



APPLICATION FOR APPEAL

RECEIVED

MAY 14 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 may wish to include
- This appeal form completed
- Walk-In OR Mail-In

YOUR HEARING Date and Time:	
Tuesday,	<u>June 12, 2012</u>
Time	<u>1:30 p.m.</u>
Location of Hearing:	
<u>Room 330 City Hall/Courthouse</u>	

Address Being Appealed:

Number & Street: 695 Ohio St. City: St. Paul State: MN Zip: 55107

Appellant/Applicant: Dan Witucki Email _____

Phone Numbers: Business _____ Residence _____ Cell 612.384.8058

Signature: Dan Witucki Date: _____

Name of Owner (if other than Appellant): _____

Address (if not Appellant's): _____

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

See description attached

Application for Appeal – Attachment

I am appealing the following correction notice items:

9 Exterior driveway SPLC 34.08 (7) – All parking surfaces shall be paved with asphalt, concrete, or durable dustless surfacing. Replace or repair driveway.

The legislative code reads as follows:

(7) Parked or stored vehicles. All parking spaces shall be paved with asphalt, concrete or other durable, dustless surfacing, **or with crushed rock** as determined by the enforcement officer. Before any existing spaces may be paved, site plan approval must be obtained as specified in the Saint Paul Zoning Code and the lot must be developed in conformance with such approval.

I have been asking for clarification from DSI inspector Wetenhofer that crushed rock is acceptable as the code reads “as determined by the enforcement officer.” The inspector has not provided me with a response within the time allowing for an appeal.

Crushed rock is also necessary as it is impossible for an asphalt paving machine to fit into the driveway and get to the parking area in the rear. This is because from the house to the neighbor’s fence (2” metal pipes cemented into the ground) is only 8.5 feet wide and the paving machine cannot fit within that opening (per asphalt contractor).

Additionally, the parking area is used only occasionally as most tenants park on the street due to the difficulty getting into the driveway area due to the narrow width.

#14 Exterior - North Staircase SPLC 34.09(2), 34.32(2) - Replace north wooden staircase with code compliant staircase.

This staircase is currently one stair into unit #1 that enters on the driveway side of the building. This code competes with St. Paul’s minimum driveway width code which states that 8 feet is required for passage to a parking area. The one stair that is there is already at that minimum. The stair has never been a problem during its service.

I have been waiting for the DSI Inspector to give me clarification and or direction on this item.

I was hopeful these issues could be resolved with the DSI inspector, though, I only have 10 days from the letters date to appeal, and the inspector has not returned my two calls since we spoke about these items a week ago. The inspector may or may not be ok with these items.



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220 Telephone: 651-266-8989
Saint Paul, MN 55101-1806 Fax: 651-266-8951

COPY

May 4, 2012

DAN WITUCKI
566 ORLEANS ST
ST PAUL MN 55117

CORRECTION NOTICE - COMPLAINT INSPECTION

RE: 695 OHIO ST
Ref. # 10932

Dear Property Representative:

An inspection was made of your building on April 27, 2012 in response to a referral. You are hereby notified that the following deficiency list must be corrected immediately. **A re-inspection will be made on May 31, 2012 at 11:30 am.**

Failure to comply may result in a criminal citation or revocation of the Certificate of Occupancy. The Saint Paul Legislative Code requires that no building shall be occupied without a Certificate of Occupancy. The code also provides for the assessment of additional re-inspection fees.

DEFICIENCY LIST

- ✓ Done Basement - Floor Drain - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-Water pooling on floor. Unclog floor drain to drain water properly.
- ✓ Done Basement - North Entry Door - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.-Remove material behind north entry door.
- ✓ Done Basement - Staircase - MSFC 315.2 - Provide and maintain orderly storage of materials.-Remove storage underneath basement staircase.
- ✓ Done Basement - Storage - UMC 1346.703 - Provide 30 inches clearance around all mechanical equipment.- Remove storage stored around water heater and furnace. *not in service, OK.*
5. *Improper order* Basement - Water Heater - MFGC 304 - Provide approved combustion make up air in compliance with the mechanical code. This work may require a permit(s). Call DSI at (651) 266-9090.-Remove insulation on bottom and top of water heater. *Water Heater is electric combustion air not needed.*
6. *Improper order* Basement - Wiring - NEC 400-10 Provide strain relief for the cords so that tension will not be transmitted to joints or terminals.-Junction box located underneath main floor next to basement staircase. Junction box found unattached to bottom of main floor. Wiring found spread out and not secure. Wiring wrapped illegally around piping. *OK per electrical inspector (not subject to physical damage)*

- ✓ Done Exterior - Back Side of Building - SPLC 34.08 (3) - Provide and maintain suitable ground cover on all exterior areas to control erosion.-Remove vehicles parked on dirt or mud.
8. Exterior - Building - 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.-Scrape and paint building to include siding, trims and sills.
9. Exterior - Drive Way - SPLC 34.08 (7) - All parking spaces shall be paved with asphalt, concrete, or durable dustless surfacing. Before any existing spaces may be paved, site plan approval must be obtained as specified in the St. Paul Zoning Code. Contact DSI Zoning at 651-266-9090.-Replace or repair drive way.
10. Exterior - East Entry Door - MSFC 703 - The fire door must not be obstructed or impaired from its proper operation at any time.-Door closer not working. *Does not have door closer*
11. Exterior - Foundation Walls - SPLC 34.09 (1) a, 34.32 (1) a - Provide and maintain foundation elements to adequately support this building at all points.-Seal all cracks along foundation walls throughout property. *touch point here and there on N side*
- ~~12.~~ Exterior - Gutters Throughout - SPLC 34.08 (5), 34.31 (3) - Repair, replace and maintain all exterior surfaces on fences, sheds, garages and other accessory structures free from holes and deterioration. Provide and maintain exterior unprotected surfaces painted or protected from the elements.-Remove growth from all gutters. *No gutters @ property*
- ✓ Done Exterior - House Wiring - MSFC 605.1 - Remove unapproved exposed wiring and install in accordance with the electrical code. This work may require a permit(s). Call DSI at (651) 266-9090.-Northwest corner of house wiring hanging down and secure to structure or pole. *telephone wire from storm*
14. Exterior - North Staircases - 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.-Replace north wooden staircase with code compliant staircase. *Conflicts with city driveway code.*
15. Exterior - Screens and Storm Windows - SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screen.-Repair and replace all missing, damaged and broken screens and storm windows throughout property. *on order @ Home Depot*
- ✓ Done Exterior - Southeast Corner - SPLC 34.08 (5), 34.31 (3) - Repair, replace and maintain all exterior surfaces on fences, sheds, garages and other accessory structures free from holes and deterioration. Provide and maintain exterior unprotected surfaces painted or protected from the elements.-Cut back tree limbs leaning over roof top.
- ✓ Done Unit 3 - Bathroom Floor - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.-Abate mold like substance from underneath bathroom floor tile.
18. Unit 3 - East Entry Floor - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.-Repair flooring on northeast corner of entry floor. *inspector said it was OK.*
- ✓ Done Unit 3 - Kitchen Faucet - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-Kitchen faucet leaks and does not flow properly.

20. ^{Improper order} Unit 3 - North Exit - MSFC 1003.3.1.8 - Remove unapproved locks from the exit doors. The door must be openable from the inside without the use of keys or special knowledge or effort.-Remove deadbolt and install handle. *not an egress door.*
21. Unit 3 - North Kitchen Window - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window glass.- Replace damaged right corner kitchen window glass.
22. Unit 3 - North Kitchen Window - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window frame.- Replace broken exterior metal window frame.
23. ^{Improper order} Unit 3 - Northeast Bedroom Door - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door latch.- Missing door handle, bolt and strike plate on bedroom door. *nothing was missing.*
24. ^{Done} Unit 3 - Phone Jack Wiring - NEC 400-10 Provide strain relief for the cords so that tension will not be transmitted to joints or terminals.-Properly mount, recess and repair damaged telephone wiring throughout unit.
25. ^{Done} Unit 3 - Sash Cords - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window sash.-Replace broken or missing sash cords throughout unit.
26. ^{Done} Unit 3 - South Bedroom - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring. *Tenant responsibility*
27. Unit 3 - Walls Throughout - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Repair cracks in edges of walls and ceilings throughout. *peeling paint in entry way ceiling.*

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 the original orders.

If you have any questions, email me at: sean.westenhofer@ci.stpaul.mn.us or call me at 651-266-8982 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,

Sean Westenhofer
Fire Inspector
Ref. # 10932