



# APPLICATION FOR APPEAL

RECEIVED  
JUL 08 2011  
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

<b>YOUR HEARING Date and Time:</b>
Tuesday, <u>8-2-11</u>
Time <u>2:30</u>
<b>Location of Hearing:</b>
Room 330 City Hall/Courthouse

*Mailed 7-8-11*

## Address Being Appealed:

Number & Street: 822 Edmund City: St. Paul State: MN Zip: 55104

Appellant/Applicant: John Zydowsky Email john@traditionllc.com

Phone Numbers: Business 952-252-4664 Residence \_\_\_\_\_ Cell 612-232-8091

Signature: [Signature] Date: 7/5/11

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
- See attachment...

## Supplement to Application for Appeal – 822 Edmund Ave

7/5/2011

Attention:

St. Paul City Clerk

310 City Hall, 15 W. Kellogg Blvd

Saint Paul, MN 55102

To whom it may concern,

With regards to the enclosed **Application for Appeal**, we are submitting this on the advice of both our property management company, as well as the Fire Inspector monitoring this case. The property was just recently vacated and we are actively bringing back into compliance for immediate occupancy.

The circumstances that led to a revocation of the Fire Certificate of Occupancy were an unfortunate combination of unreported tenant abuse, a less-than-honest contractor, and a general miscommunication with the inspector.

We purchased this property in 12/08 as a Cat II vacant property and spent nearly 30k renovating it back to excellent and compliant condition. We then leased the property to the most recent tenants on 3/1/2009. We have been aware of a mounting pattern of abuse of the property by these tenants, both from periodic visits by our handyman, as well as a growing number of notices by the city of general debris/exterior items. Upon annual fire inspection, we were made aware of several deficiencies. A follow up inspection was scheduled for 5/30/2011. However, due to a scheduling conflict, the inspector (or someone with their office) requested of me that date be rescheduled at a date TBD. I agreed and anticipated a new notice and date. However, the inspector arrived 5/30/2011 anyway with nobody there to meet him. This, along with the level of untidiness and unattended noted deficiencies triggered the revocation deadline of 6/16/2011.

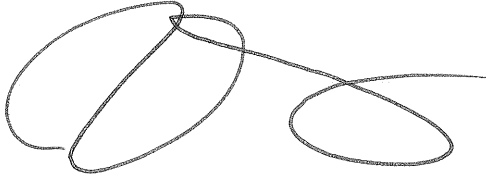
The gentleman who we have trusted for some time for maintenance and general monitoring of this home was urgently charged with correcting these deficiencies within the timelines given. He agreed and as we neared that date and sought progress reports, he regularly reported to be correcting the list. We found out on 6/14/2011 that this was not the case and he had not been working on the home at all. Furthermore, the tenants, who were fully informed and aware of the entire situation, failed to inquire once during that period as to why nobody was showing up and working on the home. We have since learned that upon consulting legal aid, they were informed that a forceful vacate notice would trigger a refund of the damage deposit that they knew was never coming back to them under normal conditions due to the level of damage they had inflicted.

*(see next page...)*

The primary purpose of this letter, aside from laying out these circumstances, is to convey our interest and commitment to immediately bringing this home back to a functioning and compliant residence. It should be noted that we have, in the days leading up to the vacate date, turned this home over to a professional and reputable property management company. They are currently monitoring and managing the general contractor who is correcting all deficiencies. They have also assigned a lawn service for weekly visits.

We are troubled by the events that landed us in this status, but we consider this to be an active property and fully attended to home and we hope, in this light, your department does as well. Our management company requested that we send this application to you within 10 business days for scheduling a hearing if necessary. We look forward to cooperating together in this process.

Respectfully,

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

John Zydowsky

612-232-8091



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](http://www.stpaul.gov/dsi)

352

June 21, 2011

Dean Fjeld  
14060 Auburn Ave  
Rosemount MN 55068-4800

Dear Sir or Madam:

**822 EDMUND AVE** 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,

**Dennis Senty**

651-266-1930

Vacant Buildings Code Enforcement Officer

ds

ncc60120 6/10



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)

June 23, 2011

John Zydowsky  
16931 Dynamic Drive  
Lakeville MN 55044-0789

## VACANT BUILDING REGISTRATION NOTICE

The premises at **822 EDMUND 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 **\$1,100.00**. 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 July 23, 2011.**

### **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.