



APPLICATION FOR APPEAL

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, 7-25-11
 Time 1:30
 Location of Hearing:
 Room 330 City Hall/Courthouse
 mailed 6-29-11

RECEIVED
JUN 29 2011
CITY CLERK

Address Being Appealed:

Number & Street: 389 Herschel St. City: St. Paul State: MN Zip: _____

Appellant/Applicant: Mark Muckerheide Email evinmuckerheide@gmail.com

Phone Numbers: Business _____ Residence _____ Cell 612-730-6628

Signature: _____ Date: _____

Name of Owner (if other than Appellant): Mark Muckerheide

Address (if not Appellant's): 3739 Brown Bear Trail, Eagan, MN 55122

Phone Numbers: Business _____ Residence _____ Cell 612-730-6628

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

I am appealing numbers 1, 4 and 13. I am appealing the window deficiencies because the measurements are very close + the cost to replace the windows would cause me financial hardship. I am appealing number 13 regarding parking spaces because the area in question is not used for parking. It is a grassy area in front of the garage + paving it would again cause me financial hardship. The fire inspection report is attached.

Legislative Hearing Fact Sheet

Legislative Hearings provide the forum to review appeals of City-issued orders and develop recommendations for City Council consideration. Appellants not satisfied with the recommendation of the Hearing Officer may request a public hearing before the City Council and it will be scheduled. Any person unsatisfied by the quasi-judicial decision of the City Council may obtain judicial review by timely filing of an action.

Appeal Applications

Appeal application forms are available online at www.stpaul.gov or they can be mailed to you calling 651-266-8560. Appeal applications may be submitted in person at or by mail at 310 City Hall, 15 Kellogg Boulevard W., St. Paul, MN 55102. Appeal applications should be filed within ten days of the date of written notification of the item(s) being appealed.

Scheduling Your Appeal Hearing

The date and time of the hearing for those applications submitted in person will usually be set at that time. Mailed applications will be copied and returned to the appellant with the date and time clearly indicated on the form. Generally, appeal hearings are scheduled one to four weeks after the application is submitted. Once an appeal has been scheduled, it may not be rescheduled more than once. Additional rescheduling will only be done by referral from the City Council. In some cases involving egress windows, an appeal may be granted without a hearing. If this is the case with your appeal, you will receive a call from our office.

Hearings Are Held on Tuesdays & The Schedule Typically Is:

- 9:00 Tax Assessments & Orders to Remove or Repair
- 11:30 Condemnations, Revocations & Vacate Orders. Also, Summary & Vehicle Abatement Orders
- 1:30 Fire Certificate of Occupancy Letters, Code Enforcement Notices & Egress Window Building Permit Denials
- 2:30 Vacant Building Registration Notices
- 3:00 Other Cases and Overflow Hearings

What to Expect at the Hearing

A number of appeals are heard in each hearing session. For each appeal, City Staff will give a report and appellants be given time to present information, testimony, photos or other documents. The Hearing Officer will take all of this into account to develop a recommendation for Council consideration. Occasionally a decision cannot be made at the hearing, and the matter will be laid over or continued to allow the appellant and/or staff time to gather more information. The hearings are quite informal but it is still expected that cell phones and pagers will be turned off, and City staff and appellants will address one another respectfully.

Interpreter: If you need an interpreter for your hearing, please call 651-266-8561 for us to arrange one.



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

June 20, 2011

MARK EDWARD MUCKERHEIDE
3739 BROWN BEAR TR
EAGAN MN 55122

FIRE INSPECTION CORRECTION NOTICE

RE: 389 HERSCHEL ST
Ref. #102876
Residential Class: C

Dear Property Representative:

Your building was inspected on June 20, 2011 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 July 21, 2011 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. 1st Floor - Rear Bedroom - 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.-Existing double-hung window has an openable area of 18.5 inches high by 23 inches wide and a glazed area of 41 inches high by 23 inches wide, 6.5 square feet.

2. 2nd Floor - Exterior Balcony - SPLC 34.09 (2), 34.32(2) - Repair or replace the damaged guardrail in an approved manner. This work may require a permit(s). Call DSI at (651) 266-9090.
3. 3rd Floor - Stairway - 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. 3rd Floor - 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.-Existing double-hung window has an openable area of 22.25 inches high by 25.5 inches wide and a glazed area of 48 inches high by 25.5 inches wide, 8.5 square feet.
5. 3rd Floor - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window sash.-Windows must be able to hold in the open position when opened.
6. Basement - Dryer - 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.
7. Basement - Stairway - SPLC 34.10 (3), 34.33(2) - Repair or replace the damaged handrail in an approved manner.
8. Basement - Throughout - MSFC 605.6 - Provide all openings in junction boxes to be sealed.-Seal all open knock-out holes in boxes.
9. Basement - Water Heater - MFGC 501.2 - Provide, repair or replace the fuel equipment vent or vent liner to develop a positive flow adequate to convey all products of combustion to the outside. This work may require a permit(s). Call DSI at (651) 266-9090.-Vent connections not properly screwed together.
10. Exterior - Front - SPLC 71.01 - The address posted is not visible from street. (HN-1)- Provide reflective numbers or background or illuminate at night.
11. Exterior - Rear - SPLC 34.09 (2) 34.32 (2) - Provide an approved guardrail with intermediate balustrade or rails 4 inches or less apart. This work may require a permit(s). Call DSI at (651) 266-9090.-Provide guardrail along both sides of stairway.
12. Exterior - Rear - SPLC 34.08 (10) - Repair, replace and maintain exterior sidewalks, walkways and stairs.-Repair concrete rear stairway as needed. Block is deteriorated and supporting block is not soundly in place.

13. Exterior - 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.

14. Front Porch - Ceiling - MSFC 605.6 - Provide all electrical splices within junction boxes.-Ceiling light is screwed to wood, connection not in proper junction box. This work may require a permit. Contact DSI at (651) 266-8989.
15. Throughout - 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.-Not within 10 feet of all bedrooms.
16. Throughout - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.
17. Throughout - SPLC 34.09 (3), 34.32 (3) - Provide and maintain window locks on all 1st and 2nd floor windows.
18. 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.
19. SPLC 39.02(c) - Complete and sign the provided smoke detector affidavit and return it 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 this order.

If you have any questions, email me at: mitchell.imbertson@ci.stpaul.mn.us or call me at 651-266-8986 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,

Mitchell Imbertson
Fire Inspection

Reference Number 102876