



APPLICATION FOR APPEAL

RECEIVED

MAY 09 2011

CITY CLERK

Scanned

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, 5-24-11
 Time ~~11:00 a.m.~~
 Location of Hearing:
 Room 330 City Hall/Courthouse

*walk-in
mailed 5-11-11*

Address Being Appealed:

Number & Street: 572-574 OTTOWA AV. City: ST. PAUL State: MN Zip: 55107

Appellant/Applicant: BRAD NILLES Email: INFO@NILLESBUILDERS.COM

Phone Numbers: Business 651 451 9574 Residence _____ Cell _____

Signature: *Brad Nilles* Date: 5-3-11

Address: 525 Ohio Street, St. Paul 55107

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



Calabash Properties

651-228-7071

525 Ohio Street • St. Paul, MN 55107

www.calabashproperties.com

5/3/2011

St. Paul City Clerk
310 City Hall

This is to explain our reasons for appealing the registration of our building at 572-574 Ottawa Av. as a vacant building.

This duplex, which we've owned and managed for over 20 years, was vandalized by thieves who removed copper piping from the building, thereby disabling the plumbing and heating systems.

Prior to this criminal event, our building had been occupied continuously for over 2 decades, with an uninterrupted certificate of occupancy. Although both apartments had coincidentally turned over at the same time, and were therefore not occupied at the time of the copper theft, one of the apartments had only emptied approximately 2 weeks earlier, and the other was scheduled to be re-occupied the same morning the theft was discovered.

Our building had never been vacant, except in the way every building occupied by tenants becomes briefly empty while one tenant moves and another is chosen to move in.

The damages inflicted by the thieves are quickly repairable. We have obtained several estimates from mechanical contractors, and, once we choose a contractor, their remedial work can be completed in only a few days, thereby allowing the building to be reoccupied promptly.

BY registering this building as a vacant building, we need to incur the cost, and needless delays of weeks or months, to have all city building inspectors inspect this building initially and then re-inspect it before we can rent it to residents. We note again that the only damage needing repairs is the criminal theft of copper piping, which corrective work would routinely be done by a licensed contractor, and inspected routinely by one plumbing inspector and one heating inspector.

Allowing this needless registration of 572-574 Ottawa as a vacant building to continue will add unnecessary cost and workload to city inspections staff, already overburdened and many weeks behind in their obligations, and will condemn our building to extra months of vacancy, when it could easily be fully repaired and occupied within a few weeks if removed from the vacant building list.

Thank you for your consideration,

Brad Nilles, owner



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

May 02, 2011

Brad Nilles
525 Ohio St
Saint Paul MN 55107-2659

VACANT BUILDING REGISTRATION NOTICE

The premises at **572 OTTAWA 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 June 02, 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.

**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 06/10



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-8951
Web: www.stpaul.gov/dsi

April 27, 2011

CALABASH PROPERTIES
C/O BRAD NILES
525 OHIO ST
ST PAUL MN 55107-2659

**NOTICE OF CONDEMNATION
UNFIT FOR HUMAN HABITATION
ORDER TO VACATE**

RE: 572 OTTAWA AVE
Ref. # 106919

Dear Property Representative:

Your building was found to be unsafe, unfit for human habitation, a public nuisance, a hazard to the public welfare or otherwise dangerous to human life on April 27, 2011. A Condemnation Placard has been posted on the building.

**CONDEMNATION OF THE BUILDING REVOKES THE CERTIFICATE OF
OCCUPANCY.**

Failure to complete the corrections may result in a criminal citation. The Saint Paul Legislative Code requires that no building be occupied without a Fire Certificate of Occupancy.

DEFICIENCY LIST

1. Condemned - No Water Service - SPLC 34.23, MSFC 110.1 - This occupancy is condemned as unfit for human habitation. This occupancy must not be used until re-inspected and approved by this office.-Immediately restore water service to the property.
2. Throughout - SPLC 34.11(4), 34.34(1) SPC 4715.0200A - Provide an adequate water supply to all water closets, sinks, showers and tubs.-All copper has been removed from the property. Replace the missing plumbing lines. All work must be done by licensed contractor under permit.

3. SPLC 34.11 (6), 34.34 (3) - Provide service of heating facility by a licensed contractor which must include a carbon monoxide test. Submit a completed copy of the Saint Paul Fire Marshal's Existing Fuel Burning Equipment Safety Test Report to this office.
4. SPLC 39.02(c) - Complete and sign the provided smoke detector affidavit and return it to this office.

For an explanation or information on some of the violations contained in this report, please visit our web page at: <http://www.ci.stpaul.mn.us/index.aspx?NID=211>

You have the right to appeal these orders to the Legislative Hearing Officer. Applications for appeals may be obtained at the Office of the City Clerk, 310 City Hall, City/County Courthouse, 15 W Kellogg Blvd, Saint Paul MN 55102 Phone: (651-266-8688) and must be filed within 10 days of the date of the original orders.

If you have any questions, email me at: wayne.spiering@ci.stpaul.mn.us or call me at 651-266-8993 between 7:30 - 9:00 a.m. Please help make Saint Paul a safer place in which to live and work.

Sincerely,

Wayne Spiering
Fire Inspector
Ref. # 106919

cc: Housing Resource Center
Force Unit



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

352

April 29, 2011

Brad Nilles
525 Ohio St
Saint Paul MN 55107-2659

Dear Sir or Madam:

572 OTTAWA 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.

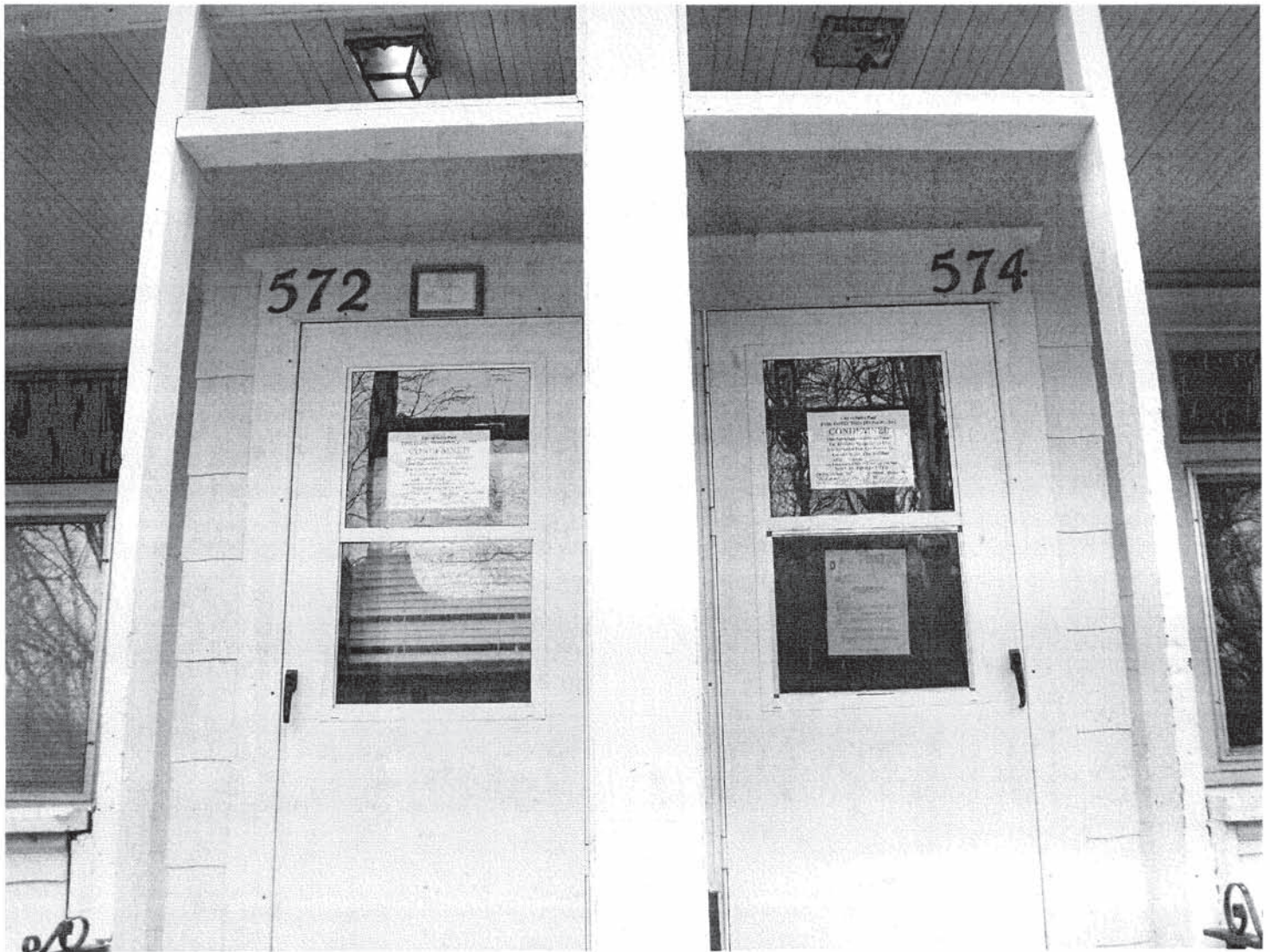
Sincerely,

Dennis Senty

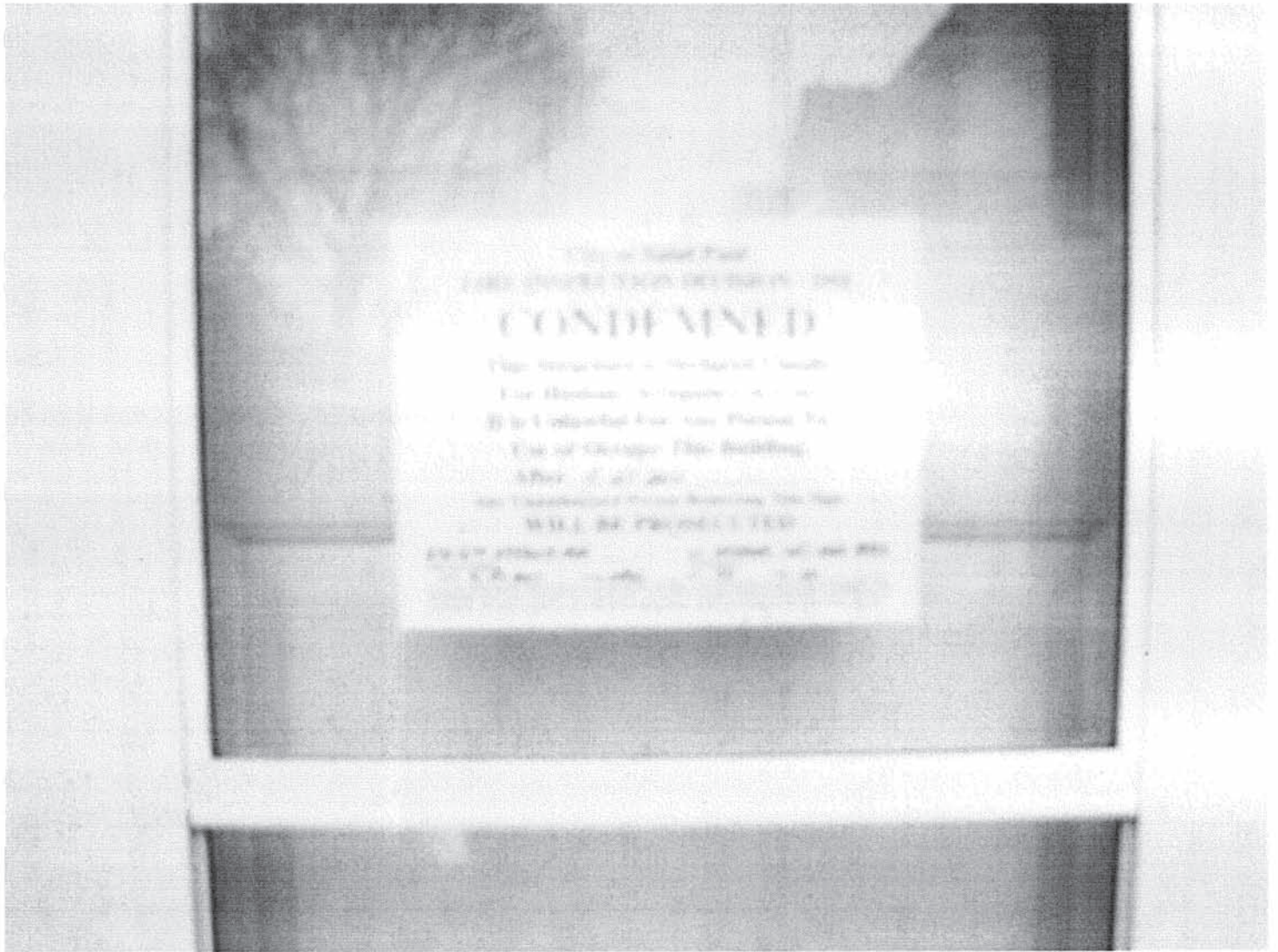
651-266-1930

Vacant Buildings Code Enforcement Officer

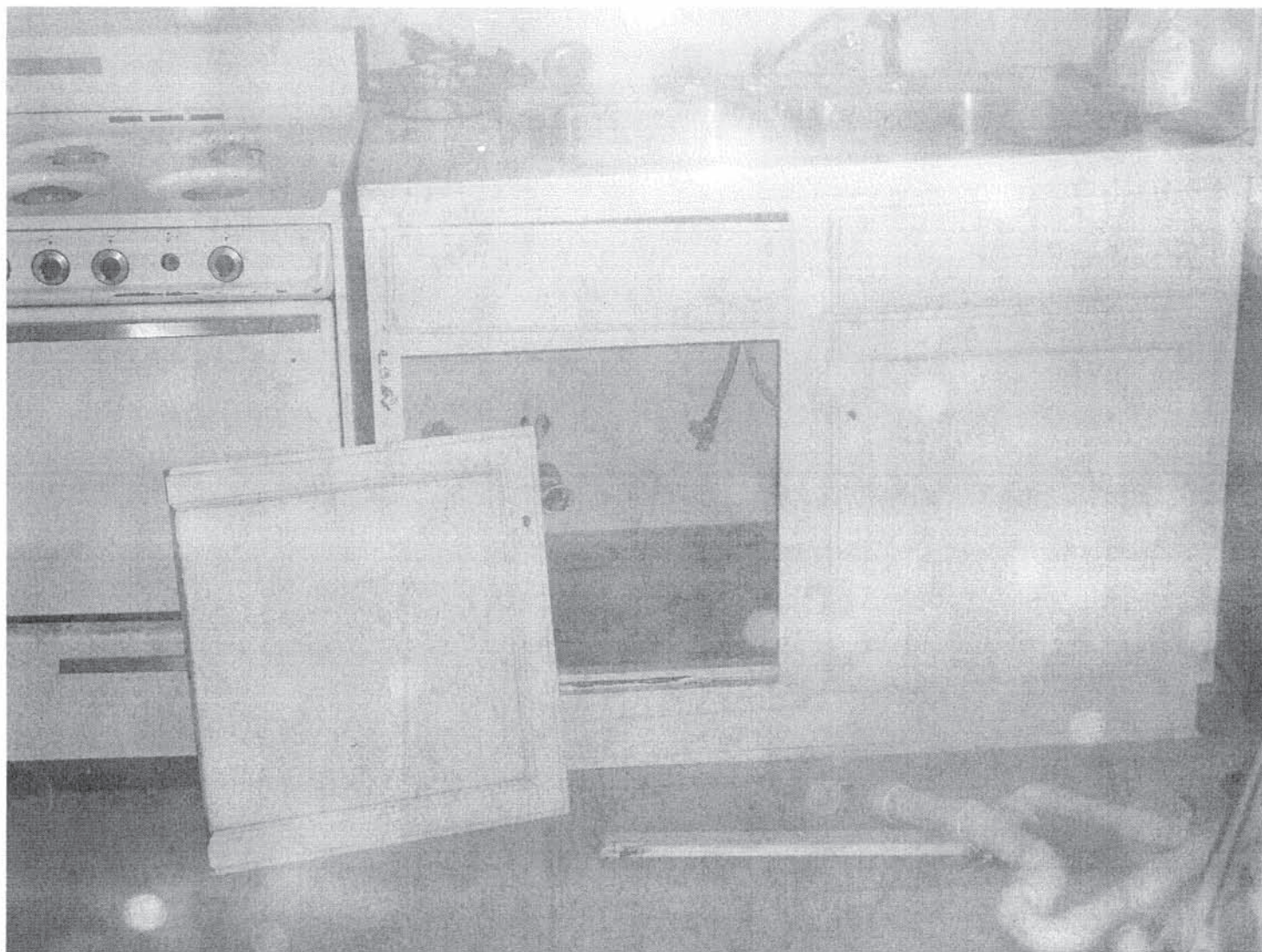
Date: April 28, 2011
File #: 09 - 088958
Folder Name: 572-574 OTTAWA AVE
PIN: 072822230084



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