



# APPLICATION FOR APPEAL

RECEIVED  
AUG 17 2012  
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
- Walk-In OR  Mail-In

|                                      |
|--------------------------------------|
| <b>YOUR HEARING Date and Time:</b>   |
| Tuesday, <u>Sept 24</u>              |
| Time <u>1:30 P.M.</u>                |
| <b>Location of Hearing:</b>          |
| <u>Room 330 City Hall/Courthouse</u> |

## Address Being Appealed:

Number & Street: 1711 Fremont Ave City: St. Paul State: MN Zip: 55106

Appellant/Applicant: Hong Yang Email jackyang80@gmail.com

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell 651-253-3686

Signature: \_\_\_\_\_ Date: 8/13/12

Name of Owner (if other than Appellant): \_\_\_\_\_

Address (if not Appellant's): 6144 Homestead Ave S. Cottage Grove, MN 55016

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell 651-253-3686

## 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

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Date: 08/13/12

Re: Application for Appeal (1711 Fremont Ave, St. Paul MN 55106)

To Whom This May Concern:

I am the owner of this rental property located on 1711 Fremont Ave, St. Paul MN 55106. I have attached the correction notice from the City of St. Paul Fire Inspection. I am appealing and requesting for the variance on the window size and the ceiling height for the basement bedroom.

1. Basement bedroom ceiling height is measured 6'8" high. The required height is 7 feet over ½ the floor area.

This is an existing (was there when the house was originally constructed) basement bedroom with egress window (please see the attached pictures). There is no any additional space above the ceiling that can possibly move the ceiling height higher. The room is spacious, measured 13 feet in length by 8.5 feet in width, with leveled ceiling, new carpet, and recently repainted. The carpet and the pad below the carpet take about 2 inches. This will make the actual total height of the room to be 6'10" if the carpet is removed. I am requesting for approval on variance on the height of this bedroom. Please see the highlighted area on the attached city inspection notice.

2. The egress window measured 20" height by 27" wide for opening. The minimal egress opening requirement is 24" height by 20" wide.

Requesting for variance on this window size. Please see the attached letter from the Fire Inspection with the highlighted area for the actual window opening size.

Thank You,



Hong Yang



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)

August 6, 2012

HONG JIE YANG  
6144 HOMESTEAD AVE S  
COTTAGE GROVE MN 55016-4132

### FIRE INSPECTION CORRECTION NOTICE

RE: 1711 FREMONT AVE  
Ref. #118533  
Residential Class: C

Dear Property Representative:

Your building was inspected on August 6, 2012 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 6, 2012 at 1:00P.M..

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. Basement - SPLC 34.13 (1) - Provide and maintain all habitable areas with a ceiling height of 7 feet over 1/2 the floor area.-The basement has a ceiling height of 6 feet 8 inches. This is a flat ceiling. The floor area is 13feet in length by 8.5 feet in width.
2. Front and rear exits - SPLC 34.09 (3) i - Provide and maintain an approved one-inch throw single cylinder deadbolt lock. The deadbolt locks installed for security and code reasons
3. Main floor - After SPLC 34.10 (4), 34.33 (3) - Provide a bathroom floor impervious to water. After securing toilet to floor caulk the base.

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4. Main floor - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-Repair or replace and maintain an approved private toilet. The toilet has to be secured to the floor.
5. 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.-This test will give the operational status of the heating equipment. It has to be done by a licensed contractor.
6. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office. This form can be obtained on the web page highlighted on your letter.
7. MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring. Stop using all extension cords.-Various locations.
8. 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.-The dryer duct is part plastic and has duck tape holding it together.
9. UMC 1346.703 - Provide 30 inches clearance around all mechanical equipment.-You will need to move boxes and all other materials at least 30 inches away meaning all the way around all mechanical equipment.

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: [james.thomas@ci.stpaul.mn.us](mailto:james.thomas@ci.stpaul.mn.us) or call me at 651-266-8983 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,

James Thomas  
Fire Inspector

Reference Number 118533



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220 Telephone: 651-266-8989  
Saint Paul, MN 55101-1806 Fax: 651-266-8951

August 6, 2012

HONG JIE YANG  
6144 HOMESTEAD AVE S  
COTTAGE GROVE MN 55016-4132

## CORRECTION NOTICE - COMPLAINT INSPECTION

**The Emergency Escape and Rescue window(s) identified in these orders are found to be out of compliance with the requirements of the Minnesota State Fire Code.**

**However, this violation is currently under legal review.  
Compliance IS NOT required at this time, pending the outcome of that review.**

**No further action is required by you at this time.  
You will be notified of the outcome of the review and if further action is required.**

RE: 1711 FREMONT AVE  
Ref. # 118533

Dear Property Representative:

An inspection was made of your building on August 6, 2012 in response to a referral. You are hereby notified that the following deficiency list must be corrected immediately

A reinspection will be made on or after August 31, 2012 .

Failure to comply may result in a criminal citation or revocation of the Certificate of Occupancy. The Saint Paul Legislative Code requires that no building shall be occupied without a Certificate of Occupancy. The code also provides for the assessment of additional reinspection fees.

### DEFICIENCY LIST

1. 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.- The measurement for your windows are as follows. Double Hung windows. The openable height is 20inches . Openable width is 27inches. sill is 35inches. Glazed is 38inches in height by 24inches in width. If you look about you will see that your windows to not comply with the codes opening height.

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 the original orders.

If you have any questions, email me at: [james.thomas@ci.stpaul.mn.us](mailto:james.thomas@ci.stpaul.mn.us) or call me at 651-266-8983 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,

James Thomas  
Fire Inspector

Ref. # 118533