



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

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CITY CLERK

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

We need the following to process your appeal:

- \$25 filing fee payable to the City of Saint Paul (if cash: receipt number check 1159)
 - 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, <u>September 8, 2014</u>
Time <u>10:00 AM</u>
Location of Hearing: <u>Room 330 City Hall/Courthouse</u>

e-mailed 8-29-14

Address Being Appealed:

Number & Street: 859 Case Ave. City: St Paul State: MN Zip: 55106

Appellant/Applicant: Steven Fischbach Email sfisch74@rocketmail.com

Phone Numbers: Business _____ Residence _____ Cell 612-210-9064

Signature: [Signature] Date: 8-26-14

Name of Owner (if other than Appellant): _____

Mailing Address if Not Appellant's: 4756 123rd Lane NE Blaine MN 55449

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

Item #11, Concrete retaining wall is broken on West side



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

August 19, 2014

KARIN RAUBA FISCHBACH
STEVEN FISCHBACH
4756 -- 123RD LANE NE
BLAINE MN 55449-6238

FIRE INSPECTION CORRECTION NOTICE

RE: 859 CASE AVE
Ref. #116103
Residential Class: C

Dear Property Representative:

Your building was inspected on July 28, 2014 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 September 18, 2014 at 1:00 pm.

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. 2nd Floor - Bathroom Toilet - SPLC 34.11, MSBC 2902.1, SPLC 34.17, MSPC 415.0220
- Repair or replace and maintain all parts of the plumbing system to an operational condition.-Repair or replace and maintain an approved private toilet. Bathroom toilet is not flushing properly and is running too long.
2. 2nd Floor - Northeast Bedroom - 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. -Repair and replace door handles on north door.

3. 2nd Floor - South Bedroom - SPLC 34.13 (1) - Provide and maintain all habitable areas with a ceiling height of 7 feet over 1/2 the floor area.-Room is less than 62 square feet and may not be occupied as a legal sleeping room.
4. Basement - Staircase - SPLC 34.10 (3), 34.33(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.-Missing handrail on basement staircase.
5. Basement - Storage - UMC 1346.703 - Provide 30 inches clearance around all mechanical equipment.-Remove storage around water heater and furnace.
6. Basement - Throughout - MSFC 315.2 - Provide and maintain orderly storage of materials.-Remove storage underneath staircase and above ceiling pipes.
7. Basement - Walls - SPLC 34.10 (1) - Abate and maintain the basement reasonably free from dampness and free of mold and mildew.
8. Basement - Wash Sink - SPLC 34.11, MSBC 2902.1, SPLC 34.17, MSPC 415.0220 - Repair or replace and maintain all parts of the plumbing system to an operational condition.-Repair, replace or remove plumbing fixture on wash sink in basement.
9. Dining Room - East Wall - MSFC 605.4 - Discontinue use of all multi-plug adapters.-Remove multi plug adapter.
10. Exterior - Back Yard - SPLC 34.08 (1), 34.31 (1) - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces.-Remove trash and scattered debris on back side of house.
11. Exterior - Grading and Drainage - SPLC 34.08 (2) - Provide and maintain the property grade to slope away from the building to minimize the accumulation of water near the building. This work may require a permit(s). Call DSI at (651) 266-9090.-Under permit replace grading and drainage around the house. Water is draining into east neighbors basement.
12. Exterior - House - SPLC 34.09 (3), 34.33 (3) -Provide or repair and maintain the window screen.-Repair and replace with frame fitting screens and storm windows throughout.
13. Exterior - Parking Lot - 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.-Replace and remove unauthorized class five gravel and install proper parking slab on back side of house.
14. House - 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 and repair holes along foundation walls. Water leaking into basement.

15. Interior - Multiple Areas - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.-Throughout
16. Interior - Multiple Areas - SPLC 34.14 (2), 34.34 (5) - Provide an approved electrical service adequate to meet the building's needs. This work may require a permit(s), call DSI at (651) 266-9090.-Have a licensed contractor test and replace inoperable wall outlets in multiple rooms throughout the house.
17. Interior - Multiple Areas - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.-Replace missing light covers throughout unit.
18. Kitchen - North Storage Room - SPLC 34.10 (2), 34.33 - Repair and maintain the damaged structural member. This repair may require a building permit, call DSI at (651) 266-9090.-Wall falling down. Hire a licensed contractor to inspect and repair failing wall.
19. Kitchen - Sink Piping - SPLC 34.11, MSBC 2902.1, SPLC 34.17, MSPC 415.0220 - Repair or replace and maintain all parts of the plumbing system to an operational condition.-Repair leaking kitchen piping underneath kitchen sink.
20. Living Room - South Window - 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 interior living room window.
21. North Exterior - Door Jamb - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door frame.-Replace damaged door jamb/frame and missing weather stripping.

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 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. # 116103

Subject: Request for new inspection 859 Case
From: Steven Fischbach (Sfisch141@rocketmail.com)
To: sean.westenhofer@ci.stpaul.mn.us;
Date: Tuesday, August 26, 2014 9:47 AM

Per our conversation, please reschedule a full inspection for the property at 859 Case to re-evaluate.

When the property was inspected on July 28th, the basement was completely dry. We placed plastic with gravel on top around the house where possible and caulked the foundation and installed Window sills around the basement to prevent leakage.

We disagree with item #11 stating that water is draining into the east neighbors basement because of the work that we have done. On the west side of our property there is a broken Concrete retaining wall which allows all of the neighbors water to flow into our property and is the root cause of the water issue.

Please reschedule in early September and provide specific details as to what steps we need to take to help Saint Paul become a safer place to live and work.

Regards,

Steven Fischbach
612-210-9064