



# APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

APR 06 2015

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 check 1198)
- 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

<b>HEARING DATE &amp; TIME</b> (provided by Legislative Hearing Office) Tuesday, <u>April 13, 2015</u>  Time <u>10:00 AM</u> <b>Location of Hearing:</b> <u>Room 330 City Hall/Courthouse</u>
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e-mail sent 4-6-15

## Address Being Appealed:

Number & Street: 1155 Case Ave City: St Paul State: MN Zip: 55106

Appellant/Applicant: Choua Yang Email: Chouayang@comcast.net

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell 651-442-7863

Signature: [Signature] Date: 4/3/15

Name of Owner (if other than Appellant): Wa Mona

Mailing Address if Not Appellant's: 9311 Balsam Fir Ave N Brooklyn Park, MN 55443

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 see attached (Minimum floor area for sleeping purpose)
- Code Enforcement Correction Notice \_\_\_\_\_
- Vacant Building Registration \_\_\_\_\_
- Other (Fence Variance, Code Compliance, etc.) \_\_\_\_\_

April 3, 2015

Re: Appeal for 1155 Case Ave

Dear Sir or Madam;

A fire inspection was conducted on March 31, 2015 and found a deficiency in the room size of the bedroom. Attach is a copy of the report and I would like to ask for a variance on deficiency #5 which states "Minimum floor area for sleeping purposes. Every room occupied for sleeping purposes by one 1 person shall contain at least seventy (70) square feet of floor area."

The home was purchased in 2009 from us and we had our first fire inspection in 2009. One of the deficiencies found in 2009 was that the window of the sleeping room (mentioned in the current report) required an egress window. We have made that repair in 2009 and the tenants used the room as a sleeping facility ever since.

Because of the age of the home, the style of the home will make it difficult for us to make that correction. To have the room reconstructed to make it bigger would make the hallway smaller. The hallway will not be compliant. The hallway leads to the bedroom, bath and stairs. To expand it outward towards the outside would cost almost more than the value of the home.

I would like to appeal and ask for a variance and continue to allow the tenants to use the room as a bedroom.

Regards



Choua Yang



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 31, 2015

CHOUA YANG  
9311 BALSAMFIR AVE N  
BROOKLYN PARK MN 55443-1798

## FIRE INSPECTION CORRECTION NOTICE

RE: 1155 CASE AVE  
Ref. #103631  
Residential Class: C

Dear Property Representative:

Your building was inspected on March 31, 2015 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 April 24, 2015 at 12NOON.

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. Bedrooms basement and attic - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-
2. House - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner.

3. 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.
4. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.
5. SPLC SEC 34.17 -2. Minimum floor area for sleeping purposes. Every room occupied for sleeping purposes by one 1 person shall contain at least seventy (70) square feet of floor area.-Bedrooms upstairs in attic are Bedroom NE side ( 60) square feet . Bedroom SE side is9 62) square feet.
6. MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.-Fixture leading to upstairs
7. MSFC 1028.3 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.-remove all storage from all landings basement stairway.
8. UMC 1346.703 - Provide 30 inches clearance around all mechanical equipment.-Remove all luggage and bags and s storage all around mechanical equipment 30 inches.
9. SPLC 34.11, MSBC 2902.1, SPLC 34.17, MSPC 415.0220 - Repair or replace and maintain all parts of the plumbing system to an operational condition.-Repair or replace and maintain an approved private toilet. Secure toilet to floor.

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>

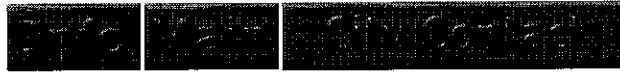
You have the right to appeal these orders to the Legislative Hearing Officer. Applications for appeals may be obtained at the Office of the City Clerk, 310 City Hall, City/County Courthouse, 15 W Kellogg Blvd, Saint Paul MN 55102 Phone: (651-266-8585) and must be filed within 10 days of the date of this order.

If you have any questions, email me at: [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

Reference Number 103631



**1155 CASE AVE -- Property Information --**

PIN	Zoning/Use	HPC District
282922130204	R4	

**Information disclaimer...**

Data Disclaimer: -

The City of Saint Paul and its officials, officers, employees or agents does not warrant the accuracy, reliability or timeliness of any information published by this system, and shall not be held liable for any losses caused by reliance on the accuracy, reliability or timeliness of such information. Portions of such information may be incorrect or not current. Any person or entity that relies on any information obtained from this system does so at his or her own risk.

**List of Activity...**

Number	Address	Description	Details	Status	Move Top
13 183352 000 00 CO	1155 CASE AVE		Certificate of Occupancy Type: Residential 1 Unit Occupancy Type: Dwelling Units Residential Units: 1 Class: C Renewal Due Date: Jan 3, 2014  03/31/2015: Correction Orders	In Process	<a href="#">Top</a>
11 007292 RSN 00 SS	1155 CASE AVE	Magnolia / Earl RSVP 09-P-8146	PW Sewer Permit Type: Sanitary Work Type: Repair - City Construction Entered on: 01/19/2011 Closed on: 04/19/2011	Finalied	
10 918572 OBS 00 RW	1155 CASE AVE	PERMIT DATED NOVEMBER 3-5, 2010	PW Right of Way Permit Type: Obstruction Work Type: Dumpster Entered on: 11/04/2010 Closed on: 12/01/2010	Finalied	
10 916213 OBS 00 RW	1155 CASE AVE		PW Right of Way Permit Type: Obstruction Work Type: Dumpster Entered on: 10/29/2010 Closed on: 11/05/2010	Finalied	
10 913130 EXP 00 B	1155 CASE AVE		Building Permit Type: Single Family Dwelling Express Repair Issued Date: 10/21/2010 Contractor: Sela Roofing And Remodeling Inc State Valuation: \$5,695.00	Inspected	
09 263707 000 00 CO	1155 CASE AVE		Activity (most recent first): Building Permit Inspection: Final Inspection - NoAct Certificate of Occupancy Type: Residential 1 Unit Occupancy Type: Dwelling Units Residential Units: 1 Class: C Completed on: 05/09/2013 Paid In Full = Yes  Inspection Results (most recent first): 05/09/2013: Approved 1. INTERIOR(Throughout): Light Fixture Globes MSFC	Certified	

- 605.1 (Abated - 4th reinspection)
- 2. INTERIOR(Upstairs): Repair Damaged Elect. Fixtures MSFC 605.1 (Abated - 4th reinspection) - Severity 5
- 3. INTERIOR(Upstairs): Exterminate Insects & Rodents SPLC 34.10 (6), 34.33(5) (Abated - 2nd reinspection) - Severity 4
- 4. Heating Equipment Maintenance SPLC 34.11 (6), 34.34 (Abated - 4th reinspection) - Severity 5

04/12/2013: Correction Orders

- 02/06/2013: Correction Orders
- 1. INTERIOR(Basement): Provide Elect. Panel Clearance NEC 110-26 (Abated - 2nd reinspection) - Severity 2
  - 2. INTERIOR(Basement): Provide Dryer Vent MSFC 504.6 (Abated - 2nd reinspection) - Severity 3
  - 3. INTERIOR(House): Bathroom Floor Impervious to Water SPLC 34.10(4), 34.33(3) (Abated - 2nd reinspection) - Severity 4
  - 4. INTERIOR(Throughout House): Repair Interior Walls SPLC 34.10 (7), 34.34 (6) (Abated - 2nd reinspection) - Severity 4
  - 5. INTERIOR(Throughout House): Exterminate Insects & Rodents SPLC 34.10 (6), 34.33(5) (Deficiency - 1st inspection) - Severity 4
  - 6. INTERIOR(Upstairs): Required Residential CO Detector 299F.50 (Abated - 2nd reinspection)
  - 7. Required Smoke Detector Affidavit SPLC 39.02(c) (Abated - 2nd reinspection) - Severity 9

01/03/2013: Correction Orders

09 205698 EXP 00 B	1155 CASE AVE		Building Permit Type: Residential (Multi-Fam) Express Repair Issued Date: 07/24/2009 Final Date: 08/07/2009 Contractor: Maintenance Free Minnesota Inc State Valuation: \$3,000.00	Finaled
08 154356 000 00 PA	1155 CASE AVE	Tall Grass and weeds on the property	Activity (most recent first): Building Permit Inspection: Final Inspection - Appd Parks Summary Abatement Type: Tall Grass Entered on: 09/23/2008 Closed on: 09/24/2008	Closed
07 033893 000 00 CO	1155 CASE AVE		Certificate of Occupancy Type: Residential 1 Unit Occupancy Type: Dwelling Units Residential Units: 1 Class: B Completed on: 08/31/2009 Paid In Full = Yes	History
			Inspection Results (most recent first): 08/31/2009: Approved 1. Ext. Sanitation SPLC 34.08 (1), 34.31 (1) (Abated - 2nd reinspection) - Severity 6 2. Window Screen SPLC 34.09 (3), 34.33 (3) (Abated - 2nd reinspection) - Severity 2 3. Heating Equipment Maintenance SPLC 34.11 (6), 34.34 (Abated - 2nd reinspection) - Severity 5 4. Required Smoke Detector Affidavit SPLC 39.02(c) (Abated - 2nd reinspection) - Severity 9 5. Provide Sleeping Room Egress Window MSFC1026.1 (Abated - 1st inspection) - Severity 9	
			04/16/2009: Revoked/Vacant - 2	

**Foss, Katie (CI-StPaul)**

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**From:** Foss, Katie (CI-StPaul)  
**Sent:** Monday, April 06, 2015 9:01 AM  
**To:** 'chouayang@comcast.net'  
**Subject:** 1155 Case Ave. - Application for Appeal

Choua Yang –

This e-mail serves to notify you that we have received your Application for Appeal of a Fire Inspection Correction Notice at **1155 Case Avenue**, and that a legislative hearing has been scheduled for you to attend to address this matter. The hearing will take place on **Monday, April 13, 2015 at 10:00 a.m., in Room 330 City Hall, at 15 W. Kellogg Blvd., St. Paul, MN 55102.**

Please feel free to contact the Appeals Line with any questions, at (651) 266-8585.

Thank you.

Katie Foss  
Receptionist  
City Council Offices  
310 City Hall  
15 W. Kellogg Blvd.  
St. Paul, MN 55102  
P. (651) 266-8560