



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

JUL 13 2018

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 _____)
 - 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, July 24, 2018

Time 1:30 p.m.

Location of Hearing:

Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 861 Howell St. N City: St. Paul State: MN Zip: 55104

Appellant/Applicant: Lynne Geistfeld Email Lynne5459@gmail.com

Phone Numbers: Business 651-428-6475 Residence same Cell same

Signature: Lynne Geistfeld Date: 7.13.18

Name of Owner (if other than Appellant): _____

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 See attached.
- Summary/Vehicle Abatement _____
- Fire C of O Deficiency List/Correction Code Enforcement Correction Notice _____
- Vacant Building Registration _____
- Other (Fence Variance, Code Compliance, etc.) _____

This property is a 5-bedroom house that my son, Dan Cromwell, and I purchased in July of 2008. At the time, my son lived there with 4 other individuals. He moved from the premises in 2011, and we continued to rent the house to 5 unrelated individuals. In August of 2013, Daniel Cromwell was removed from the title, and I became sole owner.

Approximately one year ago, an inspection was conducted. It was apparent that there were 5 bedrooms with 5 tenants, and I received a Certificate of Occupancy without any correction action needed.

An inspection was conducted by Fire Inspector, Laura Huseby, on June 29, 2018 in response to a complaint of over occupancy. At this time, she informed me that there cannot be more than 4 unrelated adults in a dwelling if it is not zoned as a Roominghouse.

I'm seeking a variance to continue renting the property to 5 unrelated individuals based on the following:

1. It's been rented since 2008 in this manner without any indication that this was a violation.
2. A Certificate of Occupancy was granted a year ago when it was clear during the inspection that there were 5 bedrooms with 5 occupants.
3. It would be a hardship on any of the current tenants to ask them to vacate at this time, given they have signed a year lease ending May 31, 2019, and finding alternative housing would be difficult based on the fact that the school year is about to begin. Most students need to secure housing late spring for the following school year.
4. To pursue the possibility of applying for and potentially obtaining an Establishment of a Nonconforming Use Permit since the use of this property with 5 unrelated adults has been in existence continuously for a period of at least 10 years.

In the event a variance can't be granted, I would like to receive an extension until May 31, 2019 to conform.



July 3, 2018
LYNNE L GEISTFELD
DANIEL CROMWELL
2347 GREENBRIER CIR
LITTLE CANADA MN 55117-1622

CORRECTION NOTICE - COMPLAINT INSPECTION

RE: 861 HOWELL ST N
Ref. # 123711

Dear Property Representative:

An inspection was made of your building on June 29, 2018 in response to a referral. You are hereby notified that the following deficiency list must be corrected immediately.

A re-inspection will be made on August 10, 2018 at 1:00 PM.

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. Interior - Basement - 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 manufacturer's instructions.
Basement carbon monoxide detector was missing and main floor detector did not have batteries.
2. Interior - Dwelling - SPLC 34.07- The use of this building for more than four unrelated adults would require approval and a Certificate of Occupancy. Immediately discontinue unapproved use and convert to legal use. Discontinue use as a rooming and boarding occupancy without the required Certificate of Occupancy.
Reduce the number of persons living in the dwelling to four.
Discontinue use of dwelling as a rooming house until property conforms to zoning requirements as required and described below.
Roominghouse. Any residential structure or dwelling unit, supervised or not, which provides living and sleeping arrangements for more than four (4) unrelated individuals for periods of one (1) week or longer, any residential structure or dwelling unit which provides single room occupancy (SRO) housing, as defined in the Federal Regulations CFR 882.102, to more than four (4) unrelated individuals, or any building housing more than four (4) unrelated individuals which has any one (1) of the following characteristics shall be considered and regulated as a roominghouse: (see next page)

- (a) Rental arrangements are by the rooming unit rather than the dwelling unit.
- (b) Rooming unit doors are equipped with outer locks or chains which require different keys to gain entrance.
- (c) Kitchen facilities are provided for joint or common use by the occupants of more than one (1) rooming unit.
- (d) Rooming units are equipped with telephones having exclusive phone numbers.
- (e) Rooming units are equipped with individual intercom security devices.
- (f) Each rooming unit has a separate assigned mailbox compartment for receipt of U.S. mail

3. Interior - Throughout Dwelling - MN Stat. 299F.362 - Immediately provide and maintain an updated smoke detector located outside each sleeping area.
<https://www.revisor.mn.gov/statutes/cite/299F.362> for more information on requirements.
Hardwired smoke detectors were dated from 2002 and will need to be replaced with updated hardwired smoke detectors.
(Enclosed is the information sheet from the state fire marshall's website)

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 the original orders.

If you have any questions, email me at: Laura.Huseby@ci.stpaul.mn.us or call me at 651-266-8998 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,

Laura Huseby
Fire Inspector

Ref. # 123711