

## Zimny, Joanna (CI-StPaul)

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**From:** Moermond, Marcia (CI-StPaul)  
**Sent:** Tuesday, January 14, 2020 11:36 AM  
**To:** Zimny, Joanna (CI-StPaul)  
**Subject:** FW: 289 Burgess St. Appeal Pending  
**Attachments:** 289 Burgess St 2019 Fire Inspection Report.doc; 289 Burgess St 2008 Code Complinance Report.doc

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

For rlh vo 20-7

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**From:** Neis, Adrian (CI-StPaul)  
**Sent:** Tuesday, December 24, 2019 4:23 PM  
**To:** Franquiz, Efrayn (CI-StPaul) <efrayn.franquiz@ci.stpaul.mn.us>  
**Cc:** Moermond, Marcia (CI-StPaul) <marcia.moermond@ci.stpaul.mn.us>; Shaff, Leanna (CI-StPaul) <leanna.shaff@ci.stpaul.mn.us>; Wiese, Angie (CI-StPaul) <angie.wiese@ci.stpaul.mn.us>  
**Subject:** 289 Burgess St. Appeal Pending

Efrayn,

The owner of 289 Burgess called me wanting a second opinion of the order you wrote for the front bedroom (item 6) that it exits into the front porch, so I met him at the property.

This was not called by us in the past and he installed a code compliant size escape opening as required in 2008 per the code compliance report, and this was approved by the building official.

While I concur with your assessment, I understand his frustration.

If you look at item 20 in the code compliance report it says; ***Habitable rooms with new usage, replaced windows shall have glass area equal to 8% of floor area, or a minimum of 8 sq. ft., one-half of which shall operate and all bedroom windows shall meet emergency egress requirements (20" wide minimum, 24" high minimum but not less than 5.7 sq. ft. overall).***

This front room was previously a living room that had been walled off and a closet was installed to make it a bedroom. The original fixed picture window was removed and replaced with a code compliant sized emergency escape and rescue opening, which is consistent to make it comply with the above order in the code compliance report, however it exits onto an enclosed porch which is incorrect. Based on the construction and the age of the materials, I believe the front porch had been enclosed long before 2008.

I have advised him to file an appeal, which should be filed soon.

I have copied the Legislative Hearing Officer on this as well so she has more background of the situation.

AJ



CITY OF SAINT PAUL

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)

December 17, 2019

KBD INVESTMENTS LLC  
877 WHITE BEAR AVE N #2  
ST PAUL MN 55106 USA

## FIRE INSPECTION CORRECTION NOTICE

RE: 289 BURGESS ST  
Ref. #101390  
Residential Class: C

Dear Property Representative:

Your building was inspected on December 13, 2019 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 January 13, 2020 at 1:45 PM.**

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. Interior - Basement - NEC 408.38 - Provide a dead front for the panel. -The dead front for the electrical panel is not secured and is coming loose.
2. Interior - Basement - MMC 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 and installed in accordance with the mechanical code. This work may require a permit(s). Call DSI at (651) 266-8989.

**The dryer exhaust has a screw in it and parts of the duct within the insulation sleeve have come apart. This dryer exhaust duct was install without a permit and is not part of the Code Compliance inspection. Bring the dryer exhaust duct up to code under permit.**

3. Interior - Basement - MMC 603.9, 604 - Repair, maintain or install proper insulation and duct sealant in compliance with the mechanical code. This work may require a permit(s). Call DSI at (651) 266-8989.-There are some cracks around the exhaust duct on the chimney wall and there is section on the chimney wall that has a piece broken off.
4. Interior - Door - SPLC 34.33 (3) - Repair and maintain the door in good condition. -The door to the front room is coming off the hinges.
5. Interior - Front Room - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.-There is an outlet in the front room that has melted wax over it. Replace the outlet.
6. **Interior - Front Room - SPLC 34.23, MSFC 110.1 - This occupancy is condemned as unsafe or dangerous. This occupancy must not be used until re-inspected and approved by this office. -The front room has been condemned because the window does not exit to the public way. The window exits to the enclosed front porch.**
7. Interior - Front Room - MSFC 1030.1 - Provide and maintain an approved escape window from each sleeping room or area, or discontinue use of area as a sleeping room. This work may require permit(s). Call DSI at (651) 266-8989.-**Discontinue sleeping in this room until the room has been inspected and approved.**
8. Interior - Kitchen - SPLC 34.11 (1), MSBC 2902.1, SPLC 34.35 (1), MPC 301.1 - Repair or replace and maintain all parts of the plumbing system to an operational condition. -The kitchen faucet is loose and broken.
9. Interior - Kitchen Floor - SPLC 34.10 (7), 34.17(5) - Repair and maintain the floor in an approved manner. -Repair or replace the floor tile.
10. Interior - Wall - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner. -There is a hole on the wall near the front entry door.
11. Interior - Water - SPLC 34.11(5), 34.35(2), MPC 408.3 - Provide adequate hot water between 110 degrees F and 120 degrees F.-The water temperature when tested was at 139.5 degrees Fahrenheit. Reduce the temperature.
12. 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: (651-266-8585) and must be filed within 10 days of the date of this order.

If you have any questions, email me at: [Efrayn.Franquiz@ci.stpaul.mn.us](mailto:Efrayn.Franquiz@ci.stpaul.mn.us) or call me at 651-266-8955 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,

Efrayn Franquiz  
Fire Safety Inspector

Reference Number 101390



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

COMMERCE BUILDING  
8 Fourth Street East, Suite 200  
St Paul, Minnesota 55101-1024

Telephone: 651-266-9090  
Facsimile: 651-266-9099  
Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

April 21, 2008

FREDDIE MAC C/O CENTURY 21 PASTRANA REALTY  
2929 4TH AVE S SUITE 105  
MINNEAPOLIS MN 55408

Re: 289 Burgess St  
File#: 07 174003 VB2

Dear Property Owner:

Pursuant to your request the above-referenced property was inspected and the following report is submitted:

**BUILDING**

1. Rafter framing does not meet code (3' spacing). Add more framing members.
2. The inspectors were unable to inspect crawl space. Appears that main floor may have had water damage (floor buckled, stains on ceiling/walls) will need to make crawl space available for inspection.
3. Support basement stairs/landing.
4. Make basement stair risers uniform in height.
5. Repair interior and exterior of foundation.
6. Make rear deck stair risers uniform in height, install handrail to code.
7. Install tempered glass in window within 2' of front door.
8. Install provide hand and guardrails on all stairways and steps as per attachment.
9. Tuck point interior/exterior foundation.
10. Install floor covering in the bathroom and kitchen that is impervious to water.
11. Install tempered glass in window on stair landing.
12. Provide thumb type dead bolts for all entry doors. Remove any surface bolts.
13. Repair or replace any deteriorated window sash, broken glass, sash holders, re-putty etc. as necessary.
14. Provide storms and screens complete and in good repair for all door and window openings.
15. Repair walls and ceilings throughout, as necessary.
16. Provide hand and guardrails on all stairways and steps as per attachment.
17. Where wall and ceiling covering is removed, attic, replace doors and windows, (insulation, glass, weather stripping, etc.) shall meet new energy code standards.
18. Prepare and paint interior and exterior as necessary (take the necessary precautions if lead base paint is present).

### **BUILDING**

19. Any framing members that do not meet code (where wall and ceiling covering is removed, members that are over-spanned, over-spaced, not being carried properly, door and window openings that are not headered, etc.) are to be reconstructed as per code.
20. Habitable rooms with new usage, replaced windows shall have glass area equal to 8% of floor area, or a minimum of 8 sq. ft., one-half of which shall operate and all bedroom windows shall meet emergency egress requirements (20" wide minimum, 24" high minimum but not less than 5.7 sq. ft. overall).
21. Provide general clean-up of premise.
22. Provide smoke detectors as per the Minnesota State Building Code.
23. Repair soffit, fascia trim, etc. as necessary.
24. Provide proper drainage around house to direct water away from foundation.
25. Install downspouts and a complete gutter system.
26. Replace house and garage roof covering and vent to Code.
27. Provide general rehabilitation of garage.

### **GARAGE**

28. Install treated plate on bottom of walls.
29. Remove/replace all rotten wood members.
30. Repair foundation.
31. Slope grade away from structure and maintain 6" clearance from grade to siding.
32. Replace overhead and service door.
33. Install address numbers on alley side.

### **ELECTRICAL**

1. Bond around water meter with a copper wire sized for the electrical service per Article 250 of the NEC.
2. Provide a complete circuit directory at service panel.
3. Verify/install a separate 20 ampere laundry circuit & a separate 20 ampere kitchen appliance circuit.
4. Install "S" type fuse adapters and proper size "S" fuses/ listed circuit breakers.
5. Verify that fuse/circuit breaker amperage matches wire size.
6. Close open knockouts in service panel/junction boxes with knockouts seals.
7. Install/replace GFCI receptacle in basement/first bathroom/second bathroom adjacent to the sink.
8. Remove all cord wiring.
9. Repair or replace all broken, missing or loose light fixtures, switches & outlets, covers and plates.
10. Check all 3-wire outlets for proper polarity and verify ground.
11. Remove any 3-wire ungrounded outlets, and replace with 2-wire, or ground 3-wire to code.
12. Throughout building, install outlets and light fixtures, as specified in Bulletin 80-1.

### **ELECTRICAL**

13. Install hard-wired, battery backup smoke detector, as specified in Bulletin 80-1, and other smoke detectors as required by the IRC.
14. Install exterior lights at front/side/back entry doors.
15. Remove and/or rewire all illegal, improper or hazardous wiring in garage.
16. Rework romex at panel in basement.
17. Kitchen remove and properly wire hood fan, protect romex in cabinet, ensure sink light is grounded.
18. Bath GFCI does not test.
19. Attic – Repair wiring per code, remove/rewire cable on stair.
20. Garage – No access, remove all wiring and rewire per code.

### **PLUMBING**

All plumbing work requires permit(s) and must be done by a plumbing contractor licensed in Saint Paul.

#### **Basement**

1. The water heater gas venting is incorrect need 4” into liner.
2. The water heater is not fired or in service.
3. The water meter is removed and not in service.
4. The water meter service valves are not functional or correct.
5. Repair or replace all corroded, broken or leaking water piping.
6. The gas pipe sizing is incorrect.
7. Remove and plug, cap unused gas lines.
8. The soil and waste piping has no front sewer cleanout; no soil stack base cleanout and has unplugged or open piping, back pitched piping.
9. The soil and waste piping has improper supports and improper connections, transitions, fitting or pipe usage.
10. The laundry tub waste is incorrect and unvented.

#### **First Floor**

11. The bathtub, lavatory and kitchen sink waste are incorrect and unvented.
12. The laundry stand pipe waste is incorrect and unvented.

#### **Exterior**

13. The lawn hydrants requires back flow assembly or device.

### **HEATING**

1. Install supply and return ducts on heating system to code.
2. Install approved lever handle manual gas shutoff valve on furnace/boiler.
3. Clean and Orsat furnace burner. Check all controls for proper operation. Check furnace heat exchanged for leaks; provide documentation from a licensed contractor that the heating unit is safe.

Re: 289 Burgess St  
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### **HEATING**

4. Replace furnace and water heater venting into chimney liner.
5. Provide adequate clearance from flue vent pipe on furnace/boiler to combustible materials or provide approved shielding according to code.
6. Vent clothes dryer to code.
7. Install approved lever handle manual building shutoff gas valve in an accessible location ahead of the first branch tee.
8. Clean all supply and return ducts for warm air heating system.
9. Repair and/or replace heating registers as necessary.
10. Appropriate mechanical permits are required for this work.

### **ZONING**

1. This house was inspected as a single family dwelling.

### **NOTES**

\*\*See attachment for permit requirements and appeals procedure.

All items noted as recommended do not have to be completed for code compliance but should be completed at a later date. Possible purchasers of property shall be made aware of these items.

**This is a registered vacant building. In order to reoccupy the building, all deficiencies listed on the code compliance report must be corrected and be in compliance with the Minimum Housing Standards of the St. Paul Legislative Code (Chapter 34), and all required permits must receive final approval.**

**\*\*VACANT BUILDING REGISTRATION FEES MUST BE PAID AT NEIGHBORHOOD HOUSING AND PROPERTY IMPROVEMENT (NHPI) FOR PERMITS TO BE ISSUED ON THIS PROPERTY\*\*.** For further information call, NHPI at 651-266-1900, located at 1600 White Bear Avenue.

Sincerely,

James L. Seeger  
Code Compliance Officer

JLS:ml

Attachments