



# 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

SEP 11 2015

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 794053)
- 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>September 22, 2015</u>
Time <u>2:30 P.M.</u>
Location of Hearing: <u>Room 330 City Hall/Courthouse</u>

## Address Being Appealed:

Number & Street: 1052 Ross Ave City: St. Paul State: MN Zip: 55106

Appellant/Applicant: Eugene Kotz Email eugene.kotz@xcaleenergy.com

Phone Numbers: Business 612 330 5625 Residence 612 598 5804 Cell ''

Signature: Eugene Kotz Date: 9/12/15

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

Mailing Address if Not Appellant's: \_\_\_\_\_

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.)

I have performed all corrections and beyond. I asked for inspection to occur shortly after tenants were removed with no follow up. The inspector then pushed it to vacant buildings after it was listed for sale. Mr. Nelmark told me to appeal.

The building is spectacular now and a fine example in st. paul.

## Kotz II, Eugene R

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**Subject:** FW: 1052 Ross Ave. Vacant Building Not applicable

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**From:** Kotz II, Eugene R  
**Sent:** Thursday, September 10, 2015 11:16 AM  
**To:** 'david.nelmark@ci.stpaul.mn.us'  
**Subject:** 1052 Ross Ave. Vacant Building Not applicable

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**From:** Kotz II, Eugene R  
**Sent:** Thursday, September 10, 2015 11:05 AM  
**To:** 'david.delmark@ci.stpaul.mn.us'  
**Subject:** 1052 Ross Ave. Vacant Building Not applicable

Hi Dave,

Here is the property mentioned from the message I left on your voicemail...I spoke with you once someone put the blue sign on my building. I asked if I should appeal and you told me to work through the issue with Mr. Franquiz, but when he finally responded, he told me to work through you. Click on the link to see the subject property and click "virtual tour" to see how excellent the building is.

<http://realestate.lakessothebysrealty.com/idx/details/homes/a020/4638182/1052-Ross-Avenue>

The building has all permits, and if you check with the trade inspectors, I am sure they will concur with how nice the place is.

Thanks for your help.

Gene Kotz 612-598-5804

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**From:** Kotz II, Eugene R  
**Sent:** Thursday, September 10, 2015 10:45 AM  
**To:** 'Franquiz, Efrayn (CI-StPaul)'  
**Subject:** RE: Final Inspection for 1052 Ross

Hi Efrayn,

I called Mr. Nelmark and the Andrew at the legislative council office. He told me Not to go through appeal process and just go through you. Mr. Nelmark said that you initiated the vacant building process, and can remedy that.

Once the troublesome tenants were removed I had crews remedy the building immediately. It is a great facility now that has all permits closed as well.

Please work with me on this process. This has been a harrowing experience.

Thanks in advance.

Gene

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**From:** Franquiz, Efrayn (CI-StPaul) [mailto:efrayn.franquiz@ci.stpaul.mn.us]  
**Sent:** Thursday, September 10, 2015 10:38 AM  
**To:** Kotz II, Eugene R  
**Subject:** RE: Final Inspection for 1052 Ross

Hello Mr. Kotz,

I apologize for not responding back, but I assumed that the Vacant Building department would have contacted you regarding your property. Your property of 1052 Ross Avenue has been sent to Vacant Buildings and has been categorized as a Vacant Building 2. It requires a Code Compliance inspection in order to obtain the Certificate of Occupancy. Please call Dave Nelmark and he will explain on what is the next step. His number is 651-266-1931. Once again, my apologies for not responding back and good luck.

Regards,

Efrayn Franquiz

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**From:** Kotz II, Eugene R [mailto:Eugene.Kotz@xcelenergy.com]  
**Sent:** Thursday, September 10, 2015 10:10 AM  
**To:** Franquiz, Efrayn (CI-StPaul)  
**Subject:** Final Inspection for 1052 Ross

Hi Efrayn,

Hope all is well. I have been trying to contact you for a while now to do the final checkout of my 1052 Ross property. Can you please email me with some times you can check it out. It has been totally renewed and is for sale. The property is considered nice enough to also listed in the upcoming "Artful Living" magazine. You can also click on the attached link from Sothebys to view the virtual tour.

<http://realestate.lakessothebysrealty.com/idx/details/homes/a020/4638182/1052-Ross-Avenue>

Please reply soon since I want the new owners to have a clean Certificate of Occupancy when they purchase it. Also please change the classification from "D" to "A", since it is now an exceptional property relative to most in St. Paul.

Thanks in advance.

Sincerely,

Eugene R. Kotz

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**From:** Kotz II, Eugene R  
**Sent:** Tuesday, September 01, 2015 8:57 AM  
**To:** 'Franquiz, Efrayn (CI-StPaul)'  
**Subject:** Please do final inspection of 1052 Ross

Hi Efrayn,

Hope all is well. I have not heard from you on a date you can re-inspect.

Can you please give me a time when you can check out the 1052 property.

The property is stellar and listed with Sothebys Real Estate but I do not want it shown until it is blessed off.

Dave Delmark and Andrew from the Legislative Hearing office told me to work through you to get things wrapped up.

All permits are closed.

Attached is the MLS Listing

<http://realestate.lakessothebysrealty.com/idx/details/homes/a020/4638182/1052-Ross-Avenue>

Thanks for your assistance.

Regards,

Gene Kotz

**From:** Kotz II, Eugene R  
**Sent:** Wednesday, June 24, 2015 2:04 PM  
**To:** 'Franquiz, Efrayn (CI-StPaul)'; 'marcia.moermond@ci.stpaul.mn.us'  
**Subject:** 1052 Ross Progress

Good Afternoon Efrayn,

Things are rolling along and I will have most of the deficiencies complete including the extra items added by you and Ms. Schaff, except for some in Unit #1 which has been my continuous tenant problem. Would it be possible to quick stop by and verify progress next Monday just to document the progress. I would appreciate that.

I plan to put the new door on the back of Unit 1 this weekend, however, I would appreciate waiting to do that since, the tenant ruined the original door and locks, and I am afraid it may get damaged by the tenant upon their move out.

Thanks, and let me know if you can stop by.

P.S. If he hasn't yet, Head Electrical inspector Dan Moynihan, will be getting with you to advise you on the GFCI code compliance and the exposed wire routed in the ceiling. They are fine and require no modifications.

Best Regards,

Gene Kotz



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)

September 11, 2015

Eugene R Kotz/Chan N Kotz  
2021 Blue Jay St  
Shakopee MN 55379-4384

## 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 1052 ROSS AVE 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.

Steve Magner  
Vacant Buildings Program Manager

Enclosures: Regulations Requirements Information  
Vacant Building Registration Form

SM: dn  
vb\_warning\_letter 2/15