



# APPLICATION FOR APPEAL

## Saint Paul City Council – Legislative Hearings

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CITY CLERK

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

We need the following to process your appeal:

- ☒ \$25 filing fee (non-refundable) (payable to the City of Saint Paul)
  - ☒ (if cash: receipt number 820005)
  - ☒ 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

### HEARING DATE & TIME

(provided by Legislative Hearing Office)

Tuesday, Nov. 21, 2017

Time 11:30 a.m.

Location of Hearing:

Room 330 City Hall/Courthouse

## Address Being Appealed:

Number & Street: 1150 Burr St City: SLP State: MN Zip: 55130

Appellant/Applicant: JORGE A. LOPEZ Email: jlopez917@msn.com

Phone Numbers: Business A Residence X Cell (651) 261-0879

Signature: Jorge A Lopez Date: 11.13.17

Name of Owner (if other than Appellant): Robert D. Stein - RDS Investments

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 appeal this decision because  
I am receiving a 8 days notice to  
vacate and that is such a difficult thing  
for me to do at this time of year with my  
kids in local schools. I have been there for  
8 years 6 months.



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)

November 8, 2017

RDS INVESTMENTS CO  
572 EARL ST  
ST PAUL, MN 55106

### **Revocation of Fire Certificate of Occupancy and Order to Vacate**

RE: 1152 BURR ST  
Ref. # 110591

Dear Property Representative:

Your building was inspected on November 2, 2017, for the renewal of the Certificate of Occupancy. Since you have failed to comply with the applicable requirements, it has become necessary to revoke the Certificate of Occupancy in accordance with Section 40.06 of the Saint Paul Legislative Code.

***A re-inspection will be made on November 15, 2017 at 1:30 pm or the property vacated.***

The Saint Paul Legislative Code further provides that no building shall be occupied without a Certificate of Occupancy. Failure to immediately complete the following deficiency list or the building vacated may result in a criminal citation.

#### **DEFICIENCY LIST**

1. Basements - Unit 1150, 11152 - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner. The basement wall is being opened up for a secondary means of egress for the bedroom and has to be done under permit per the legislative hearing officer. Per the Legislative Hearing Officer's recommendation to the City Council: you were granted to 9/1/17 to either vacate the bedrooms, or enclose the utility area and open the bedroom walls to exit areas, noting that at least 50% of the wall must be removed and all work must be done under permit. Upon inspection on 9/1/17, the bedrooms were not vacated at the original inspection appointment, requiring the inspector to return later the same day to verify compliance. On the 11/2/17 inspection, construction had commenced without the required permits.

2. Both units - Interior - MSBC -Section 105.1 - Permits Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit. Work being done requires a permit. A permit was ordered by the legislative hearing officer for the enlargement of the basement for both units and it has not been opened.
3. Exterior - House - SPLC 34.09 (1)(2), 34.33 (1) - Provide and maintain all exterior walls free from holes and deterioration. All wood exterior unprotected surfaces must be painted or protected from the elements and maintained in a professional manner free from chipped or peeling paint. Clean all the gutters, repair the damage to the garage doors, scrape the peeling paint to the windows and doors and repaint them.
4. Unit 1150 - Basement Bathroom - SPLC 34.14 (3), MPC 4714.01 (T) - Provide and maintain a window or approved ventilation system in all bathrooms. The exhaust fan is not working.
5. Unit 1150 - Hallway - SPLC 34.10 (7), 34.17(5) - Repair and maintain the floor in an approved manner. The carpeting in the hallway is in the process of replacing, finish making repairs to the carpeting.
6. Unit 1150 - Kitchen - SPLC 34.10 (7), 34.17(5) - Repair and maintain the floor in an approved manner. Repair or replace the damaged flooring in the kitchen.
7. Unit 1150 - Basement Mechanical Room - MMC 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 and installed in accordance with the mechanical code. This work may require a permit(s). Call DSI at (651) 266-8989. Provide an approved dryer vent under permit by a licensed contractor.
8. Unit 1152 - Basement Bathroom - SPLC 34.14 (3), MPC 4714.01 (T) - Provide and maintain a window or approved ventilation system in all bathrooms. The exhaust fan is making a loud noise and needs to be serviced.
9. Unit 1152 - Entryway - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner. Repair the hole in the wall behind the door.

10. Unit 1152 - Garage - MSFC 703.1 - Repair and maintain the required fire resistive construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-8989. Repair the ceiling in an approved manner.
11. unit 1150 - Basement Mechanical Room - MSFC 1030.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exit path. Washer and dryer in front of the emergency escape window.
12. unit 1152 - Basement Stairs. - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner. Repair all damage to the walls in an approved manner.
13. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.
14. SPLC 40.6 The certificate of occupancy is being revoked due to multiple code violations, including but not limited to: Failure to comply with the City Council decision regarding basement sleeping areas, failure to obtain the required permit(s) for basement construction, and long-term non compliance. All work shall be completed, including inspections and sign-offs by the appropriate trade inspectors, prior to the inspection time and date above, or the building vacated.

Saint Paul Legislative Code authorizes this inspection and collection of inspection fees. For forms, fee schedule, inspection handouts, or information on some of the violations contained in this report, please visit our web page at: <http://www.stpaul.gov/cofo>

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: (651-266-8585) and must be filed within 10 days of the date of this order.

If you have any questions, email me at: [brian.schmidt@ci.stpaul.mn.us](mailto:brian.schmidt@ci.stpaul.mn.us) or call me at 651-266-8981 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Brian Schmidt  
Fire Inspector

266-8981

Ref. # 110591