



# APPLICATION FOR APPEAL

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JAN 27 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

**YOUR HEARING Date and Time:**

Tuesday, Feb 14, 2012

Time 1:30 p.m.

Location of Hearing:

Room 330 City Hall/Courthouse

## Address Being Appealed:

Number & Street: 33 Avon St. S City: St. Paul State: MN Zip: 55105

Appellant/Applicant: Allison Klis Email allison@simplifiedmgmt.com

Phone Numbers: Business 651-226-3225 Residence \_\_\_\_\_ Cell \_\_\_\_\_

Signature: Allison Klis Date: 1/27/12

Name of Owner (if other than Appellant): James R. Councilman/Avon Apt. I & II LLC

Address (if not Appellant's): 4925 Shady Island Rd Mound MN 55304-9226

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell 612-669-2454

## 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
- Other
- Other

See Attachments

Avon Apartments I & II LLC  
33 Avon Street S.  
St. Paul, MN 55105

Appeal Filed 1-27-12 for the following items on the Fire C of O Deficiency List:

**Item #1:** West rooms are used for sleeping rooms or guest rooms by some tenants. Rooms have clear access to exit and an egress window. Size is just slightly below the 70 sq. ft. requirement. Rooms measure 61.5 sq. ft. We are requesting a variance for all six units.

**Item #3:** Tuck pointing on garage brick. We are asking for an extension to complete the work by June 30, 2012.

**Item #9:** Provide or repair and maintain the window screens. We are asking for an extension to complete the work by June 30, 2012. We will be painting the window trim and sills and will then install new storm windows.

**Item #28:** Repair and maintain the window frame. We are asking for an extension to complete the work by June 30, 2012. We will be painting the window trim and sills as requested.



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)

January 19, 2012

AVON APARTMENTS I & II LLC  
4925 Shady Island Rd  
Mound MN 55364-9226

### FIRE INSPECTION CORRECTION NOTICE

RE: 33 AVON ST S  
Residential Class: C

Dear Property Representative:

Your building was inspected on January 19, 2012 for the renewal of your Fire Certificate of Occupancy. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected prior to the re-inspection date.

### **A re-inspection will be made on February 28, 2012 at 11:00 AM.**

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. All units - West sleeping room - SPLC 34.13 (3), SPLC 34.17 (2) - Reduce and maintain the number of occupants in the sleeping rooms.-Room's are 61.5 square feet.
2. 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 may require a permit(s). Call DSI at (651) 266-8989.-Repair dryer vent to code.

3. 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.-Tuck point garage in a professional manner.
4. Interior rear landing - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.
5. Rear common stairway - SPLC 34.10 (3) 34.33(2) - Provide an approved guardrail. Intermediate ballustrade must not be more than 4 inches apart. Intermediate rails must be provided if the height of the platform is more than 30 inches.
6. Rear common stairway - SPLC 34.10 (3), 34.33(2) - Repair or replace the unsafe stairway in an approved manner.-Repair damaged step coverings in an approved manner.
7. Throughout - MSFC 605.5.3 - Immediately, discontinue use of frayed, deteriorated, damaged or spliced electrical cords.-Discontinue use of temporary decorative lighting.
8. Throughout - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-Maintain the hard wired smoke detector system.
9. Throughout - SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screen.
10. Unit 1 - Bathroom - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Patch the holes and/or cracks in the walls. Paint the wall.
11. Unit 1 - Sleeping rooms - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.-Reduce storage of items on the by 25 percent.
12. Unit 1 - Toilet - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-Secure toilet to the floor and caulk in an approved manner.
13. Unit 1 - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.
14. Unit 2 - East bedroom window - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.
15. Unit 2 - Stove - NEC 440.13 - For cord-connected equipment such as room air conditioners, household refrigerators and freezers, drinking water coolers, and beverage dispensers, a separable connector or an attachment plug and receptacle shall be permitted to serve as the disconnecting means. The appliance must plug directly into a permanent outlet.
16. Unit 2 - MSFC MSFC 1003.3.1.8 - The maximum number of locks on unit doors is two. Remove all locks in excess of two.

17. Unit 3 - MSFC MSFC 1003.3.1.8 - The maximum number of locks on unit doors is two. Remove all locks in excess of two.
18. Unit 4 - Butler pantry - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Paint the wall.  
Patch the holes and/or cracks in the walls.
19. Unit 4 - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.-Move bed frame that is obstructing egress window.
20. Unit 4 - MSFC MSFC 1003.3.1.8 - The maximum number of locks on unit doors is two. Remove all locks in excess of two.
21. Unit 5 - 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.-19.5 h x 35 w Glazed 12.5 sq ft.
22. Unit 6 - Butler pantry - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Patch the holes and/or cracks in the walls.Paint the wall.
23. 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.
24. SPLC 39.02(c) - Complete and sign the provided smoke detector affidavit and return it to this office.
25. SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window glass.
26. MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.-Immediately remove air conditioner blocking egress windows. Maintain unobstructed egress windows.
27. SPLC 34.09 (3), 34.32 (3) - Repair and maintain the windows in good condition.- Windows shall be easily openable and have hardware to hold them in the open position.
28. SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window frame.-Scrape and remove chipped and peeling paint. Repaint in a professional manner.

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: [rick.gavin@ci.stpaul.mn.us](mailto:rick.gavin@ci.stpaul.mn.us) or call me at 651-266-8994. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Rick Gavin  
Fire Inspector



33 Aven Unit 6



Looking into room - Clear Access



Window located in room



Room 12 steps to Exit



Inside room looking out



Looking into room at an angle.