



APPLICATION FOR APPEAL

RECEIVED

NOV 19 2010

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

YOUR HEARING Date and Time:

Tuesday, 12/7/10

Time 1:30

Location of Hearing:

Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 1638 MARSHALL AVE City: ST. PAUL State: MN Zip: 55104

Appellant/Applicant: ALLISON KUS Email allison@simplifiedmgmt.com

Phone Numbers: Business 651-226-3225 Residence _____ Cell _____

Signature: Allison Kus Date: 11/18/10

Name of Owner (if other than Appellant): EMHA INVESTMENTS, LLC

Address (if not Appellant's): PO Box 4008 ST. PAUL MN 55104

Phone Numbers: Business 651-226-3225 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
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other
- Other
- Other

Please See Attached Items, 4 pgs.

Fire C of O Deficiency Appeal

1638 Marshall Ave., St. Paul MN 55104

We are appealing the following items:

Item #4: All parking spaces shall be paved with asphalt, concrete, or durable dustless surfacing. Request extension so that work can be done in May, when ground is soft and asphalt, if required, can be installed. We are contacting zoning per the direction of the Fire Inspector to see what is required for a surface.

Item #10: Window egress from units 1, 3 and 4. Window opens are 21.5 h by 34.5 w. Asking that these windows be allowed.

Item #11: Window egress from unit 2: This was denied in a previous appeal. However, because it has been included in this inspection we are appealing again. Please see attached pictures that show window can be opened to a height of 16". If appeal is still denied we request the opportunity to go before the City Council on this item.

We are not appealing the sill height. A permanent step will be installed bringing the height to the required 48 inches.

Thank you.



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/dsj

November 17, 2010

EMHA INVESTMENTS LLC
PO BOX 4008
ST PAUL MN 55104

FIRE INSPECTION CORRECTION NOTICE

RE: 1638 MARSHALL AVE
Residential Class: C

Dear Property Representative:

Your building was inspected on November 17, 2010 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 December 20, 2010 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. Boiler Room - MSFC 605.1 -Provide a grounding jumper around the water meter.
2. Boiler Room - SPC 4715.2000, 2110 - Provide an approved backflow preventer. This work may require a permit; call Regional Water Services at (651) 266-8989.
-Provide documentation of approved test.
3. Exterior - Front - 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. -Repair and tuck point damaged brick walls.

4. Exterior - Rear - 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. - LM 11/19/10 8:30 a.m.
5. Exterior - Rear - SPLC 34.08 (1), 34.31 (1) - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces.
6. Exterior - MSFC 506.2 - Call Fire Department communication center at (651) 224-7371 to make arrangements to have the key box opened when you have the correct keys on site.
7. Exterior - SPLC 34.08 (3) - Provide and maintain suitable ground cover on all exterior areas to control erosion.
8. Exterior - SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screens.
9. Interior - MSFC 605.1 - All light fixtures shall be maintained with protective globes if originally equipped.
10. Interior - 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.

-Units 1, 3, and 4:

Double hung egress windows measured 21.5 inches height by 34.5 inches width and have a glazed area of 10.6 square feet.

11. Unit 2 - 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 egress windows from studio apartment do not meet maximum sill height requirement or minimum openable height.

Largest windows are two side by side double hung windows in front of unit. Studio unit has two separate exits, but the 2nd exit travels through the laundry and boiler room to access the exterior.

Windows have a sill height of 53 inches. Openable area of windows is 15.5 inches high by 35.5 inches width. Glazed area of windows is 37 inches high by 35.5 inches width, 9.12 square feet.

12. Unit 2 - MSFC 605.4 - Discontinue use of all multi-plug adapters.

13. Unit 2 - 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 leaking bath tub faucet.
14. Unit 2 - SPLC 34.10 (4), 34.33 (3) - Provide a bathroom floor impervious to water.
-Repair caulking.
15. Unit 3 - SPLC 34.10 (4), 34.33 (3) - Provide a bathroom floor impervious to water.
-Repair damaged tile.
16. Unit 4 - 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 loose kitchen faucet.
17. 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.

For an explanation or information on some of the violations contained in this report, please visit our web page at: <http://www.ci.stpaul.mn.us/index.aspx?NID=211>

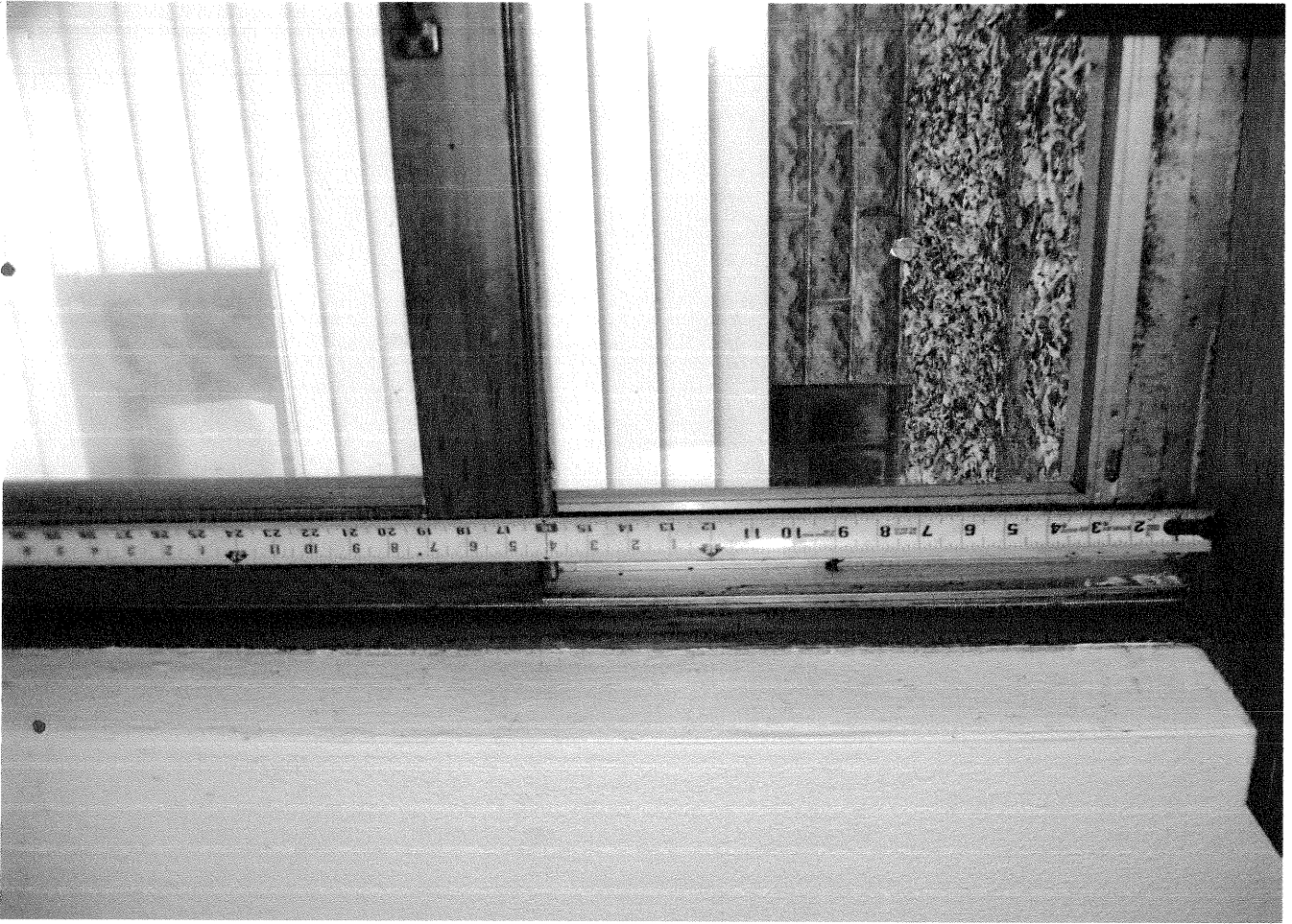
You have the right to appeal these orders to the Legislative Hearing Officer. Applications for appeals may be obtained at the Office of the City Clerk, 310 City Hall, City/County Courthouse, 15 W Kellogg Blvd, Saint Paul MN 55102 Phone: (651-266-8688) and must be filed within 10 days of the date of this order.

If you have any questions, email me at: william.beumer@ci.stpaul.mn.us or call me at 651-266-8991 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,

William Beumer
Fire Inspector

Reference Number 13079



Unit 2 window



Unit 2 window

Unit 2 looking out window at sidewalk.



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Unit 2 window



Looking into unit from entrance.