



# APPLICATION FOR APPEAL

**Saint Paul City Clerk**

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8560

RECEIVED

DEC 03 2010

CITY CLERK

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

**YOUR HEARING Date and Time:**

Tuesday, Dec. 14, 2010

Time 1:30 p.m.

**Location of Hearing:**  
Room 330 City Hall/Courthouse

*mailed 12/6/10*

## Address Being Appealed:

Number & Street: 405 Burlington Rd City: St. Paul State: MN Zip: 55119

Appellant/Applicant: Emily White Email ewhite@sowashco.k12.mn.us

Phone Numbers: Business 651-768-5311 Residence 651-459-3066 Cell 651-485-0285

Signature: Emily A. White Date: 12-2-10

Name of Owner (if other than Appellant): \_\_\_\_\_

Address (if not Appellant's): \_\_\_\_\_

Phone Numbers: Business \_\_\_\_\_ 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 !
- Windows
- Code Enforcement Correction Notice !
- Vacant Building Registration
- Other
- Other
- Other

#4 windows See attached letter

November 28, 2010

City of St Paul  
Department of Safety and Inspection  
Fire Inspection Division  
375 Jackson St Suite 220  
St. Paul, MN 55101

RE: 405 Burlington Rd  
Ref. #112658  
Residential Class: C

Dear Mr. Wayne Spierling:

You inspected the above named property on November 16, 2010. We received your letter explaining what needed to be done to the property and I want to respond.

This home was built in 1938 by my grandparents. After they passed away my parents lived in the home until my mother's passing in 2007. Just before she passed she put the property in a trust with my brother John Webster as the trustee. Because of the sentiment in the family home we wanted someone within the family to buy it. That did not work out as expected and we have just put off putting it on the market thinking another family member would come along. When the market went sour my nephew, who also wanted to buy it contract for deed, moved in to keep an eye on the place. When it didn't work out for my nephew we just let him continue to live there rent free.

My brother John Webster is no longer the trustee for the property but I and my other brother, Ed Webster are. I am in the process of correcting that with the city now.

In going through the list of items we find that most of these can be done by the January 5<sup>th</sup> deadline. My brother Ed will be getting the permit for the things that need the permit and getting the repairs done. One that is a hardship is the egress windows in the 4 bedrooms. Because of the age of this house and our lack of funds to do this, I am asking for this 1 inch difference to be waived at this time. Another item that can't be done at this time would be the scraping and painting of any exterior siding or window frames due to the weather.

We have given my nephew until the first of February to decide if he can now come up with the money for a contract for deed or we will be placing it on the market. We want him to continue to stay there until it is sold.

I appreciate the time you took to speak to me last week and in considering this request. As a former City Council member in the City of Newport I know you have heard and seen it all and you do not have an easy job. Thank you for your consideration.

Sincerely,

Emily White  
870 17<sup>th</sup> St.  
Newport, MN 55055  
651-768-5311(work)



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)

November 16, 2010

JOHN W WEBSTER TRUSTEE  
399 BURLINGTON ROAD  
ST PAUL MN 55119-5377

### FIRE INSPECTION CORRECTION NOTICE

RE: 405 BURLINGTON ROAD  
Ref. #112658  
Residential Class: C

Dear Property Representative:

Your building was inspected on November 16, 2010 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 5, 2010 at 1:30pm.**

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. Basement - Bathroom - SPLC 34.14 (3), MPC 4715.200.T - Provide and maintain a window or approved ventilation system in all bathrooms.-Contact a licensed contractor to install the required ventilation in the basement bathroom. All work must be done under permit.

2. 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. This work requires a permit. Call DSI at (651) 266-8989.-The electric dryer is not vented to the outdoors. Contact licensed contractor to install the required dryer exhaust duct. All work must be done under permit.
3. 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.
4. Egress Windows - Main Floor and Upper Floor Bedrooms - 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.

**Main Floor Bedroom and Upper Floor Northeast, Southeast, and Southwest Bedrooms (Casement)**

19w x 50h - Openable

18w x 48h – Glazed

5. Exterior - Boat - SPLC 163.03, 163.01 (2), (3) - Currently license (tabs) all vehicles on the property and return the vehicles to an operative mechanical condition or remove vehicles from the property.-License on boat is expired (2004). Obtain current license for the boat. Boats with expired licenses must be removed from the property or place inside garages or similar structures.
6. Exterior - Gutter and Downspouts - SPLC 34.09 (1) b,c, 34.32 (1) b,c - Provide and maintain all gutters and downspouts free from holes and deterioration.-Replace gutter sections that are rusted/deteriorated. Maintain gutter/downspouts so as to effectively direct water away from the buildings foundation.
7. Exterior - Parking Surface - 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.-The boat is parked on the grass. Grass is not an approved parking surface. Provide an approved parking surface for the boat.
8. Exterior - Siding and Soffits - SPLC 34.09 (1) b,c, 34.32 (1) b,c - 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.-Scrape/paint the siding and soffits on the house and garage. Maintain exterior surfaces in a good state of repairs.
9. Exterior - Window Frames - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window frame.-Repair/replace the rotted/deteriorated window frames.

10. Exterior - Window Panes - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window glass.-Replace all broken/cracked window panes.
11. Garage - Ceiling - 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 orange plastic/vinyl material attached to the garage ceiling is not an approved ceiling finish. Provide an approved ceiling finish.
12. Upper Floor - Southeast Bedroom - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.
13. Upper 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.
14. 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.
15. 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: [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 112658