



# City of Saint Paul

City Hall and Court House  
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## Master

**File Number: RLH FCO 13-105**

<b>File ID:</b> RLH FCO 13-105	<b>Type:</b> Resolution LH Fire C of O	<b>Status:</b> Passed
<b>Version:</b> 2	<b>Contact Number:</b>	<b>In Control:</b> City Council
<b>File Name:</b> 1756 University Ave W		<b>File Created:</b> 05/02/2013
		<b>Final Action:</b> 06/05/2013

<p><b>Title:</b> Appeal of Nikolai Alenov to a Fire Inspection Correction Notice at 1756 UNIVERSITY AVENUE WEST.</p>
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### Notes:

<b>Indexes:</b> Ward - 4; Correction Order	<b>Agenda Date:</b> 06/05/2013
<b>Sponsors:</b> Stark	<b>Agenda Number:</b> 111
<b>Attachments:</b> 1756 University Ave W.appeal.5-2-13, 1756 University Ave W.City Photos.5-13-13, 1756 University Ave W.Owner Photos.5-14-13, 1756 University Ave W.alenov Ltr.5-16-13	<b>Enactment Date:</b>
<b>Contact Name:</b>	<b>Financials Included?:</b>
<b>Entered by:</b> mai.vang@ci.stpaul.mn.us	<b>Hearing Date:</b>
	<b>Ord Effective Date:</b>

### Approval History

Version	Date	Approver	Action
1	05/02/2013	Moermond, Marcia	Approve
2	05/27/2013	Moermond, Marcia	Approve
2	05/28/2013	Russ Stark	Approve

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Legislative Hearings	05/14/2013	Referred	City Council	06/05/2013		
	<b>Action Text:</b>	Referred to the City Council due back on 6/5/2013					
	<b>Notes:</b>	Grant the appeal for the next two years to continue current use without installing a guardrail. If there is a change in ownership or a change of use, the guardrail will need to be installed. (Abate the order at this time but will be called out in the future.)					

RE: 1756 University Ave W (commercial/apartment-B-commercial) The Russian Tea House

Nikolai Alenov, owner, appeared.

Fire Inspector Leanna Shaff:

- Fire Certificate of Occupancy Inspection conducted by Inspector Chris Skow-Fiske on Apr 18, 2013
- she called out the back steps: provide an approved guardrail with intermediate balustrade or rails 4 inches or less apart
- provided pictures of the back steps

Mr. Alenov:

- there's another one that he won't comply with (#1) because the inspector did not understand the use of the building and the things that are happening there; he will leave that one there and he got another one to put in the place that she suggested
- he also has pictures of the back steps

Ms. Shaff:

- issue of back steps is that this is not just a loading dock off those stairs; it serves other purposes and delivery access; the door to the west leads into a kitchen; the door to the east leads into the church priest area
- inspector is asking for an approved guardrail on those steps
- the normal rise according to the building code would be no less than 4" and no more than 7" on a commercial space; the rung would be 11 inches
- this is not a mandatory 2nd exist for this place

Mr. Alenov:

- the loading dock is used only by him; it is not used as a public entrance
- he gets his own supplies and he loads them in
- he also shovels it and it would be very difficult to shovel with a railing around it
- many years ago, an inspector mentioned putting a railing there but Mr. Alenov discussed his reasons with him and the inspector agreed with him
- there has never been an accident there
- he has had the place for 50 years; it was his residence at one time; he raised 3 kids there and they all used it
- he converted it to a restaurant 35 years ago and they have never had a problem with it
- before he'd have trucks that would back up and unload; it would be impossible to unload with a guardrail
- he is also very concerned about safety; he sees nothing added to safety by putting up a guardrail (it's just he and his wife who use it)
- and, of course, it's not worth the price it would cost
- light rail nearly put him out of business already; still might in the future

Ms. Moermond:

- is sympathetic to Mr. Alenov's position
- will not recommend this be granted forever as a variance
- will grant a variance for 2 years; a change of use would require a guardrail

2	City Council	06/05/2013	Adopted	Pass
	<b>Action Text:</b>	Adopted		
		Yea: 6	Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune, and Councilmember Tolbert	
		Nay: 0		
		Absent: 1	Councilmember Bostrom	
2	Mayor's Office	06/07/2013	Signed	
	<b>Action Text:</b>	Signed		

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### Text of Legislative File RLH FCO 13-105

Appeal of Nikolai Alenov to a Fire Inspection Correction Notice at 1756 UNIVERSITY AVENUE

WEST.

WHEREAS, in the matter of Nikolai Alenov to a Fire Inspection Correction Notice at 1756 UNIVERSITY AVENUE WEST, the Legislative Hearing Officer has reviewed the appeal and considered the testimony of City staff and the appellant;

WHEREAS, the Legislative Hearing Officer recommends that the City Council grant the appeal for the next two years to continue current use without installing a guardrail. If there is a change in ownership or a change of use, the guardrail will need to be installed; Now, Therefore, Be It

RESOLVED, that the Saint Paul City Council hereby accepts and adopts the Legislative Hearing Officer's recommendation in this matter.

Ref #13708 Number 3. Back steps. Back steps are only used by me and not a public entrance. Would make it difficult to unload my supplies and shovel snow. It has a hand railing and is under 30 inches at the top of the steps.