



# APPLICATION FOR APPEAL

RECEIVED  
OCT 18 2010  
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 \_\_\_\_\_) CK: #3775
- Copy of the City-issued orders or letter which are being appealed
- Attachments you may wish to include
- This appeal form completed

**YOUR HEARING Date and Time:**

Tuesday, Oct 26

Time 1:30

Location of Hearing:

Room 330 City Hall/Courthouse

## Address Being Appealed:

Number & Street: 83 Cook Ave W City: St. Paul State: MN Zip: 55117

Appellant/Applicant: David R. Broenen Email dbroenen@cisco.com

Phone Numbers: Business 408-526-4335 Residence (see cell) Cell 650-279-7114

Signature: [Signature] Date: 10/11/2010

Name of Owner (if other than Appellant): (same)

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

Please see the attached pages that provide a narrative of my appeal along with 7 pages of relevant photos.

Please note that I will not be able to attend the hearing in person, so I hope this thorough, written appeal provides the city clerk the information they need to grant me a waiver on this item. Dan R

See Item #6 in Fire Insp. correction Notice dated 10/06/10

Page 2 of 6

# Attachment to Application for Appeal for 83 Cook Avenue W (10/11/2010)

**What is being appealed?** Fire C of O: Only Egress Windows

## **Why?**

**Summary:** Inspector states window is only 21" high x 24" wide, but the window is much larger than this. It opens to approximately 42" high x 24" Wide. (Stated minimum code is 24" high x 20" wide.) Also, the pre-existing structure does not allow for reasonable modification of the existing egress.

**Detail:** The existing egress window is a Velux "Roof Window" which was designed for locations that require egress. It was engineered for scenarios such as this property, where the steep, pitched roof serves as the only exterior wall for the bedroom in question. Please see attached 4 pages of photos.

The Velux Roof Window is a large, multi-hinged window that was designed as an egress window and a skylight. Though I don't believe modification would be needed, if so, changes to the dimensions of this pre-existing window/skylight would require reconfiguration of the joists of this house. This would be extremely costly as this structure was originally an church built in 1915 (according to tax records) using very substantial materials. Decades ago, it remodeled as a 4-unit townhome development. I request that a waiver or exception be allowed on this cited deficiency.

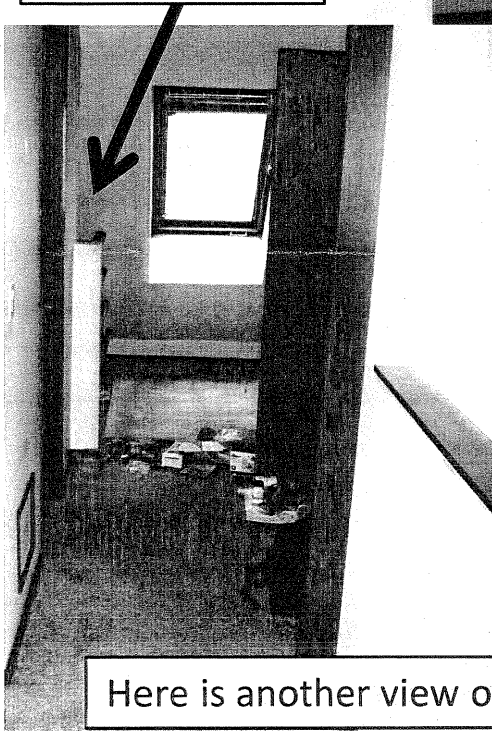
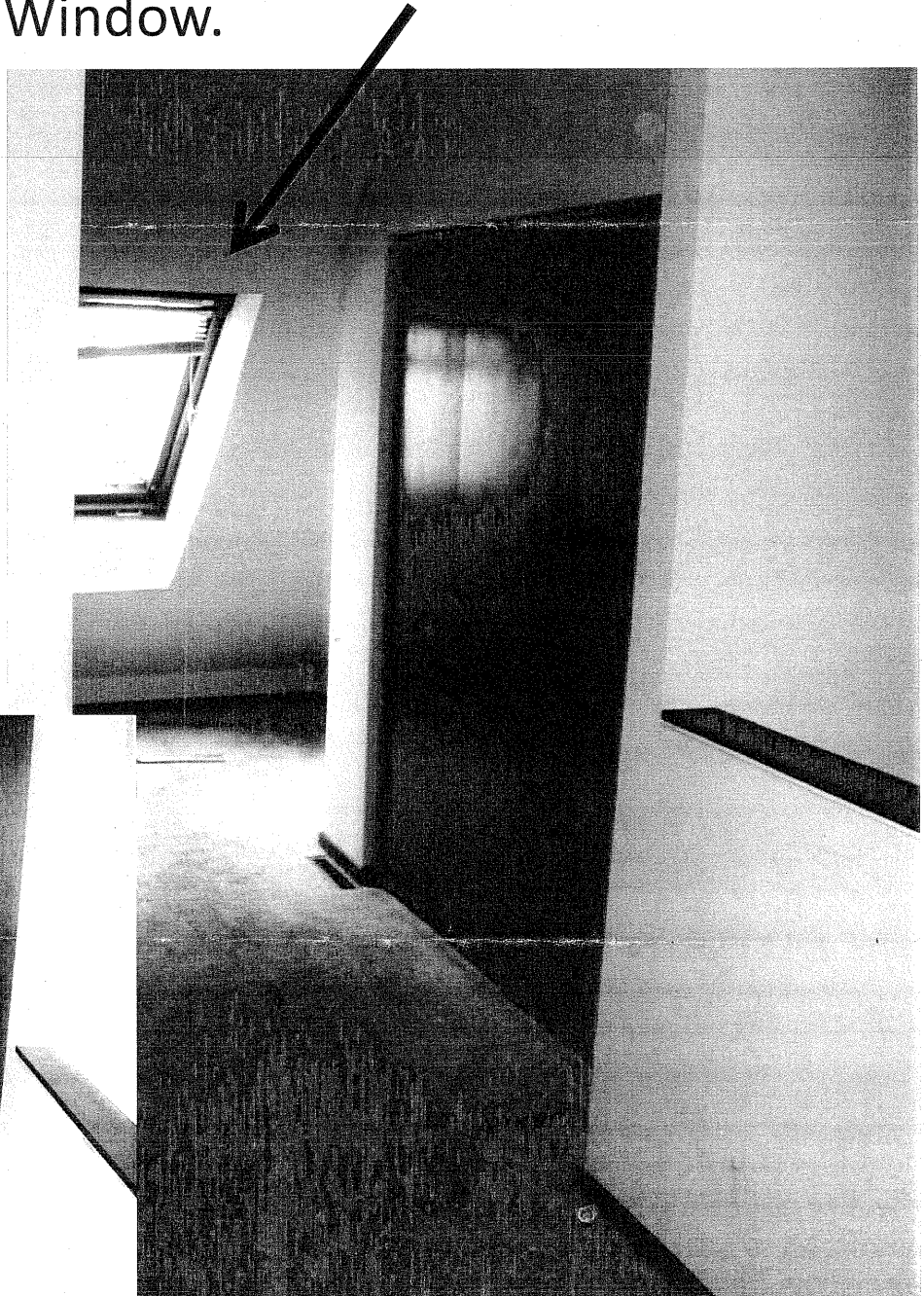
Please note that I cannot attend the hearing in person, but have prepared this application thoroughly in hopes it will give the City Clerk the information they need to render a waiver.

Many thanks for your consideration. Dave Broenen (owner)

# Photos

This is the window in question as it is seen from the *interior* of 83 Cook Ave. W. It is a Velux Roof Window.

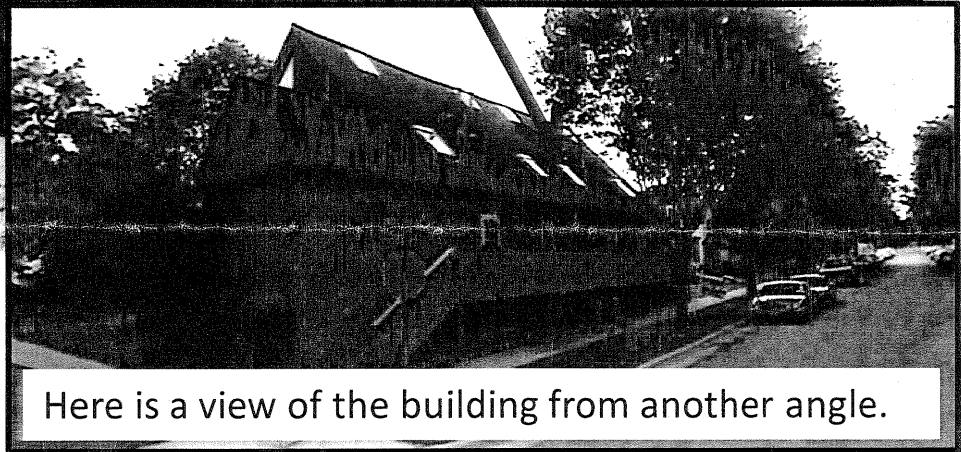
Note: There is an additional egress this way too. Just below this metal railing is the front door to the exterior.



Here is another view of the Roof Window from another angle.

# Photos

This is the window in question 83 Cook Ave. W.



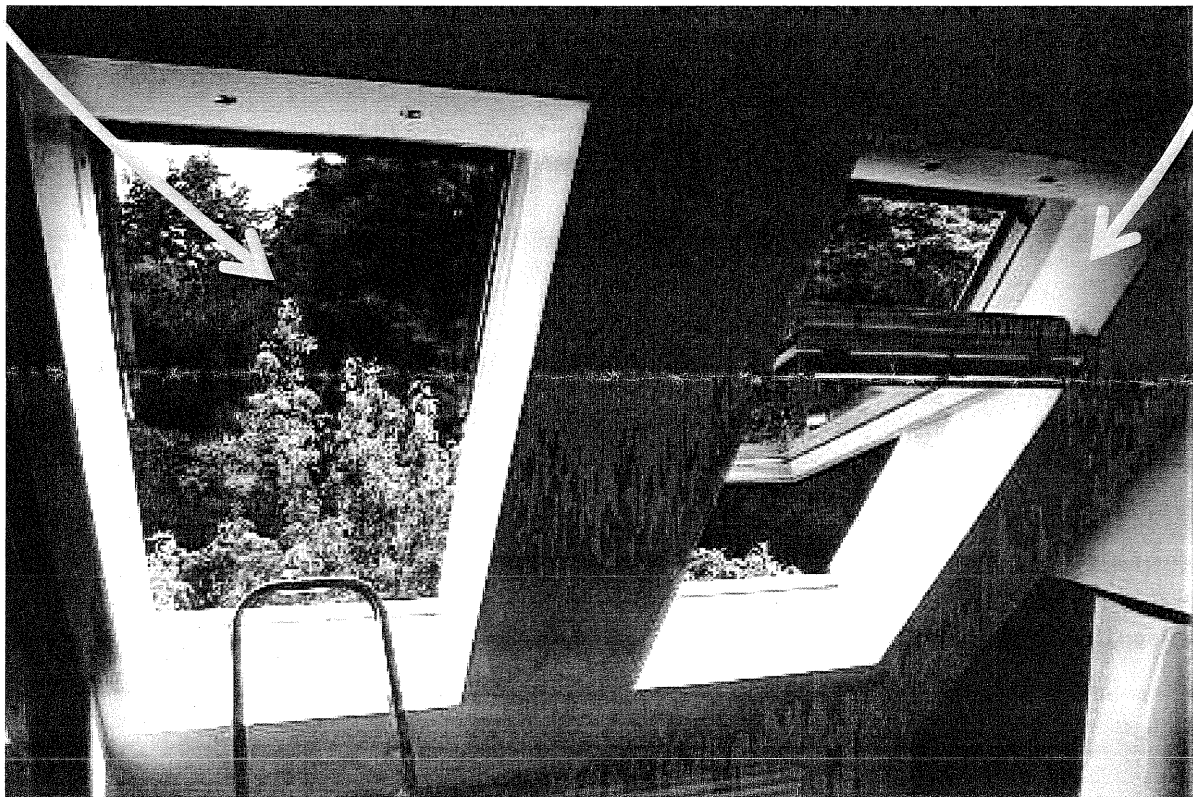
Here is a view of the building from another angle.

Please note that the other windows belong to each of three other townhomes in this repurposed church built in 1915.

# Photos

This photo shows the Velux egress window's compound-hinge design at work.

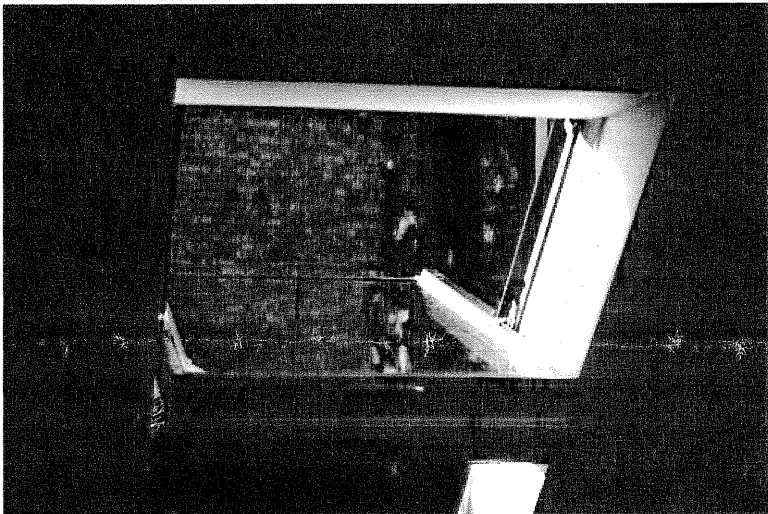
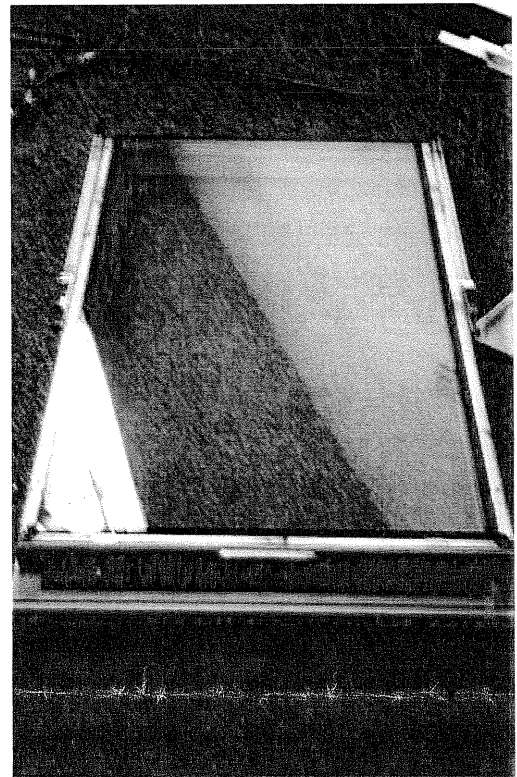
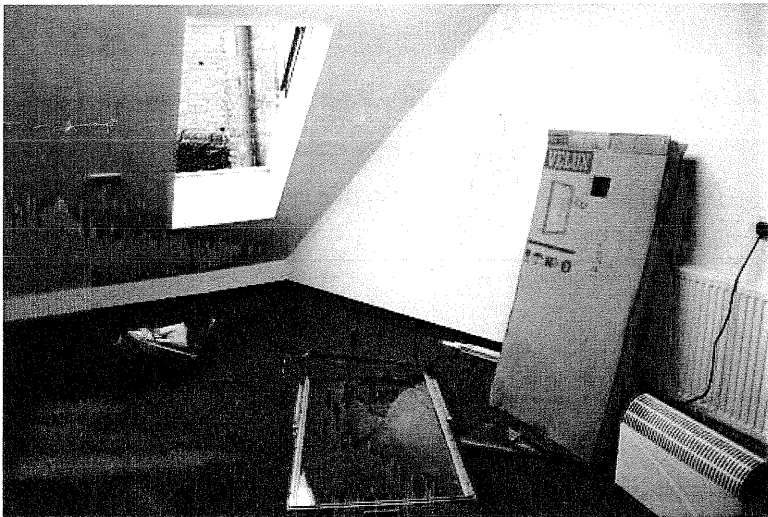
- The window on the *left* is a window opening as a door might open to a full, 90-degree position. The glass is out of view on the very left side of the opening.
- The window on the *right*, shows the hinge mechanism operating in a 'butterfly' mode. It can open much more than this to nearly 360 degrees. This window in this example is open perhaps only 30-35 degrees.





# Photos

- Interior views of Velux Roof Window and hardware



I hope the preceded pages provide the City Clerk sufficient information to grant a waiver of the cited deficiency. Many thanks.

Rec'd  
10/09/2010



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](http://www.stpaul.gov/dsi)

October 6, 2010

DAVE BROENEN  
505 CYPRESS POINT DRIVE APT 278  
MOUNTAIN VIEW CA 94043-4894

### FIRE INSPECTION CORRECTION NOTICE

RE: 83 COOK AVE W  
Ref. #112336  
Residential Class: C

Dear Property Representative:

Your building was inspected on October 6, 2010 for the renewal of your Fire Certificate of Occupancy. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected prior to the re-inspection date.

**A re-inspection will be made on November 3, 2010 at 1:00 PM.**

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 shall be occupied without a Fire Certificate of Occupancy. The code also provides for the assessment of additional re-inspection fees.

YOU WILL BE RESPONSIBLE FOR NOTIFYING TENANTS IF ANY OF THE FOLLOWING LIST OF DEFICIENCIES ARE THEIR RESPONSIBILITY.

#### DEFICIENCY LIST

1. Bathroom - SPLC 34.12 (2), 34.35 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition.-Exhaust fan
2. Bathroom - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-Toilet running
3. Front door - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition.-Repair dead bolt.

4. Living room - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.-Replace with power strip if needed.
5. Loft - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.-Replace with power strip if needed.
6. Loft - MSFC1026.1 - Provide and maintain an approved escape window from each sleeping room. The minimum size must be 5 square feet of glazed area with a minimum of 24 inches of openable height and 20 inches of openable width. With a finished sill height not more than 48 inches. This work may require permit(s). Call DSI at (651)- 266-9090. Refer to the Escape Windows for Residential Occupancies handout for more information.-Window measurements - Height 21 in, Width 24 in
7. Rear deck - SPLC 34.09 (2), 34.32(2) - Repair or replace the unsafe stairways, porch, decks or railings in an approved manner. This work may require a permit(s). Call DSI at (651) 266-9090.-Replace decayed flooring.
8. Sleeping area - MN State Statute 299F.50 Immediately provide and maintain an approved Carbon Monoxide Alarm in a location within ten (10) feet of each sleeping area. Installation shall be in accordance with manufacturers instructions.
9. SPLC 39.02(c) - Complete and sign the provided smoke detector affidavit and return it to this office.
10. UMC 504.6 - Provide, repair or replace the dryer exhaust duct. Exhaust ducts for domestic clothes dryers shall be constructed of metal and shall have a smooth interior finish. The exhaust duct shall be a minimum nominal size of four inches (102 mm) in diameter. This work may require a permit(s). Call DSI at (651) 266-8989.

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 this order.

If you have any questions, email me at: [mike.cassidy@ci.stpaul.mn.us](mailto:mike.cassidy@ci.stpaul.mn.us) or call me at 651-266-8984 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,

Mike Cassidy  
Fire Inspector

Reference Number 112336