



# APPLICATION FOR APPEAL

RECEIVED  
JAN 31 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>2-14-12</u>
Time <u>1:30</u>
Location of Hearing:
Room 330 City Hall/Courthouse

Address Being Appealed: REF# 113801

Number & Street: 1148 5th Street E City: St Paul State: MN Zip: 55106

Appellant/Applicant: James Nelson Email nels68@hotmail.com

Phone Numbers: Business 715-273-6100 Residence 715-273-5002 Cell 612-598-2639

Signature: [Signature] Date: 1/30/12

Name of Owner (if other than Appellant): \_\_\_\_\_

Address (if not Appellant's): W7825 490th Ave (POB 359) Ellsworth, WI 54011-0359

Phone Numbers: Business 715-273-6100 Residence 715-273-5002 Cell 612-598-2639

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 attachment  
 \_\_\_\_\_  
 \_\_\_\_\_

# JIM NELSON

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W7825 490th Ave.

P.O. Box 359

Ellsworth, WI 54011-0359

(612) 598-2639

nels68@hotmail.com

January 30, 2012

Saint Paul City Clerk  
310 City Hall, 15 W. Kellogg Blvd.  
Saint Paul, MN 55102  
651-266-8560

Dear Appeal Staff,

Request 2/14/2012 for the Appeal Hearing

The results of the Fire Inspection Correction Notice RE: 1148 5<sup>th</sup> Street  
E. ref# 113801

The only thing I am appealing is the sleeping room window's that are below minimum for current codes for legal egress. I have owned the property since 2008. It appears the upgraded windows have been in for a quite a few years. It will be a hardship for me to have to replace them with large windows. The sizes are very close to meet the requirements.

All sleeping rooms have smoke detectors inside the rooms along with smoke detectors in the hall outside the sleeping areas.

Other work that is required will be completed in a timely manner with regards to weather for exterior painting. I will work with Wayne Spiering the Fire Inspector to get the required work completed.

Your consideration in this matter is appreciated.

Sincerely,



Jim Nelson



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)

January 24, 2012

JAMES NELSON  
W7825 490TH AVE  
ELLSWORTH WI 54011-4810

### FIRE INSPECTION CORRECTION NOTICE

RE: 1148 5TH ST E  
Ref. #113801  
Residential Class: C

Dear Property Representative:

Your building was inspected on January 23, 2012 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 February 27, 2012 at 1:00pm.**

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. Basement - Dryer Vent - 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 requires a permit(s). Call DSI at (651) 266-8989.- Replace the dryer exhaust duct that does not have the correct gauge metal and replace with an approved exhaust duct. Dryer exhaust ducts must be made of 30-gauge galvanized or 26-gauge aluminum. This work must be done by licensed contractor under permit.

2. Basement - Laundry Tub - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-Secure the water lines to the laundry tub in an approved manner.
3. Egress Windows - 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.

### **Main Floor**

#### **Southeast Bedroom (Double-hung)**

22h x 23w - Openable

51h x 23w - Glazed

### **Upper Floor**

#### **Southeast Bedroom (Double-hung)**

22h x 30w - Openable

51h x 28w - Glazed

#### **North Bedroom (Double-hung)**

21.5h x 18w - Openable

50h x 16w - Glazed

4. Exterior - North Entrance - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition.-Replace the missing glass on the exterior storm door.
5. Exterior - North Stairway - 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.-Provide a code complaint handrail on the north exterior concrete stairway.
6. Exterior - Retaining Wall - SPLC 34.08 (5), 34.31 (3) - Repair, replace and maintain all retaining walls free from holes and deterioration.
7. Exterior - Storage - SPLC 34.08 (6), 34.31 (4) - Remove the accumulation of exterior storage that creates a nuisance or harbors rodents.
8. Garage - Address - SPLC 71.01 - Provide address numbers on the alley side of the detached garage per HN-1 handout.-Address numbers must be at least 3 inches in height, contrast with the background, and be reflective or illuminated at night.
9. House and Garage - Exterior Surfaces - 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.-Replace the missing/damaged siding, soffit and fascia. Scrape all flaking/chipped paint. Maintain exterior surfaces in a good state of repairs and protected against elements of the weather.

10. House and Garage - Gutters and Downspouts - SPLC 34.08 (2) - Provide and maintain the gutter and downspouts so as to functionally direct water away from the foundation.
11. Main Floor - Kitchen - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.
12. Main Floor - Southeast Bedroom - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.
13. Upper Floor - Bathroom - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.-Repair/replace the weak/spongy floor near the toilet.
14. Windows - Throughout - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window in good condition.-Repair/replace the windows that are not staying in the up position.

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: [wayne.spiering@ci.stpaul.mn.us](mailto:wayne.spiering@ci.stpaul.mn.us) or call me at 651-266-8993 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,

Wayne Spiering  
Fire Inspector

Reference Number 113801