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APPLICATION FOR APPEAL

RECEIVED
DEC 16 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, <u>1-3-12</u>
Time <u>1:30</u>
Location of Hearing:
<u>Room 330 City Hall/Courthouse</u>

Email Notice 12-20-11 Janie

Address Being Appealed:

Number & Street: 423 Fry St City: St. Paul State: Mn Zip: 55104

Appellant/Applicant: Crows Hill Real Estate Email: klombertle@hotmail.com

Phone Numbers: Business 651-447-0232 Residence 651-501-8937 Cell _____

Signature: [Handwritten Signature] Date: 12/15/11

Name of Owner (if other than Appellant): _____

Address (if not Appellant's): 2271 Valley View Ave Mpls Mn 55119

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 Inspection _____

12/12/2011

Saint Paul City Clerk:

RE: 423 Fry Street

We are asking for a minimal of four months extension on the fire inspection.

The windows will not be able to be taken out until spring.

We are asking for a variance on unit 5s windows. All measure the legal measurements in total footage.

Currently Crocus Hill Real Estate is in a change of ownership and trying to bring in a new partner. I believe the new note and arrangement will be finalized in January. We are in great need of a cash influx and the new partner will be helping with that. Our bank is First Commercial in Bloomington.

The boiler does not need to be retested. We had that done last year for another inspection on the building next door. There is one boiler for both buildings.

Please call me with any questions at 651-247-0232 or email me at lhertle@hotmail.com.

Sincerely,

Lisa S. Hertle
Crocus Hill Real Estate



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

October 24, 2011

Crocus Hill Real Estate Llc
5621 Zenith Ave S
Edina MN 55410-2644

RE: RE-INSPECTION FIRE CERTIFICATE OF OCCUPANCY WITH DEFICIENCIES
423 FRY ST

Ref. # 17213

Dear Property Representative:

Your building was re-inspected for the Fire Certificate of Occupancy on October 24, 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 November 29, 2011 at 10:00 am.**

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. Basement - Laundry Room - MSFC 703 - Provide, repair or replace the fire rated door and assembly. The minimum rating must be: 20 minutes. This work may require a permit(s). Contact DSI at (651) 266-8989.-Laundry room door has been removed, provide an approved fire door. No fire separation is present between laundry area and rest of basement, stairway and hallway.
2. Basement - Laundry Room - Sink - 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 two damaged shut-off valves with handles removed at connections for washing machine.
3. Basement - Throughout - 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:-Repair holes, cracks and damaged or open areas of the basement ceiling throughout. Seal openings and gaps around pipes and wires in an approved manner.

4. Basement Unit - 3 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.-

2 Bedrooms: Double-hung windows have an openable area of 16 inches high by 29 inches wide and a glazed area of 9 square feet. Sill height is 55 inches.

3rd Bedroom: Double-hung window has an openable area of 19.5 inches high by 33 inches wide and a glazed area of 10.2 square feet. Sill height is 55 inches.

5. Basement Unit - Exterior Entry Stairs - SPLC 34.08 (10) - Repair, replace and maintain exterior sidewalks, walkways and stairs.-Repair deteriorated concrete on stairs and landing.

6. Basement Unit - Kitchen - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-Cabinet under sink shows signs of leaking.

Multiple flexible supply connectors have been chained together to sink connection.

7. Basement Unit - Kitchen - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the cabinets in an approved manner.-Repair water damaged cabinet under sink.

8. Basement Unit - Throughout - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.

9. Basement Unit - Throughout - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls and ceilings in an approved manner.-Paint and repair as needed.

10. Basement Unit - 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.-Electrical service has been disconnected by Xcel Energy

11. Basement Unit - SPLC 34.23, MSFC 110.1 - This occupancy is condemned as unfit for human habitation. This occupancy must not be used until re-inspected and approved by this office.-This unit is condemned as lacking basic facilities. Contact DSI for inspection and approval of unit prior to re-occupying.

12. Basement Unit - 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.-Basement unit electrical panel has been illegally wired into house panel. This must be repaired immediately by licensed electrician.

13. Exterior - Throughout - SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screens.

14. Exterior - Throughout - SPLC 34.09 (1) b,c, 34.32 (1) b,c - Provide and maintain all exterior walls free from holes and deterioration. All wood exterior unprotected surfaces must be painted or protected from the elements and maintained in a professional manner free from chipped or peeling paint.

15. Exterior - Throughout - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window frame.-Replace all rotting wood and repair in an approved manner.
16. Throughout - All Units - Front and Rear Doors - MSFC 703 - Provide, repair or replace the fire rated door and assembly. The minimum rating must be: 20 minutes.-Repair and maintain the door closer.
17. Throughout - MSFC 901.6 - Provide required annual maintenance of the fire extinguishers by a qualified person and tag the fire extinguishers with the date of service.
18. Unit 2 - Bathroom - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Repair water damaged walls around shower, including water damage behind the surround.
19. Unit 2 - Front Bedroom - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceiling in an approved manner.-Paint the ceiling.
Patch the holes and/or cracks in the ceiling.
20. Unit 2 - Rear Bedroom - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door knob and latch.
21. Unit 2 - Rear Bedroom - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.
22. Unit 2 - 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.
23. Unit 2 - MSFC 102.1.1 - Existing building features - application. - Existing construction and design features that exceed the requirements for existing structures or facilities but are less than the requirements for new structures or facilities shall not be further diminished. Existing construction and design features that exceed the requirements for new structures or facilities are allowed to be removed.-Hard-wired smoke detector has been removed and only battery operated detector is present, hard-wired detector must be maintained where installed.
24. Unit 2 - MSFC 605.4 - Discontinue use of all multi-plug adapters.
25. Unit 2 - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.
26. Unit 3 - Rear Bedroom - MSFC 1003.3.1.8 - Remove unapproved locks from the exit doors. The door must be operable from the inside without the use of keys or special knowledge or effort.-Remove padlock hasp.
27. Unit 3 - MSFC 102.1.1 - Existing building features - application. - Existing construction and design features that exceed the requirements for existing structures or facilities but are less than the requirements for new structures or facilities shall not be further diminished. Existing construction and design features that exceed the requirements for new structures or facilities are

allowed to be removed.-Hard-wired smoke detector has been removed and only battery operated detector is present, hard-wired detector must be maintained where installed.

28. Unit 3 - 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.

29. 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.

30. SPLC 39.02(c) - Complete and sign the provided smoke detector affidavit and return it to this office.

31. SPLC 34.19 - Provide access to the inspector to all areas of the building.-Provide access for re-inspection on November 29, 2011 at 10:00 am.

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 mitchell.imbertson@ci.stpaul.mn.us or call me at 651-266-8986 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,

Mitchell Imbertson
Fire Inspection
Ref. # 17213