



# APPLICATION FOR APPEAL

RECEIVED  
AUG 08 2011  
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 # 4133*
- 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

<b>YOUR HEARING Date and Time:</b>
Tuesday, <u>8-23-11</u>
Time <u>1:30</u>
Location of Hearing: <u>Room 330 City Hall/Courthouse</u>

*sent 8-8-11*

## Address Being Appealed:

Number & Street: 1685 Taylor Ave City: St Paul State: MN Zip: 55104

Appellant/Applicant: Scott Huestis Email dsbcrealty@usinternet.com

Phone Numbers: Business 651-659-0200 Residence \_\_\_\_\_ Cell 651-226-1123

Signature: *Scott Huestis* Trustee Date: 7/3/2011

Name of Owner (if other than Appellant): Dorothy Huestis Trust

Address (if not Appellant's): deceased

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

\_\_\_\_\_  
 \_\_\_\_\_  
*see attached*  
 \_\_\_\_\_  
*see attached*  
 \_\_\_\_\_  
 \_\_\_\_\_

JUL 31 2011



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)

July 29, 2011

SCOTT HUESTIS  
2147 UNIVERSITY AVE W  
ST PAUL MN 55114-1313

### FIRE INSPECTION CORRECTION NOTICE

RE: 1685 TAYLOR AVE  
Ref. #16008  
Residential Class: C

Dear Property Representative:

Your building was inspected on July 29, 2011 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 after September 15, 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 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. Basement - Dryer - 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.
2. Basement - MSFC 703 - Provide, repair or replace the fire rated door and assembly.- Repair and maintain the door closer and latch on both doors to utility rooms.
3. Basement Unit - MSFC 703 - Repair and maintain the required fire resistive construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090.-Repair and maintain ceiling in unit in an approved manner.

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4. Rear Entryway - MSFC 703 - Repair and maintain the required fire resistive construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090.-Patch wall and underneath stairway in an approved manner.
5. Throughout - 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.
6. Throughout - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work will require a permit(s). Call DSI at (651) 266-8989.-Repair all incorrectly wired receptacles throughout the building. Multiple 3-prong receptacles have open ground connection. Reversed polarity at other receptacles.
7. Throughout - NEC 410-8 (b) (1) Provide for the incandescent light fixtures in closets to have a completely enclosed lamp.-This work may require a permit. Contact DSI at (651) 266-8989.
8. Throughout - MSFC 1008.1.8.4 - Bolt Locks - Manually operated flush bolts or surface bolts are not permitted. - Remove slide bolt locks.
9. Throughout - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window in good condition.-Repair windows as needed so that all double-hung windows throughout the building are easily openable without excessive effort. At least one window in each bedroom must easily open to a full height of 24 inches or greater to meet egress requirements.
10. Throughout - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-Repair all smoke detectors throughout the building as needed where giving low battery sign or where non-working.
11. Unit 1 - 1st Floor - Bathroom - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-9090.-Replace GFCI outlet with non-working breaker.
12. Unit 1 - 1st Floor - Side Bedroom - 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.-

Existing casement window does not meet glazed area requirement. Window has an openable and glazed area of 21 inches wide by 28 inches high, 4.1 square feet.

13. Unit 1 - 2nd Floor - MSFC 605.1 - Remove unapproved exposed wiring and install in accordance with the electrical code. This work may require a permit(s). Call DSI at (651) 266-9090.-Repair non-metallic cable (Romex) run along floor exposed across doorway by kitchen.

14. Unit 1 - 2nd Floor - Kitchen - MFGC 404.12 - Provide leak tight caps or plugs on disconnected or unused gas lines.
15. Unit 1 - 2nd Floor - Rear Door - SPLC 34.09 (3) i - Provide and maintain an approved one-inch throw single cylinder deadbolt lock.-Deadbolt locks are required on all unit doors leading to exterior or to common area.
16. Unit 3 - 2 Bedrooms - 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.

Front Bedroom: Double-hung window has an openable area of 16 inches high by 33.5 inches wide and a glazed area of 36 inches high by 33.5 inches wide, 8.4 square feet.

Side Bedroom: Casement window has an openable area of 37.5 inches high by 17 inches wide and a glazed area of 37.5 inches high by 20.5 inches wide, 5.3 square feet.

17. 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.
18. SPLC 39.02(c) - Complete and sign the smoke detector affidavit available on website and return it to this office.
19. SPLC 62.101 - Use of this property does not conform to zoning ordinance. Discontinue unapproved use or call DSI Zoning at (651) 266-8989 to convert to legal use.-  
Discontinue use of property was four (4) units and convert to legal occupancy of three (3) units in accordance with all Zoning Dept. requirements.  
This includes:
  - Remove deadbolt and keyed lock from doorway between 1st floor and 2nd floor in Unit 1.
  - Completely remove 2nd kitchen from Unit 1 including sink, cabinets, countertops and appliances.
  - Cap gas line, plumbing lines, and drain line from de-converted kitchen under any necessary DSI permit(s). Contact DSI at (651) 266-8989 for permits.

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: [mitchell.imbertson@ci.stpaul.mn.us](mailto:mitchell.imbertson@ci.stpaul.mn.us) or call me at 651-266-8986 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,

Mitchell Imbertson  
Fire Inspection

Reference Number 16008

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APPEAL REQUEST ref. # 16008

8/5/11

**Subject: Appeal about 1685 Taylor Ave, St Paul, MN 55104 ref #16008**

Hello,

Here is a list of the items contained on the Fire Inspection Correction Notice dated 7/29/11 that I am asking to be reconsidered and why. There are also some questions that have arisen as a result of your requirements.

Item #19 – You are requiring us to completely remove the kitchen on the 2<sup>nd</sup> floor. May we remove the kitchen from the basement apartment instead and include what was the basement apartment as part of the 1<sup>st</sup> floor apartment? The only kitchen for this apartment will be the 1<sup>st</sup> floor kitchen? The house could create greater income if it has more bedrooms. The three rental areas would then be as follows: basement and 1<sup>st</sup> floor together, the 2<sup>nd</sup> floor by itself, and the 3<sup>rd</sup> floor by itself.

Item #19 – You are requiring us to remove the storage cabinets from which ever kitchen we are required to remove. What distinguishes a kitchen cupboard from a storage cabinet? We wish to provide storage cabinets in the area that once was a kitchen. We will wish to leave some of these storage cabinets or cupboards in place and add more storage in this area. Once the stove, frig, and sink are gone, how could these storage cabinets be used to support a kitchen that does not exist?

Item #9 – You are requiring much window work. Does absolutely every double hung window need to open in the house? There are windows everywhere and we should be able to get most of them working. I believe this house was built 100 years ago or so. Some of these double hung windows will be extremely expensive to get to operate and will require complete replacement.

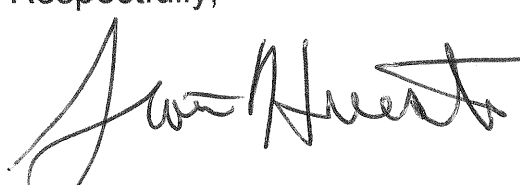
Items #12 and #16 – I understand the need for egress windows. These will be extremely expensive to correct. In 1981 there was a major remodel of the home converting to a fourplex under a city permit and passed inspection. The home has been inspected on a regular basis since then and all windows passed inspections. Why are you forcing us to change these windows that will only gain slightly more room for egress?

You are requiring much window work along with removing a kitchen. Since these requirements are very expensive, we will require much more time to complete these expensive requirements. We will need to create bidding specifications and ask contractors to provide bids and so on. In order to do this well, it will take lots of time. In this struggling economy, I will not be able to work on this project on a full time basis since we are attempting to keep our other business afloat along with management of the health care of our bed ridden father (87 year old Bill Huestis).

The house is currently unoccupied and it is our plan that the house remains unoccupied until the property is sold. We need to sell the property to pay for my father's bed ridden health care. The house has been in the family for five generations. Am I supposed to register the building as unoccupied? What is the process and how will this affect us?

Thank you for taking the time to consider our requests and answer our questions.

Respectfully,



(Trustee)

Scott Huestis (Trustee for Dorothy M. Huestis Trust)  
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St Paul, MN 55114  
651 226 1123  
651 659 0200  
dsbrealty@usinternet.com