



APPLICATION FOR APPEAL

Saint Paul City Clerk

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8560

RECEIVED *WJ*

JUN 29 2010

CITY CLERK

The City Clerk needs the following to process your appeal:

- \$25 filing fee payable to the City of Saint Paul
- Copy of the City-issued orders or letter which are being appealed
- Attachments you may wish to include
- This appeal form completed

Date and Time of Hearing:
Tuesday, <u>7/13/10</u>
Time <u>1:30 pm</u>
Location of Hearing:
Room 330 City Hall/Courthouse

Appellant/Applicant: Patrick & Barbara Madigan

Address: 1499 Park St City: St. Paul State: MINN Zip: 55106

Phone Numbers: Business _____ Residence _____ Cellular 612-991-1999

Signature: Barbara Madigan Date: 6/29/10

Name of Owner (if other than Appellant): _____

Address: 711 Oak Drive N City: Vadnais Hgts State: _____ Zip: 55127

Phone Numbers: Business _____ Residence _____ Cellular _____

State specifically what is being appealed and why (use an attachment if necessary):

See attached

NOTE: Any person unsatisfied by the final decision of the City Council may obtain judicial review by timely filing an action as provided by law in District Court or Court of Appeals

Fee Received: 25 pd. Receipt Number: _____

June 29, 2010

City of St. Paul
C/o City Clerk
310 City Hall, 15 W. Kellogg Blvd.
St. Paul, MN 55102

RE: 1499 Pacific St.
St. Paul, MN 55106
Ref. #109495
Spirit House, Men's Sober House
Patrick & Barbara Madigan

Dear City Clerk,

I am writing to appeal the decision I received from Fire Inspector Leanna Shaff which states we are in violation of occupancy levels at the address stated above. I was directed to complete an application to be zoned a Sober House; until it is processed and approved I need to take the occupancy down to 4 residents. I am respectfully asking that you give me permission to continue to operate my sober house as it would be a hardship if we were to ask 3 men to leave. We never meant to not abide by codes, however, we were not aware of anything that needed to be completed, in early 2008, we were told existing sobers homes would be grandfathered in. We were never given any direction from the city on the process we needed to complete when the rules changed. I spoke with a MN Assn of Sober Homes just recently and they were made aware of the paperwork needed at a previous MASH meeting, since we are not members, we were not informed.

We did attend Town Hall Meetings and City Council Meetings on this issue and were in support of seeing some rules in place to hold the integrity of sober housing in St. Paul; in fact, we also were present with MASH as they started putting guidelines in place. At that time, we did not see it necessary to join MASH as we had 1 house a little different niche' and additional requirements from our residents. We are a Christian based sober house where church is a requirement and we also support faith based programs and have been affiliated with them for 6 ½ years. We work with MN Teen Challenge, Salvation Army ARC Program, Metro Hope Ministries, Christ Recovery Center, New Life Treatment Center; we also work with 12 step treatment facilities such as ADAPE, St. Joes, Fairview, Park Ave, New Beginnings and many more.

If our sober house was forced to limit residents, even for a short time this would eliminate housing for our current men and take away the option for Christian based housing in St. Paul.

I'm sure that in seeing Spirit House you will see that it is the nicest, well kept home in the neighborhood. We also had a couple of other fire code issues that are listed in the letter and will have those complete by the expected time.

I appreciate your support in this issue.

Barbara Madigan
612-991-1999



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

June 25, 2010

PATRICK MADIGAN
711 N OAK DRIVE
VADNAIS HEIGHTS MN 55127-7960

FIRE INSPECTION CORRECTION NOTICE

RE: 1499 PACIFIC ST
Ref. #109495
Residential Class: B

Dear Property Representative:

Your building was inspected on June 24, 2010 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 July 26, 2010 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. Egress Windows - Level 3 and Upper Level 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.-
Level 3 South Bedroom (Awning)
28 w x 14 h - Openable
27 w x 33 h - Glazed

Upper Southwest Bedroom (Awning)
29 w x 14 h - Openable
28 w x 13 h - Glazed

Upper Northwest Bedroom (Awning)
38 w x 14 h - Openable
36 w x 22 h - Glazed
Sill Height is 56 inches

2. Exterior - Rear Deck - SPLC 34.09 (2) 34.32 (2) - Provide an approved handrail. The top of the handrail must be between 34 and 38 inches above the treads and run the entire length of the stair.-Secure the loose handrail.
3. Upper Floor - Bathroom - 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/replace the leaking sink faucet. Replace the missing sink stopper.
4. 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.- **Submitted report is not on the required form. It does not list the required elements, ie: company, license number, etc. Submit the required form.**
5. SPLC 34.13 (2), (3), SPLC 34.17 (2) - Reduce and maintain the number of occupants in the unit to: 4

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: leanna.shaff@ci.stpaul.mn.us or call me at 651-266-8980 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,

Leanna Shaff
Fire Inspector

Reference Number 109495