



# APPLICATION FOR APPEAL

RECEIVED  
JAN 17 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

<b>YOUR HEARING Date and Time:</b>
Tuesday, <u>1-24-12</u>
Time <u>1:30</u>
Location of Hearing: <u>Room 330 City Hall/Courthouse</u>

**Address Being Appealed:** 1237 5<sup>th</sup> St. Upper Unit

**Number & Street:** 9765 172<sup>nd</sup> St W. City: Lakeville State: MN Zip: 55044

Appellant/Applicant: Titus Contracting LLC Email Scott@tituscontracting.com

Phone Numbers: Business 952 746 7817 Residence \_\_\_\_\_ Cell 952 454 0541

Signature: [Signature] Date: 1/8/12

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

Address (if not Appellant's): 855 Village Center Drive Suite 383 St Paul  
55127

Phone Numbers: Business 651-246 4659 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
  - Fire C of O: Only Egress Windows
  - Code Enforcement Correction Notice
  - Vacant Building Registration
  - Other
- #8 Egress Window. Exterior is Stucco and the window will be hard to replace. Overall size exceeds 5SF Height exceeds 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)

December 29, 2011

OSPREY  
855 VILLAGE CENTER DRIVE SUITE 383  
ST PAUL MN 55127

### FIRE INSPECTION CORRECTION NOTICE

RE: 1237 5TH ST E  
Ref. #114925  
Residential Class: C

Dear Property Representative:

Your building was inspected on December 27, 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 February 1, 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. Remove the unapproved duct tape from the dryer exhaust duct and secure the joints in an approved manner with approved material. Secure the dislodged exhaust duct. Clean the lint from behind the dryer. Replace the missing dryer vent cover on the north exterior wall.

2. Basement - Stairway - MSFC 806.2 - Wall and/or ceiling finishes exceed the code requirements for flame spread ratings. Remove or provide documentation of flame spread compliance.-The stairway walls/ceiling is covered with clear plastic. Plastic is not an approved wall/ceiling finish. Provide an approved wall/ceiling finish.
3. Basement - Stairway - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.
4. Basement - Stairway - SPLC 34.10 (3) 34.33(2) - Provide an approved guardrail. Intermediate balustrades must not be more than 4 inches apart. Intermediate rails must be provided if the height of the platform is more than 30 inches.
5. Basement - Stairway - MSFC 1003.3.1.8 - Remove unapproved locks from the unit doors. The door must be openable from the inside without the use of keys or special knowledge or effort.-Remove the unapproved lock on the basement door.
6. Basement - Storage Room - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-9090.-Replace the broken electrical outlet.
7. Basement - Walls - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Remove the mold-like substance from the basement walls.
8. Egress Window - 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.

**Upper Floor Northeast Bedroom (Casement)**

16.5w x 43h - Openable

19.5w x 43h – glazed

9. Exterior - Unit Identification - SPLC 71.01 - Provide address numbers on building per HN-1 handout.-Both mailboxes are located at the entrance of the lower unit. Clearly identify the entrance doors for each unit.
10. Exterior - MSFC 605.5 - Remove electrical cords that extend through walls, ceiling, floors, under doors, or floors coverings, or are subjected to environmental or physical damage.-Remove the electrical wiring that is extending through the west exterior wall.
11. Lower - Bathroom - SPLC 34.14 (3), MPC 4715.200.T - Provide and maintain a window or approved ventilation system in all bathrooms.-Repair/replace the inoperable bath vent fan.
12. Lower - East entry Door - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition.-Provide a weather tight seal around the exterior door.

13. Lower - Kitchen - SPLC 34.09 (3) i - Provide and maintain an approved one-inch throw single cylinder deadbolt lock.-Provide the required dead-bolt lock on the rear entry door between the kitchen and the laundry area.
14. Lower - Storage Room - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door latch.- The door is not closing and latching. Replace the missing strike-plate.
15. Upper - Balcony - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition.-Repair/replace the ripped/torn screen on the balcony door.
16. Upper - Hallway - SPLC 34.12 (2), 34.35 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition.-Replace the missing thermostat cover.
17. Upper - Living Room, Northeast Bedroom, and Southeast Bedroom - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window in good condition.-Replace all damaged/missing window hardware. Maintain the windows in an operable condition at all times.
18. Upper - Northeast Bedroom - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition.-Repair/replace the closet door that is not closing and latching.
19. 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.
20. SPLC 39.02(c) - Complete and sign the provided 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: (651-266-8688) 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 114925