



APPLICATION FOR APPEAL

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DEC 03 2010
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,	<u>12/14/10</u>
Time	<u>1:30 p.m.</u>
Location of Hearing:	
<u>Room 330 City Hall/Courthouse</u>	

Mailed 12/6/10

Address Being Appealed:

Number & Street: 30 White Bear Ave N City: St. Paul State: MN Zip: 55106

Appellant/Applicant: Nancy Vanderheider Email: vanderheider@gmail.com

Phone Numbers: Business 651-340-6142 Residence _____ Cell 612-723-7773

Signature: Nancy R. Vanderheider Date: 12/2/2010

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 #5 - see attached.
- Vacant Building Registration
- Other
- Other
- Other

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Paragraph 5 of the Fire Inspection Correction Notice indicates that an escape window from the upstairs sleeping rooms must have a minimum opening of 24 inches in vertical height and 20 inches of horizontal width. The windows installed in the upstairs sleeping rooms have 21 inches of vertical and 26 inches of horizontal opening. This is listed as a deficiency and, as such, must be corrected.

A variance is appropriate for the deficiency listed in paragraph 5. For that reason, I am appealing the correction order and requesting a variance be granted in the requirement for the egress windows. The variance I seek does not reduce the area that the egress windows open, only the height of the opening. If the current windows were turned on their side, they would go beyond the egress requirement with an open height of 26 inches. Left as they are at 21 inches, the window opening is sufficient to allow a person to climb through the window, either to escape, or to come into the house with equipment by turning sideways, without any greater risk to person or property than the required 24 inches.

The cost of changing the windows is prohibitively expensive in comparison with the benefit that would result from the change. It does not appear there would be any gain from the change. It would truly be elevating form over function.



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

November 23, 2010

NANCY R VANDERHEIDER
1075 ASHLAND AVE
ST PAUL MN 55104-7004

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FIRE INSPECTION CORRECTION NOTICE

RE: 30 WHITE BEAR AVE N
Ref. #112764
Residential Class: B

Dear Property Representative:

Your building was inspected on November 23, 2010 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 January 24, 2011 at 2:00pm.

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. Basement - Dryer Vent - 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 requires a permit. Call DSI at (651) 266-8989.- Replace the dryer venting in an approved manner. Flexible metal exhaust duct is only acceptable for periods of transition. Exhaust ducts need to be properly supported/secured. Tapped to other plumbing pipe is not an acceptable support mechanism.

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2. Basement - Laundry Room - MSFC 605.6 - Provide all openings in junction boxes to be sealed.
3. Basement - Stairway - SPLC 34.10 (3) 34.33(2) - Provide an approved guardrail. Intermediate balustrades must not be more than 4 inches apart. Intermediate rails must be provided if the height of the platform is more than 30 inches.
4. Detached Garage - MSFC 605.4 - Discontinue use of all multi-plug adapters.-Remove and discontinue the use of the unapproved light fixture adapter in the garage. Light fixtures with the outlet built directly into the porcelain are acceptable.
5. Egress Windows - Upper Floor North and South Bedrooms - 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.

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Upper Floor North and South Bedrooms (Double-hung)

21h x 26w - Openable
41h x 25w - Glazed

6. Main Floor - Bathroom - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceiling in an approved manner.
7. 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.

For an explanation or information on some of the violations contained in this report, please visit our web page at: <http://www.ci.stpaul.mn.us/index.aspx?NID=211>

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: wayne.spiering@ci.stpaul.mn.us or call me at 651-266-8993 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,

Wayne Spiering
Fire Inspector

Reference Number 112764