

ALH 10-514 ✓ Scanned
APPLICATION FOR APPEAL

RECEIVED
NOV 30 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 _____)
- 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, 12/14/10
Time 1:30
Location of Hearing:
Room 330 City Hall/Courthouse

mailed 12-6-10 -sm

Address Being Appealed:

Number & Street: 833 Germain City: St. Paul State: MN Zip: 55106

Appellant/Applicant: Angela & Eric Teegarden Email: angela.teegarden@ed.com

Phone Numbers: Business 612-239-3595 Residence same Cell ---

Signature: [Signature] Date: 11-29-10

Name of Owner (if other than Appellant): _____

Address (if not Appellant's): P.O. Box 702, Lakeland, MN 55043

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 Egress Window Non-Compliance
- Other Determination - See Attached
- Other

833 Germain Egress Window
November 29, 2010

What is being appealed: Egress Window Non-Compliance Determination

Reasons: Please see outline of events leading up to this current appeal

April 2010: Received inspection notice from City of Fire Inspections – told to provide larger window to meet egress requirements.

Appealed

May 25, 2010 Hearing date for appeal – submitted a request for a variance to install either a slider or casement window lower than minimum dimensions.

At hearing submitted bid from Contractor with follow-up e-mail showing actual dimensions for window.

Was told at hearing that Casement window was approved. Dimensions of the window I submitted were 23 ½ “ width x 17 7/8” height.

Then scheduled for replacement upon tenant vacating August 1.

July 29: Permit pulled by contractor – contractor questions dimensions.

August: I follow-up with City on Aug. 2 to find out my variance was never approved. I was sent a copy of minutes which were vague. It's not clear whose dimensions are being referred to in the minutes. I understood my casement window was approved with contractor's dimensions as I submitted. But there is no indication as to what or who's dimensions in the minutes.

August 4, 2010: Received Variance letter which approves window dimensions as follows: 23.5 inches in height and 17 7/8 inches in width. These are literally the dimensions of my contractors' window measurements reversed between height and width.

My contractor cannot do work because dimensions for variance will not work with window.

I continue to email parties to clarify letter asking for a new letter with dimensions switched around.

I never received any more follow-up.

November 2010: Receive a letter from City Inspector that I have until Nov. 15 to schedule final inspection on this issue.

I continue to follow-up with the City:

November 12 – I received another letter allowing contractor to adjust window height. This letter has no effect on window dimensions –still unable to install window.

November 15 – I go to City Hall to talk to someone in person. I talk directly with Mai Vang and Marcia Moermond. I was told to have my contractor pull the permit and put down the window dimensions which will be noncompliant. I was told it would get sent for review to the City Hall.

Week of Nov. 15 Contractor adjusts permit and puts down window dimensions. Permit office gives paperwork to contractor to deal with. He forwards paperwork to me.

Nov. 19: I submit the paperwork to the City Hall by e-mail and fax.

Week of Nov. 22: I receive a call that parties Mai Vang and Marcia Moermond are out of town for the week. I am requested to submit another application for appeal.

Which I am doing now. I am told any filing fee will be waived.

I am respectfully requesting approval of my casement window to be installed by Dorglass- Dimensions 23 ½ “ width and 17 7/8” height. This would be the clear opening with sash fully open.

Angela Teegarden
P.O. Box 702
Lakeland, MN 55043
612-239-3595



CITY OF SAINT PAUL
INTERDEPARTMENTAL MEMORANDUM

EGRESS WINDOW NON-COMPLIANCE DETERMINATION

TO: CITY CLERK
15 KELLOGG BLVD. WEST
310 CITY HALL
SAINT PAUL, MN 55102

PHONE: 651-266-8688
FAX: 651-266-8574

DATE: November 18, 2010

APPEAL PROPERTY ADDRESS: 833 GERMAIN ST

APPLICANT NAME: DORGLASS INC

PHONE NUMBER: 651-266-9071

PERMIT NUMBER: 10 614011

TYPE OF WINDOW Casement

NUMBER OF WINDOWS 1

Total Glazed Area	3 sq. ft.	Difference from Required Area	- 2 sq. ft.
Width of Opening	23 ½"	Difference from Required Opening	+ 3 ½"
Height of Opening	17 7/8"	Difference from Required Opening	-12 1/8"
Height of Opening to Finished Floor	NA	Difference from Maximum Height	NA

COMMENTS:

Reviewed by:

GERMAIN STREET APARTMENTS

November 18, 2010

Ms. Marcia Moermond
Ms. Mai Vang
City Hall – Legislative Hearing Office
15 Kellogg Blvd., West
310 City Hall
St. Paul, MN 55102

RE: 833 Germain Street

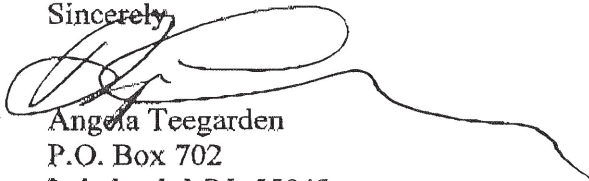
Dear Ms. Moermond and Ms. Vang:

Attached for your review from the Permit Office is the Egress Window Non-Compliance Determination. The permit was pulled July 29, 2010. Prior to beginning work the contractor was waiting for a revision to variance letter.

Based on discussions earlier this week, we were told to go this route and submit the permit based on actual window dimensions which according to the variance received are non-conforming because the width and height dimensions are reversed.

Please let us know what the next step would be to getting this work approved.

Sincerely,



Angela Teegarden
P.O. Box 702
Lakeland, MN 55043
612-239-3595

cc: Robert Solstad, Dorglass, Inc.
James Thomas, Fire Inspector



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

November 4, 2010

Eric J Teegarden
Po Box 702
Lakeland MN 55043-0702

CORRECTION NOTICE - COMPLAINT INSPECTION

RE: 833 GERMAIN ST
Ref. #

Dear Property Representative: Contact your building inspector for a final inspection by close of business on November 15, 2010.

An inspection was made of your building on April 28, 2010 in response to a referral. You are hereby notified that the following deficiency list must be corrected immediately

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

DEFICIENCY LIST

- 1. 833 - 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.-Windows measured at Glazed 17inches openable height 11inches and 39inches width sill 64inches. This is a awning window tht openas inward.**


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

 BUILDING PERMIT PERMIT #: 20 10 614011 Issued Date: July 29, 2010	CITY OF SAINT PAUL Department of Safety & Inspections 375 Jackson Street, Suite 220 Saint Paul, MN 55101-1806 Phone: 651-266-8989 Fax: 651-266-9124
CONTRACTOR: DORGLASS INC 6008 CULLIGAN WAY MINNETONKA MN 55345-0000	OWNER: ERIC J TEEGARDEN PO BOX 702 LAKELAND MN 55043-0702
PERMIT ADDRESS: 833 GERMAIN ST ST PAUL MN 55106-4257	
SUB TYPE: Residential (Multi-Fam)	WORK TYPE: Repair

Change/Expansion of Use?	No	Existing Primary Use (Multi-Fam)	R-Multi-Family
# of Existing Dwelling Units	4	# of Dwelling Units Worked On	1
State Valuation	565	Valuation Override	No
Estimated Start Date	Aug 3, 2010	Estimated Completion Date	Aug 10, 2010
Scope of Repair Work	Minor Repair	Structural Work?	No Structural Work
Interior/Exterior?	Both Int. and Ext.	Primary Occupancy Group	R-2
Plan Number	None	Windows (Framed Insert or Pock	Yes
# of Windows	1		

FEES

Permit Fee	32.34
Surcharge B	0.50
TOTAL	32.84

REMOVE BEDROOM WINDOW AND INSTALL REPLACEMENT. **Each Sleeping Room must have one egress window that complies with the St. Paul Egress Window Policy. Safety Glass is required within a tub or shower enclosure, within 2 feet of doors and adjacent to stairs and stair landings, when the glass is less than 60 inches above a walking or standing surface. See other specifics in Section R308 of the International Residential Code (1- and 2-family dwellings) or Chapter 24 of the International Building Code (multi-family and commercial). NOTE: Smoke alarms shall be installed as specified in the Minnesota State Residential Code, Sec. R313. Call the Area Building Inspector between 7:30-9:00am (M-F) when work is complete or if any problems/questions arise. NOTE: Per Section 33.04 of the Legislative Code all exterior work must be completed within one year of permit issuance.

The inspector assigned to this Permit is Dave P. N.
 The inspector can be reached at 651-266-9027 between 7:30 AM and 9:00 AM Monday through Friday.

INSPECTION APPROVALS

Call between 7:30 - 9:00 am to arrange for inspection.
 Post this inspection record at the job site until final approval.
 No building shall be occupied without inspector approval.
 Work shall not proceed without inspector approval.
 Approved plans must be retained on the job site.
 SEPARATE PERMIT REQUIRED FOR WORK OF EACH TRADE.

Building Inspection: 651-266-9002

An erosion control inspection is required for land disturbances greater than 50 cu. yds. Controls must be installed, inspected and approved prior to beginning excavation.

Soil Erosion Control:	Insulation:
Footings:	Sheetrock:
Framing:	Final:
Rough-in:	Electrical Inspection: 651-266-9003
	Final:
Rough-in:	Mechanical Inspection: 651-266-9004
	Final:
Rough-in:	Plumbing Inspection: 651-266-9005
	Final:
Rough-in:	Warm Air/Ventilation Inspection: 651-266-9006
	Final:
Rough-in:	Elevator Inspection: 651-266-9010
	Final:
Rough-in:	Fire Inspection: 651-266-9090
	Final:



CITY OF SAINT PAUL BUILDING

PERMIT #: 20 10 614011

CONTRACTOR:

DORGLASS INC

ISSUED DATE: 07/29/2010

TYPE OF WORK:

Residential (Multi-Fam) - Repair

JOB SITE ADDRESS:

833 GERMAIN ST

BUILDING INSPECTOR: Nelson, Dave P.

PHONE: 651-266-9027

MINIMUM INSPECTIONS REQUIRED

1. Soil, foundation, footings, reinforcement and erosion control as specified.
2. Rough-in for all trades prior to framing inspection.
3. Framing - prior to covering structural members.
4. Insulation and vapor retarder prior to covering.
5. Sheetrock that is part of a fire-resistive or shear assembly.
6. Final - prior to occupancy.

POST THIS NOTICE SO THAT IT IS VISIBLE FROM THE STREET - OTHER APPROVALS MAY BE REQUIRED

From: Mai Vang
To: Janie LaFrenz, Marcia Moermond, Racquel Naylor
Date: 11/22/2010 3:15 PM
Subject: Re: Angela Teegarden 612-239-3595

Racquel, she may need to fill out the application form and we will waive the filing fee. Marcia will review the measurement and grant her appeal. Thanks. -Mai

>>> Racquel Naylor 11/22/10 11:51 AM >>>

Teegarden called in response to Janie leaving a message about an Application for Appeal. Teegarden does not feel she should fill out another application. She has already done so. She said that Moermond granted her a variance at a hearing in May. Teegarden says her contractor made a measurement mistake.

The issue sounds confusing. I put the paperwork back on Mai's desk. Perhaps a phone call to Teegarden would help. I explained that the hearing staff are out this week.

FAX COVER SHEET

DATE: November 30, 2010
NUMBER OF PAGES: 6 pages (including cover sheet)
TO: Racquel Naylor
Marcia C. Moermond
Mai Vang
FAX NO.: 651-266-8574
Telephone:
FROM: Angela Teegarden
TELEPHONE: 612-239-3595

Re: 833 Germain Street
Egress Window Issue

Attached is completed application for appeal to be added to previous letter dated Nov. 18, 2010 and Egress Window Noncompliance Determination dated Nov. 18, 2010.