



# 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

OCT 14 2013

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 # 1015)
  - 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>October 22, 2013</u>
Time <u>2:30</u>
<b>Location of Hearing:</b> Room 330 City Hall/Courthouse

E-Mail sent 10-14-13

### Address Being Appealed:

Number & Street: 306 Oneida City: St. Paul State: MN Zip: 55102

Appellant/Applicant: Jeff & Angela Polacek Email asp8391@hotmail.com

Phone Numbers: Business 651-216-8452 Residence 651-436-2534 Cell 651-216-8452

Signature: Angela S. Polacek Jeff W. Polacek Date: Oct. 10, 2013

Name of Owner (if other than Appellant): Jeff W. Polacek

Mailing Address if Not Appellant's: 11678 Stage Coach Trail S, Alton, MN 55001

Phone Numbers: Business 651-216-8452 Residence 651-436-2534 Cell 651-216-8452

### 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

Complete Remodel w/ permitted work. We maintain the property. The renovation will take a few extra months. We contacted City of St. Paul in mid-Sept, and were told today to file this appeal instead of the 2 mo. extension they could give. See letter/emails

October 10, 2013

Application for Appeal  
City of St. Paul  
310 City Hall  
15 W. Kellogg Blvd.  
St. Paul, MN 55102

Dear Sir/Madam,

Before we purchased this vacant property in August of this year, we called the city to find out about this vacant building fee that was coming in October. At that time our realtor, Marj Weir, spoke with Matt Dornfeld regarding a waiver of this fee. We would be doing a total remodel and those 2 months would not be enough time to comply with all of the work being done. At that time, they said to wait until closer to the due date, pull all of the necessary permits and ask for an extension. So I did not file an appeal when I got the letter as I believed that an extension would be granted after showing that we were going forward with all of the work and getting our permits.

We have a construction, plumbing, heat venting, electrical and roofing permit pulled with the city and have been working to clean up the property as well as moving forward with the remodel.

Today when I, Angela, spoke with Mr. Dornfeld about getting a waiver, he determined that he could only give me a 2 month waiver and that I needed to ask for a few months of extension beyond the 2 months he could give me.

My goal is to be done by end of February with the entire project. We have in the past remodeled one vacant home at 2248 Matterhorn Lane and have a track record of making the needed repairs to bring back a neglected property. We maintain the property very well during the remodel.

We respectfully request that we be granted a 6 month extension to fully remodel the home and comply with the extensive compliance report. My understanding before we purchased this property was that an extension or waiver of this fee was quite likely if we did get all those required permits and were working on the goal of restoring the home for occupancy. Thank you.

Respectfully,



Angela Polacek  
Jeff Polacek



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)

October 14, 2013

c/o Jennifer Demko  
US Bank  
10405 6th Ave N  
Plymouth MN 55441

**VACANT BUILDING REGISTRATION FEE**  
**WARNING LETTER**

The Saint Paul City Council has adopted legislation which requires owners of vacant buildings to pay an annual fee and submit a registration plan on the form(s) enclosed with this letter. The annual fee is **\$1,440.00**. The purpose of this fee is to partially reimburse the City for administrative costs for registering and processing the Vacant Building Owner Registration forms and for the cost of monitoring these properties for compliance with Saint Paul Legislative Codes.

*The fee for the vacant building located at **306 ONEIDA ST** is now past due. You have fifteen (15) days from the date of this letter to pay this bill before this fee is sent to assessment, to be collected with your property taxes.*

**Do not mail cash**

Saint Paul Legislative Code, Chapter 43 requires this fee be paid no later than thirty (30) days after the building becomes vacant, and if not paid the owner shall be subject to collections and prosecution as prescribed in the Legislative Code. Also, if at any time the registration fee is unpaid and owing, building permits will be denied for this building.

**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 owner(s) still will be subject to a criminal Summons and Complaint for failure to pay this vacant building registration fee. This citation will necessitate a court appearance in Ramsey County District Court and the owner(s) will be subject to penalties provided for by law. The enclosed registration form must accompany the fee payment.

If you wish to pay in person, you may do so at:

DEPARTMENT OF SAFETY AND INSPECTIONS  
375 Jackson Street, Suite 220  
Saint Paul, MN 55101-1806

between the hours of 8:00 a.m. to 4:00 p.m. Monday through Friday.

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.

If you have questions about this registration fee or other vacant building requirements, please contact the Enforcement Officer, Matt Dornfeld, at 651-266-1902.

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: md

vb\_warning\_letter 11/12

Copies of this letter have been sent to:

Minnesota Housing Finance Agency 10405 6th Ave N Ste 320 Plymouth MN  
55441-6382

Jeff Polacek 1678 Stagecoach Trail S Afton MN 55001

FIVE BROTHERS MORTGAGE/Services & Securing 14156 Eleven Mile  
Road Warren MI 48089

Mhfa C/O Michael Olsen 659 Bielenberg Drive Suite 100 Woodbury MN 55125

Angela Polacek

New [ci.stpaul.](#) [Reply](#) [Delete](#) [Archive](#) [Print](#) [Sweep](#) [Move to](#) [Categories](#)

Vaxell Japanese Dr  
Sided Waterstone  
Sharpener

**\$70<sup>00</sup>** Bing S

Ray River Kitchen I  
White

**\$1156<sup>99</sup>** Bing S

MERCER CUTLER  
M10000 Electric Kr  
Sharpener,3 Stage:

**\$293<sup>78</sup>** Bing S

Smith's Pocket Pal  
Sharpener PP1

**\$12<sup>99</sup>** Bing S

The Milano Station:  
Kitchen Island with  
Optional Stools

**\$499<sup>98</sup>** Bing S

[More on Bin](#)

### Folders

Inbox

**Junk 85**

Drafts 18

Sent

**Deleted 64**

**POP 495**

Brett Iraq email

Progressive insurance

Search Results

[New folder](#)

### Quick views

**Documents 1**

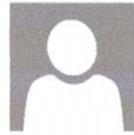
Flagged 8

**Photos 8**

**Shipping updates 4**

[New category](#)

To see messages related to this one, [group messages by conversation.](#)



**Soley, Reid (CI-StPaul)** (reid.soley@ci.stpaul.mn.u:

To: Marj Weir

Cc: Angela Polacek

**The next vacant building fee (\$1,440) is not due until October 12. It is premature at this time to request an extension. As that date approaches, you can contact Matt Dornfeld (651-266-1902) to request a waiver.**

Reid Soley

DSI Inspector III

Department of Safety & Inspections

375 Jackson Street, Suite 220

Saint Paul, MN 55101

P: 651-266-9120

F: 651-266-1919

**From:** Marj Weir [mailto:marj@marjweir.com]

**Sent:** Monday, September 16, 2013 12:00 PM

**To:** Soley, Reid (CI-StPaul)

AdChoices

© 2013 Microsoft [Terms](#) [Privacy](#) [Developers](#)

Angela Polacek

New Reply soley@ci.stpaul.

Delete Archive Undo Sweep Move to Categories

Re: 306 Oneida St.

Marj Weir

Folders

Inbox

Junk 85

Drafts 18

Sent

Deleted 64

POP 495

Brett Iraq email

Progressive insurance

Search Results

New folder

Quick views

Documents 1

Flagged 9

Photos 8

Shipping updates 4

New category

To see messages related to this one, [group messages by conversation](#).



Marj Weir 9/16/13

To: Reid Soley

Cc: Angela Polacek

Reid -

I left you a long message, though it may have been talked to MATT about this.

You could call or email Angela directly about who they should talk to in vacant housing for an extension.

651-216-8452 Angela Polacek

[<asp8391@hotmail.com>](mailto:asp8391@hotmail.com)

Thanks,  
Marj Weir

On Aug 16, 2013, at 9:57 AM, Angela Polacek wrote:

Hello Reid,

Than you for calling today. Attached are the docs we discussed. I will forward the page 1 of the purchase agreement from my realtor in a minute on a second email. The check for the \$275.00 will be dropped off today. **As we discussed Matt is checking into the extension for past Oct. 12th.**

Thanks much,  
Jeff & Angela Polacek

From: [reid.soley@ci.stpaul.mn.us](mailto:reid.soley@ci.stpaul.mn.us)

To: [asp8391@hotmail.com](mailto:asp8391@hotmail.com)

© 2013 Microsoft Terms Privacy Developers

Why I'm glad I le south dakota!! Minnesota is not bad, at least near cities.



[South Dakota digs c after record-setting October blizzard - F Kupchella's - BringMeTheNews.c](#)

[www.bringmethenews.com](http://www.bringmethenews.com)



4 days ago

Content from

[Learn more](#) | [Turn](#)

City of Saint Paul  
 Department of Safety and Inspections  
**VACANT BUILDING REGISTRATION FORM**

Date: \_\_\_\_\_

Address of Property: \_\_\_\_\_

Planned disposition of this building (please check one):

I plan to rehabilitate this structure commencing (date): \_\_\_\_\_

I plan to demolish (wreck and remove) this building by (date): \_\_\_\_\_

I am willing to authorize the City of Saint Paul to demolish and remove this building(s).

This building is vacant as a result of fire damage. The fire occurred on (date) \_\_\_\_\_, I, \_\_\_\_\_ as the property owner, want to claim registration and fee exemption status for ninety (90) days from the date of the fire. I intend to repair and reoccupy the building.

Other: \_\_\_\_\_

Responsible Party: Persons organizations who will ensure compliance with the ordinance:

NAME	ADDRESS	PRIMARY PHONE	ALTERNATE PHONE
------	---------	---------------	-----------------


Persons, lien holders, mortgagees, mortgagors and other interested parties known to me:

NAME	ADDRESS	PRIMARY PHONE	ALTERNATE PHONE
------	---------	---------------	-----------------


All persons listed here will receive letters for the annual fee renewal. Also use this form to de-register your interest.

<p><u>Print</u> Your Name (legibly) _____</p> <p>Signature _____ Date of Birth _____</p> <p>Address _____</p> <p>City _____ State _____ Zip _____</p> <p>main contact telephone _____ alternate phone _____</p> <p>Email address (print legibly) _____</p>	<p><b>NOTE NEW VB FEE of \$1,440 effective for registrations due on or after January 1, 2013.</b></p> <p><b>INSTRUCTIONS:</b></p> <p><i>Complete and return this form with your VB registration fee payment of <b>\$1,440.00</b>.</i></p> <p><i>Make checks payable to: <b>City of Saint Paul</b></i></p> <p style="padding-left: 40px;"><i>Credit cards are accepted</i></p> <p><i>Make Payment at, or mail payment to:</i></p> <p style="text-align: center;"> <b>City of Saint Paul</b>  <b>Department of Safety and Inspections</b>  <b>Code Enforcement – Vacant Buildings</b>  <b>375 Jackson Street, Suite 220</b>  <b>St. Paul, MN 55101-1806</b> </p> <p><i>Thank you for your cooperation</i></p>
--	---

City of Saint Paul  
Department of Safety and Inspections  
Vacant Buildings Program  
Requirements, Regulations and Information

The Council of the City of Saint Paul has adopted ordinances regulating vacant and unoccupied structures.

You must register this building with St. Paul Department of Safety and Inspections, Vacant/Nuisance Buildings Code Enforcement Unit if the building is unoccupied and:

1. Unsecured, or
2. Secured by other than normal means (boarded), or
3. A dangerous structure, or
4. Condemned as uninhabitable, or
5. Condemned or Vacated by Fire Marshal Certificate of Occupancy Program, or
6. Has multiple housing or Building Code violations, or
7. Is condemned and illegally occupied. or
8. Has been unoccupied for a period of time longer than one year during which time the Enforcement Officer has issued an order to correct nuisance conditions.

**Registration Requirements**

1. Submit the enclosed Vacant Building Registration Form within 30 days, describing plans for rehabilitating and reoccupying or demolishing the building.
2. Disclose all pertinent ownership information.
3. Disclose all pertinent lien-holders.
4. Disclose any current Truth-in-Sale of Housing Disclosure Reports.
5. Pay the \$1,440.00 annual Vacant Building Registration fee within 30 days of receiving this letter. **If the registration fee is not received within 45 days of the due date 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.**

**NOTE: If the building is vacant due to a fire, you may have a 90 day exemption from the registration fee. You must still submit the enclosed Vacant Building Registration Form within 30 days informing us of your plans for the building to qualify for this exemption. At the end of 90 days your rehabilitation must be complete OR you must pay the \$1,440.00 registration fee.**

6. Provide unencumbered access to all portions of the premises of the buildings to permit the Enforcement Officer to make a complete inspection.

Owners, agents, assignees and all responsible parties are required to comply with the following requirements of the Saint Paul Legislative Code:

1. Keep all buildings secure.
2. Keep all porches, stairs, and exterior premises free of refuse, junk and debris.
3. Cut grass and weeds.
4. Remove snow and ice from sidewalks.

**Sale Requirements – Contact the Vacant Buildings section, 651-266-8989, for full details. There is a fee of \$275.00 for the Sale Review Process.**

**VB1** – Current registration and fees; notify the City; restore utilities.

**VB2** – No sale without City approval. Requirements include: current registration and fee payments, code compliance report, cost estimate for all repairs, a schedule for completion of the repairs, and proof of financial capability to complete all repairs.

**VB3** – No sale without a Certificate of Code Compliance or Certificate of Occupancy.