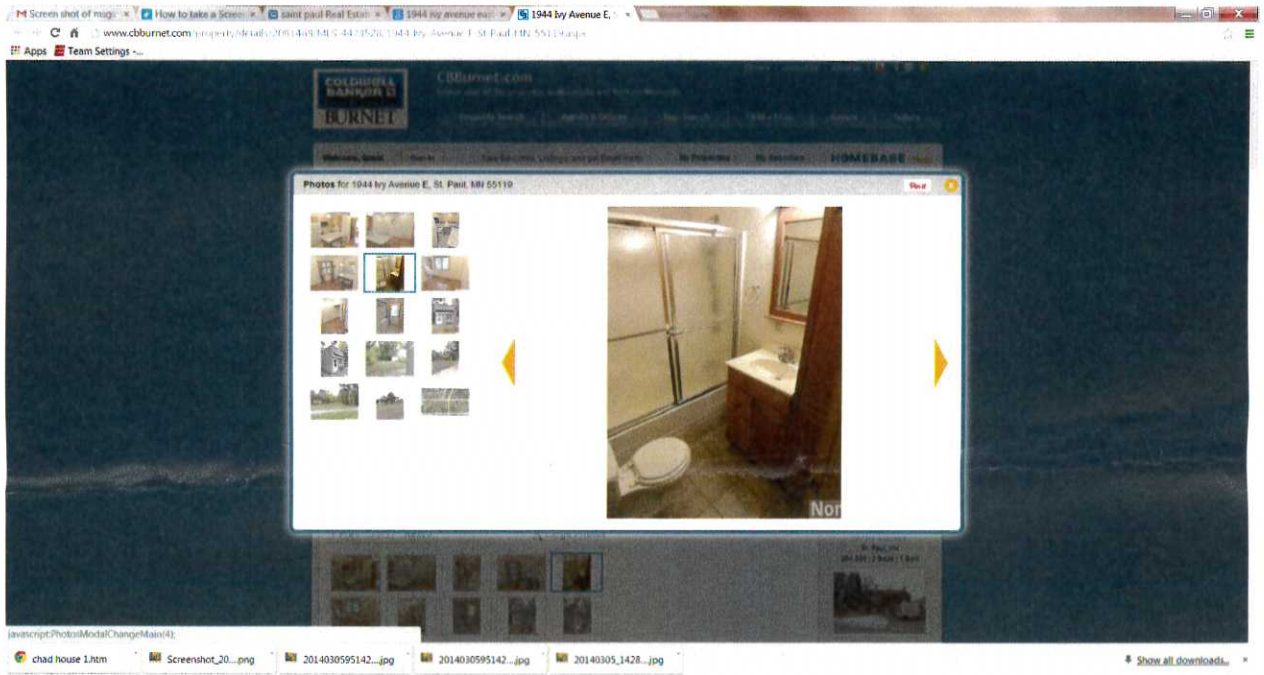
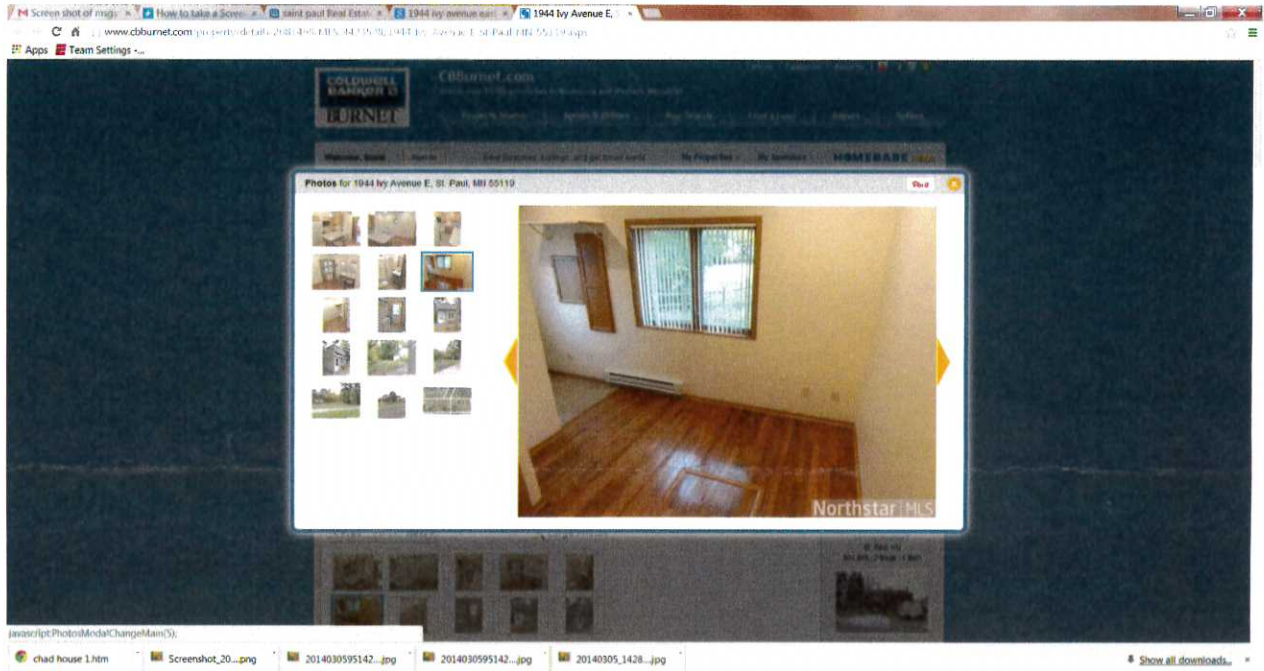
More pictures of the front steps and the time/date stamp from the text that contained these pictures.



Pictures from the current MLS listing showing the current condition of the inside of the property. There are more pictures on the listing and you can access them here:

<http://www.cbburnet.com/property/details/2081468/MLS-4423528/1944-Ivy-Avenue-E-St-Paul-MN-55119.aspx>







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

March 10, 2014

Chad Unruh
3040 Shields Dr Apt 102
Eagan MN 55121-1300

VACANT BUILDING REGISTRATION NOTICE

The premises at **1944 IVY AVE E**

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 April 10, 2014.

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, Dave Nelmark, at 651-266-1931 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, Dave Nelmark, at 651-266-1931.

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: dn
vb_registration_notice 9/2013



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
Web: www.stpaul.gov/dsi

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March 07, 2014

Chad Unruh
3040 Shields Dr Apt 102
Eagan MN 55121-1300

Dear Sir or Madam:

1944 IVY AVE E is a Registered Vacant Building that requires a Code Compliance Inspection per the Vacant Building Statute (Chapter 43). This inspection can be obtained by calling Building and Inspections and Design at (651) 266-9016. **This dwelling can not be occupied without a Certificate of Code Compliance.** Call (651) 266-9016 for a permit sign-off.

THE VACANT BUILDING REGISTRATION FORM AND REGISTRATION FEE MUST BE RECEIVED BY THE VACANT BUILDING PROGRAM BEFORE DSI MAY ISSUE PERMITS.

Violation of the Vacant Building Statute (Chapter 43) will result in the issuance of a criminal citation.

Written permission from the City of Saint Paul is required before a Category 2 or Category 3 Vacant Building can be sold. Requirements that must be met for Category 2 vacant buildings include: 1. register/re-register the building, 2. Pay outstanding fees, 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. In addition to meeting all 6(six) of these requirements a Category 3 vacant building must obtain a Certificate of Occupancy or a Certificate of Code Compliance prior to the sale of the building.

If you have any questions you can call me at the number below.

PROPERTIES THAT ARE SUSPECTED TO BE ILLEGALLY OCCUPIED ARE SUBJECT TO INSPECTIONS AT ANY HOUR OF THE DAY OR NIGHT.

Sincerely,

Dave Nelmark

651-266-1931

Vacant Buildings Code Enforcement Officer

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