



# APPLICATION FOR APPEAL

RECEIVED  
OCT 25 2010  
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

**YOUR HEARING Date and Time:**

Tuesday, Nov 2

Time 1:30

Location of Hearing:  
Room 330 City Hall/Courthouse

## Address Being Appealed:

Number & Street: 65 Battle Creek Rd City: St. Paul State: MN Zip: 55119

Appellant/Applicant: 33<sup>rd</sup> Company Email marieplourde@33rdcompany.com

Phone Numbers: Business 651-777-5500 x117 Residence \_\_\_\_\_ Cell \_\_\_\_\_

Signature: [Handwritten Signature] Date: \_\_\_\_\_

Name of Owner (if other than Appellant): Tom Cross

Address (if not Appellant's): 23810 Nightingale St. NW St. Francis MN 55070

Phone Numbers: Business 763-519-4129 Residence 763-753-3668 Cell 763-242-8778

## 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
- Other
- Other

Apply for a variance for the 3 windows listed in #4 of fire inspection correction notice. Fire inspection correction notice is attached.



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)

October 15, 2010

33RD COMPANY, INC  
1800 WOODDALE DRIVE, SUITE 100  
WOODBURY MN 55125

### FIRE INSPECTION CORRECTION NOTICE

RE: 65 BATTLE CREEK ROAD  
Ref. #112141  
Residential Class: C

Dear Property Representative:

Your building was inspected on October 14, 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 November 15, 2010 at 11:30am.**

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. Address - SPLC 71.01 - The address posted is not visible from street. (HN-1)-Provide address numbers that are at least 3 inches in height, reflective or contrasting with background and illuminated at night, and visible from the street.

2. Basement - Bathroom - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-Repair/replace the inoperable sink stopper.
3. Basement - Northeast Bedroom - MSFC 605.4 - Discontinue use of all multi-plug adapters.
4. Egress Windows - Northeast Basement Bedroom and Main Floor Master Bedroom - 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.

**Basement Northeast Bedroom (Casement)**

17.5w x 36h - Openable

19w x 36h - Glazed

**Second Window (Double-hung)**

38w x 16.5h - Openable

38w x 33h - Glazed

**Main Floor Master Bedroom (Casement)**

17.5w x 36h - Openable

19w x 36h - Glazed

5. Exterior - Rear Deck - SPLC 34.09 (2), 34.32(2) - Repair or replace the unsafe stairways, porch, decks or railings in an approved manner. This work may require a permit(s). Call DSI at (651) 266-9090.-Repair/replace the rear deck that sways under the weight of the inspector.
6. Exterior - Retaining Wall Staircase - SPLC 34.09 (2) 34.32 (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.
7. Garage - MSFC 703.1 - Repair and maintain the required occupancy separation construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090.-Repair/seal all holes and penetrations in the common wall between the garage and the house.
8. Garage Door - MSFC 703 - Provide, repair or replace the fire rated door and assembly.- The fire door between the garage and house must be automatic self-closing and latching. Provide a door that self-closes and latches.

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 112141