



# APPLICATION FOR APPEAL

## Saint Paul City Council – Legislative Hearings

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

RECEIVED  
FEB 06 2017  
CITY OF SAINT PAUL

### We need the following to process your appeal:

- \$25 filing fee (non-refundable) (payable to the City of Saint Paul) (if cash: receipt number \_\_\_\_\_)
  - Copy of the City-issued orders/letter being appealed
  - Attachments you may wish to include
  - This appeal form completed
  - Walk-In OR  Mail-In
- for abatement orders only:  Email OR  Fax

<b>HEARING DATE &amp; TIME</b> (provided by Legislative Hearing Office) Tuesday, _____  Time _____ <b>Location of Hearing:</b> Room 330 City Hall/Courthouse
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### Address Being Appealed:

Number & Street: 1737 Stanford Ave. City: St. Paul State: MN Zip: 55105

Appellant/Applicant: Brian + Jill Dobie Email jill.m.dobie@gmail.com

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell \_\_\_\_\_

Signature: Brian T. Dobie Date: 2/1/2017

Name of Owner (if other than Appellant): Same as above

Mailing Address if Not Appellant's: 2121 Berkeley Avenue, St. Paul, MN 55105

Phone Numbers: Business \_\_\_\_\_ Residence 651-648-1831 Cell 651-324-3083  
612-751-6155

### 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/Correction
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other (Fence Variance, Code Compliance, etc.)

Item #2 only; requesting 3" variance from 7' ceiling height requirement.



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 27, 2017

BRIAN DOBIE  
JILL DOBIE  
2121 BERKELEY AVE  
ST PAUL MN 55105-1205

### FIRE INSPECTION CORRECTION NOTICE

RE: 1737 STANFORD AVE  
Ref. #123668  
Residential Class: B

Dear Property Representative:

Your building was inspected on January 27, 2017 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, 2017 at 2:30pm.**

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. Class - SPLC 40.04 (5) - The owner of a building used for residential occupancy who is applying for their FIRST Fire Certificate of Occupancy, must complete the Department of Safety and Inspection Landlord 101 course, or other landlord training program approved by the Department of Safety and Inspections. The training must have occurred within the last two years and the owner must submit a certificate of attendance or provide verification of enrollment in the next scheduled class to the Fire Inspection Division-DSI. This requirement shall not apply to an owner who has held a Fire Certificate of Occupancy on another residential property in Saint Paul prior to April 30, 2009. For more information on Landlord 101, or to receive registration materials, please visit our webpage at: [www.stpaul.gov/-DSI](http://www.stpaul.gov/-DSI) created a course titled Landlord 101 for information on this see our website at <https://www.stpaul.gov/departments/safety-inspections/fire-inspections/landlord-101>. Owners have a full calendar year to complete either class.

2. Interior - 2nd Floor Bedroom - SPLC 34.13 (1) - Provide and maintain all habitable areas with a ceiling height of 7 feet over half the floor area.-Room dimensions are as follows: Max Ceiling height 81", Room total floor space is 19x12, 5 floor mark is 3 feet off the floor. **Immediately stop using as a sleeping area.**
3. Interior - Basement - SPLC 34.10 (3) 34.34(2) - Provide an approved guardrail. Intermediate balustrade must not be more than 6 inches apart. Intermediate rails must be provided if the height of the platform is more than 30 inches.-Provide guardrail for basement stairs.
4. 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.-**Have a licensed HVAC contractor pull a permit and provide a code compliant dryer vent.**
5. Interior - Bedroom - MSFC 1030.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exit path...-Remove obstructions from 2nd floor bedroom windows.
6. Interior - SPLC 34.10 (3), 34.34(2) - Repair or replace the damaged handrail in an approved manner.-Repair loose handrail on 2nd floor stairs.
7. Interior - 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.-Repair non-working CO detector.

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: [daniel.klein@ci.stpaul.mn.us](mailto:daniel.klein@ci.stpaul.mn.us) or call me at 651-266-8988 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,

Daniel Klein  
Fire Inspector

Reference Number 123668

Brian & Jill Dobie  
2121 Berkeley Avenue  
Saint Paul, Minnesota 55105  
brian.t.dobie@gmail.com/612-751-6155  
jill.m.dobie@gmail.com/651-324-3083

Ms. Marcia Moermond  
Legislative Hearing Officer/Senior Policy Analyst  
Saint Paul City Council—Office of Legislative Hearings  
310 City Hall  
15 West Kellogg Boulevard  
Saint Paul, Minnesota 55102

RE: Appeal of Fire Inspection Correction Notice for 1737 Stanford Avenue; Ref. #123668

Dear Ms. Moermond:

The City of Saint Paul conducted an inspection for renewal of the Fire Certificate of Occupancy on January 27, 2017, for the 1½ story house we own at 1737 Stanford Avenue. The Fire Inspection Correct Notice dated January 27, 2017, found seven deficiencies we must correct before a renewal certificate can be issued. We accept the findings on all of the items except No. 2. We are appealing the determination that the room is not a legal bedroom for the purpose of requesting a 3” variance from the 7-foot ceiling height requirement.

The second floor bedroom is 17’4” wide by 10’9” deep. The area of the room with ceiling height at or greater than 5’ is 9’10” x 10’9” (105.7 square feet). The area of the room with a ceiling height of 81” is 4’6½” x 10’9” (48.8 square feet). This is approximately 46% of the area with a ceiling height at or greater than 5’. We have attached a cross-section diagram of the room and a picture for your reference.

The room has two side-by-side windows approximately 53” x 24” each. These windows are where the ceiling is 81’ high.

When we purchased the home it was listed as a 3-bedroom house. In addition to the bedroom, the upstairs also has a half bath and a loft area. Both of those areas passed inspection. We do not know when the bedroom and other areas on the second floor were finished.

We respectfully request a 3" variance from the ceiling height requirement so this room may be deemed a legal bedroom for use by our tenants. Thank you for your consideration.

Regards,

*Brian T. Dobie* 2/3/2017

Brian T. Dobie

*Jill M. Dobie* 2/3/2017

Jill M. Dobie

Enclosures

1737 Stamford Avenue

Cross-section of 2nd floor bedroom  
Scale 1/2" = 1 foot

Room is 10 3/4' deep

Total square feet 25' : 105.7

Total square feet at 81" : 48.82



