



APPLICATION FOR APPEAL

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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

YOUR HEARING Date and Time:

Tuesday, 10-11-11

Time 1:30

Location of Hearing:
Room 330 City Hall/Courthouse

Mailed 9-26-11

Address Being Appealed:

Number & Street: 705 SUMMIT City: ST. PAUL State: MIN Zip: 55105

Appellant/Applicant: KENNETH O. DOYLE Email: KENDOYLE@UMN.EDU

Phone Numbers: Business _____ Residence _____ Cell 612-298-6820

Signature: *Kenneth O. Doyle* Date: 9-17-11

Name of Owner (if other than Appellant): _____

Address (if not Appellant's): _____

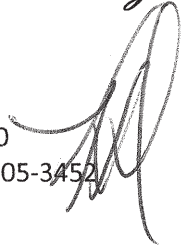
Phone Numbers: Business _____ Residence _____ Cell _____

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 plus one item. PLS see attached
- Fire C of O: Only Egress Windows
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other

Kenneth O. Doyle

To: Legislative Hearing Officer
From: Ken Doyle, Homeowner, 612.298.6920
Re: 705 Summit Avenue, St. Paul MN 55105-3452
Date: September 20, 2011



I write to request a variance regarding:

1. The egress-window deficiencies listed in Item 8 in the attached orders;
2. The gradually sloping ceiling described in Item 9.

Some background: About 20 years ago, I bought and rehabilitated this Cass Gilbert mansion. I worked closely with zoning (Pat Fish), Plan Examination (Tate Halverson), and many inspectors. Always with appropriate permits, I substantially re-wired, re-plumbed, and generally repaired and improved the entire building, and added some apartments and updated others. In particular, I installed top-of-the-line Andersen and Marvin egress windows wherever the examiner and inspectors stipulated, and worked closely with the examiners and inspectors to make sure all apartments enjoyed proper egress. I also made sure the examiners and inspectors were satisfied with the floor space and gently sloping ceilings in Apartment 4 (described incorrectly as Apartment 7 in the orders).

I continue to improve the building and premises. Indeed, the building was featured on TPT-TV's recent feature on Cass Gilbert's architecture, and the gardens won a Golden Blooms award two years ago.

Over the years, the building has been inspected many times, annually at first then with decreasing frequency reflecting (I think) the fact that the inspectors rarely found anything that needed correction.

Last month an electrical fire did serious damage to parts of the building. We immediately began work with the plans examiners, and trade, building, the fire inspectors to bring it back into service. We have nearly accomplished that goal.

In conjunction with one of the inspections, the fire inspector noted the deficiencies described in the attached orders. Most of the listed items have been remedied already, but Items 8 and 9 could only be remedied at great expense if at all – a genuine hardship. Because those items had been approved in the past and in many inspections over the years, and because the conditions are very close to code, I request a variance for each of them.

Thanks for your help.



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

September 15, 2011

KEN DOYLE
705 SMMIT AVE
SAINT PAUL MN 55105

RE: RE-INSPECTION FIRE CERTIFICATE OF OCCUPANCY WITH DEFICIENCIES
705 SUMMIT AVE

Dear Property Representative:

Your building was re-inspected for the Fire Certificate of Occupancy on September 14, 2011. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected immediately. A reinspection will be made on October 18, 2011 at 2:00 PM.

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 be occupied without a Fire Certificate of Occupancy. The code also provides for the assessment of additional reinspection fees.

DEFICIENCY LIST

1. Exterior - 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.-Tuck point around exterior as needed to assure all exterior walls are in sound condition.
2. Throughout - SPLC 34.14 (2), 34.34 (5) - Provide an approved electrical service adequate to meet the buildings needs. This work may require a permit(s), call DSI at (651) 266-9090.-Have a licensed electrical contractor inspect and correct electrical faults as needed under permit.
3. Throughout - SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screen.
4. Throughout - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the windows in good condition.

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5. Unit 1 - SPLC 34.23, MSFC 110.1 – The unit is condemned as unsafe or dangerous. The unit must not be used until re-inspected and approved by this office.-Due to fire damage throughout the building, the building is condemned. Repair all fire damaged walls, ceilings and floors throughout in an approved manner. All units must be rehabbed as necessary under permit and approved before being occupied.
6. Unit 5 - entry door - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door frame.- Repair damaged door frame
7. Unit 6 - MSFC 605.5.3 - Immediately, discontinue use of frayed, deteriorated, damaged or spliced electrical cords.-Discontinue use of temporary decorative lighting.
8. Unit 6 - 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.-

Unit 1

Repair window hardware

Unit 2 North bedroom - main level - double hung

22.5 h x 26.5 w Glazed 8.3 sq ft

Unit 2 Lower level - North bedroom - horizontal slider

28 h x 32.5 w Glazed 10.3 sq ft - Sill height is 48 inches

Lower level east

Repair window crank mechanism

Unit 4 Northwest bedroom

Repair window hardware

Unit 4 Northeast - awning

19 h x 43.5 w Glazed 7.2 sq ft

Unit 6 Northeast - double hung

17.5 h x 27 w Glazed 5.8 sq ft

Unit 6 East - awning

20 h x 37.5 w Glazed 12.2 sq ft - Sill height is 58 inches

Unit 6 Southeast - awning

18.5 h x 37.5 w Glazed 12.4 sq ft - Sill height is 48 inches

Unit 6 Southwest- awning

22 h x 37.5 w Glazed 12.4 sq ft

Unit 6 West - awning

19 h x 38 w Glazed Sill height is 59 inches

Unit 7 South bedroom - crank out -repair window hardware

68 h x 19 w

Unit 7 Southwest - crank out

19.5 w x 55 h

Unit 7 South bedroom

Repair window hardware

9. Unit 7 bedrooms - SPLC 34.13 (1) - Provide and maintain all habitable areas with a ceiling height of 7 feet over 1/2 the floor area.-44 percent of the rooms are over 7 feet tall. the rooms have gradually slanted ceilings.
10. 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.
11. MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-Have a licensed electrician repair hard wired smoke detector system.
12. 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 the original orders.

If you have any questions, email me at rick.gavin@ci.stpaul.mn.us or call me at 651-266-8994 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,

Rick Gavin
Fire Inspector