



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

APR 10 2025

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

legislativehearings@ci.stpaul.mn.us

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 & any attachments you may wish to include

☒ Walk In ☐ Mail ☐ Email

Appeal taken by:

CITY CLERK

HEARING DATE & TIME

(provided by Legislative Hearing staff)

Tuesday, **April 15, 2025**

Location of Hearing:

☐ Telephone: you will be called between _____ & _____

☒ In person (Room 330 City Hall) at: **1:30pm**
(required for all condemnation orders and Fire C of O revocations and orders to vacate)

Address Being Appealed:

Number & Street: 1009 Magnolia Ave E City: St Paul State: MN Zip: 55101

Appellant/Applicant: Josh Kirchorst Email: josheshift2sell.com

Phone Numbers: Business 651-269-6112 Residence _____ Cell _____

Signature: Josh Kirchorst Date: 4/10/25

Name of Owner (if other than Appellant): Kirchorst LLC

Mailing Address if Not Appellant's: 261 7th St W St. Paul MN 55102

Phone Numbers: Business 651-269-6112 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/Correction

☐ Code Enforcement Correction Notice

☐ Vacant Building Registration

☐ Other (Fence Variance, Code Compliance, etc.)

property was previously rented and is no longer a rental as discussed on phone with inspector. property is completely habitable and will be even better once work is done I have before photos before tenant ruined them



April 9, 2025

Joshua Keith Kirchert
428 Fulton St
St Paul MN 55102-3421

**NOTICE OF CONDEMNATION
UNFIT FOR HUMAN HABITATION
ORDER TO VACATE**

RE: 1009 MAGNOLIA AVE E
Ref. #

Dear Property Representative:

Your building was inspected on April 1, 2025, and April 9, 2025.

The building was found to be unsafe, unfit for human habitation, a public nuisance, a hazard to the public welfare or otherwise dangerous to human life. A Condemnation Placard has been posted on the building.

The following deficiency list must be completed, and the property has been referred to Vacant Buildings.

Failure to complete the corrections may result in a criminal citation. The Saint Paul Legislative Code requires that no building be occupied without a Fire Certificate of Occupancy.

DEFICIENCY LIST

1. Exterior - Garage - SPLC 34.08 (5), 34.32 (3) - All accessory structures including, but not limited to, detached garages, sheds and fences shall be maintained structurally sound and in good repair. Provide and maintain exterior unprotected surfaces painted or protected from the elements. -
 - a. Chipped, peeling, and bubbling paint
 - b. Overhead door does not close completely, gaps at top of door
 - c. Siding and fascia boards pulling away, not secure, and water damaged

2. Exterior - MSFC 304.1 - Remove excessive combustible storage and/or vegetation from exterior property areas. -
 - a. Furniture, household items, garbage, dirty diapers, and other items stored in the alley and scattered throughout the yard
 - b. Vegetation and brush under tree, and around the dwelling
3. Exterior - SPLC 34.09 (2)(a), 34.33 (1)(a) - Provide and maintain foundation elements to adequately support this building at all points. -
 - a. Sections of foundation filled with expanding foam
 - b. Expanding foam is not approved
 - c. Repair or replace foundation elements to a professional state
 - d. A permit is required for this work
4. Exterior - SPLC 34.09 (1)(2)(a), 34.33 (1)(b) - 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. -
 - a. Multiple wall areas have been filled with expanding foam
 - b. Expanding foam is not approved and does not properly protect the structure from the elements
 - c. Chipped, cracked, and peeling paint
 - d. Sections of siding chipped, cracked, and/or water damaged
5. Exterior - SPLC 34.09 (4), 34.33 (3)- Repair and maintain the window in good condition. All windows shall be maintained in accordance with the building code in effect at the time of construction or as altered/modified under an approved building permit. -
 - a. Multiple windows open and not secured
 - b. Front living room window missing glass
 - c. Rear upstairs window shattered glass
 - d. Repair or replace damaged and missing screens
 - e. Multiple windows missing screen and/or storm windows
6. Exterior - SPLC 34.08 (10) - Repair, replace and maintain exterior sidewalks, walkways and stairs. -
 - a. Sections of sidewalk and stairs have been filled with expanding foam
 - b. Expanding foam is not approved for sealing sidewalk or stairs
 - c. Repair or replace sidewalk and stairs to a professional state

7. SPLC Sec. 40.01. - Fire certificate of occupancy requirement - (a) All existing buildings in the city are required to have and maintain a fire certificate of occupancy, issued by the department of safety and inspections. The fire certificate of occupancy shall be an indication that the building meets, at the time of inspection, all relevant codes to maintain the health, safety and welfare of the building's occupants and the general public. (b) Provisional fire certificate of occupancy. When an owner-occupied dwelling changes to a rental dwelling unit, the owner of the dwelling must submit a completed application for a provisional certificate of occupancy, a completed owner's self-evaluation affidavit and pay the fee for a provisional certificate of occupancy within thirty (30) days of the change in use. -
- a. Property is not owner occupied
 - b. Apply for a provisional Fire Certificate of Occupancy by applying in person at our customer service desk, or you may print the form from our website at <https://www.stpaul.gov/dsi> and mail the form in with payment Provide copy of TISH inspection and property listing if property is put up for sale
 - c. Compliance by April 1, 2025, or further correction action shall be taken
 - d. UPDATE: April 1, 2025 - Property owner did not arrive for inspection, property is unsecured and unoccupied
 - e. UPDATE: April 9, 2025 - Property remains unsecured and unoccupied
8. MSFC 110.1.1 Unsafe Conditions - Structures or existing equipment that are or hereafter become unsafe or deficient because of inadequate means of egress or which constitute a fire hazard or are otherwise dangerous to human life or the public welfare, or which involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. A vacant structure which is not secured against unauthorized entry as required by section 311 shall be deemed unsafe. -
- a. Property is not secured
 - b. Windows with damaged or missing glass
 - c. Front door not secured and open
 - d. Property is unoccupied
9. SPLC 34.23, MSFC 111.1 - This occupancy is condemned as unsafe or dangerous. This occupancy must not be used until re-inspected and approved by this office. -
- a. **Condemned for but not limited to long term non-compliance for failing to apply for a Provisional Fire Certificate of Occupancy from correction orders issued on October 15, 2024; November 20, 2024; December 20, 2024; January 28, 2025; March 12, 2025, failure to secure property from unauthorized access, not showing up for April 1, 2025, inspection**

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 the original orders.

If you have any questions, email me at: Daryl.Chute@ci.stpaul.mn.us or call me at 651-266-9129 between 7:30 - 9:00 a.m. Please help make Saint Paul a safer place in which to live and work.

Sincerely,

Daryl Chute
Fire Safety Inspector II
Ref. #

cc: Housing Resource Center
Force Unit