



# APPLICATION FOR APPEAL

RECEIVED  
JAN 02 2013  
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 351913)
- 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, January 6, 2013

Time 11:30

Location of Hearing:  
Room 330 City Hall/Courthouse

## Address Being Appealed:

Number & Street: 289 5<sup>th</sup> ST. E. City: SAINT PAUL State: MN Zip: 55101

Appellant/Applicant: HEARTLAND FOOD HOLDINGS, LLC Email HEARTLAND5@QWESTOFFICE.NET

Phone Numbers: Business 651 699 3536 Residence 651 648 5843 Cell 651 395 1082

Signature: [Signature] Date: 12/31/12

Name of Owner (if other than Appellant): LEONARD RUSSO

Address (if not Appellant's): 1937 LINCOLN AVE SAINT PAUL, 55105

Phone Numbers: Business 651 649 3536 Residence 651 648 5843 Cell 651 395 1082

## 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 ATTACHMENT



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220 Telephone: 651-266-8989  
Saint Paul, MN 55101-1806 Fax: 651-266-8951

December 21, 2012

HEARTLAND FOOD HOLDING LLC/ LENNY RUSSO  
289 5TH ST E  
ST PAUL MN 55101-2246

### CORRECTION NOTICE - RE-INSPECTION COMPLAINT

RE: 289 5TH ST E  
Ref. # 33256

#### *FINAL NOTICE TO COMPLY*

Dear Property Representative:

A re-inspection was made on your building on December 21, 2012, in response to a referral. You are hereby notified that the following deficiencies must be corrected immediately.

***A re-inspection will be made on or after January 22, 2013.***

Failure to comply may result in a criminal citation or the revocation of the Certificate of Occupancy. The Saint Paul Legislative Code requires that no building shall be occupied without a Certificate of Occupancy. The code also provides for the assessment of additional re-inspection fees.

#### DEFICIENCY LIST

1. 1ST/2ND STAIRWELL SIGNS - MSFC 1005.3.2.4 - Provide and maintain stairway identification signs per attached SI-1 information.
2. NORTH STAIR - MSFC 508.5.4 - Provide and maintain a minimum of 3 feet unobstructed access around all fire control valves.  
*-Contact a licensed sprinkler contractor to relocate the standpipe connection in the North stairwell between second and third floor. Work will require a permit.*
3. RESTAURANT EXITS - MSFC 1003.3.1.8 - Remove unapproved locks from the exit doors. The door must be openable from the inside without the use of keys or special knowledge or effort.  
*-Remove slide bolts from doors.*

If you have any questions, email me at kris.skow-fiske@ci.stpaul.mn.us or call me at 651-266-8949 between 7:30 a.m. - 9:00 a.m.

Please help to make Saint Paul a safer city in which to live and work.

Sincerely,  
Kris Skow-Fiske  
Fire Inspector

12/31/12

Heartland Food Holdings, LLC  
289 5<sup>th</sup> St. E.  
Saint Paul, MN 55101

To whom it may concern:

This appeal concerns an exit door that is secured by two sliding floor bolts. The bolts are used to secure the location from break ins. A previous break in resulted in the theft of our safe. The doors in question are kept propped open at all times when the location is occupied. There are written instructions on the doors that specify this. The necessity of these doors being propped open is first and foremost predicated by the fact that our main limited mobility access for our guests is through these doors. They must be propped open at all times during business hours to make this access possible. The only time those bolts are used is when the location is unoccupied. In addition, there are four other exits besides the one in question that allow for easy transit from the location to exterior spaces, including two for those who might have limited mobility.

We are asking that we be allowed to maintain the use of those floor bolts for security purposes when the location is unoccupied.

Respectfully:

Lenny Russo  
Heartland Food Holdings, LLC  
Heartland Restaurant & Lounge, Inc. dba Heartland Restaurant & Farm Direct Market