



APPLICATION FOR APPEAL

RECEIVED Saint Paul City Clerk
310 City Hall, 15 W. Kellogg Blvd.
JUN 11 2012 Saint Paul, Minnesota 55102
CITY CLERK 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

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|--|
| YOUR HEARING Date and Time: |
| Tuesday, <u>6-19-12</u> |
| Time: <u>1:30 p.m.</u> |
| Location of Hearing: <u>Room 330 City Hall/Courthouse</u> |

Address Being Appealed:

Number & Street: 1074 Breen St. City: St. Paul State: MN Zip: 55106

Appellant/Applicant: Lon Hofmann Email lonhofmann@usfamily.net

Phone Numbers: Business 970-576-8075 Residence _____ Cell 970-799-2964

Signature: Lon J Hofmann Date: 6-3-12

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

please see attached

Deficiency List Appeals for residence of 1074 Breen St., St. Paul, MN 55106

Deficiency item #4: MSFC1026.1 – Provide and maintain an approved escape window from each sleeping room.

Sill height and dimensions of current window comparison to required code:

- 1) Current sill height – 36 in; code – not more than 48 in
- 2) Current glazed area – 8.25 sq ft; code – 5 sq ft minimum
- 3) Current openable width – 27 in; code – 20 in
- 4) Current openable height – 18 in; code – 24 in

Appeal Justification: The openable height is the only non-compliant dimension. The current windows are high-efficiency, double paned windows installed 15 years ago. They are in excellent working condition with the panes easily removed for cleaning or emergency escape. This is a 3-bedroom home requiring replacement of 3 windows. Replacement of 3 windows would be prohibitively expensive.

Deficiency item #16: UMC 1346.703 – Provide 30 inches clearance around all mechanical equipment.

Appeal Justification: The mechanical equipment and their location were not detailed in the inspection report. The only mechanical equipment in the house would be the hot water heater, furnace, and cloths washer and dryer. Of these items the hot water heater and furnace are not 30 inches apart. It is a gas hot water heater and ask that it not be considered a mechanical device being the only mechanical component would be the gas solenoid valve.

The above 2 deficiency items are the only 2 items of appeal. The residence structure is sound, in very good condition, clean, and safe to live in. The current renters are very comfortable and happy with residence. Respectfully request these appeals be granted and expunged from Fire Safety Inspection Deficiency List.



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

May 25, 2012

LON L HOFMANN
164 VALLEY VIEW DR #3211
PAGOSA SPRINGS CO 81147-8955

RE: RE-INSPECTION FIRE CERTIFICATE OF OCCUPANCY WITH DEFICIENCIES
1074 BREEN ST

Ref. # 114733

Dear Property Representative:

Your building was re-inspected for the Fire Certificate of Occupancy on May 25, 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 June 18, 2012 at 11:00A.M..

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. Basement - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.
2. Basement - 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. No egress-Remove all beds and bedding materials mattresses from basement.
4. Bedrooms main floor - 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.-Sill 36inches Openable height 18inches. Openable with is 27inches. Glazed is 36inches in height by 33inches in width. These are double hung windows. Bedrooms located two one the east side and on the West Side all on the main floor.

5. Garage - SPLC 34.08 (5), 34.31 (3) - Repair, replace and maintain all exterior surfaces on fences, sheds, garages and other accessory structures free from holes and deterioration. Provide and maintain exterior unprotected surfaces painted or protected from the elements.
6. House - 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.
7. House - SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screens.
8. Main floor - SPLC 34.10 (4), 34.33 (3) - Provide a bathroom floor impervious to water. After securing toilet to floor caulk the base.
9. Main floor - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-Repair or replace and maintain an approved private toilet. Secure toilets to floor.
10. Rear Yard - SPLC 34.08 (7) - All parking spaces shall be paved with asphalt, concrete, or durable dustless surfacing. Before any existing spaces may be paved, site plan approval must be obtained as specified in the St. Paul Zoning Code. Contact DSI Zoning at 651-266-9090.
11. Rear Yard - SPLC 163.03, 163.01 (2), (3) - Currently license (tabs) all vehicles on the property and return the vehicles to an operative mechanical condition or remove vehicles from the property.-Black Honda plate #478-BOU April 2011
12. 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.
13. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.
14. SPLC 200.02 (a) No person shall own, harbor, keep or maintain in the City and dog over three months of age without a license. Provide written documentation of current license to the Fire Inspector. To obtain a dog license, contact DSI at 651-266-8989
15. 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.
16. UMC 1346.703 - Provide 30 inches clearance around all mechanical equipment.

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 james.thomas@ci.stpaul.mn.us or call me at 651-266-8983 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,

James Thomas
Fire Inspector
Ref. # 114733