



APPLICATION FOR APPEAL

RECEIVED
JUL 26 2012
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,	<u>Aug. 14, 2012</u>
Time	<u>1:30 P.m.</u>
Location of Hearing:	
<u>Room 330 City Hall/Courthouse</u>	

E-mailed 7-27-12

Address Being Appealed:

Number & Street: 684 Rose Street City: St. Paul State: MN Zip: 55106

Appellant/Applicant: Roxanne W. Larsen Email rw@larsen.comcast.net

Phone Numbers: Business 651-771-5501 Residence 651-779-7201 Cell _____

Signature: Roxanne W. Larsen Date: 07-23-12

Name of Owner (if other than Appellant): Byrne Maryland Development Co. LLC

Address (if not Appellant's): 1115 Greenbrier Street, St. Paul, MN 55106

Phone Numbers: Business 651-779-7201 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
- Fire C of O: Only Egress Windows
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other

(See letter from appellant and e-mail from inspector)

APPLICATION FOR APPEAL – 684 Rose Avenue, St. Paul, MN 55106

In 2007, the Payne Maryland Development, LLC was founded by Merrick Community Services and Arlington Hills Lutheran Church (two non-profits) in a spirit of cooperation with the City of St. Paul to acquire and hold four duplex properties on Rose Avenue near Greenbrier, in anticipation and support of the highly anticipated Payne Maryland Project. Two of these properties (670 and 676 Rose Avenue) have already been purchased by the City of St. Paul from the LLC and demolished for this purpose.

The LLC was never in this project to be long-time landlords. This was to be a short-term proposition. Consequently, the tenants in the remaining two duplexes, 680 and 684 Rose Avenue are on month-to-month leases. We continue to keep the duplexes in good repair. We had a Fire Inspection at 680 Rose Street several months ago and every item brought to our attention was corrected and brought in to compliance.

In this latest inspection by the Fire Inspector (Reference #1144343), we have completed most all of the items listed for correction. When Mr. Benjamin Ellis came back for the ORSAT reports completed by Nasseff Mechanical, it turned out that neither of the two furnaces at 684 Rose Avenue could be adequately tested due to the fact that the heat exchangers in both furnaces are cracked. This means that both furnaces will need to be replaced and we estimate the cost to be between \$10-\$15,000. We currently are in negotiation with the City of St. Paul to resolve these two remaining duplexes adjacent to the slated demolition of the Arlington Hills Parks and Recreation Center and soon to be constructed on the site a new library and St. Paul Parks and Recreation building ("Payne Maryland Project"). If this issue is not resolved in the next two months, we will be forced to give notice to evict the two tenants at 684 Rose Avenue.

If you have any questions, you can reach me at my place of work: Arlington Hills Lutheran Church, 1115 Greenbrier Street, St. Paul, MN 55106 - 651-771-5501 – W

Roxanne W. Larsen, president

PAYNE MARYLAND DEVELOPMENT CO. LLC

Roxanne Larsen

From: Ellis, Benjamin (CI-StPaul) <benjamin.ellis@ci.stpaul.mn.us>
Sent: Wednesday, July 11, 2012 1:59 PM
To: rwlarsen@comcast.net
Subject: 684 Rose Ave E
Attachments: 20120711133005059.pdf

Mrs. Larsen,

Attached are the ORSAT reports for the 2 furnaces at the above address. These reports can not be approved at this time. According to the reports, neither furnace could be adequately tested due to repairs needing to be made to the units. So the repairs to the units will have to be made and acceptable reports need to be submitted to our office. The order for the reports will remain outstanding for the building's Certificate of Occupancy until we receive satisfactory reports. The reinspection was previously set for 7-30-12 at 11:00am, which is the extent of the time I can legally provide. If more time is needed for this, please contact the appeals office and file an application for additional time. Thank you for your cooperation and have a great day.



Benjamin Ellis, Sr
Fire Inspector

Department of Safety & Inspections
375 Jackson Street, Suite 220
Saint Paul, MN 55101
P: 651-266-9016
F: 651-266-8951
Benjamin.Ellis@ci.stpaul.mn.us

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CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220 Telephone: 651-266-8989
Saint Paul, MN 55101-1806 Fax: 651-266-8951

June 29, 2012
PAYNE MARYLAND DEV CO
C/O APPLGATE
PO BOX 32
NEW RICHMOND WI 54017-0659

FIRE CERTIFICATE OF OCCUPANCY APPROVAL WITH CORRECTIONS

RE: 684 ROSE AVE E
Ref. # 114343

Dear Property Representative:

Your building was inspected on June 29, 2012 for the renewal of the Fire Certificate of Occupancy and was approved. When the required fee has been paid, you will receive your certificate. There are however seasonal or non-life safety deficiencies noted below which must be corrected prior to re-inspection.

The following deficiencies must be corrected immediately. **A reinspection will be made on August 1, 2012 at 1:00 PM.**

DEFICIENCY LIST

1. 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.

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: (651-266-8688) and must be filed within 10 days of the date of this order.

For an explanation or information on some of the violations contained in this report, please visit our web page at: <http://www.ci.stpaul.mn.us/index.aspx?NID=211>

If you have any questions, email me at: benjamin.ellis@ci.stpaul.mn.us or call me at 651-266-8946 between 7:30 a.m - 9:00 a.m.

Sincerely,

Benjamin Ellis
Fire Inspector

Ref. # 114343



Attn: Benjamin Ellis

DEPARTMENT OF SAFETY AND INSPECTIONS
Bob Kassler, Director



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220
St Paul, Minnesota 55101-1806

Telephone: 651-266-9090
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

B20515004

TEST RECORD FOR EXISTING OR NEW FUEL BURNING EQUIPMENT

(Use separate form for each appliance)

Address: 684 ROSE AVE. E. Date of Test: 5-21-12

Owner: APPLGATE INC.

TYPE OF FUEL: Gas Oil Other

Make of Furnace/Boller LENNOX Model # G11Q3-82

Serial # G11Q382-V2 58 Max BTU Input: 582,000

Equipment venting type: Atmospheric Induced Fan Other

Total BTU Input of all vented gas appliances into common chimney: _____

Type of Chimney: Masonry Class B Other METAL

Type of Liner: None Metal Clay Tile Combustion Air Supply Required? Yes No

Safety & Operating Control Tests:	Yes	No	Fuel Analysis/Flue Gas Analysis:	Yes	No
Pilot/Flame Safeguard Operating Properly	<input type="checkbox"/>	<input type="checkbox"/>	Vents Properly Without Spillage	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Limit(s) Operating Properly	<input type="checkbox"/>	<input type="checkbox"/>	Flame Stays Inside/Doesn't Roll Out	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Operator(s) Operating Properly	<input type="checkbox"/>	<input type="checkbox"/>	Burner Lights Smoothly	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Low Water Cut-Off Operating Properly	<input type="checkbox"/>	<input type="checkbox"/>	All Controls Operating Properly	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Initial	Final	Visual Inspection	Yes	No
Stack Temperature	____ °F/Net	____ °F/Net	Fuel Piping System - OK?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Oxygen	____ %	____ %	Vent Systems - Drafthood?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Carbon Dioxide	____ %	____ %	Connector, Vent Chimney - OK?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Carbon Monoxide	____ %/ppm	____ %/ppm	Heating Unit Safe?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Look At Total Heating System Before You Leave:

Does system operate safely and properly? Yes No

COMMENTS: FLAME ROLLS OUT TOO MUCH TO COMPLETE THE COMBUSTION TEST. IT IS STARTING TO BURN UP WIRES IN THE FURNACE

Name of Licensed Contractor: NABSEFF MECHANICAL Phone # 651-777-0001

Address: 122 S. WABASHA ST., ST. PAUL, MN 55107

Person Conducting Test: JOE DRAGICH (Print Name) [Signature]

City of Saint Paul Certificate of Competency card number for appropriate fuel: 20100000333

Attn: Benjamin Ellis

DEPARTMENT OF SAFETY AND INSPECTIONS
Bob Kassler, Director



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220
St Paul, Minnesota 55101-1806

Telephone: 651-266-9090
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsl

B20515004

TEST RECORD FOR EXISTING OR NEW FUEL BURNING EQUIPMENT

(Use separate form for each appliance)

Address: 684 ROSE AVE. E. Date of Test: 5-21-12

Owner: APPLICATE INC.

TYPE OF FUEL: Gas Oil Other

Make of Furnace/Boiler LENNOX Model # G11Q3-82

Serial # G11Q382-V2-58 Max BTU Input: 82,000

Equipment venting type: Atmospheric Induced Fan Other

Total BTU Input of all vented gas appliances into common chimney: 82,000

Type of Chimney: Masonry Class B Other METAL

Type of Liner: None Metal Clay Tile Combustion Air Supply Required? Yes No

Safety & Operating Control Tests:	Yes	No	Fuel Analysis/Flue Gas Analysis:	Yes	No
Pilot/Flame Safeguard Operating Properly	<input type="checkbox"/>	<input type="checkbox"/>	Vents Properly Without Spillage	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Limit(s) Operating Properly	<input type="checkbox"/>	<input type="checkbox"/>	Flame Stays Inside/Doesn't Roll Out	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Operator(s) Operating Properly	<input type="checkbox"/>	<input type="checkbox"/>	Burner Lights Smoothly	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Low Water Cut-Off Operating Properly	<input type="checkbox"/>	<input type="checkbox"/>	All Controls Operating Properly	<input type="checkbox"/>	<input type="checkbox"/>

	Initial	Final	Visual Inspection	Yes	No
Stack Temperature	___ °F/Net	___ °F/Net	Fuel Piping System - OK?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Oxygen	___ %	___ %	Vent Systems - Drafthood?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Carbon Dioxide	___ %	___ %	Connector, Vent Chimney - OK?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Carbon Monoxide	___ %/ppm	___ %/ppm	Heating Unit Safe?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Look At Total Heating System Before You Leave:

Does system operate safely and properly? Yes No

COMMENTS: COULD NOT GET PROPER READING FROM COMBUSTION ANALYZER
ANALYZER WOULD SHUT DOWN ON HIGH CARBON MONOXIDE
(OVER 9000 PPM)

Name of Licensed Contractor: NASSEFF MECHANICAL Phone # 651-777-0001

Address: 122 S. WABASHA ST., ST. PAUL, MN 55107

Person Conducting Test: JOE DRAGICH (Print Name) [Signature] (Signature)

City of Saint Paul Certificate of Competency card number for appropriate fuel: 20100000333

STAMP - Activity Detail

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684 Rose Ave E

Click [here](#) to access other applications using this address - GISmo, MapIT, and Ramsey County Info

Run Date: 07/27/12 10:58 AM

Folder ID#: 12 076048

In Date: 06/29/12

Issued Date:

Status: In Process

Closed:

Type: RF - Referral - C of O

Reference#: 114343

<p>Description: Follow up on C of O folder approved with corrections.</p> <p>People: Owner: Roaxanne Larson Payne Maryland Development Co/Co App Legate Po Box 32 New Richmond WI 54017-0659 651-779-7201</p> <p>Responsible Party: Payne Maryland Dev CO C/O Applegate PO Box 32 New Richmond WI 54017-0659 715-246-3145</p> <p>Property: 684 ROSE AVE E, PIN: 292922120010</p> <p>Info Value: Possible Student Housing?: No C of O Renewal Due Date: Sep 3, 2009 C of O Status: In Process Inspection Date: Jun 29, 2012 Inspection Time: 1:00 PM Primary Occupancy Type Name: Dwelling Units Total Residential Units: 2 Primary Occupancy Group: RT1</p> <hr/> <p>Referral Response Assigned To: Ellis, Benjamin Comment: 7/27/2012 - PO called and stated and appeal was filed for this action item to be absolved due to the status of the project the property is connected to. PO stated this building to be demolished prior to cold weather months and furnaces will not be utilized. Awaiting appeal notes and ruling to add to file. -BE Closed: 07/27/12</p> <p>Result: 07/27/2012: Under Investigation (RF)</p> <hr/> <p>Referral Re-Inspection Next Schedule: 09/28/12</p>
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