



APPLICATION FOR APPEAL

RECEIVED
SEP 23 2011
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, <u>10-11-11</u>
Time <u>11:00. am</u>
Location of Hearing:
Room 330 City Hall/Courthouse

Mailed 9-23-11

Address Being Appealed:

Number & Street: 1594-96 Hague City: St. Paul State: MN Zip: 55104

Appellant/Applicant: CBI, LLC Email jroneill68@yahoo.com

Phone Numbers: Business - Residence - Cell 612-598-3121

Signature: *Joshua O'Neill* Date: 9-21-11

Name of Owner (if other than Appellant): Joshua O'Neill

Address (if not Appellant's): 1621 Hartford Avenue, St. Paul, MN 55116

Phone Numbers: Business - Residence - Cell 612-598-3121

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

Please see attached.

September 21, 2011

Saint Paul City Clerk
310 City Hall
15 W. Kellogg Blvd.

RE: Application for Appeal – 1594-96 Hague Avenue, St. Paul, MN 55104

Dear St. Paul City Clerk:

CBI, LLC ("CBI") would like to appeal the FIRE INSPECTION CORRECTION NOTICE AND CONDEMNATION OF BASEMENT BEDROOMS (Ref. #107329) letter dated September 20, 2011 (a copy is enclosed herein). The basement bedrooms were added to the property in late 2003 and completed in 2004. This work, including three egress windows and window wells, was done under an approved building permit issued by the City of St. Paul on October 17, 2003 (a copy of Permit #2003375175 is enclosed herein) and the final size of the windows and wells were approved by the City of St. Paul Building Inspector as of January 2004.


CBI is appealing the requirement stating the window wells must be enlarged. No changes to the size of the wells should be required. Each window opens fully, is operational and there is ample space to escape in the event there was a fire in the basement and all other exits were blocked. CBI is also appealing items 4, 5 and 6 in the said letter requesting a full inspection of the property, a fuel burning equipment safety test (including a CO2 test) and a smoke detector and CO2 detector affidavit. A full inspection was completed in 2010 and a Fire Certificate of Occupancy was issued. As part of this process both requested documents were completed and provided to the city inspector as requested. To require this to be done again is excessive and beyond the scope of the issues being brought forth.

CBI does agree to repair two of the window wells on the east side of the building due to a bow in the window well frame. This bow is in no way obstructing the opening or operation of the well, yet ownership agrees to modify and improve the well surround. No changes will be made to the window well on the west side of the building.

Sincerely,



Josh O'Neill
Managing Partner
CBI, LLC

	BUILDING PERMIT		CITY OF SAINT PAUL Department of Safety & Inspections 375 Jackson Street, Suite 220 Saint Paul, MN 55101-1806 Phone: 651-266-8989 Fax: 651-266-9124	
	PERMIT #: 20 03 375175 Issued Date: October 17, 2003			
CONTRACTOR: KENNETH DOYLE 1594 HAGUE AVE ST PAUL MN 55104-6232		OWNER: KENNETH DOYLE 1594 HAGUE AVE ST PAUL MN 55104-6232		
PERMIT ADDRESS: 1594 HAGUE AVE ST PAUL MN 55104-6232				
SUB TYPE: 2-Family/Duplex		WORK TYPE: Remodel		

The following "Trade" Permits are required for this project: Electrical, W.Air Vent, Plumbing,

# of Dwelling Units	1	State Valuation	12000
Estimated Start Date	Oct 20, 2003	Estimated Completion Date	Dec 31, 2003
Structural Work?	No Structural Work	Interior/Exterior?	Both Int. and Ext.
Area of Work (R)	.Bedroom/Bath	Interior Remodel-Res.Scope	Basement Finish w/B
Exterior Repair Work (R)	Window Replacemen	Primary Occupancy Group	R-3
Primary Construction Type	.V-B	Plan Number	V-2003-2061

FEES

Permit Fee	209.25
Surcharge B	6.00
TOTAL	215.25

EXPAND MAIN FLOOR UNIT INTO BASEMENT BY ADDING THREE BEDROOMS A BATH AND A COMMON AREA (Designed for no more than 4 unrelated adults per unit). *Smoke Alarms are required in all sleeping rooms and outside of each sleeping area in the immediate vicinity of the sleeping rooms. In multi-story or multi-level homes, a smoke alarm is required on each story and in basements. The State Code requires all smoke alarms to be inter-connected and hard wired as per new dwellings unless the exceptions to R317 apply. Exception 1:.....where the alterations or repairs do not result in the removal of the interior wall or ceiling finishes exposing the structure, unless there is a crawlspace, attic or basement available which could provide access for hard-wiring & interconnection without the removal of interior finishes. Exception2: Work on the exterior which does not require entry into the interior for inspection. Note, however, that the St. Paul Legislative Code requires at least one (1) "hard-wired" smoke detector connected to the house wiring. Battery backup must be provided for newly installed "hard-wired" detectors. NOTE ALSO: New or remodeled bedrooms must have electrical outlets with Arc-Fault Circuit Interrupter Protection (AFCI) *Permit issued for habitable space and sleeping room(s). Habitable space requires light and ventilation beyond the requirements for an egress window. Each habitable room must have the equivalent of 10% of the floor area (10 square ft. min.) in exterior glazing and 1/2 of this total must be openable. For existing basements, the ceiling height must be at least 7 (seven) feet high. Any other provisions must have prior approval from this Office. See or Call (651-266-9070) the Plan Examiners if this information is not on the plans, handout(s) or is not clearly evident. If an exterior areawell is necessary for this window, it must extend at least 3 feet out from the wall & be wide enough to provide 3 feet of clear width when the window is

The Inspector assigned to this Permit is Jon H.

The inspector can be reached at 651-266-9022 between 7:30 AM and 9:00 AM Monday through Friday.



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 20, 2011

JOSHUA R ONEILL
CBI LLC
1621 HARTFORD AVE
ST PAUL MN 55116-1410

**FIRE INSPECTION CORRECTION NOTICE AND CONDEMNATION OF
BASEMENT BEDROOMS**

RE: 1594 HAGUE AVE
Ref. #107329
Residential Class: C

Dear Property Representative:

Your building was partially inspected on September 19, 2011 for the renewal of your Fire Certificate of Occupancy. The items on the list must be corrected prior to the re-inspection date and access must be granted for a full Certificate of Occupancy inspection.

A re-inspection will be made on September 30, 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 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 - Bedrooms - SPLC 34.23, MSFC 110.1 - This occupancy is condemned as unsafe or dangerous. This occupancy must not be used until re-inspected and approved by this office.
-The three basement bedrooms do not have code compliant egress window wells that were required by the Legislative Hearing Officer. These rooms cannot be occupied after 9/30/11.
2. Basement - Bedrooms - SPLC 33.05 - Uncertified portions of the building must not be occupied until inspected and approved by this office.

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3. Exterior - SPLC 34.13 (4) - Provide and maintain the egress window well in accordance with the EW-1 handout.
-Increase the 3 window wells to meet the requirements shown on the Escape Window Handout. There are no guardrails installed.
- Per the Legislative Hearing Officer, grant an extension to June 1, 2011 for bringing the three window wells into compliance. If the bowing of the wells begins to restrict the opening of the window the issue must be addressed immediately.
4. Interior - SPLC 34.19 - Provide access to the inspector to all areas of the building.
-Provide access for a full Certificate of Occupancy inspection.
5. 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.
6. SPLC 39.02(c) - Complete and sign the 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: william.beumer@ci.stpaul.mn.us or call me at 651-266-8991 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,

William Beumer
Fire Inspector

Reference Number 107329

st. paul. gov

- Government
- City Clerk
- Appeals