



# APPLICATION FOR APPEAL

RECEIVED

Saint Paul City Clerk

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8560

RECEIVED

APR 05 2011

CITY CLERK

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, 4-19-11

Time 1:30

Location of Hearing:

Room 330 City Hall/Courthouse

*mailed 4-5-11*

## Address Being Appealed:

Number & Street: 1589 COTTAGE AVE E City: SAINT PAUL State: MN Zip: 55106

Appellant/Applicant: CHARLES H. JAKWAY Email chjakway@mainsl.com

Phone Numbers: Business 763-416-9111 Residence Ø Cell 651-249-6097

Signature:  Date: 3/29/11

Name of Owner (if other than Appellant): MAINS'L SERVICES INC

Address (if not Appellant's): 7000 78TH AVE N BROOKLYN PARK MN 55445

Phone Numbers: Business 763-416-9111 Residence Ø Cell 651-249-6097

## 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

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\_\_\_\_\_

DOUBLE HUNG WINDOWS 28" OPENABLE

HEIGHT ORIGINAL WITH 43" WIDTH =

5.97 SQ FT - MORE THAN 5 SQ FT GLAZED

AREA - HEIGHT JUST 3 INCHES SHY.

REQUESTING A VARIANCE

\_\_\_\_\_



March 29, 2011

Saint Paul City Clerk  
310 City Hall  
15 West Kellogg Blvd.  
Saint Paul, Minnesota 55102

**RE: RE-INSPECTION FIRE CERTIFICATE OF OCCUPANCY WITH DEFICIENCIES  
1589 COTTAGE AVE E  
Ref. # 101568  
REQUEST FOR VARIANCE**

To Whom It May Concern:

The following is written to request a variance of the deficiency noted in Inspector Thomas' letter to us regarding main floor bedrooms escape windows – MSFC 1026.1 NFPA 101 ref. Life Safety Code 33.2.2.3.1(3).

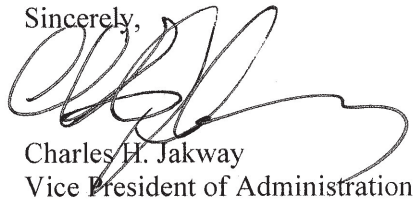
This property is a group home for persons with developmental disabilities licensed by Ramsey County Adult Foster Care and subject to regular inspections. This property is also staffed 24 hours a day and conducts regular evacuation drills including during the night.

It is understood that a fire fighter needs immediate access into a bedroom while donning an SCBA and that the current double hung windows do not provide the necessary vertical clearance as stipulated in both Life Safety Code and by the State of Minnesota. Yet, provisions are in place for granting a variance if appropriate and approved by the local fire authority.

The deficiency for vertical clearance falls short by only four (4) inches of openable height. However, the width of the casement considerably exceeds the required openable width. Therefore it is requested that a variance be granted for this property.

Thank you for your consideration

Sincerely,



Charles H. Jakway  
Vice President of Administration

encl



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)

March 29, 2011

MAINS'L SERVICES, INC.  
ATTN:TRACY HINKEMEYER  
7000 -- 78TH AVE N  
BROOKLYN PARK MN 55445-2744

RE: RE-INSPECTION FIRE CERTIFICATE OF OCCUPANCY WITH DEFICIENCIES  
1589 COTTAGE AVE E

Ref. # 101568

Dear Property Representative:

Your building was re-inspected for the Fire Certificate of Occupancy on March 29, 2011. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected immediately. A reinspection will be made on March 29, 2011 at 12:45-.M..

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 be occupied without a Fire Certificate of Occupancy. The code also provides for the assessment of additional reinspection fees.

#### DEFICIENCY LIST

1. All Main floor 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. Refer to the Escape Windows for Residential Occupancies handout for more information.-Double hung windows measured at 20inches openable height and 43inches openable width . Glazed at 38inches in height by 40inches width . Sill 34inches OWNER STATES HE IS FILING AND APPEAL.**

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,  
An Equal Opportunity Employer

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](mailto: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  
Ref. # 101568