



# APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

JUL 25 2024

CITY CLERK

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

<b>HEARING DATE &amp; TIME</b>	
<i>(provided by Legislative Hearing Office)</i>	
Tuesday, <u>July 30, 2024</u>	
Location of Hearing:	
<input type="checkbox"/>	Telephone: you will be called between _____ & _____
<input checked="" type="checkbox"/>	In person (Room 330 City Hall) at: <u>1:30 p.m.</u>
<i>(required for all Fire C of O revocation &amp; vacate; Condemnation orders)</i>	

## Address Being Appealed:

Number & Street: 251 Maria Ave. City: Saint Paul State: MN Zip: 55106

Appellant/Applicant: Mark Thieroff, attorney for owner Email markthieroff@siegelbrill.com

Phone Numbers: Business 612-337-6102 Residence \_\_\_\_\_ Cell \_\_\_\_\_

Signature: [Signature] Date: July 25, 2024

Name of Owner (if other than Appellant): ENCF DUG MSP 01 LLC

Mailing Address if Not Appellant's: c/o Siegel Brill, PA, 100 Washington Ave. S., Suite 1300, Minneap

Phone Numbers: Business 612-337-6102 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
    - Code Enforcement Correction Notice
    - Vacant Building Registration
    - Other (Fence Variance, Code Compliance, etc.)
- This is an appeal from items 5 and 6 of the July 18, 2024, Revocation of Fire Certificate of Occupancy and Order to Vacate. The required HPC building permit is in process. The window contractor is visiting the site on 7/31 (see attached), and the application will be submitted shortly after that.



July 18, 2024

Cortex Property Management  
7595 CURRELL BLVD SUITE 25728  
ST PAUL MN 55125USA

### **Revocation of Fire Certificate of Occupancy and Order to Vacate**

RE: 251 MARIA AVE  
Ref. # 11194

Dear Property Representative:

Your building was inspected on July 15, 2024, for the renewal of the Certificate of Occupancy. Since you have failed to comply with the applicable requirements, it has become necessary to revoke the Certificate of Occupancy in accordance with Section 40.06 of the Saint Paul Legislative Code. **A reinspection will be made on July 31, 2024 at 2:00PM or the property vacated on August 12 2024.**

The Saint Paul Legislative Code further provides that no building shall be occupied without a Certificate of Occupancy. Failure to immediately complete the following deficiency list or the building vacated may result in a criminal citation.

#### DEFICIENCY LIST

1. Roof - SPLC Sec 33.03 Building and general construction. No person shall construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure without first obtaining a building permit from the building official. Permits for building or general construction are not required for repairs for maintenance only or for minor alterations provided they are not required under the state building code, this chapter or other pertinent provisions of the Saint Paul Legislative Code, and provided the cost of such repairs and minor alterations does not exceed the present market value of five hundred dollars (\$500.00). **Permit still open for the new roof installed. Have the work inspected by a building inspector and permit # 2022 120895 RPR 00 B finalized and closed.**
2. UNIT 3 - SPLC 34.14 (2)(A), 34.34 (5)(A) - Provide an approved electrical service adequate to meet the building's needs. This work may require a permit(s), call DSI at (651) 266-8989.
3. UNIT 3 - SPLC 34.23, MSFC 111.1 - This occupancy is condemned as unfit for human habitation. This occupancy must not be used until re-inspected and approved by this office.

4. Unit-8 - SPLC 40.06 - Uncertified portions of the building must not be occupied until inspected and approved by this office. **Uncertified due to but not limited to unit being recently vacated and tenants belongings remain.**
5. MSBC -Section 105.1 - Permits Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit. Work being done requires a permit. **Apply for a building permit for the new windows. This building is in a historic district apply for the permit with the Heritage Preservation Commission. Updated 7-18-2024, permit has not been applied for.**
6. Sec. 40.06. - Suspension, revocation and denial(a)Grounds for revocation. The fire code official may, in writing, issue a notice to the owner(s) and known interested parties of the city's suspension or revocation of a fire certificate of occupancy issued under the provisions of this code, or deny an application therefor:(3)If it is found upon inspection of the fire code official that the building or occupancy is in violation of provisions of this or other applicable safety codes, ordinances, rules and regulations; **Revoked due to long term noncompliance of the permit deficiencies.**

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: [travis.almsted@ci.stpaul.mn.us](mailto:travis.almsted@ci.stpaul.mn.us) or call me at 651-266-8977 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,  
Travis Almsted  
Fire Safety Inspector II

## Mark Thieroff

---

**From:** Mark Thieroff  
**Sent:** Wednesday, July 24, 2024 12:26 PM  
**To:** Mark Thieroff  
**Subject:** FW: Appointment Confirmation

----- Forwarded message -----

**From:** **Michael Nord** <[mnord@gladstoneswindow.com](mailto:mnord@gladstoneswindow.com)>  
**Date:** Fri, Jul 19, 2024 at 10:22 AM  
**Subject:** Appointment Confirmation  
**To:** [bnelson@cortexpm.com](mailto:bnelson@cortexpm.com) <[bnelson@cortexpm.com](mailto:bnelson@cortexpm.com)>

Hello,

This is Michael from Gladstone's Window and Door Store. I am sending out an email as confirmation of an appointment set up for 7/31 @4:00PM at 251 Maria Ave, St. Paul 55106. Otherwise, if we have something wrong or if you'd like to reschedule or cancel, please let me know. We appreciate your time and consideration.

Best Regards,

***Michael Nord***  
***GLADESTONE'S WINDOW & DOOR STORE***  
***2475 HIGHWAY 61 MAPLEWOOD, MN 55109***  
***Phone: 651-774-8455***  
***[www.gladstoneswindow.com](http://www.gladstoneswindow.com)***