



# APPLICATION FOR APPEAL

RECEIVED Saint Paul City Council – Legislative Hearings

AUG 13 2015

CITY CLERK

310 City Hall, 15 W. Kellogg Blvd.  
Saint Paul, Minnesota 55102  
Telephone: (651) 266-8585

**We need the following to process your appeal:**

- \$25 filing fee (non-refundable) (payable to the City of Saint Paul) (if cash: receipt number 794030)
  - Copy of the City-issued orders/letter being appealed
  - Attachments you may wish to include
  - This appeal form completed
  - Walk-In OR  Mail-In
- for abatement orders only:  Email OR  Fax

<b>HEARING DATE &amp; TIME</b> (provided by Legislative Hearing Office) Tuesday, <u>August 18, 2015</u>  Time <u>11:30 a.m.</u> Location of Hearing: <u>Room 330 City Hall/Courthouse</u>
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**Address Being Appealed:**

Ave East  
Number & Street: 2121 Reaney City: St. Paul State: MN Zip: 55119

Appellant/Applicant: Jim McEnroe Email: JPMcEnroe@comcast.net  
(651-357-8953)

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell \_\_\_\_\_

Signature: \_\_\_\_\_ Date: 8-12-15

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

Mailing 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/Correction
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other (Fence Variance, Code Compliance, etc.)

See Attached  
I will be converting  
illegal dwelling into  
an office to make house  
into single family home.  
Licensed contractors will be  
hired as necessary  
to meet city code and  
permit requirements D/S  
B/R will be addressed.



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

375 Jackson Street., Suite 220  
Saint Paul, MN 55101-1806

Telephone: 651-266-8989  
Facsimile: 651-266-1919  
Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

335.0

August 03, 2015

## NOTICE OF CONDEMNATION AS UNFIT FOR HUMAN HABITATION AND ORDER TO VACATE

James P Mcenroe  
2121 Reaney Ave  
Saint Paul MN 55119-3945

Dear Sir or Madam:

The Department of Safety and Inspections, Division of Code Enforcement, has determined that the dwelling and premises at **2121 REANEY AVE** is "Unfit for Human Habitation". In accordance with Saint Paul Legislative Code, Chapter 34, Section 23, the premises will be placarded on **August 3, 2015** and ordered vacated no later than **August 17, 2015**.

Your attention is called to the following provisions of Section 34.23, Subsection 6 entitled, "Vacation of Structure or Unit":

**"Any residential structure or residential unit which has been condemned or placarded as unfit for human habitation shall be vacated within the time set forth in the placard and/or order. It shall be unlawful for any person to let to any person for human habitation any structure or unit so condemned or placarded, and no person shall occupy the structure or unit after the date set forth in the placard and/or notice."**

**THIS DWELLING SHALL NOT AGAIN BE USED FOR HUMAN HABITATION  
UNTIL WRITTEN APPROVAL IS SECURED FROM THE CITY OF SAINT PAUL;  
DEPARTMENT OF SAFETY AND INSPECTIONS, DIVISION OF CODE  
ENFORCEMENT**

**Principle Violations:** These deficiencies must be corrected before this condemnation and vacate order will be removed.

1. ILLEGAL DUPLEX. Owner living in the basement without egress. Found second kitchen, new bathroom, no permits for any plumbing, electric, mechanical, or framing & sheetrock. Deconvert illegal duplex to single family home.
2. BASEMENT - ILLEGAL DWELLING: Remove the illegal dwelling unit from the basement. You must remove the sink, cabinets, and appliances from the basement kitchen. The utilities (gas, water 220v electric, etc.) in the room that contained the former kitchen must then be capped inside the wall or the floor and the openings created covered with a surface that matches its surroundings. Any key locks on doors separating the basement unit must be removed and replaced with a doorknob that has no lock or the door jamb removed and doorway refinished. All applicable building permits must be obtained prior to conducting the required work.

**Other Violations:** These deficiencies must be corrected in order to bring this property into compliance with the Saint Paul Legislative Code.

2. WINDOW GLASS. The windows and/or storm windows are in a state of disrepair. Replace all missing or broken window glass. Make all necessary repairs to frames, sashes, hardware and associated trim in a professional manner. Permit may be required. REPLACE ALL BROKEN WINDOWS THROUGHOUT.
3. WINDOW SCREENS. The window and/or door screens are missing, defective or in a state of disrepair. Provide proper window and door screens for all openable windows and doors. Screens must be tight-fitting and securely fastened to the frames. REPLACE ALL TORN OR MISSING SCREENS THROUGHOUT.
4. DEADBOLT LOCKS. Lacking deadbolt door locks. Provide one-inch throw deadbolt locks for all entry doors to dwelling unit(s). PROVIDE DEADBOLT LOCKS TO MEET CODE ON ALL DOORS.
5. ESCAPE WINDOWS. One window from each sleeping room must have a net glazed area of five square feet minimum net clear openable height dimensions of twenty four inches, minimum net clear openable width dimension of twenty inches, and a sill height of no more than forty-eight inches above the floor. Area wells must meet minimum sizes. Permit required. PROVIDE LEGAL EGRESS WINDOWS.
6. STORM DOOR(S): The storm door(s) are in disrepair; repair or replace the door(s). REPAIR OR REPLACE ALL DAMAGED STORM DOORS.
7. WALLS. Must be maintained clean, painted, and in a professional state of repair. PATCH AND PAINT ALL HOLES IN WALLS. PROVIDE AN APPROVED PERMIT FOR ALL FRAMING AND SHEETROCK.
8. FLOORS. Must be clean and maintained in a professional state of repair. CLEAN OR REPLACE ALL STAINED AND SOILED CARPETS/FLOORING.
9. WATER HEATER. Must be capable of supplying adequate hot water at a minimum temperature of 120 degrees and a maximum of 130 degrees at every kitchen sink, tub, shower, and laundry facility. All repairs or alterations must be made under permit in accordance with the plumbing code. REPAIR OR REPLACE THE WATER HEATER THAT IS DETERIORATED AND RUSTING.

10. DRYER VENT. All dryer vents must be constructed of smooth steel, size 4 inches in diameter and installed under permit. REPLACE THE DAMAGED DRYER VENT TO MEET CODE.
11. GAS CONNECTIONS. Flexible connectors on stoves or dryers must be approved. PROVIDE APPROVED CONNECTIONS.
12. ELECTRICAL. All modifications, alterations and service upgrades may prompt additional requirements. PROVIDE APPROVED PERMITS FOR ELECTRICAL WORK COMPLETED IN THE BASEMENT.
13. VENTILATION. Every bathroom must have a window openable to the outside, a minimum size of eight percent of the total floor area of the room, or an approved mechanical ventilation system. PROVIDE APPROVED PERMIT FOR VENTILATION FAN IN BASEMENT.
14. BATHROOM. Every bathroom must contain a bathroom toilet, hand sink, and tub or shower installed and maintained in accordance with the plumbing code. PROVIDE APPROVED PERMITS FOR BASEMENT BATHROOM.
15. OUTLETS. Electrical outlets must be in good condition not painted, and maintained per the electrical code. PROVIDE APPROVED ELECTRICAL PERMIT FOR BASEMENT WORK.
16. FURNACE: Have a licensed heating contractor service and clean the furnace or boiler and make any necessary repairs. Perform a C/O test on the heating plant. Then, send the attached form back to the Inspector. Repair of gas fired appliances requires a permit. NEW FURNACE INSTALLED. PROVIDE APPROVED PERMIT.
17. FIREPLACE. The chimney/fireplace is defective, deteriorated or in a state of disrepair. Repair as needed to restore the chimney/fireplace to a professional state of maintenance or seal the chimney/fireplace. Permit may be required.
18. Due to the number of deficiencies, a Code Compliance Inspection will be required before a Placard Lift will be issued.
19. CEILING HEIGHT. At least half of the floor area of any habitable room shall have a clear ceiling height of seven feet or more. IMMEDIATELY DISCONTINUE THE SECOND FLOOR AND BASEMENT FOR SLEEPING AND REMOVE ALL BEDDING.

Authorization to reoccupy this/these dwelling unit(s) will not be given until it is demonstrated that all principal violations have been corrected and that no new conditions exist which could constitute material endangerment or which threaten the peace, health, safety or welfare of the occupants of this building.

All repairs and new installations must be made in accordance with the appropriate codes. Permit information may be obtained from the Building Inspection and Design Section, 375 Jackson Street, Suite 220, (651) 266-8989.

You may file an appeal to this notice by contacting the City Clerk's Office at (651) 266-8688. Any appeal must be made in writing within 10 days of the date of this notice.

2121 REANEY AVE

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It is the responsibility of the property owner to keep all buildings secured and to properly maintain the premises at all times.

**If you have any questions concerning this matter, please contact the Inspector, Lisa Martin, at 651-266-1940. To arrange an appointment or request an extension of time to complete repairs, you will need to speak directly to the inspector.**

Sincerely,

**Lisa Martin**  
Enforcement Officer

lm

c: Posted to ENS

uhh60103 4/11

## **Condemnation Appeal**

**Jim McEnroe**  
**2121 Reaney Ave East**  
**St. Paul, MN 55119**  
**Cell: 651-357-8953**  
**Email: jpmcenroe@comcast.net**

August 12<sup>th</sup>, 2015

To whom it may concern:

I'm writing this letter to appeal the recent condemnation of my home at 2121 Reaney Ave. East, in St. Paul. I purchased the property in January, 2010 with \$150,000 in cash I inherited from my Aunt. I bought the house based on the sale representation it could be used as a private residence and additional income property, which is why I bought it.

I believe the sale was misrepresented to me by the listing agent and agency as per the advertising flyer and listing document attached. The property was advertised as a "4-bedroom/2-bathroom home with lower level separate apartment for a great opportunity for added income". I had no reason to question their representation of the property. Since the basement "apartment" had a separate walkout entry, full kitchen, and ¾ bath, I did not question their representation.

I never intended to violate any city codes. Had I known the basement "apartment" was an illegal dwelling and violated city code, I would have purchased another property. There were many properties to choose from at the time I bought it, since it was a buyers market in 2010. The inspection by Lisa Martin was my first indication the home had been misrepresented to me by the real estate professionals involved in the sale.

My plans are to convert my house into a single family home and remodel the downstairs illegal apartment into an office which will meet city code, inspection, and permit requirements. If my condemnation appeal is accepted, my plans are to live in my home and do the required modifications and repairs using licensed contractors when and where required.

## **Principal Violations**

### **Principal Violation 1: Illegal Duplex**

The illegal dwelling I've been living in downstairs existed when I purchased the property in 2010. As per city code, I'll be converting my property into a single family home. I no longer live in the basement "apartment", and I'm in the process of removing the illegal kitchen and converting the downstairs living area it into an office. The renovation will meet all city codes, permit, and licensing requirements. I plan on using the former "bedroom" as a separate office/den/file storage area or exercise room. If I use the room as a bedroom in the future, I'll be installing a legal egress window using licensed professionals to meet city code and permit requirements.

### **Downstairs Bathroom:**

The original downstairs bathroom had a small metal shower stall which had deteriorated over the years, though the plumbing and electrical worked fine. Because the shower stall had become unsanitary, I decided to replace it with a new one utilizing the existing plumbing. The bathroom remodel included tear-out, framing, insulation, sheetrock, Durok®, ceramic tile, and installing a new toilet. The ceiling light was replaced with a combination light and fan using existing wiring which was vented outside. Unfortunately, I did not realize the importance of obtaining the required city inspections and permit before removing the old bathroom and starting work on the new one.

I did not complete the bathroom remodel because I lacked the money to finish it. This turned out to be a good thing since—because I failed to obtain the required inspections and permits—the entire tiled shower and other portions of the bathroom may have to be torn out. I hope this will not be the case since a significant amount of money, time, and work went into it. I'm hoping the unfinished bathroom can be inspected, corrected, and cleared by the city to meet code and permit requirements without tearing it all out. I will follow the recommendations and requirements of the city and licensed professionals concerning the downstairs bathroom and address the situation accordingly.

### **Principal Violation 2:**

As part of the down stairs kitchen tear out and office conversion, I'll make sure the gas, water, and 220V electric in the downstairs apartment and kitchen are capped inside the walls by licensed contractor/s under permit and properly inspected. The work will be covered over and finished with a surface matching the surroundings. All key locks on the doors separating the basement apartment will be replaced with door knobs without locking mechanisms. I hope no doors will have to be removed or replaced to comply with this code, since it will save me a significant amount of time and money. All applicable building permits will be obtained prior to conducting the work.

**\* Upon completion of items #1 and #2 under Principle Violations, I respectfully request the Condemnation and Order to Vacate be removed, so I can live in my home while I attend to the other violations outlined below.**

### **Other Violations:**

I believe some of the issues needing to be addressed under Other Violations could be considered cosmetic and, as such, do not necessarily pose a danger to myself or others. These include painting, carpeting, and flooring. I plan on addressing these areas in the near future, but I'm requesting time to address them while I'm living on the premises.

I believe I have hardwood floors under all the existing carpeting, so I plan on removing the carpeting—after I repair the walls and paint—to see their condition. If the hard wood floors look good and are acceptable, I may cover them with large, attractive area rugs to reduce the cost of carpeting. If I have to repair, clean, or re-finish the hardwood floors I can do that myself since I personally did hardwood floor restoration and refinishing in Duluth where I owned a Kitchen Tune-up and Restore-a-Floor franchise from 2003-2006.

### **Windows and screens, including egress/escape windows.**

I've been addressing the old windows, torn screens, and window trim by getting 2 bids from (1) Home Depot and (2) *Renewal* by Anderson on replacement windows and screens. I now have

the 2 bids, so I can start comparing the cost of new windows and screens to the cost of repairing the old ones to meet city code. Since the bids for new windows were approximately \$17,000 - \$18,000, I have to carefully consider the best way to go.

I plan to address and cure all the deficiencies under **Other Violations** in a reasonable time, but I would like to get the Condemnation Placard Lifted upon completion of the list below which I realize pose safety hazards to myself and/or others. I respectfully request the maximum time you can allow me to complete the items listed below as I'm currently working full-time and have to arrange financing and other resources to complete the work—much of which I was planning to do in time anyway.

#### **#9 Water Heater**

A community resource, associated with Xcel Energy, recently called me—just before the inspection—and said they're replacing water heaters in my area at no charge. Since the condemnation, I had to put that effort on hold. Once the Condemnation notice is removed I'll follow up with them to, hopefully, obtain a new water heater at no cost. The new water heater will be installed under permit by a licensed contractor. If the free water heater replacement is not available, I'll replace it with a new 60-gallon unit by a licensed contractor with permit.

#### **#10 Dryer Vent**

The dryer vent will be removed and replaced by a licensed contractor under permit to meet city code for a single family home.

#### **#11 Gas Connections**

The gas oven from the basement kitchen will be properly relocated to the main floor kitchen and installed by a licensed contractor using approved connections.

#### **#12, 13 & 15 Electrical, Ventilation & Outlets**

A licensed electrical contractor will perform an inspection of the electrical service to insure all deficiencies are corrected. The work will be performed under permit by a licensed electrical contractor. An inspection and permit will be obtained for the ceiling light/fan in the basement bathroom as a part of this inspection.

#### **#14 Bathroom**

I'll follow all city codes, inspections, and recommendations concerning the downstairs bathroom. The necessary permits and inspections will be obtained and work performed by a licensed contractor.

### **Other Violations – Actions taken**

#### **#5 Egress/Escape Windows**

I believe the 2 main floor bedrooms already have legal egress/escape windows. The top floor "bedroom" and the former basement "bedroom" have now been re-purposed to other uses. Since all the bedding has been removed and there will be no one sleeping in the basement or on the top floor, these rooms will not require egress.



### **#16 Furnace**

My new energy efficient furnace was installed in July, 2014 by Metro Heating and Cooling apparently without a permit, which Metro was responsible for obtaining. I was not aware permits were not obtained until Lisa Martin informed me. I called Metro to check on it and informed them of the situation. The mechanical and warm air inspections are scheduled for Thursday, August 20<sup>th</sup> from 12:30 to 1:30. The mechanical permit number is 2015-146640 and the warm air permit is 2015-146645.

### **#19 Top Floor "Bedroom" Ceiling Height**

I've discontinued using both illegal bedrooms and removed all bedding referenced in this section. Unfortunately, the 4-bedroom home I had professionally inspected and purchased in good faith from reputable real estate professionals 5 years ago is now a 2- bedroom home which significantly reduces the marketability and value of my home.

### **Other Violations – Not Addressed Above**

I recognize the other deficiencies cited such as deadbolt locks, storm doors, and the non-working fireplace which was rendered non-functional by the previous owner. I plan to address these issues over time.

I'm currently living alone in my home and plan to cure all the deficiencies as quickly as time and money will allow. I recently started full-time work in the addiction and behavioral health field after going to school for 4 years, completing 6 months of 2 unpaid internships, and securing the required state licensing for employment. I recently started working 50-60 hours per week so my time to work on this project is limited and completing them will pose a significant financial hardship for me.

I hope the city of St. Paul will carefully consider my situation and allow me to live in my home while I make all the necessary modifications, repairs, and updates to convert it into a single family home and meet city licensing codes and permit requirements. As such, I'm asking the City to work with me to the greatest extent possible to help me address these violations.

Please call me at 651-357-8953 or email me at [jpmcenroe@comcast.net](mailto:jpmcenroe@comcast.net) if you have any questions or need additional information.

Thank you for your time and consideration. I look forward to working with the city and converting my house into a single family home.

Sincerely,



Jim McEnroe

Owner

2121 Reaney Avenue East

St. Paul, MN 55119

# Welcome to: 2121 Reaney Avenue, St. Paul



## Property Specifications:

Year Built:	1947
Style:	1 1/2 story
Square Feet:	1,979
Lot Size:	70 x 127
Taxes:	\$1,708
Garage:	2 Car Detached
Exterior:	Wood
Basement:	Finished
Heating:	Forced Air
Cooling:	Window
School District:	625 — St. Paul

**4 Bedrooms**

**2 Bathrooms**

**2 Car Garage**

Lower level has separate apartment for a great opportunity for added income. Well maintained home with same owners for 30 years. Home has hardwood floors, fireplace, natural woodwork and a separate dining room. With a few updates this home will have everything you are looking for.



## Room Sizes:

Living Room:	18 x 12	Bedroom #1:	14 x 11
Dining Room:	11 x 10	Bedroom #2:	11 x 11
Kitchen:	11 x 11	Bedroom #3:	34 x 13
Family Room:	12 x 10	Bedroom #4:	12 x 10
2nd Kitchen:	13 x 8		

**Offered at: \$169,900**

**The Garth Dahl Team**

651-739-HOME Fax: 651-379-5263



**KELLER WILLIAMS**



2121 Reaney Avenue E, St Paul, MN 55119



Status: Active  
List Price: \$159,900

Original List Price: \$169,900  
Map Page: 109 Map Coord: A3  
Directions: 94 to Mcknight Park EX W  
10 FT; LOT 24 & A1 of Lot 25 Block 3

MLS Area: 716 - SP-Hillcrest/Hazel Park/Daytons Bluff  
Style: (SF) One 1/2 Stories  
Const Status: Previously Owned  
Foundation Size: 1,105  
Above Ground Finished SqFt: 1,547  
Below Ground Finished SqFt: 432  
Total Finished SqFt: 1,979  
Year Built: 1947  
Bedrooms: 4  
Total Baths: 2  
Garage: 2  
Acres: 0.20  
Lot Size: 127X70  
Fire #:

TAX INFORMATION

Property ID: 262922430070  
Tax Year: 2009  
Tax Amt: \$1,708  
Assess Bal: \$454  
Tax w/assess: \$2,162  
Assess Pend:  
Homestead: Yes

List Date: 9/25/09 Received By MLS: 9/25/09 Days On Market: 53

General Property Information

Legal Description: WATTS PARK EX W 10 FT; LOT 24 & ALL OF LOT 25 BLK 3  
County: Ramsey  
School District: 625 - St. Paul, 651-632-3701  
Mfg Home w/HUD ID #: No  
Complex/Dev/Sub:  
Restrictions/Covts:  
Lot Description: City Bus (w/in 6 blks), Tree Coverage - Light  
Road Frontage: City, Curbs, Paved Streets, Sidewalks  
Zoning: Residential-Single Accessibility: Other

Common Wall: No

Remarks

Agent Remarks: Lower level has separate apartment for a great opportunity for added income. Good condition home with same owners for 30 years. Just a little updating would make this home perfect. Home has fireplace in living room, hardwood floors, and plaster walls.  
Public Remarks: Lower level has separate apartment for a great opportunity for added income. Good condition home with same owners for 30 years. Just a little updating would make this home perfect. Home has fireplace in living room, hardwood floors, and plaster walls.

Structure Information

Room	Level	Dimen	Other Rooms	Level	Dimen	Heat:
Living Rm	Main	18x12	Second Kitchen	Lower	13x8	Forced Air
Dining Rm	Main	11x10	Porch	Lower	11x8	Fuel: Natural Gas
Family Rm	Lower	12x10	Screened Porch	Main	10x7	Air Cnd: Window
Kitchen	Main	11x11	Patio	Main	10x10	Water: City Water - Connected
Bedroom 1	Upper	34x13				Sewer: City Sewer - Connected
Bedroom 2	Main	14x11				Garage Stalls: 2
Bedroom 3	Main	11x11				Garage Stall #:
Bedroom 4	Lower	12x10				Other Parking:
			<b>Bathrooms:</b>	Total: 2	Full: 1	Pool:
				3/4: 1	1/2: 0	1/4: 0

Bath Description: 3/4 Basement, Main Floor Full Bath  
Dining Room Desc: Separate/Formal Dining Room  
Fireplaces: 1 Fireplace Characteristics: Living Room, Wood Burning  
Appliances: Dishwasher, Dryer, Range, Refrigerator, Washer  
Basement: Daylight/Lookout Windows, Egress Windows, Finished (Livable), Full, Walkout  
Exterior: Wood  
Fencing: Partial  
Roof: Age 8 Years or Less, Asphalt Shingles, Pitched  
Amenities-Unit: Hardwood Floors, Kitchen Window, Multiple Phone Lines, Natural Woodwork, Patio, Porch  
Parking Char: Detached Garage, Driveway - Concrete, Garage Door Opener  
Special Search: Main Floor Bedroom

Financial

Cooperating Broker Compensation

Buyer Broker Comp: 2.7000 % Sub-Agent Comp: 0 % Facilitator Comp: 2.7000 %  
Variable Rate: N List Type: Exclusive Right To Sell

In Foreclosure?: No  
Lender Owned?: No  
Potential Short Sale?: No  
Owner is an Agent?: No  
Sellers Terms: Cash, Conventional, DVA, FHA  
Existing Fir:

Listing Agent: Garth Dahl 651-739-4663  
Listing Office: Keller Williams Premier Realty Appt Phone: 866-275-6321 Office Phone: 651-379-5252  
This Report Prepared By: Ryan M. Kempenich 612-986-1896