



APPLICATION FOR APPEAL

RECEIVED
DEC 13 2011
CITY CLERK

RECEIVED Saint Paul City Clerk
DEC 13 2011 310 City Hall, 15 W. Kellogg Blvd.
Saint Paul, Minnesota 55102
CITY CLERK 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
- Walk-In OR Mail-In

<i>YOUR HEARING Date and Time:</i>
Tuesday, <u>12/20/2011</u>
Time <u>1:30 P.M.</u>
<i>Location of Hearing:</i>
<u>Room 330 City Hall/Courthouse</u>

Address Being Appealed:

Number & Street: 461 Holly Avenue City: Saint Paul State: MN Zip: 55102

Appellant/Applicant: Louis Frillman Email: lfrillman@marquetteadvisors.com

Phone Numbers: Business 612-334-1274 Residence _____ Cell 612-865-6532

Signature: [Handwritten Signature] Date: Dec 09, 2011

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

Fire Inspection Deficiency List Ref.# 14750, Item 12 (Unit 4-2nd Bedroom - MSFC 1026.1)

- Code Enforcement Correction Notice _____
- Vacant Building Registration _____
- Other _____

Application for Appeal
St. Paul City Clerk
310 City Hall
15 W Kellogg Blvd
St. Paul., MN 55102

461 Holly Ave
Fire Inspection C of O Deficiency List Item 12
Unit 4 – 2nd Bedroom – MSFC 1026.1 Escape Window
Ref. #: 14750

The Owner appeals referenced item above for the following reason:

461 Holly is a home designated as an historic building by the Historic Preservation Commission. The home was designed by prominent local architect, Clarence Johnston, and designed in the Georgian Revival style.

A series of circular gable windows are prominent features on the building. One of those gable windows is a required egress window and does not meet the opening requirements as noted by the fire inspector's report ref. #14750, Deficiency List Item 12.

The Owner's architect met with the Building Official and a member of the HPC on November 30, 2011 to discuss the deficiency. The architect mentioned changing the existing double-hung to a casement window may possibly meet escape window requirements, though that would change the historic character of the window. HPC noted the prominent gable feature and mentioned the Owner can apply for an appeal.

The Owner appeals Item 12 to retain the existing historic window in keeping with the historic character of the existing gable windows.



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 18, 2011

LOUIS FRILLMAN
50 6TH ST STE 1370
MINNEAPOLIS MN 55402

RE: 461 HOLLY AVE
Ref. # 14750

Dear Property Representative:

Your building was re-inspected on November 15, 2011. **A re-inspection will be made on or after December 15, 2011. At this time, all work must be completed to approved plans and be inspected and approved under permit. Any work plans for further extension must be approved in advance of this date.**

Saint Paul Legislative Code provides that no building shall be occupied without a Certificate of Occupancy. In order to re-occupy the building, the following deficiencies (if applicable) must be corrected and a complete Certificate of Occupancy inspection will be required. Failure to immediately complete the following deficiency list or the building vacated may result in a criminal citation.

DEFICIENCY LIST

1. Unit 1 - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls and ceilings in an approved manner.-Repair water damaged areas.
Arrange for final inspection and approval of this work under permit. Contact DSI at (651) 266-8989.
2. Unit 4 - 2nd Bedroom - 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.-Existing double-hung window does not meet openable height requirement. Window had a clear opening area of 15 inches high by 28.5 inches wide and a glazed area of 37 inches high by 31 inches wide, 8 square feet.
NOTE: This room was in use as an office at time of inspection and did not have a bed in room.

3. Unit 4 - MSFC 1005.2 - Provide an approved additional means of egress due to an inadequate number of approved exits.-
This 3rd floor unit requires two exits. Second exit is a stairway which goes to the 1st floor roof and then ends with no landing, no guardrail and no means to further travel to grade level.
This work will require a building permit and plans. Contact DSI at (651) 266-8989.

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: mitchell.imbertson@ci.stpaul.mn.us or call me at 651-266-8986 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Mitchell Imbertson
Fire Inspection

Ref. # 14750



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Fire Inspection Deficiency List Ref.# 14750, Item 12 (Unit 4-2nd Bedroom - MSFC 1026.1)

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November 18, 2011

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50 6TH ST STE 1370
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Ref. # 14750

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DEFICIENCY LIST

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Arrange for final inspection and approval of this work under permit. Contact DSI at (651) 266-8989.
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NOTE: This room was in use as an office at time of inspection and did not have a bed in room.

An Equal Opportunity Employer

3. Unit 4 - MSFC 1005.2 - Provide an approved additional means of egress due to an inadequate number of approved exits.-
This 3rd floor unit requires two exits. Second exit is a stairway which goes to the 1st floor roof and then ends with no landing, no guardrail and no means to further travel to grade level.
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Sincerely,

Mitchell Imbertson
Fire Inspection

Ref. # 14750



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375 Jackson Street, Suite 220
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September 7, 2011

LOUIS FRILLMAN
50 6TH ST STE 1370
MINNEAPOLIS MN 55402

Steve Johnson 651 489 9634
Plumber - 651 224 4771
Bell Wadden - Steiner
Raf - Chad 612 703 0313

Revocation of Fire Certificate of Occupancy and Order to Vacate

RE: 461 HOLLY AVE
Ref. # 14750

Dear Property Representative:

Your building was inspected on September 7, 2011, 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 33.05 of the Saint Paul Legislative Code. **A reinspection will be made on November 15, 2011 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 - MSFC 703 - Provide and maintain fire rated wall construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090. The minimum rating must be: 1 hour. - Repair wall between basement utility area of unit 2 in an approved manner. Wall is not properly sealed or repaired to maintain fire resistance rating. Bathroom fan vent from unit 2 basement bathroom is run through firewall and venting into basement.
2. Unit 1 - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls and ceilings in an approved manner. - Repair water damaged areas.
3. Unit 2 - Basement - Bathroom Fan - UMC 1002 - Repair, replace or install duct work in compliance with the mechanical code. This work may require a permit(s). Call DSI at (651) 266-9090.

An Equal Opportunity Employer

K. Chen

4. Unit 2 - Basement - Bathroom Fan - UMC 1104 - Provide exhaust ducts to terminate outside of the building and be equipped with back draft dampers.
5. *Done* Unit 2 - Dryer - 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 will require a permit(s). Call DSI at (651) 266-8989.

6. Unit 2 - Kitchen - MSFC 605.1 - Remove unapproved exposed wiring and install in accordance with the electrical code. This work will require a permit(s). Call DSI at (651) 266-9090. - Properly install exposed non-metallic wiring to garbage disposal.

7. Unit 2 - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls and ceilings in an approved manner. - Repair as needed and paint where water-stained.

8. *Done* Unit 3 - Exterior Patio - 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.

- Unit 3 - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceiling in an approved manner. - Repair as needed and paint where water-stained.

10. *Call* Unit 4 - 1st Bedroom - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.-Storage and furniture obstructing rear doorway to exterior.

11. *See* Unit 4 - 1st 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 double-keyed deadbolt lock from door to rear stairway, provide approved single-keyed deadbolt.

12. Unit 4 - 2nd Bedroom - 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. - Existing double-hung window does not meet openable height requirement. Window had a clear opening area of 15 inches high by 28.5 inches wide and a glazed area of 37 inches high by 31 inches wide, 8 square feet. NOTE: This room was in use as an office at time of inspection and did not have a bed in room.

13. *See* Unit 4 - MSFC 1005.2 - Provide an approved additional means of egress due to an inadequate number of approved exits.-This 3rd floor unit requires two exits. Second exit is a stairway which goes to the 1st floor roof and then ends with no landing, no guardrail and no means to further travel to grade level. This work will require a building permit. Contact DSI at (651) 266-8989.

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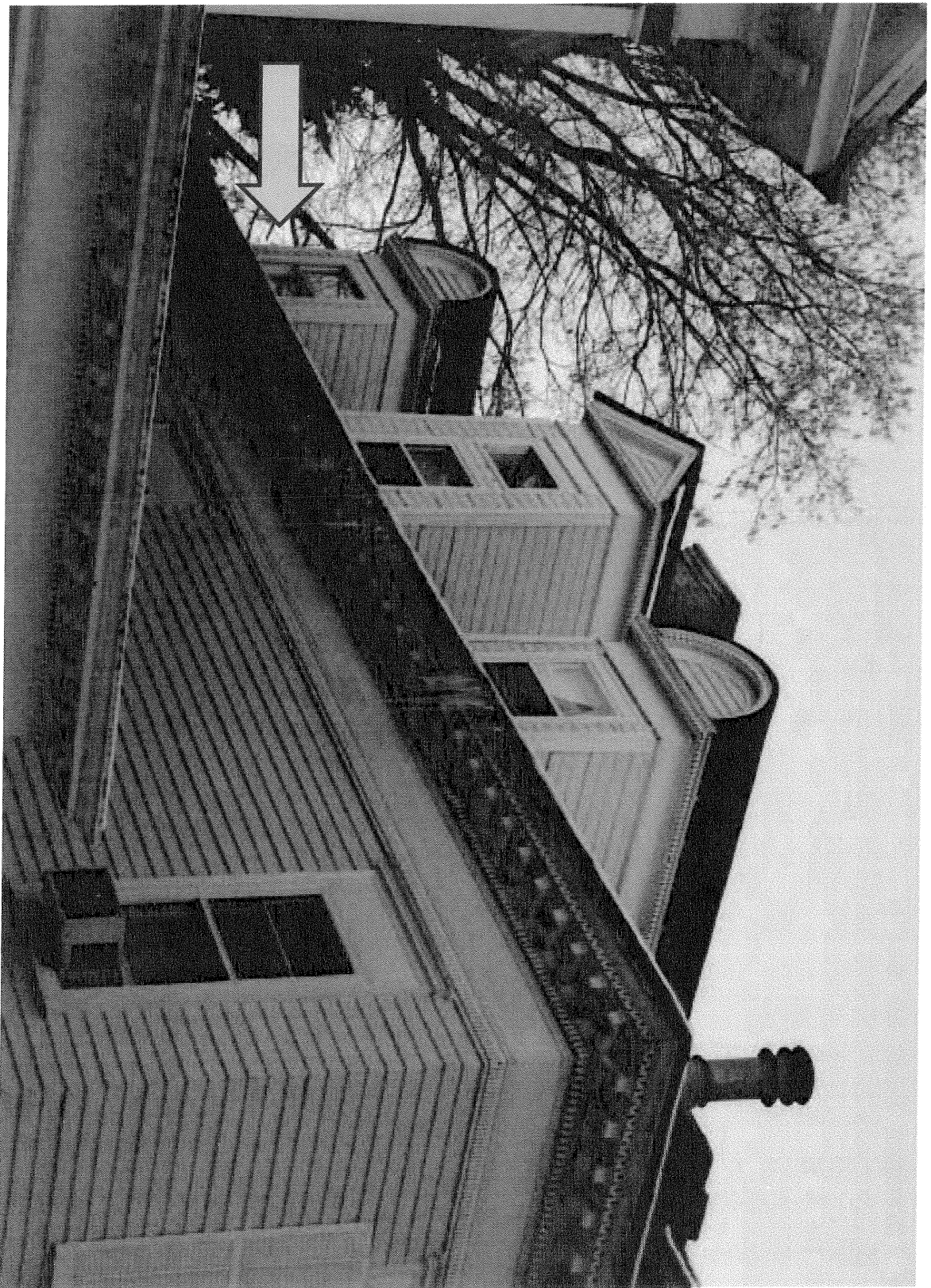
Sincerely,

Mitchell Imbertson
Fire Inspection

Ref. # 14750



461 Holly Saint Paul, MN

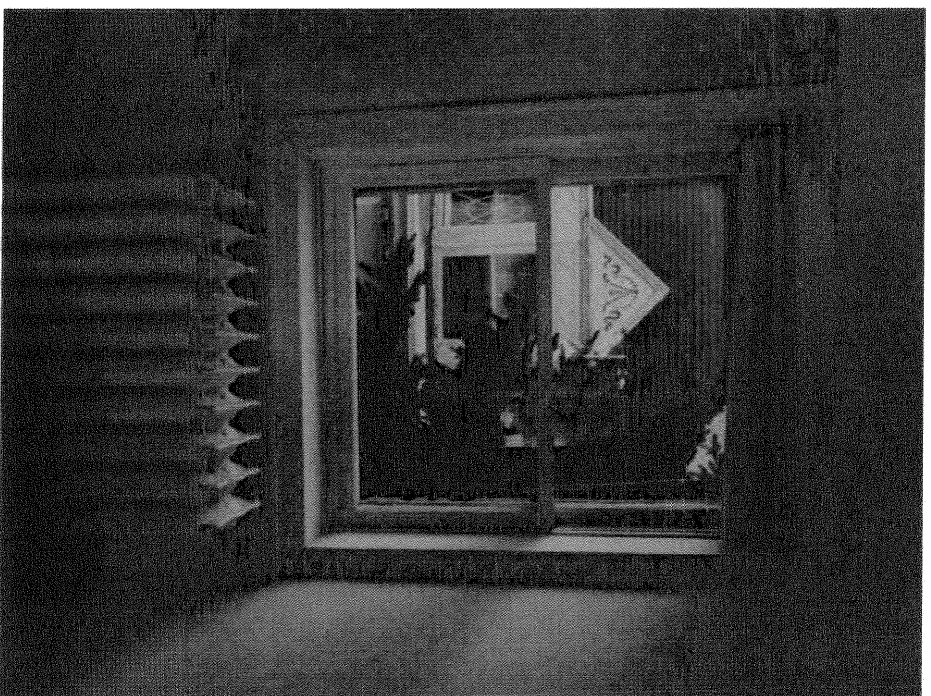


Existing 3rd floor Unit 4 bedroom escape window

461 Holly Saint Paul, MN



Existing 3rd floor Unit 4 bedroom
escape window



Existing double-hung with a clear
area of 15" high by 28" wide and
a glazed area of 37" high by 31"
wide

461 Holly Saint Paul, MN