



# APPLICATION FOR APPEAL

## Saint Paul City Council – Legislative Hearings

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

RECEIVED

OCT 29 2013

CITY CLERK

### We need the following to process your appeal:

- ☒ \$25 filing fee payable to the City of Saint Paul  
(if cash: receipt number 465203)
- ☒ Copy of the City-issued orders/letter being appealed
- ☐ Attachments you may wish to include
- ☒ This appeal form completed
- ☒ Walk-In OR ☐ Mail-In  
for abatement orders only: ☐ Email OR ☐ Fax

### HEARING DATE & TIME

(provided by Legislative Hearing Office)

Tuesday, November 12, 2013

Time 11:30 AM

Location of Hearing:

Room 330 City Hall/Courthouse

### Address Being Appealed:

Number & Street: 535 Smith Ave City: ST PAUL State: MN Zip: 55107

Appellant/Applicant: Sean M. Caffie Email: DYANE 2536  
DYANE\_2536@yahoo.com

Phone Numbers: Business \_\_\_\_\_ Residence 651 998-2015 Cell (651) 332-9280

Signature: Sean Caffie Date: 10/29/13

Name of Owner (if other than Appellant): DAVID WEISS

Mailing 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
- ☐ Code Enforcement Correction Notice
- ☐ Vacant Building Registration
- ☐ Other

My family has been there for 2 years  
and never received any notice  
of the home being a hazard.  
We need more time to find  
a home to live in, and we just  
paid our rent a week before  
the notice.



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)

October 29, 2013

Ira Kipp  
Camelot LLC  
3966 MINNEHAHA AVE S  
MINNEAPOLIS MN 55406

### **Revocation of Fire Certificate of Occupancy and Order to Vacate**

RE: 535 SMITH AVE S  
Ref. # 106648

Dear Property Representative:

Your building was inspected on October 28, 2013, for the renewal of the Certificate of Occupancy. Since you have failed to comply with the applicable requirements, it has become necessary to revoke the Certificate of Occupancy in accordance with Section 40.06 of the Saint Paul Legislative Code.

**A re-inspection will be made on November 8, 2013 after 9:30 am or the property vacated.**

The Saint Paul Legislative Code further provides that no building shall be occupied without a Certificate of Occupancy. Failure to immediately complete the following deficiency list or the building vacated may result in a criminal citation.

#### **DEFICIENCY LIST**

1. Basement - East Storage Door - SPLC 34.12 (2), SPLC 34.36 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition to properly and safely perform their intended function in accordance with the provisions of the applicable code. -Remove and replace broken storage room door and frame.
2. Basement - Floor - MSFC 1028.3 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exit way.-Remove all debris and material throughout basement floors.
3. Basement - Throughout - MSFC 315.2 - Provide and maintain orderly storage of materials.-Remove all storage throughout basement. Storage and debris scattered throughout.

4. Both Units - Access - SPLC 34.19 - Provide access to the inspector to all areas of the building.-No show for appointment on 9.30.2013. Failure to meet the inspector for the scheduled appointment or failure to contact the inspector to reschedule the scheduled appointment will result in enforcement action.
5. Building - Foundation Walls - SPLC 34.09 (1) a, 34.32 (1) a - Provide and maintain foundation elements to adequately support this building at all points.-Seal all cracks along all foundation walls throughout.
6. Building - Screens/Storm Windows - SPLC 34.09 (3), 34.33 (3) -Provide or repair and maintain the window screen.-Repair or replace all damaged, torn, frayed, missing and broken storm windows and screens throughout the property.
7. Building - Throughout - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window glass.-Replace all broken windows throughout the property.
8. Building - West Storm Door - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door latch.-Replace broken door latch/handle.
9. Drive Way - 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.-Repair or replace drive way under permit.
10. Exterior - Building - 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.-Replace or repair deteriorated soffits, fascia and eaves around all sides of building.
11. Exterior - Drive Way - 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.-Remove truck from property.
12. Exterior - Drive Way - MSFC 603.9- Call Xcel Energy at 1-800-895-4999 to provide vehicle impact protection for the gas meter.-Missing impact protection.
13. Exterior - Drive Way - MSFC 315.2.5 - Fueled equipment, including but not limited to gas containers, lighter fluid, charcoal, motorcycles, mopeds, lawn-care equipment and portable cooking equipment, shall not be stored, operator or repaired within a building.- Remove all lighter fluid containers, charcoal and gas containers from inside building immediately to include all porch storage areas.
14. Exterior - East Staircase - SPLC 34.09 (2), 34.32(2) - Repair or replace the damaged guardrail in an approved manner. This work may require a permit(s). Call DSI at (651) 266-9090.-Repair or replace damaged or missing spindles on both sides of staircase.

15. Exterior - Throughout - SPLC 34.08 (1), 34.31 (1) - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces.-Remove all trash and mattresses from behind unused vehicle.
16. Garage - North Wall - SPLC 45.03(b) - All exterior surfaces must remain free of any initials, marks, symbols, designs, inscriptions or other drawings, scratched, painted, inscribed or otherwise affixed.-Remove graffiti from garage wall.
17. Interior - Throughout - SPLC 34.12 (2), SPLC 34.36 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition to properly and safely perform their intended function in accordance with the provisions of the applicable code. -Missing light bulbs throughout interior of units, stairwells and basement. Replace all missing, broken and damaged door handles throughout all units, basement and attic.
18. UNIT 533 - Dining Room - SPLC 34.12 (2), SPLC 34.36 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition to properly and safely perform their intended function in accordance with the provisions of the applicable code. -Replace broken doors and window panes throughout dining room cabinet.
19. UNIT 533 - North Bedroom - MSFC 1003.3.1.8 - Remove unapproved locks from the exit doors. The door must be openable from the inside without the use of keys or special knowledge or effort.-Remove has and lock from north bedroom right side.
20. UNIT 533 - Throughout - SPLC 34.12 (2), SPLC 34.36 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition to properly and safely perform their intended function in accordance with the provisions of the applicable code. -Replace all broken doors and door handles throughout the unit.
21. UNIT 533 - Throughout - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.-Replace all missing or broken light fixture covers throughout unit.
22. UNIT 533 - Throughout - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner. -Patch the holes and/or cracks in the walls throughout the unit.
23. UNIT 535 - Bathroom Wall - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner. -Repair wall damage above bathroom door.
24. UNIT 535 - Dining/Living Room - MSFC 1028.3 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exit way.-Cover or remove telephone cord running across dining room and living room floor.
25. 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.
26. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.

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: (651-266-8585) and must be filed within 10 days of the date of this order.

If you have any questions, email me at: [sean.westenhofer@ci.stpaul.mn.us](mailto:sean.westenhofer@ci.stpaul.mn.us) or call me at 651-266-8982 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,

Sean Westenhofer  
Fire Inspector  
Ref. # 106648