

RLH FCO 21-107



# APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

JUN 30 2021

CITY CLERK

We need the following to process your appeal:

- \$25 filing fee (non-refundable) (payable to the City of Saint Paul)
- (if cash: receipt number WAITING FOR CHECK)
- 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, JULY 13, 2021

Time: you will be called between

1:30 p.m. & 3:00 p.m.

Location of Hearing:

Teleconference due to Covid-19 Pandemic

## Address Being Appealed:

Number & Street: 1126 Lincoln Avenue City: St Paul State: MN Zip: 55105

Appellant/Applicant: Larry Kuenster Email: tkuenster@comcast.net

Phone Numbers: Business 612-860-9274 Residence 651-699-4467 Cell \* 612-860-9274

Signature: *Larry Kuenster* Date: June 26, 2021

Name of Owner (if other than Appellant): Tamara & Larry Kuenster

Mailing Address if Not Appellant's: 711 Sumner St, St Paul, MN 55116

Phone Numbers: Business same as above 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/Correction Appealing deficiency list. See attached Notes.
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other (Fence Variance, Code Compliance, etc.)

Date: June 29, 2021

To: City of St Paul Appeals Office

From: Larry Kuenster, [tkuenster@comcast.net](mailto:tkuenster@comcast.net), 612-860-9274

RE: Fire Certificate-Corrections for 1126 Lincoln Avenue  
Ref # 107196

I would like to appeal the deficiency list attached:

1. Basement – SPLC 40.06. Uncertified portion of the building must be inspected and approved...

DSI Inspectors inspected all three units shortly after I purchased in 1998, again in 2007 and a third time in 2014. On all three occasions DSI passed all three units and DSI provided a Certificate of occupancy with a Class A rating.

2. Basement MSBC 1300.022 Subp. 3

This property has always been a 3-family property and I acquired it as such in 1998 with existing tenants in all three units.

Please find attached tax records specifying 3 units. Ramsey County Property records:  
Listed as: **LAND USE CODE, 530 R - THREE FAMILY DWELLING, PLATTED LOT**

3. SPLC 62.101 –

When I bought the unit in 1998 it was in use as a 3-family building. I purchased a 3-unit property at the cost of a 3-unit building and have paid taxes for square footage of 3 units. I have paid for trash for 3 units and have submitted CRPs (certificate of rent paid) for all three since 1998.

I am more than happy to submit administrative fees and follow steps to rectify the administrative designations and database records in the amount necessary to bring them current. I intend to rectify the situation quickly to continue doing business as I recognize that it is imperative now more than ever to keep affordable housing units available to St. Paul residents. This property happens to be of the “organic stock” of effective private low-income housing that the Housing Task Force recommended to all city authorities in the state of Minnesota to stop destroying. I am dedicated to fulfilling that purpose.

Thank you. I appreciate your help with this matter.

Check #2619 for \$25 mailed today.

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.

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>

If you have any questions, email me at: [adrian.neis@ci.stpaul.mn.us](mailto:adrian.neis@ci.stpaul.mn.us) or call me at 651-266-8992 between 7:30 a.m - 9:00 a.m.

Sincerely,

Adrian Neis  
Fire Safety Inspector

Ref. # 107196



CITY OF SAINT PAUL

June 9, 2021

LARRY KUENSTER/TAMMY KUENSTER  
711 SUMNER ST  
ST PAUL MN 55116-1332

### **FIRE CERTIFICATE OF OCCUPANCY APPROVAL WITH CORRECTIONS**

RE: 1126 LINCOLN AVE  
Ref. # 107196

Dear Property Representative:

Your building was inspected on June 9, 2021 for the renewal of the Fire Certificate of Occupancy and was approved. When the required fee has been paid you will receive your certificate. There are however seasonal or non-life safety deficiencies noted below which must be corrected prior to re-inspection.

The following deficiencies must be corrected immediately. A re-inspection will be made after Friday July 09, 2021.

#### DEFICIENCY LIST

1. Basement - SPLC 40.06 - Uncertified portions of the building must not be occupied until inspected and approved by this office. -Basement is currently vacant. Basement can only be used as an extension of the 1st floor unit. It cannot be used as a standalone dwelling unit.
2. Basement - MSBC 1300.022 Subp. 3 - The occupancy group or use division of this building has been changed from that previously approved. Discontinue the unapproved occupancy or use or contact the Building Official at 651-266-8989 with your code analysis and to comply with requirements for approved occupancy. -Building is currently in use as a duplex, however it was converted into a three unit building. R-3 to R-2.
3. SPLC 62.101 - Use of this property may not conform to zoning ordinance. Discontinue unapproved use or call DSI Zoning at (651) 266-8989 to convert to legal use. Duplex into a triplex.