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APPLICATION FOR APPEAL

RECEIVED **Saint Paul City Clerk**
310 City Hall, 15 W. Kellogg Blvd.
SEP 06 2011 Saint Paul, Minnesota 55102
Telephone: (651) 266-8560
CITY CLERK

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, 9-20-11

Time 1:30

Location of Hearing:
Room 330 City Hall/Courthouse

Mailed 9-6-11

Address Being Appealed:

Number & Street: 1231 Kennard St City: St. Paul State: MN Zip: 55106

Appellant/Applicant: Joseph J. Skelly Email: jskelly4651@yahoo.com

Phone Numbers: Business _____ Residence _____ Cell 612.702.8983

Signature: [Signature] Date: 9/2/11

Name of Owner (if other than Appellant): _____

Address (if not Appellant's): hm: 4651 Chandler Rd, Shoreview, MN 55126

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
- Fire C of O: Only Egress Windows
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other

HVAC - Requiring two heat sources & separate venting

Joe Skelly

4651 Chandler Rd, Shoreview, MN 55126
612.702.8983; jskelly4651@yahoo.com

September 2, 2011

St. Paul City Clerk
310 City Hall
15 W. Kellogg Blvd.
St. Paul, MN 55102

Dear City Clerk:

This is an attachment to my C of O appeal form regarding an inspection that was conducted at my rental property at 1231 Kennard St, St Paul, on August 10th, 2011 by Inspector Gary Riensberg.

I have owned the non-conforming duplex nearly 10 years, since November 2001. In that time I have had the same tenants with me on one floor and successfully rented the other unit, now over two years to the same tenant. I have never had a complaint from any tenants about the air quality or heat source which I pay for since there has always been one furnace. In fact upon one tenant moving out in 2005 coincidentally when I was changing residences, my wife, two children and I lived in the duplex for 3 months during the winter months with no issues with the heating source.


There are two electric sources and two water heaters, but only one furnace. Earlier this year I replaced the furnace and the tenants were pleased that the new furnace kicks out more air. Now this summer I am stunned upon inspection that I need to have two heat sources for safety. At this point after replacing the furnace which is designed to handle the whole home, and after spending a significant amount for other St Paul City code issues (some frivolous), I am very concerned about not only the expense of changing the existing heating source but also in now changing the rent dynamics for my tenants.

As far as the code for fire safety for separate venting: in the split level home that we occupy in Shoreview, our home has a furnace in the basement and we sleep on the second level. There is not separate venting for the ducting between the two floors. So it seems that you are asking landlords to go beyond what they are providing for themselves.

It is already difficult enough that in this economy the value of the property has now declined below what we owe on the mortgage. I respectfully ask that you consider granting a waiver for the current heating source which we feel is sufficient and safe.

Sincerely,

Joe Skelly



612.702.8983



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

August 10, 2011

Bonfes Plbg & Htg Inc
505 Randolph Ave
St Paul Mn 55102

Address: 1231 Kennard St
Permit #: 11-247807 WRM

Correction Notice

To Whom It May Concern:

The referenced installation has been found not in compliance and cannot be accepted for the following reasons:

An Open C of O Exists at this Property.

1. This property is a duplex and when a warm air furnace is changed out the duct system must be separated.
2. MMC918.8: Return air from one dwelling can not discharge into another dwelling.
3. MMC602.3: A code compliant fire rating between dwelling units must be obtained.
2. The combustion air flex duct must be supported with minimum 1.5 inch wide metal straps.
3. The combustion air intake hood must be raise to at least 12 inches above grade.

Please see attached sheets

Please correct the above conditions and notify me in writing within 30 days that the job is ready for re-inspection. If you have any questions, please call me at the number below.

Sincerely,

Gary Reinsberg
Warm Air Inspector
Direct Line: 651-266-9064
E-Mail: gary.reinsberg@ci.stpaul.mn.us



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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

Telephone: 651-266-8989
Facsimile: 651-266-8951
Web: www.stpaul.gov/dsi

July 1, 2011

JOE SKELLY
DAWN SKELLY
4651 CHANDLER RD
SHOREVIEW MN 55126-6024

RE: RE-INSPECTION FIRE CERTIFICATE OF OCCUPANCY WITH DEFICIENCIES
1231 KENNARD ST

Ref. # 107233

Dear Property Representative:

Your building was re-inspected for the Fire Certificate of Occupancy on July 1, 2011. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected immediately. A reinspection will be made on or after July 9, 2011.

Failure to comply may result in a criminal citation or the revocation of the Fire Certificate of Occupancy. The Saint Paul Legislative Code requires that no building be occupied without a Fire Certificate of Occupancy. The code also provides for the assessment of additional reinspection fees.

DEFICIENCY LIST

1. 1231 Kennard - MN Rules 1300.0180 - Immediately discontinue use of unsafe heating appliance until repaired or replaced by a licensed contractor. This work will require a permit(s). Call DSI at (651) 266-9090. This furnace was installed without a permit.-This is a new furnace and there are no permits for the installations.

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>

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 the original orders.

If you have any questions, email me at james.thomas@ci.stpaul.mn.us or call me at 651-266-8983 between 7:30 a.m - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

James Thomas
Fire Inspector
Ref. # 107233