



RLH VBR 13-26 (13-26)
APPLICATION FOR APPEAL

RECEIVED
MAY 28 2013
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, June 4, 2013

Time 2:30 p.m.

Location of Hearing:

Room 330 City Hall/Courthouse

Address Being Appealed:

WS

Number & Street: 1064 ARBYLD ST. City: SP. PAUL State: MN Zip: 55107

Appellant/Applicant: Craig N. Johnson Email CJOHNSON@LARSANDODAS.COM

Phone Numbers: Business 605-696-6381 Residence 605-692-6974 Cell 605-690-2194

Signature: [Signature] Date: 5/23/13

Name of Owner (if other than Appellant): Mr. Nibbs Realty, LLC. Craig Johnson MS.

Address (if not Appellant's): 225 INDIAN HILLS RD, BROOKINGS SD 57008

Phone Numbers: Business 605-696-6381 Residence 605-692-6974 Cell 605-690-2194

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

PLEASE SEE ATTACHMENT

Attachment to Application for Appeal for 1064 Argyle St., St. Paul, MN 55103

My son Alex S. Johnson, who is part owner of Mr. Nibbs Realty LLC, is the occupant of the building and is traveling out of the country from April 18 to June 12. His traveling gave us the first time we could do major renovation to the property. He unfortunately had not paid the water bill before he left and the water was shut off. Someone apparently looked at the property and found that no one was around and there was a large drop box in the driveway and thus assumed the property was vacant. The drop box was in the driveway because while he was gone the bathrooms were going to be replaced, an egress window was to be installed in the basement, and a bedroom was going to be finished off in the basement. We did not know what permits would be required until the various rooms were gutted. Once we got into the walls we found that the prior bathrooms were not up to code in regards to proper wiring and ventilation. As this was being completed we received notification of Revocation of Fire Certificate of Occupancy and Order to Vacate and a call was put in to the Fire Inspector to review the property.

During this time we also received a Vacant Building Registration Notice. A review of the property was made with the Fire Inspector with the contractor and he was under the impression that the Vacant Building Registration Notice was going to be removed so he could pull all of the required permits. He then proceeded to file for the required permits and was told that the system still had the file listed as a vacant building and it would take a few days to get corrected in the system. I then received a notice dated May 14th that the property was not subject to the registration requirement. Three days later I received another Vacant Building Registration Notice.

I am trying to get the project completed by June 12th and if the property is considered vacant it will probably take until after June 12th to complete all of the requirements before construction can be started. Even if the Notice is removed the building still has to be inspected before an occupancy permit will be issued.

Alex and I have worked together to get three other properties in St. Paul improved. The two properties that are finished are 666 Central Ave. and 884 Aurora. The property at 833 Selby is currently being refurbished and is taking considerable time because the first contractor did not do work up to code and all of the work has had to be redone. I mention this only to point out that even though I live in South Dakota I still try to improve the City.

The contractor Shawn N. Lennon from All Metro Contraction LLC will appear at the hearing.



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 17, 2013

Mr Nibbs Realty Llc
225 Indian Hills Rd
Brookings SD 57006-3650

VACANT BUILDING REGISTRATION NOTICE

The premises at **1064 ARGYLE 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 **\$1,440.00**. 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 June 17, 2013.

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 11/12



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

362

May 14, 2013

Mr Nibbs Realty Llc
225 Indian Hills Rd
Brookings SD 57006-3650

Dear Sir or Madam:

The City of Saint Paul Department of Safety and Inspections, Division of Code Enforcement, Nuisance Building Unit has reinspected the property located at **1064 ARGYLE ST** and has determined that this property is no longer subject to the registration requirements of Saint Paul Legislative Code, Chapter 43, the Vacant Buildings Ordinance.

THIS LETTER IS NOT A CERTIFICATE OF CODE COMPLIANCE.

The condition of the building(s) which made this property subject to the requirements of the vacant buildings ordinance have been corrected and this property is no longer subject to the provisions of this ordinance. The Mayor, the City Council and the Department of Safety and Inspections Staff thank you for correcting this condition. Maintenance and improvement by the owners of property in Saint Paul will continue to assure a high quality of life for all citizens of Saint Paul.

If you have any questions about this letter, or if you require additional information, please contact me at 651-266-1929.

Sincerely,

Mike Kalis
Enforcement Officer

mk

ybcf60141 6/09



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 09, 2013

Mr Nibbs Realty Llc
225 Indian Hills Rd
Brookings SD 57006-3650

VACANT BUILDING REGISTRATION NOTICE

The premises at **1064 ARGYLE 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 **\$1,440.00**. 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 June 09, 2013.

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 11/12



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

May 6, 2013

MR. NIBBS REALTY LLC
225 INDIAN HILLS RD
BROOKINGS SD 57006-3650

Revocation of Fire Certificate of Occupancy and Order to Vacate

RE: 1064 ARGYLE ST

Dear Property Representative:

Your building was determined to be a registered vacant building on May 6, 2013. Since certificates are for the occupancy of buildings, it has become necessary to revoke the Certificate of Occupancy.

Saint Paul Legislative Code provides that no building shall be occupied without a Certificate of Occupancy. In order to re-occupy the building, the following deficiencies (if applicable) must be corrected and a complete Certificate of Occupancy inspection will be required.

DEFICIENCY LIST

1. Interior - 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.
2. Interior - SPLC 34.11(4), 34.34(1) SPC 4715.0200A - Provide an adequate water supply to all water closets, sinks, showers and tubs.-Restore water or vacate.
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 smoke detector affidavit and return it to this office.

Saint Paul Legislative Code authorizes this inspection and collection of inspection fees. For forms, fee schedule, inspection handouts, or information on some of the violations contained in this report, please visit our web page at: <http://www.stpaul.gov/cofo>

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: (651-266-8585) and must be filed within 10 days of the date of this order.

If you have any questions, email me at: lisa.martin@ci.stpaul.mn.us or call me at 651-266-8988 between 6:30 - 8:30 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Lisa Martin
Fire Inspector