



# APPLICATION FOR APPEAL

## Saint Paul City Council - Legislative Hearings

310 City Hall, 15 W. Kellogg Blvd.  
Saint Paul, Minnesota 55102  
Telephone: (651) 266-8585

RECEIVED  
JUN 26 2017  
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 \_\_\_\_\_)
  - 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

<b>HEARING DATE &amp; TIME</b> (provided by Legislative Hearing Office) Tuesday, <u>July 11</u>
Time <u>2:30 p.m.</u>
Location of Hearing: Room 330 City Hall/Courthouse

### Address Being Appealed:

Number & Street: 1289 Hartford Ave City: St Paul State: MN Zip: 55116

Appellant/Applicant: Catherine Carpenter Email: cathyecarpenter@gmail.com

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell 6125817561

Signature: [Handwritten Signature] Date: 6/22/2017

Name of Owner (if other than Appellant): 8930 Center Pointe Dr

Mailing Address if Not Appellant's: Box 400000 Buffalo NY 13027

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:

see attached.



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

June 16, 2017

Catherine E Carpenter/Jonathan D Holmer  
8930 Center Pointe Dr  
Baldwinsville NY 13027-1431

## VACANT BUILDING REGISTRATION NOTICE

The premises at **1289 HARTFORD 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 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 July 16, 2017.**

### **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 , Matt Dornfeld, at 651- 266- 1902 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, Matt Dornfeld, at 651- 266- 1902.

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: md  
vb\_registration\_notice 11/14

I want to appeal the notice to register this house as a Vacant Building at this time, due to extenuating circumstances.

The definition in St Paul Legislative Code, Chapter 43.02. (7).g states, "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. A building or portion of a building meeting this definition is deemed a category I building."

While it is true we have not lived there for over a year, the only reason the "nuisance condition" of tall grass existed was that the contractor whom I hired for last summer appears to no longer be in business. I had not received a bill yet this year, and the cell phone number is now disconnected. We did not immediately remedy the condition upon receiving the city notice dated June 8 because it did not arrive until the following week while I was away from home (June 11-17). I called first thing on Monday June 19 and left a voice mail, but when my call was returned Tuesday June 20 I found the work had already been ordered on June 16. Had I received the notice sooner, I would have, of course, taken action to have the lawn mowed. I have already contacted another yard service and expect to have arrangements made shortly for the rest of the mowing season.

I have been trying to ready the house for sale and despite delays due to a difficult flooring installer, am almost to the point where I can engage an agent. Had the grass-cutting notice arrived at any other time, or had I been informed that the lawn maintenance people were getting out of the business, the second part of the definition of a vacant property, i.e. "nuisance condition" would not have happened.

It seem to me that \$2127 plus the cost of city mowing is a very steep price to pay for a single error. I would ask for, at minimum, forbearance in the timeframe necessary so that I might have the chance to sell the house before having to pay such a large amount.