



# City of Saint Paul

City Hall and Court House  
15 West Kellogg  
Boulevard  
Phone: 651-266-8560

## Master

**File Number: RLH VBR 15-3**

**File ID:** RLH VBR 15-3

**Type:** Resolution LH Vacant  
Building Registration

**Status:** Passed

**Version:** 2

**Contact  
Number:**

**In Control:** City Council

**File Created:** 12/23/2014

**File Name:** 25 Elizabeth Street East

**Final Action:** 02/04/2015

**Title:** Appeal of Jonathan Gutierrez to a Vacant Building Registration Notice at 25  
ELIZABETH STREET EAST.

### Notes:

**Agenda Date:** 02/04/2015

**Indexes:** Vacant Building Registration; Ward - 2

**Agenda Number:** 48

**Sponsors:** Thune

**Enactment Date:**

**Attachments:** 25 Elizabeth St. E.appeal.12-23-14, 25 Elizabeth St  
E.Photos.12-16-14, 25 Elizabeth St E.Gutierrez  
Ltr.1-14-15

**Financials Included?:**

**Contact Name:**

**Hearing Date:**

**Entered by:** katie.foss@ci.stpaul.mn.us

**Ord Effective Date:**

### Approval History

Version	Date	Approver	Action
1	12/23/2014	Moermond, Marcia	Approve
2	01/27/2015	Moermond, Marcia	Approve
2	01/27/2015	Dave Thune	Approve

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Legislative Hearings	01/13/2015	Referred	City Council	02/04/2015		
	<b>Action Text:</b>	Referred to the City Council due back on 2/4/2015					
	<b>Notes:</b>	Jonathan Gutierrez, owner, appeared.					
		<i>Inspector Matt Dornfeld, Vacant Buildings: - Inspector Senty opened a Category 2 Vacant Building Dec 17, 2014 per Certificate of Occupancy Revocation by Inspector George Niemeyer</i>					

- Inspector Neis appears to have approved this
- Neis' notes: discussed with Inspector Niemeyer; permit has been opened since 2011; no permits for plumbing, electrical or mechanical; I advised to send to VB as a Cat 2
- photos online
- Inspector Seeger was advised of the change in the VB status

Supervisor Leanna Shaff:  
- complete construction; no plumbing, heat, mechanical, etc.  
- gutted with house wrap

Mr. Gutierrez:  
- after they purchased the property, they tried to fix most of the cosmetic issues but as they dug in, they started to find more and more issues; so, it's taking way longer than what they originally estimated because there's more work with structure and foundation; they are trying to make it right  
- bought it in 2010  
- wants 6 months more time to get it all done; also trying to avoid the fee  
- they will get all the permits that they need  
- there's no code compliance inspection report  
- they had to remove everything because it was all bad and illegal  
- the inspectors have been there a couple of times; we will pull the necessary permits

Ms. Moermond:  
- will do a 90-day waiver on the VB fee and we will see how things are going then  
- there still will be an assessment coming forward for the VB fee because 90 days will have passed and the job won't be done when the tax assessment comes out; she can decrease that when she sees it, which will be about 6 months out; if you are getting close to being done at that time, she can decrease it by so much less; you will be able to pull permits between now and then; you will get a letter in the mail with a yellow/gold post card in it; the letter will explain the assessment for the VB fee; send the yellow post card back and we will schedule a LH so you can come back and talk about how close you are; she will figure out how to decrease the assessment

Mr. Dornfeld:  
- are we changing this back to a Cat 1 VB and side tracking the code compliance inspection?

Ms. Moermond:  
- pull your building permit and come in with all your fresh plans and we won't require a code compliance inspection  
Waive the Vacant Building fee for 90 days and allow permits to be pulled.

2	City Council	02/04/2015	Adopted	Pass
	<b>Action Text:</b>	Adopted		
		Yea: 7	Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao, Councilmember Thune, and Councilmember Tolbert	
		Nay: 0		
2	Mayor's Office	02/10/2015	Signed	
	<b>Action Text:</b>	Signed		

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**Text of Legislative File RLH VBR 15-3**

Appeal of Jonathan Gutierrez to a Vacant Building Registration Notice at 25 ELIZABETH STREET EAST.

WHEREAS, in the matter of Appeal of Jonathan Gutierrez to a Vacant Building Registration Notice at 25 ELIZABETH STREET EAST, the Legislative Hearing Officer has reviewed the appeal and considered the testimony of City staff and the appellant; and

WHEREAS, the Legislative Hearing Officer recommends that the City Council waive the vacant building fee for 90 days and allow permits to be pulled; Now, Therefore, Be It

RESOLVED, that the Saint Paul City Council hereby accepts and adopts the Legislative Hearing

Officer's recommendation in this matter.

Property is under construction