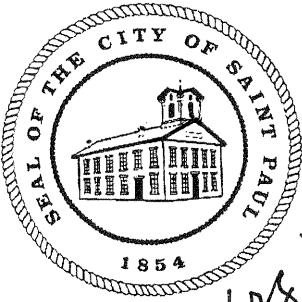




APPLICATION FOR APPEAL

RECEIVED

AUG 12 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
- ☒ 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, _____

Time _____

Location of Hearing:

Room 330 City Hall/Courthouse

Appellant/Applicant: Eric Guida

Address: 3760 20th St City: San Francisco State: CA Zip: 94110

Phone Numbers: Business 415.597.6308 Residence 415.202.4440 Cellular 415.202.4440

Signature: Eric Guida Date: 8/8/10

Name of Owner (if other than Appellant): _____

Property

Address: 1194 E 6th St City: St Paul State: MN Zip: 55106

Phone Numbers: Business _____ Residence _____ Cellular _____

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

#1, re egress windows in lower unit bedrooms, & #9
re egress window in upper unit bedroom.

Now, appealing Item 3 on the August 12 Deficiency

List. He is going to talk to the inspector and call me on
Monday

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:

Receipt Number:



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

July 12, 2010

ERIC D GUIDA
3760 -- 20TH ST
SAN FRANCISCO CA 94110-2220

RE: RE-INSPECTION FIRE CERTIFICATE OF OCCUPANCY WITH DEFICIENCIES
1194 6TH ST E

Ref. # 113761

Dear Property Representative:

Your building was re-inspected for the Fire Certificate of Occupancy on July 8, 2010. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected immediately.

Thursday,
A reinspection will be made on August 12, 2010 at 10:30 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. EXTERIOR - LOWER UNIT - 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.-Upon inspection, window measured 22 inches openable height x 25 inches openable width. *ok*
2. EXTERIOR - 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.-Complete scraping and painting of house trim in a professional manner.
3. EXTERIOR - SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screens.

An Equal Opportunity Employer

4. INTERIOR - BASEMENT - 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.
5. INTERIOR - BASEMENT - 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. Immediately discontinue use of basement as a sleeping room. Remove all bedroom items. *may - Installation of Window Necessary*
6. INTERIOR - UNIT 1 - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceiling in an approved manner. Scrape and paint bathroom ceiling.
7. INTERIOR - UNIT 1 - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.
8. INTERIOR - UNIT 2 - SPLC 34.10 (4), 34.33 (3) - Provide a bathroom floor impervious to water. Repair bathroom floor covering.
9. INTERIOR - UNIT 2 - 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. Upon inspection, window in bedroom measured 20 inches openable height x 20 inches openable width. *ok*
10. INTERIOR - SPLC 34.19 - Provide access to the inspector to all areas of the building. Provide access to locked bedroom in lower unit.
11. INTERIOR - SPLC 34.11(5), 34.34(2), SPC 4715.0200Q - Provide adequate hot water between 120 degrees F and 130 degrees F.
12. INTERIOR - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.
13. 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.

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 the original orders.

If you have any questions, email me at kelly.booker@ci.stpaul.mn.us or call me at 651-266-8985 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,

Kelly Booker
Fire Inspector
Ref. # 113761

Application for Appeal

Property Address:

1194 East 6th St

Saint Paul, MN 55106

Regarding #1, Egress windows in lower unit bedrooms

Each of the two lower-unit bedrooms has two double-hung windows which can serve for egress. Per the inspector's report, each window has a width opening of 25 inches, and an height opening of 22 inches. The windows themselves, both the lower window and the upper window together, have a combined height of 4 ft. I am appealing this item because there are two windows in each room, both less than 6 feet from the ground, which offer ample opportunity for egress.

Regarding #9, Egress window in upper unit bedroom

Not an appeal, but an update: The egress windows in the upper-unit bedroom, also double-hung windows, are somewhat smaller than the windows in the lower unit bedrooms. During her inspection, the inspector noted the windows had a width opening of 20 inches and a height opening of 20 inches. The height of the opening was restricted by the pulley at the top of each window. Each of the pulleys has been removed, providing an extra 7 inches of height, so that the height is now 27 inches. The sash is sufficient "tight" so that the windows stay up when opened. The inspector can verify this during her reinspection on Thursday, August 12.

DEPARTMENT OF SAFETY AND INSPECTIONS
Fire Inspection Division
Bob Kessler, Director



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

August 12, 2010

ERIC D GUIDA
3760 -- 20TH ST
SAN FRANCISCO CA 94110-2220

RE: RE-INSPECTION FIRE CERTIFICATE OF OCCUPANCY WITH DEFICIENCIES
1194 6TH ST E

FINAL ATTEMPT

Ref. # 113761

Dear Property Representative:

Your building was re-inspected for the Fire Certificate of Occupancy on August 12, 2010. 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 September 13, 2010 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 EXTERIOR - SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screens.
- ② INTERIOR - BOTH 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. Upon inspection, windows in both bedrooms of lower unit measured 22 inches openable height x 25 inches openable width. Window in bedroom of upper unit measured 21 inches openable height x 21.5 inches openable width.
- ③ INTERIOR - UNIT 1 - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window sash.

- New
Hindman?*
4. INTERIOR - UNIT 2 - SPLC 34.10 (4), 34.33 (3) - Provide a bathroom floor impervious to water.-Repair bathroom floor covering. B
 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. (call SPP)
- SPP*

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 the original orders.

If you have any questions, email me at kelly.booker@ci.stpaul.mn.us or call me at 651-266-8985 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,

Kelly Booker
Fire Inspector
Ref. # 113761

From: Racquel Naylor
To: Booker, Kelly
Date: 9/3/2010 3:33 PM
Subject: 1194 Sixth Street East, Eric Guida

CC: Moermond, Marcia; Vang, Mai
Kelly,

There was some miscommunication on this one on my part.

Marcia is putting this back on the agenda for September 7 and granting the window variance.

I'll call Mr. Guida and inform him of this. -Racquel, 6-8573

From: Racquel Naylor
To: Moermond, Marcia; Vang, Mai
Date: 9/3/2010 11:21 AM
Subject: 1194 Sixth Street East, Eric Guida

Marcia and Mai,

This e-mail is regarding 1194 Sixth Street East on the August 24 Legislative Hearing agenda.

Eric Guida, 415-202-4440, called me to say that the inspector Kelly Booker did not receive anything regarding a variance on the windows.

This was one of the people that I called on August 20. Marcia said that she would grant the appeal on the windows if that was the only thing Guida was appealing. I told Guida this and that he would be scheduled for a hearing if he was planning to appeal the sash. He said he would call me later. He did call me later that day and said that he was not going to appeal the sash issue. I told him that the appeal on the window variance would be granted since that is the only thing he was appealing.

I think in the busyness of the day, I forgot to inform you two that he had called back and was only appealing the window issue.

I'm sorry for causing everyone more work. Please re-look at this issue and grant the appeal on the windows. Or, schedule this for another Legislative Hearing.

-Racquel, 6-8573

9-3
called