



APPLICATION FOR APPEAL

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APR 15 2011

Saint Paul City Clerk

310 City Hall, 15 W. Kellogg Blvd.

CITY CLERK

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

YOUR HEARING Date and Time:
Tuesday, <u>5-3-11</u>
Time <u>1:30</u>
Location of Hearing:
Room 330 City Hall/Courthouse

Mailcd 4-15-11

Address Being Appealed:

Number & Street: 610 Chatsworth St. N City: SAINT PAUL State: MN Zip: 55104

FRANK CLANCY /

Appellant/Applicant: Calcio Rose Real Estate Email _____

Phone Numbers: Business 612-724-5185 Residence 612-~~724-2895~~⁷²⁴⁻⁵¹⁸⁵ Cell 612-270-2815

Signature: Frank Clancy Date: 4/13/11

Name of Owner (if other than Appellant): CALCIO ROSE REAL ESTATE

Address (if not Appellant's): SEE ABOVE

Phone Numbers: Business see above Residence see above Cell see above

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

610 Chatsworth was built in about 1962. Requiring the operable width in the bedrooms is extremely close (2") to the new standard. Requiring replacement of as many as 15 windows would be a financial hardship, with little safety benefit. See attached letter

CALCIO ROSE REAL ESTATE, LLC
4128 COFFMAN LANE, MINNEAPOLIS, MN 55406
(612) 724-5185 (OFFICE) • (612) 270-2815 (CELL)
E-MAIL: FRANKCLANCY@EARTHLINK.NET

RE: Appeal of Fire Inspection Correction Notice for 610 Chatsworth Street North

April 13, 2011

Saint Paul City Clerk
310 City Hall, 15 W. Kellogg Blvd.
Saint Paul, MN 55102

Dear Sir or Madam:

I am writing as the primary owner of Calcio Rose Real Estate to appeal the Fire Inspection Correction Notice for 610 Chatsworth Street North that was issued on April 7, 2011, specifically Item 2, which cites various bedroom egress windows for being only 18 inches wide, rather than the required 20 inches.

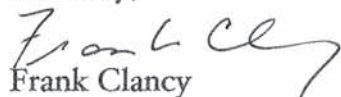
According to county records, this building was erected in 1962. Located in the heart of the Thomas-Dale/Frogdown neighborhood, it is an eight-unit brick apartment building with five 2-bedroom apartments and three 3-bedroom units. Rents range from \$700 to \$750 for the 2-bedroom units and \$800 to \$830 for three bedrooms. Most of my tenants are families, with as many as three children. More than half are on disability or receive some sort of subsidy.

My company purchased 610 Chatsworth out of foreclosure and bankruptcy in April 2010. To say that maintenance had been lacking is an understatement: I encountered sinks listing at a 15-degree angle, and leaky faucets with washers literally worn to nothing. After purchasing the building, I worked diligently over a period of four months with Fire Inspector Barb Cummings to correct a long, long list of deficiencies. I also repaired numerous other problems that were not cited in that inspection. I'm a small landlord (19 units under different ownership structures). I did much of the work myself, spending many hours of my own time—virtually no compensation—at the building. Less obviously, I changed the character of 610 Chatsworth: Once the location of numerous police calls, it is no longer a problem for tenants, neighbors, or the Saint Paul Police Department.

I say all this as background because it would be an extreme financial hardship to require me to replace 10-15 windows in a brick building on short notice. And with little appreciable benefit: The current windows are just two inches narrower than they should be, and have been in place for 49 years. They are not a hazard.

With light rail coming to University Avenue, affordable housing is a big concern to the neighborhood and city. Buildings such as mine, I would argue, present an opportunity—they can be improved while remaining affordable. If the improvements are made in a financially responsible manner. I take seriously my company's mission statement—*“Provide quality housing to good neighbors at a reasonable price”*—and would welcome the opportunity to work with council members and city officials to figure out how I can both improve my building—including the windows. But please give me the time to that that in a cost-effective manner.

Sincerely,


Frank Clancy

Our Mission: Provide quality housing to good neighbors at a reasonable price.



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

April 7, 2011

FRANK CLANCY
RENTAL PROPERTY MANAGEMENT
4128 COFFMAN LANE
MPLS MN 54406

FIRE INSPECTION CORRECTION NOTICE

RE: 610 CHATSWORTH ST N
Ref. #12897
Residential Class: B

Dear Property Representative:

Your building was inspected on April 1, 2011 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 May 9, 2011 at 1:00 pm.**

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. All Units - Electrical Panels - NEC 408.4 Circuit Directory - Every electrical circuit shall be legibly identified as to its clear, evident, and specific purpose or use.
2. All Units - 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.-One or two bedrooms of each unit has egress windows not meeting openable width requirement. Windows are side-sliding with openable area of 42 inches

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high by 18 inches wide and a glazed area of 42 inches high by 40.5 inches wide, 11.8 square feet.

3. Boiler Room - MSFC 703 - Provide, repair or replace the fire rated door and assembly. The minimum rating must be: 1 hour.-Repair and maintain the door latch.
4. Boiler Room - SPC 4715.1800.9, 2210 - Provide pressure relief valve for hot water heater piped to within 18 inches of the floor.
5. Exterior - Rear - 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.-Repair and tuckpoint brick near rear entryway.
6. Exterior - SPLC 71.01 - The address posted is not visible from street. (HN-1)-Provide reflective numbers or background or illuminate at night.
7. Front Stairway - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window frame.- Repair area of rotting wood on frame.
8. Laundry Room - Dryers - UMC 504.6 - Provide, repair or replace the dryer exhaust duct. Exhaust ducts for domestic clothes dryers shall be constructed of metal and shall have a smooth interior finish. The exhaust duct shall be a minimum nominal size of four inches (102 mm) in diameter. This work may require a permit(s). Call DSI at (651) 266-8989.- Remove screws from vent. Repair or replace damaged back-draft dampers.
9. Laundry Room - Dryers - UMC 2213 (f) - Install proper hangers and support for the gas piping in compliance with the mechanical code.
10. Unit 2 - 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.-Repair or replace damaged shut-offs to sink.
11. Unit 3 - MSFC 703 - The fire door must not be obstructed or impaired from its proper operation at any time.-Remove plastic which is blocking the fire door from closing properly.
12. Unit 4 - Kitchen - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the cabinets in an approved manner.-Repair or replace water damaged cabinet base.
13. Unit 5 - Bathroom - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Repair damaged tub surround material.
14. Unit 7 - 2nd Bedroom - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceiling in an approved manner.
15. Unit 7 - Kitchen - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-9090.-Repair wiring to receptacle near window with reversed polarity.

16. Unit 8 - Kitchen - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-9090.-Repair wiring to receptacle near window with reversed polarity.
17. SPLC 39.02(c) - Complete and sign the provided smoke detector affidavit and return it to this office.

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, 15 W Kellogg Blvd, Saint Paul MN 55102 Phone: (651-266-8688) and must be filed within 10 days of the date of this order.

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

- Ord. on windows changed in last yr

Reference Number 12897