



APPLICATION FOR APPEAL

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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, Sept. 28

Time 1:30 p.m.

Location of Hearing:

Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 312 Burgess St City: Saint Paul State: MN Zip: 55117

Appellant/Applicant: Justin Bowser Email: just-bowser@yahoo.com

Phone Numbers: Business _____ Residence 651-213-1043 Cell 651-261-2548

Signature: [Signature] Date: 9-20-10

Name of Owner (if other than Appellant): _____

Address (if not Appellant's): 9700 275th St Chicago City, MN 55013

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
- Other
- Other

Extension until Spring 2011 on Ext. paint
Not sure what is the problem w/ parking space
Item 5

To Whom It May Concern:

This letter is concerning the issues at my property at 312 Burgess St. I had the fire inspection with Lisa Martin on September 16th. While she was there, she only spoke of a few issues with me. I received a letter in the mail with 19 issues most of which she said nothing about during the inspection, some of them I am unsure what she is even talking about. It would be nice if the inspectors would go over all the issues while they are there so that the landlord knows what they are talking about. I am just trying to keep my head above water on this property. Rents are way down in the area, prices are way down and the city wants me to spend thousands of dollars to fix a property that I am barely hanging on to. I would like to request another inspector other than Lisa Martin to come and look at my property for the October 1st inspection. I have spoken with other landlords in the area and they agree with me that she likes to over step her boundaries.

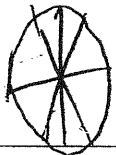
Unit one was in need of some repairs, no doubt. The tenants had lived there for 11 years and they both smoked. That unit is currently vacant and I am going through and cleaning it up so that all the issues will be taken care of and it will be a nice place for someone to live in.

Unit 2 two has tenants and has no issues. In unit 3 I removed the kitchen and it is empty I don't understand what the issue is there. I went to a hearing officer in December 2009 and all they told me to do was remove the kitchen so I did and it is vacant and she still has that on the list.

1. Exterior paint Lisa said she was going to give me until the Spring of 2011 to take care of this the day of the inspection but no mention of it on her letter.
2. The exterior is all cleaned up and no dogs live here.
3. The front and back door have reflective numbers.
4. The parking area is class 5. I am not sure what the problem is there. The parking area is in way better shape than the alley that the city is suppose to maintain.
5. I am unsure what she is talking about here in item 5. The porch is in need of a roof repair and some paint I see nothing wrong structurally I had the building inspector David Tank out and he looked at it and saw nothing wrong with it. Also the 3rd floor is vacant with no kitchen as requested I currently don't have the funds or the time to try and make the 3rd floor an extension of the 2nd floor.
6. I will install a guard rail.
7. I will install a hand rail.
8. I will repair the leaky roof on the porch.
9. I am not using it as a tri-plex. The 3rd level is emptied out other than a fridge because I have no-where else to put it. I have a licensed plumber coming out to cap the water lines in the kitchen for me.
10. On her last inspection, the one window in the BDR of unit 1 wasn't opening far enough. I now have it opening high enough but she says that it has to go directly outside and it goes to the porch which has an entry door and numerous windows on it. She says that can't be used as a bedroom well it has been like that for years

and designed years ago. I would like a variance on that due to it being an old building and than glass is large enough for an escape.

11. Repairing all walls and ceilings.
12. No storage in attic! Fridge in the 3rd floor, but can't I use that 3rd floor at least as storage? Will remove stuff under steps.
13. He is scheduled to come out.
14. Currently painting and repairing walls.
15. My contractor called the inspector to come out and look at the stairs. He never heard back so he was assuming that it was taken care of, typically no news is good news from inspectors. I will call him again.
16. Unsure what cabinets she is talking about.
17. Once again I am currently fixing all walls and ceilings.
18. Once again kitchen is removed and unit is empty minus one fridge for storage.



DEPARTMENT OF SAFETY AND INSPECTIONS
Fire Inspection Division
Bob Kessler, Director



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

September 16, 2010

JUSTIN BOWSER
9700 275TH ST
CHISAGO MN 55013-9609

Call Representative
Jaqu ~~Quincy~~ Girling

RE: RE-INSPECTION FIRE CERTIFICATE OF OCCUPANCY WITH DEFICIENCIES
312 BURGESS ST

Dear Property Representative:

Your building was re-inspected for the Fire Certificate of Occupancy on September 16, 2010. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected immediately.

A re-inspection will be made on October 1, 2010 at 8:30 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 be occupied without a Fire Certificate of Occupancy. The code also provides for the assessment of additional reinspection fees.

DEFICIENCY LIST

1. Exterior - 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.-Scrape and paint the entire building. Provide a copy of a signed contract showing the start and end date of the painting of the home. Owner has attempted to paint but it did not work, and the paint is peeling off of the home. May be lead based.
2. Exterior - SPLC 34.08 (1), 34.31 (1) - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces.-Remove dog feces from the yard.
3. Exterior - SPLC 71.01 - The address posted is not visible from street. (HN-1)-Provide reflective numbers or background or illuminate at night.
4. Exterior - 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.

5. Exterior - SPLC 34.09 (1) a, 34.32 (1) a - Provide and maintain foundation elements to adequately support this building at all points.-Hire a licensed structural engineer to provide plans to repair or remove the porch on the side near unit 1, and provide plans to convert the third floor unit into unit 2. All plans must be submitted to zoning and approved prior to any demolition. Provide signed contracts for the start of the work with a completion date. All work must be done under permit.
6. Exterior of Unit 1 - SPLC 34.09 (2) 34.32 (2) - Provide an approved guardrail with intermediate balustrade or rails 4 inches or less apart. This work may require a permit(s). Call DSI at (651) 266-9090.
7. Exterior of Unit 1 - 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.
8. Exterior of Unit 1 - SPLC 34.09 (1) e, 34.32 (1) d - Provide and maintained the roof weather tight and free from defects.-Repair or replace the roof on the porch located outside of unit 1.
9. Interior - SPLC 62.101 - Use of this property does not conform to zoning ordinance. Discontinue unapproved use or call DSI Zoning at (651) 266-9090 to convert to legal use. Discontinue: Use as a tri-plex.-This building is a duplex only. Immediately discontinue use as a tri-plex and remove the entire kitchen, bathroom, and all fixtures, electrical. Plumbing and mechanical that was added without permits. This space will remain unoccupied until approved by this office. Have all plumbing capped by a licensed contractor under permit. Provide approved plans from zoning on the use of this space. All work must be done under permit and must meet code.
10. Interior - 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. Refer to provide handout EW-1 for more information.- Check all egress windows. The windows are difficult to open and close without excessive force. All windows have very bad peeling paint. Gave the owner the information for the lead base paint window program through Ramsey County.
11. Interior - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceiling in an approved manner.-Scrape and paint all ceilings that are flaking throughout.
12. Interior - MSFC 315.2 - Remove the storage from attic or other concealed spaces or provide and maintain one hour fire resistive construction on the storage side of attics or other concealed spaces. Storage must not be place on exposed joists.-Remove all storage under the basement stairs.
13. Interior - 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.

14. Interior-Unit 1 - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.
15. Rear exit - SPLC 34.09 (2), 34.32(2) - Repair or replace the unsafe stairways, porch, decks or railings in an approved manner. This work may require a permit(s). Call DSI at (651) 266-9090.-The rear exit/stairway was added without permits. Pull permits and provide a sign off.
16. Unit 1 - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the cabinets in an approved manner.
17. Unit 1 - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceiling in an approved manner.-Patch and paint the holes and/or cracks in the ceiling throughout.
18. Upper level - SPLC 34.23, MSFC 110.1 - The upper floor is condemned as unfit for human habitation. This occupancy must not be used until re-inspected and approved by this office.-The third floor must remain unoccupied until approved. File with zoning for approval or remove the kitchen under permit from the third level.
19. Upper level and Unit 1 - SPLC 33.05 - Uncertified portions of the building must not be occupied until inspected and approved by 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 the original orders.

If you have any questions, e-mail me at: Lisa.Martin@ci.stpaul.mn.us or call me at 651-266-8988 between 6:30 a.m.-8:30 a.m. Please help make Saint Paul a safer place to live and work.

Sincerely,

Lisa Martin
Fire Inspector