



# APPLICATION FOR APPEAL

RECEIVED  
JUL 03 2012  
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, 7-10-12  
 Time 1:30 P.M.  
 Location of Hearing:  
 Room 330 City Hall/Courthouse

## Address Being Appealed:

Number & Street: 1651 W. Minnehaha City: St. Paul State: MN Zip: 55102

Appellant/Applicant: Cynthia & Noel Totten Email: noelt@americanagencymn.com

Phone Numbers: Business 952-593-8726 Residence 952-838-5158 Cell 952-210-5540

Signature: [Handwritten Signature] Date: 6/22/12

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
- Fire C of O: Only Egress Windows
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other

Zoned duplex but has been a triplex for around 45 years when this was purchased from Reverend Jay Ruethoven he sold it as a triplex. 5 runs from the runnery resided on that side. When we purchased the building in 2005 we did extensive work on the building including the 3rd unit with new cabinets, appliances, flooring additional egress window, etc.

Reverend Ruethoven has sign attesting 23 years of renting by defendant.



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)

June 22, 2012

MINNEHAHA PROPERTIES LLC  
9073 HYLAND CREEK CIR  
BLOOMINGTON MN 55437-1907

RE: RE-INSPECTION FIRE CERTIFICATE OF OCCUPANCY WITH DEFICIENCIES  
1649 MINNEHAHA AVE W

Ref. # 106988

Dear Property Representative:

Your building was re-inspected for the Fire Certificate of Occupancy on June 21, 2012. 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 or after July 23, 2012.**

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. 1649 - 1st Floor - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-9090.-Repair wiring to 3-prong outlets with open ground connection.
2. 1649 - 2nd Floor - Side Bedroom - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.
3. 1649 - Basement - UMC 504.6 - Provide, repair or replace the dryer exhaust ducts. Exhaust ducts for domestic clothes dryers shall be constructed of metal and shall have a smooth interior finish. The exhaust duct shall be a minimum nominal size of four inches (102 mm) in diameter. This work will require a permit(s). Call DSI at (651) 266-8989.- Repair ducting for two dryers.  
Provide inspection and approval under permit.

4. 1649 - Basement - Dryer - MFGC Chapter 4 - Provide or replace fuel equipment piping in compliance with the mechanical code. This work may require a permit(s). Call DSI at (651) 266-8989.-Dryer gas connection has multiple chained flexible gas connectors being used in lieu of rigid piping to the appliance and no proper drip tee. Provide inspection and approval under permit.
5. 1649 - Basement - Electrical Panel - NEC 408.4 Circuit Directory - Every electrical circuit shall be legibly identified as to its clear, evident, and specific purpose or use.
6. 1649 - Basement - Rear Exit Door - SPLC 34.09 (3) i - Provide and maintain an approved one-inch throw single cylinder deadbolt lock.
7. 1649 - Basement - Stairway - SPLC 34.10 (3) 34.33(2) - Provide an approved guardrail. Intermediate balustrade must not be more than 4 inches apart. Intermediate rails must be provided if the height of the platform is more than 30 inches.
8. 1649 - Basement - Water Heater - SPLC 34.11 (5), 34.34 (2) - Contact a licensed contractor to repair or replace the water heater. This work will require a permit(s). Call DSI at (651) 266-9090.-Repair water heater under permit. Water heater was improperly installed without permit. CSST gas line to the appliance is kinked and not bonded properly. Vent is improper. Relief valve is not piped correctly. Provide inspection and approval under permit.
9. 1649 - Basement - Water Heater - MFGC 501.2 - Provide, repair or replace the fuel equipment vent or vent liner to develop a positive flow adequate to convey all products of combustion to the outside. This work will require a permit(s). Call DSI at (651) 266-9090.-Power vent water heater vent has been installed without permit and is vented illegally. PVC vent has been duct taped in to a single-wall metal metal vent, connected into the venting for boiler. Provide inspection and approval under permit.
10. 1651 - Basement - UMC 504.6 - Provide, repair or replace the dryer exhaust duct. Exhaust ducts for domestic clothes dryers shall be constructed of metal and shall have a smooth interior finish. The exhaust duct shall be a minimum nominal size of four inches (102 mm) in diameter. This work will require a permit(s). Call DSI at (651) 266-8989.- Provide inspection and approval under permit.
11. 1651 - Basement - Bedroom - MSFC 806.2 - Wall and/or ceiling finishes exceed the code requirements for flame spread ratings. Remove or provide documentation of flame spread compliance.-Remove hanging sheets used as room partitioning.
12. 1651 - Basement - Bedroom - SPLC 34.13 (1) - Provide and maintain all habitable areas with a ceiling height of 7 feet over 1/2 the floor area.-Height to suspended ceiling is 6 feet 8 inches.
13. 1651 - Basement - Electrical Panel - NEC 408.4 Circuit Directory - Every electrical circuit shall be legibly identified as to its clear, evident, and specific purpose or use.

14. 1651 - Basement - Kitchen - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.
15. 1651 - Basement - Stairway - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.-Remove storage at the bottom of the stairway.
16. 1651 - Basement - Stairway - SPLC 34.10 (3) 34.33(2) - Provide an approved guardrail. Intermediate balustrade must not be more than 4 inches apart. Intermediate rails must be provided if the height of the platform is more than 30 inches.
17. 1651 - Basement - Stairway - SPLC 34.10 (3), 34.33(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.
18. 1651 - Basement - Water Heater - MFGC 501.2 - Provide, repair or replace the fuel equipment vent or vent liner to develop a positive flow adequate to convey all products of combustion to the outside. This work may require a permit(s). Call DSI at (651) 266-9090.-Repair water heater vent connector and hood in an approved manner. Piping and draft hood are loose and not screwed in place, not connected or supported properly. Provide inspection and approval under permit.
19. Exterior - 3rd Floor - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window in good condition.-Repair/ install 2 side windows in an approved manner.
20. Exterior - Rear - 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.-Provide graspable handrail on one side of each rear stairway into the basement.
21. Exterior - Throughout - 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.
22. 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.
23. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.
24. SPLC 62.01, SPLC 33.05(A) - Use of this property does not conform to zoning ordinance. Immediately discontinue unapproved use and convert to legal use. Discontinue use as a rooming and boarding occupancy without approval and the required Certificate of Occupancy and zoning approval. Property may be occupied by a maximum of 4 unrelated occupants.-Property is approved for use as 2-units (duplex), the basement of 1651 side has been converted into a separate 1-Bedroom unit, accessed through the rear of the property. Unit has full 3rd kitchen installed.

25. SBC 3405.1, SBC 110.2 - The occupancy group or use division of this building has been changed from that previously approved. Discontinue the unapproved occupancy or use, or contact the Building Official at 651-266-9071 for a code analysis and to comply with requirements for approved occupancy.-Property is approved for use as 2-units (duplex), the basement of 1651 side has been converted into a separate 1-Bedroom unit, accessed through the rear of the property. Unit has full 3rd kitchen installed.

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 [mitchell.imbertson@ci.stpaul.mn.us](mailto:mitchell.imbertson@ci.stpaul.mn.us) or call me at 651-266-8986 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,

Mitchell Imbertson  
Fire Inspection  
Ref. # 106988