



# APPLICATION FOR APPEAL

RECEIVED Saint Paul City Council – Legislative Hearings

AUG 05 2015

CITY CLERK

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

**We need the following to process your appeal:**

- ☒ \$25 filing fee (non-refundable) (payable to the City of Saint Paul)  
(if cash: receipt number check # 3198)
  - ☒ 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

**HEARING DATE & TIME**  
(provided by Legislative Hearing Office)  
Tuesday, August 11, 2015  
Time 2:30 P.M.  
Location of Hearing:  
Room 330 City Hall/Courthouse

## Address Being Appealed:

Number & Street: 558 Pt. Douglas Rd S. City: St. Paul State: MN Zip: 55119

Appellant/Applicant: Joe Herschbach Email: joe@herschbachconstruction.com

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell (651) 307-2242

Signature: [Signature] Date: 8/6/15

Name of Owner (if other than Appellant): \_\_\_\_\_

Mailing Address if Not Appellant's: 1460 Sterling St S., Maplewood, MN 55119

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.)

see attached

DEPARTMENT OF SAFETY AND INSPECTIONS

Steve Magner, Manager of Code Enforcement



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/dst

July 27, 2015

Joseph & Herschbach/Stefanie Herschbach  
1460 Sterling St S  
Saint Paul MN 55119-6104

*Je m 8/3  
+ email*

**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 **\$2,025.00**. 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 558 POINT DOUGLAS ROAD S 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 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

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, Dave Nelmark, at 651- 266-1931.

This registration form and fee is required by law. Your prompt attention to this matter is appreciated.

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.

**Stever Wagner**  
Vacant Buildings Program Manager

Enclosures: Regulations Requirements Information  
Vacant Building Registration Form

SM: dn  
vb\_warning\_letter 2/15

Also Sent To:  
Joe Herschbach 1460 Sterling St S Maplewood MN 55119



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 26, 2015

Joseph & Herschbach/Stefanie Herschbach  
1460 Sterling St S  
Saint Paul MN 55119-6104

## VACANT BUILDING REGISTRATION RENEWAL NOTICE

Dear Sir or Madam:

As the owner or responsible person for the property located at  
**558 POINT DOUGLAS ROAD S**  
you are required by law to register this building with the Department of Safety and Inspections on the form provided with this letter and to pay the annual Vacant Building registration fee of **\$2,025.00**. The purpose of this fee is to provide partial reimbursement to the City for administrative costs. This fee is due annually as required in Saint Paul Legislative Code Chapter 43.

The renewal due date for this building is **July 26, 2015**. The annual registration fee and the enclosed registration form for this building is due on the renewal date. If you pay by mail, please fill in the enclosed registration form and return it with your payment.

**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.**

### 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.

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 , Dave Nelmark, at 651- 266- 1931 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, Dave Nelmark, at 651- 266- 1931.**

This registration form and fee is required by law. Your prompt attention to this matter is appreciated.

Stever Magner  
Vacant Buildings Program Manager

Enclosures: Regulations Requirements Information  
Vacant Building Registration Form

SM: dn  
vb\_registration\_renewal\_notice 11/14

Also Sent To:

Safeguard Properties c/o Code Compliance 7887 Safeguard Circl Valley View OH 44125  
JP Morgan Chase Bank, N.A. 3415 Vision Drive Columbus OH 43219

RE: 558 Point Douglas Rd S.

August 6, 2015

When we purchased the property we were unaware of the extensive inspection process that needed to be completed before we could begin repairs, due to the property being HUD owned and therefore exempt from the city's inspection rules required of a seller. We have now begun repairs and remodeling to make the property an asset to the neighborhood instead of an eye sore. The vacant building registration fee would be a burden to our budget. We closed on the property on April 24, which with a renewal date of July 26 was unfortunate timing, as it would be extremely difficult to complete the inspection process and navigate the paperwork to complete the necessary repairs in that time.