



APPLICATION FOR APPEAL

RECEIVED
OCT 29 2010
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 337973)
- 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, NOV. 9, 2010

Time 1:30 P.M.

Location of Hearing:

Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 974 Cleveland Ave S City: St. Paul State: MN Zip: 55116

Appellant/Applicant: Nicolas Nelson Email: nelnick@gmail.com

Phone Numbers: Business 630-690-6446 Residence _____ Cell 651-343-3422

Signature: Nicolas Nelson Date: 10-25-10

Name of Owner (if other than Appellant): _____

Mailing Address (if not Appellant's): Josh Casper
325 Cedar Street, Suite 210
St. Paul, MN 55101

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
- Other
- Other

Item #1

(See attachment)

Note: For any mailings, use Casper's mailing address.

October 26, 2010

To whom it may concern:

My name is Nicolas Nelson, I am the owner of 974 Cleveland Ave S., St. Paul, Minnesota 60137. I apologize for not being able to attend in person, but give my representative full authority and permission to handle this matter on my behalf.

I purchased the property in question in October of 2005. This property is a townhouse connected to six (6) other townhomes. The complex was fully remodeled in 2004-2005 (before I purchased the unit), including new windows. Upon recent inspection by the city of Saint Paul, it was discovered that the windows, in the upstairs bedrooms, measurement are:

It is my understanding that the code requires these windows to open to 24" and be 20" wide. Given that the windows are 12" wider than required, the slight deviation in height does not impact the safety. In fact, the code requires 5' sq ft of glazed area, the windows currently in place provide for 10.5' sq ft of glazed area.

As an owner, I have taken the safety of my occupants very seriously. The six (6) other items cited by the inspector have either already been corrected or are in the process of being fixed (see attached letter from the building inspector).

I am asking that this slight deviation in window height be permitted. If you have any questions, please do not hesitate to call me at 651-343-3422. Thank you for your courtesies.

Sincerely,

A handwritten signature in black ink, appearing to read "Nicolas Nelson", written in a cursive style.

Nicolas Nelson

Owner of 974 Cleveland Ave S., St. Paul, Minnesota



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.sipaul.gov/dsi

October 19, 2010

NICHOLAS R NELSON
REBECCA NELSON
515 N MAIN ST #3A S
GLEN ELLYN IL 60137-5152

FIRE INSPECTION CORRECTION NOTICE

RE: 974 CLEVELAND AVE S
Ref. #113675
Residential Class: C

Dear Property Representative:

Your building was inspected on October 19, 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 November 29, 2010 at 11:00 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 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. Second floor 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.-

East

18.5 h x 35 w Glazed 10.5 sq ft

West

21 h x 35 w Glazed 10.5 sq ft

An Equal Opportunity Employer

2. Steps to second floor - SPLC 34.10 (3), 34.33(2) - Repair or replace the damaged guardrail in an approved manner.-Properly secure the guard rail.
3. Steps to second floor and the steps to the bedroom - SPLC 34.10 (3), 34.33(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.
4. Throughout - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.
5. 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.
6. SPLC 39.02(c) - Complete and sign the provided smoke detector affidavit and return it to this office.
7. 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.

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: rick.gavin@ci.stpaul.mn.us or call me at 651-266-8994 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,

Rick Gavin
Fire Inspector

Reference Number 113675