



# APPLICATION FOR APPEAL

RECEIVED  
OCT 07 2011  
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
- Walk-In OR  Mail-In

**YOUR HEARING Date and Time:**  
 Tuesday, Oct. 25, 2011  
 Time 1:30 p.m.  
 Location of Hearing:  
 Room 330 City Hall/Courthouse

*mailed to both addresses*

## Address Being Appealed:

Number & Street: 1577 Hoyt Ave. E. City: St. Paul State: MN Zip: 55106

Appellant/Applicant: Paul Magelssen Email paulsm@gvtel.com

Phone Numbers: Business 218-435-6765 Residence 218-435-1484 Cell 612-716-6233

Signature: *Paul Magelssen* Date: 10/4/11

Name of Owner (if other than Appellant): \_\_\_\_\_

Address (if not Appellant's): 560 6<sup>th</sup> St. NE, Fosston, MN 56542

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

Windows, Question on Chimney - see attached  
These windows came with the house when we purchased  
it in 2006 - see attached  
(Appellant says he spent \$1,200 on a  
flue line, but Item 3 reads that the  
chimney is without one. See attachments  
to support his appeal.)  
 Revised 4/22/2011  
 -csn, 10-7-11

Reference #109401

Re: Deficiency List: #2

The dimensions of our windows are slightly different than the code, and the total openable height and width is 540 square inches (attic) and 590 square inches (bedroom). We would ask that we would be grandfathered in until the windows are replaced.



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)

September 28, 2011

PAUL MAGELSSSEN  
SHERYL MAGELSSSEN  
520 6TH ST NE  
FOSSTON MN 56542-1102

RE: RE-INSPECTION FIRE CERTIFICATE OF OCCUPANCY WITH DEFICIENCIES  
1577 HOYT AVE E

Ref. # 109401

Dear Property Representative:

Your building was re-inspected for the Fire Certificate of Occupancy on September 28, 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 October 24, 2011 at 12:30 P.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. Attic - MSFC 605.4 - Discontinue use of all multi-plug adapters.
2. Attic - 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 are double hung openable height 20inches the openable width is 27inches sill 25inches
3. Remove carpet from bathroom floor - SPLC 34.10 (4), 34.33 (3) - Provide a bathroom floor impervious to water.
4. MSFC- SEC. 5603.6.1.-Masonry Chimneys that upon inspection are found to be without a flue liner and that have open mortar joints which will permit smoke or gases to be discharged into the building or which are cracked as to be dangerous shall be repaired or

An Equal Opportunity Employer

relined with a listed chimney liner system installed in accordance with the manufacturers installations instructions.

- ✓5. MN Stat 299F.18 - Immediately remove and discontinue excessive accumulation of combustible materials.-Remove charcoal lighter fluid and charcoal from basement.
- ✓6. MSFC 315.2.3 - Remove combustible storage from the fuel burning equipment rooms.
7. UMC 1346.703 - Provide 30 inches clearance around all mechanical equipment.
8. 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 Main floor . 22inches in openable height and 27inches in openable width Sill is 27inches. Glazed is 48inches in height by 23inches in width.

→ 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: (651-266-8688) 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. # 109401

check #  
2500  
651-266-8573  
Raquel

**ADDENDUM TO  
PURCHASE AGREEMENT**

This form approved by the Minnesota Association of REALTORS®, which disclaims any liability arising out of use or misuse of this form.

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- 1. Date August 2, 2006
- 2. Page \_\_\_\_\_

3. Addendum to Purchase Agreement between parties dated July 29, 2006 pertaining to the purchase  
 4. and sale of the property at 1577 Hoyt Ave East, Saint Paul  
 5. MN 55106

9. The home inspection has been completed on  
 10. 1577 Hoyt Ave E.

13. The Seller shall pay \$500 to ApplianceSmart  
 14. at closing for the replacement of the range.

16. The Seller shall pay \$1600 to All Seasons Tree  
 17. Service at closing for tree trimming & removal.

19. The Seller shall pay \$1,000 to Super Electric  
 20. at closing for putting a mast on the electric.

22. \* The Seller shall pay \$1,200 to St Paul Plumbing  
 23. & Heating Co. at closing for the installation of a chimney  
 24. liner.

28. The inspection contingency is hereby removed.

35. \_\_\_\_\_ / 8/2/06  
 (Seller) (Date)  
 36. \_\_\_\_\_ / 8/2/06  
 (Buyer) (Date)

# MINNEAPOLIS AND HEATING COOLING CO.

612-724-7777  
www.mplsheating.com

# ST. PAUL AND HEATING COOLING CO.

644 Grand Ave., St. Paul, MN 55105  
651-292-1111  
Fax: 651-228-9201  
www.stpaulheating.com

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SALES QUOTE  
Date: 08/29/06

H00710

Paul Mogleson  
1577 Hoyt Ave.E  
St. Paul, MN 55106

MAGELSEN

218-435-1484

651-578-0183

612-590-6456 - Rachel

651-292-4154

100 1,200.00

This portion of the estimate is for the installation of a new aluminum chimney liner. Minnesota code requires that all chimneys must have a chimney liner to ensure that the exhaust gases created by the homes heating equipment are safely removed from the property. The size of the liner will depend on the size of the heating equipment. If a liner is not installed flue gasses which contain carbon monoxide may back draft into the basement. Many times chimneys already have liners that can be used safely without having to replace them, but if the current liner is faulty or is not present we will need to install a new one. This part of the estimate includes all time, materials, labor, permits, and tax needed to properly install the new chimney liner per code requirements. This price is assuming the chimney does not have any internal problems and does not take more than 6 hours to install. The maximum amount of time a normal chimney liner will take to install properly is 5 hours.

The capping of the gas line and the cleaning of the furnace will be done on a time and materials basis at the same time the chimney liner is installed.

Please return with down payment for scheduling.

Also, provide both telephone numbers and contact information as discussed.

All material listed above is guaranteed as specified. All work will be completed in a professional manner. Any deviation from above specifications involving extra costs will be executed only upon written change orders by homeowner. St Paul Plumbing and Heating is not responsible for any damage caused by equipment or leakage during warranty period.

Authorized Signature

Comfort Specialist: Larry Leacock

Note: This proposal may be withdrawn by us if not accepted within 30 Days

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do work as specified. 50% down on acceptance of proposal and balance due at completion of work. There will be a charge of 10% of bid amount if job is cancelled before work commences.

Acceptance Date:

8/31/06

Signature:

# INVOICE

Invoice Number: 155074  
Invoice Date: 09/01/06  
Customer ID 66527

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**Bill To:** PAUL MAGELSSSEN  
1577 HOYT AVE E  
ST PAUL, MN 55106

**Job Site:** PAUL MAGELSSSEN  
1577 HOYT AVE E  
ST PAUL, MN 55106

Reference No.  
Terms C.O.D.

Item	Description	Quantity	Unit Price	Total Price
HBID	Chimney Liner Install	1	1,200.00	1,200.00

**PAID**

**COPY**

**Total: 1,200.00**

