



APPLICATION FOR APPEAL

RECEIVED

SEP 24 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, Oct 12

Time 1:30

Location of Hearing:

Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 499 Lynnhurst Ave W City: St Paul State: MN Zip: 55104

Appellant/Applicant: Bruce Mitchell Email _____

Phone Numbers: Business 651-755-5569 Residence _____ Cell _____

Signature: [Signature] Date: 9/21/2010

Name of Owner (if other than Appellant): _____

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

one hour ban covering on hallway
Zoning variance



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

September 14, 2010

STEPHEN FARRELL
LANI FARRELL
208 139TH AVE NW
ANDOVER MN 55304-4183

BRUCE EDWARD MITCHELL
499 W LYNNHURST AVE
ST PAUL MN 55104

FIRE INSPECTION CORRECTION NOTICE

RE: 499 LYNNHURST AVE W
Ref. #109169
Residential Class: C

Dear Property Representative:

Your building was inspected on September 13, 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 October 13, 2010 at 10:00 A.M. : SEPTEMBER 20, 2010 AT 2:00 P.M. FOR SMOKD DETECTORS AND CO DETECTORS.**

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. EXTERIOR - GARAGE ALLOW INSPECTION - SPLC 34.08 (5), 34.31 (3) - Repair, replace and maintain all exterior surfaces on fences, sheds, garages and other accessory structures free from holes and deterioration. Provide and maintain exterior unprotected surfaces painted or protected from the elements.-
ALLOW INSPECTION OF GARAGE.

2. EXTERIOR - GRADING AND DRAINAGE - SPLC 34.08 (2) - Provide and maintain the property grade to slope away from the building to minimize the accumulation of water near the building. This work may require a permit(s). Call DSI at (651) 266-9090.
3. EXTERIOR - OUTLET PROTECTIV E COVERS - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.-
Provide approved covers for all exterior outlets.
4. EXTERIOR - POOLS - SPLC 34.08 (4), 34.31 (2) - Exterminate and control insects, rodents or other pests on all exterior areas and in accessory structures.-
Ponds in yard areas--stagnant water--breeding ground for insects.
Drain pools until power repaired for pools circulation.
5. EXTERIOR - SANITATION - SPLC 34.08 (1), 34.31 (1) - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces.-
Clean up all animal feces from exterior and from kennel area and keep clean.
6. EXTERIOR - SCREENS - SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screens/door screens.
7. EXTERIOR - WINDOWS - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window in good condition.-Replace all cracked/broken windows throughout.
8. INTERIOR - HEATING REPORTS - 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.-Provide for all heating plants throughout building--all units.
Remove unused heating plant from basement.
9. INTERIOR - CO/SDA - SPLC 39.02(c) - Complete and sign the required smoke detector affidavit and return it to this office.
10. INTERIOR - ZONING - 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:-
BUILDING CERTIFIED FOR 2 UNITS.
THERE ARE 4 UNITS--2 ON 1ST FLOOR, 1 ON 2ND FLOOR AND 1 ON 3RD FLOOR.
PROVIDE APPROVAL FOR 4 UNITS OR REMOVE 2 UNITS.
11. INTERIOR CORRIDOR 1ST FLOOR - FLOOR REPAIR/FIRE RATING - MSFC 703 -
Provide and maintain fire rated floor and/or ceiling construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090. The minimum rating must be:-
Corridor flooring not fire rated and is in need of repairs in various areas.
Repair flooring to a 1 hour fire rating.

12. INTERIOR CORRIDOR 1ST FLOOR - WALLS/CEILING FIRE RATING - MSFC 1010.17 - Provide and maintain fire rated corridor construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090. The minimum rating must be:-

Corridor system installed between front and rear first floor units --h shaped corridor.
Provide one hour rated corridor walls and ceilings.

13. INTERIOR THROUGHOUT - FIRE EXTINGUISHERS - MSFC 906.1, MN Stat. 299F.361 - Provide approved fire extinguishers in accordance with the following types, sizes and locations.

PROVIDE FOR ALL UNITS.-Provide one minimum 1A10BC fire extinguisher within each apartment unit or a minimum 2A10BC not be more than 50' travel distance from each apartment entrance. They must be permanently mounted between 3 and 5 feet high in readily visible and easily accessible locations

14. UNIT -- 1ST FLOOR REAR - ADAPTER PLUGS - MSFC 605.4 - Discontinue use of all multi-plug adapters.

15. UNIT -- 1ST FLOOR REAR - CO DETECTORS - 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.

Immediately provide co detector.

16. UNIT -- 1ST FLOOR REAR - DEAD BOLT LOCKS - SPLC 34.09 (3) i - Provide and maintain an approved one-inch throw single cylinder deadbolt lock.-
Provide approved deadbolt locks for all unit entry doors.

17. UNIT -- 1ST FLOOR REAR - ELECTRICAL - SPLC 34.14 (2), 34.34 (5) - Provide an approved electrical service adequate to meet the buildings needs. This work may require a permit(s), call DSI at (651) 266-9090.-
Fixtures, outlets and switches nonfunctional in various areas of unit--to be inspected and all correction made by a licensed electrical contractor under permit.

18. UNIT -- 1ST FLOOR REAR - EXTENSION CORDS - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.

19. UNIT -- 1ST FLOOR REAR - FURNACE ROOM STORAGE - MSFC 315.2.3 -
Remove combustible storage from the fuel burning equipment rooms.

20. UNIT -- 1ST FLOOR REAR - ILLEGAL LOCKS - MSFC 1003.3.1.8 - Remove unapproved locks from the unit doors. The door must be openable from the inside without the use of keys or special knowledge or effort.-
Remove all slide bolt locks.

21. UNIT -- 1ST FLOOR REAR - LIGHT FIXTURE GLOBES - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.
22. UNIT -- 1ST FLOOR REAR - SMOKE DETECTORS - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.- Immediately provide smoke detector.
23. UNIT -- 1ST FLOOR REAR - ZONING - 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:- Unit is 4th unit in a building only approved for 2 units. Obtain zoning approval for unit or vacate unit.
24. UNIT -- 2ND FLOOR - 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.- Repair shower stall door.
25. UNIT -- 2ND FLOOR - BATHROOM VENTILATION - SPLC 34.14 (3), MPC 4715.200.T - Provide and maintain a window or approved ventilation system in all bathrooms.
26. UNIT -- 2ND FLOOR - CO DETECTORS - 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.- Immediately provide CO detectors.
27. UNIT -- 2ND FLOOR - DRYER VENTING - 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.- Replace unapproved dryer venting--requires permit and licensed contractor.
28. UNIT -- 2ND FLOOR - ELECTRICAL - SPLC 34.14 (2), 34.34 (5) - Provide an approved electrical service adequate to meet the buildings needs. This work may require a permit(s), call DSI at (651) 266-9090.- Unit fixtures, outlets, switches in various areas of unit non-functional--have repaired under permit by a licensed electrical contractor.
29. UNIT -- 2ND FLOOR - INTERIOR DOORS - SPLC 34.10 (7), 34.33 (6) - Repair or replace and maintain the woodwork in an approved manner.- Repair defective door frames/trim. Replace missing woodwork around doors etc.
30. UNIT -- 2ND FLOOR - LIGHT FIXTURE COVERS - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.

31. UNIT -- 2ND FLOOR - SANITATION - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.

32. UNIT -- 2ND FLOOR - SMOKE DETECTORS - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-
Immediately provide smoke detectors.

33. UNIT -- 2ND FLOOR - WALLS - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.

Holes in walls throughout; holes around pipe penetrations.

-Patch the holes and/or cracks in the walls.

Paint the wall.

34. UNIT -- 2ND FLOOR - WOODWORK - SPLC 34.10 (7), 34.33 (6) - Repair or replace and maintain the woodwork in an approved manner.-Repair and rehang interior doors.

35. UNIT -- 3RD FLOOR - BEDROOM - SPLC 34.13 (1) - Provide and maintain all habitable areas with a ceiling height of 7 feet over 1/2 the floor area.-Attic bedroom (center of unit) lacks approved ceiling height throughout.

Room has several areas of roof lines which limit usable measurable space.

Room needs to be measured where slanted ceilings are 5 feet from floor.

Room needs minimum of 70 square feet to be used as a bedroom.

36. UNIT -- 3RD FLOOR - CO DETECTORS - 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.-
Immediately provide CO detectors.

37. UNIT -- 3RD FLOOR - ELECTRICAL - SPLC 34.14 (2), 34.34 (5) - Provide an approved electrical service adequate to meet the buildings needs. This work may require a permit(s), call DSI at (651) 266-9090.-

Fixtures, outlets, switches etc nonfunctional in various places in unit.---to be inspected and corrections made by a licensed contractor under permit.

38. UNIT -- 3RD FLOOR - EXTENSION CORDS - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.

39. UNIT -- 3RD FLOOR - ILLEGAL UNIT - 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:-

Illegal unit- kitchen located in bathroom--microwave and refrigerator in bathroom using bathroom sink.

Building certified for a duplex. Illegal 3rd unit.

Obtain approval from Zoning for use or vacate unit.

40. UNIT -- 3RD FLOOR - LIGHT FIXTURE COVERS - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.
41. UNIT -- 3RD FLOOR - SMOKE DETECTORS - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-Immediately provide smoke detectors.
42. UNIT -- 3RD FLOOR - STAIRWAY - SPLC 34.10 (3), 34.33(2) - Provide an approved handrail. The top of the handrail must be between 34 and 38 inches above the treads and run the entire length of the stair.
Handrail to attic unit improper.
Provide approved handrail.
43. UNIT -- 3RD FLOOR - WOODWORK - SPLC 34.10 (7), 34.33 (6) - Repair or replace and maintain the woodwork in an approved manner.-
Replace all missing window/door etc woodwork.
44. UNIT BASEMENT - ALARM SYSTEM - MSFC 901.6 - The fire alarm system must be maintained in a operative condition at all times, replace or repair where defective.-Building has 3 floors occupied--hard wired interconnected smoke detectors installed non-functional.
Repair under permit by a licensed electrical contractor.
45. UNIT BASEMENT - BASEMENT LIGHTING - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-9090.-
Repair/replace damaged ceiling light--handing loose--requires permit and licensed electrical contractor.
46. UNIT BASEMENT - BASEMENT STAIRWELL - MSFC 1010.5, SPLC 34.14 (2) d, SPLC 34.34 (5) b - Provide and maintain illumination in all portions of the exit system.-
Provide light for top of basement steps--requires permit and licensed electrical contractor.
47. UNIT BASEMENT - EXPOSED WIRING - 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.
48. UNIT BASEMENT - FIRE RATED CEILING - MSFC 703 - Provide and maintain fire rated floor and/or ceiling construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090. The minimum rating must be:-
Provide one hour rated basement ceiling.
49. UNIT BASEMENT - WATER HEATER--NO PERMIT - MFGC Chapter 4 - Provide or replace fuel equipment piping in compliance with the mechanical code. This work may require a permit(s). Call DSI at (651) 266-9090.-Water installed without permit, venting not properly connected.
Have licensed contractor pull permit and inspect and make repairs to water heater--provide inspection and approval from plumbing inspector.

50. UNIT BASEMENT - WATER INFILTRATION - SPLC 34.10 (1) - Abate and maintain the basement reasonably free from dampness and free of mold and mildew.-
Abate water infiltration into basement.

51. UNIT--1ST FLOOR FRONT - ADAPTER PLUGS - MSFC 605.4 - Discontinue use of all multi-plug adapters.-
Immediately remove all outlet adapter plugs.

52. UNIT--1ST FLOOR FRONT - CO DETECTOR - 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 in room adjacent to bedroom.. Installation shall be in accordance with manufacturers instructions.

53. UNIT--1ST FLOOR FRONT – DEADBOLT LOCKS - SPLC 34.09 (3) i - Provide and maintain an approved one-inch throw single cylinder deadbolt lock.-
Provide approved deadbolt lock for all unit entry doors where lacking.

54. UNIT--1ST FLOOR FRONT - DRYER VENTING - 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.-
Replace unapproved and improperly installed dryer venting.
Requires permit and licensed contractor.

55. UNIT--1ST FLOOR FRONT - ELECTRICAL - SPLC 34.14 (2), 34.34 (5) - Provide an approved electrical service adequate to meet the buildings needs. This work may require a permit(s), call DSI at (651) 266-9090.-Switches, outlets, fixtures non functional in various areas throughout unit.
To be inspected and repaired under permit by a licensed electrical contractor.

56. UNIT--1ST FLOOR FRONT - ELECTRICAL - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-9090.-
Remove all defective power taps, damaged light fixtures from unit.
Kitchen ceiling fan hanging by wires--repair.

57. UNIT--1ST FLOOR FRONT - EXTENSION CORDS - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.-
Immediately remove all extension cords throughout unit.

58. UNIT--1ST FLOOR FRONT - REAR BATHROOM - SPLC 34.09 (3), 34.32 (3) -
Repair and maintain the door latch.-
Repair/replace defective rear bathroom door knob assembly.

59. UNIT--1ST FLOOR FRONT - REAR BEDROOM - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.

Rear bedroom has carpet padding only--no carpeting.-

Repair or replace the carpeting.

60. UNIT--1ST FLOOR FRONT - SANITATION - SPLC 34.10 (5), 34.33 (4), 34.16 -

Provide and maintain interior in a clean and sanitary condition.-

Clean up all bird droppings and feathers from floors etc and keep clean.

Clean up all dog feces and keep clean.

61. UNIT--1ST FLOOR FRONT - SMOKE DETECTOR - MN Stat. 299F.362 -

Immediately provide and maintain a smoke detector located outside each sleeping area.

62. UNIT--1ST FLOOR FRONT - WALLS - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.

Holes in walls throughout; walls cut open for appliances, open holes around pipe penetrations.-

Patch the holes and/or cracks in the walls.

Paint the wall.

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: barb.cummings@ci.stpaul.mn.us or call me at 651-266-8943 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,

Barb Cummings
Fire Inspector

Reference Number 109169