



# APPLICATION FOR APPEAL

RECEIVED

OCT 17 2012

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 \_\_\_\_\_)
- Copy of the City-issued orders or letter which are being appealed
- Attachments you wish to include
- This appeal form completed
- Walk-In OR  Mail-In

YOUR HEARING Date and Time:	
Tuesday,	<u>Oct. 23</u>
Time	<u>11:30 a.m.</u>
Location of Hearing:	
<u>Room 330 City Hall/Courthouse</u>	

## Address Being Appealed:

Number & Street: 874 Charles Ave<sup>ne</sup> City: ST Paul State: MN Zip: 55104

Appellant/Applicant: Duane Christenson Email: dlenord@earthlink.net

Phone Numbers: Business \_\_\_\_\_ Residence 701-7753424 Cell 218-2304865

Signature: Duane Christenson Date: 10/16/12

Name of Owner (if other than Appellant): Duane Christenson

Address (if not Appellant's): \_\_\_\_\_

Phone Numbers: Business \_\_\_\_\_ Residence 701-7753424 Cell 218-2304865

## 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

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To: Saint Paul City Clerk  
310 City Hall, 215 West Kellogg Blvd.  
Saint Paul, Minnesota 55102

From: Duane Christenson  
3424 Cherry Street  
Grand Forks, ND 58201

RE: Revocation of Fire Certificate of Occupancy and Order to Vacate

I am requesting an appeal of more time in regards to this order. If I am unable to attend the hearing, I am sending my son Jason Christenson, who resides now in the property to appear for me at the hearing. Jason is a teacher and administrator in the Saint Paul Public Schools.

I regret that this matter has come to this point. But, after handing the property over to a rental agency for nine months time from January to September 2011, their contract ending last year at this time, I have spent enumerable cash to attempt to make the property livable.

I kept in constant telephone conversation with the rental company, but they refused to meet my demand to evict the tenants, which several of the neighbors had requested me to do. My only savior was a next door neighbor. He empathized with my plight and requested once the tenants had finally disappeared that I allow his son and daughter-in-law who were looking for a rental be able to reside in the property. I agreed to let them to do so without a deposit, and they along with my son Jason cleaned up the mess. They have resided in the upper unit for a year. They have been immensely pleased with the upper duplex.

After the previous fiasco, I refused to rent the bottom unit (874) until I or my kin could reside there and make necessary improvements on the property after the damage that had insured. It has been a financial drain to say the least since I purchase the property in the midst of the financial boom, but I did not want to rent the unit and replicate the past. Thus, 874 has been vacant until three weeks ago when Jason recently moved back with hopes of addressing my concerns.

Jason had resided at 874/876 Charles for many years previously and has a deep attachment to the neighborhood. He was aghast at the rental agencies negligence. However, because the damage was so extensive, it will take more than a month's time to address all the concerns on the list. We have had difficulty

getting stressed builders in this fall season to take on small projects. But, with a relative of the owner living in the property, more can get accomplished. However, I repeat a month's time is not adequate.

When the bottom unit was vacant and the upper unit occupied, I have kept the grass trimmed and cleaned the sideways and parking space of snow by first hiring an independent contractor and later turning the responsibility over to the present upper unit tenants. I have acted as a responsible homeowner, but making all the repairs requested will take additional time. Jason will explain what has been already accomplished.

Thank you for your time and concern in this matter. I love the city of Saint Paul and have acted to the best of my ability as a responsible homeowner. My motives have often been altruistic rather than profitable. Thank you for your concern in this matter. We are not absent landowners.

*Quane Christenson*



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](http://www.stpaul.gov/dsi)

October 12, 2012

DUANE L CHRISTENSON  
3424 CHERRY ST UNIT 5A  
GRAND FORKS ND 58201-7692

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

RE: 874 CHARLES AVE  
Ref. # 111756

Dear Property Representative:

Your building was inspected on October 12, 2012, 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 October 19, 2012 at 2:00PM or the property vacated.**

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. ATTIC - MSFC 315.2 - Provide and maintain orderly storage of materials. **ATTIC HOUSEKEEPING, MAINTAIN PATHWAYS TO STAIRS AND ALL PORTIONS OF SPACE BY REDUCING CLUTTER.**
2. ATTIC STAIRS - 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.
3. BASEMENT - MSFC 605.1 -Provide a grounding jumper around the water meter.
4. BASEMENT - MN Stat 299F.18 - Immediately remove and discontinue excessive accumulation of combustible materials. **REMOVE OLD INSULATION ON THE FLOOR.**
5. EXTERIOR - 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. **HANDRAIL SHOULD BE LOCATED ON BOTH SIDES OF ENTRY PORCH STAIRS.**

6. EXTERIOR - SPLC 34.09 (2), 34.32(2) - Repair or replace the unsafe stairways, porch, decks or railings in an approved manner. This work may require a permit(s). Call DSI at (651) 266-9090. **2ND FLOOR DECK STRUCTURE NEEDS REINFORCING, HANDRAIL NEEDS TO ATTACHED TO STRUCTURE. CONTACT BUILDING DEPT FOR GUIDENCE.**
7. EXTERIOR - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window glass. **REPAIR ALL WINDOWS WITH BROKEN GLASS (1ST FLOOR & BASEMENT)**
8. EXTERIOR - SPLC 34.08 (3) - Provide and maintain suitable ground cover on all exterior areas to control erosion. **REPAIR GROUND COVER NEXT TO OLD GARAGE LOCATION.**
9. REAR STAIRS & BASEMENT - 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. **INSTALL HANDRAILS WHERE MISSING IN THESE AREAS.**
10. UNIT 874 - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-9090. **LIVING ROOM CLOSET**
11. UNIT 874 - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped. **LIVING ROOM**
12. UNIT 874 - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner. Repair or replace the damaged or deteriorated wall coverings **AROUND TUB SO AS TO CREATE A WATER RESISTANT BARRIER.**
13. UNIT 874 - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.
14. UNIT 874 - 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.
15. UNIT 876 - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing. **KITCHEN**
16. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.

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: (651-266-8688) and must be filed within 10 days of the date of this order.

If you have any questions, email me at: [michael.efferson@ci.stpaul.mn.us](mailto:michael.efferson@ci.stpaul.mn.us) or call me at 651-266-8981 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Michael Efferson  
Fire Inspector

Ref. # 111756