



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

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 (non-refundable) (payable to the City of Saint Paul) (if cash: receipt number waiting for check 1-4-21)
- 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) <u>Tuesday, Jan. 12, 2021</u>
Time <u>1:30 p.m.</u>
Location of Hearing: Room 330 City Hall/Courthouse*

*Must be available by phone between 1:30 and 3:00 p.m.

Address Being Appealed:

Number & Street: 687 5th St E. City: St Paul State: MN Zip: 55106

Appellant/Applicant: Cozy Homes and Apartments, LLC Email: RealtyProfessionalsMNE@gmail.com

Phone Numbers: Business _____ Residence _____ Cell 612-701-9654

Signature: Robert Leibman Pres. Date: 12/29/20
Robert Leibman

Name of Owner (if other than Appellant): Jack E Leibman Trust

Mailing Address if Not Appellant's: 3800 American Blvd. W., # 1500
Bloomington, MN 55431-4429

Phone Numbers: Business _____ Residence _____ Cell 612-701-9654

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
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other (Fence Variance, Code Compliance, etc.)

Comments:
see attachment

**ATTACHMENT TO APPLICATION FOR APPEAL
687 5TH STREET E., ST. PAUL, MN 55106**

1. EXTERIOR CHAIN LINK FENCE

The chain link fence at the property is admittedly in disrepair, and the current Re-Inspection notice gives a January 15, 2021 correction deadline. I ask that the deadline for the repair be extended until the weather is suitable for digging fence posts and burying the bases of the posts in cement.

Last Fall, the weather became "iffy" with some very cold days. I obtained a verbal bid from a fence company for repairing the fence, but it was very expensive for the amount of work needed. In the Spring, I will get one more bid and then I can plan to have the work done-- after the snow melts and the ground thaws.

I believe that having a January 15, 2021 repair deadline would be prejudicial and unworkable. I waited too long in the Fall to start the bid process, but I thought that a fence company could get the work done quickly. The fence company representative who came to bid the work told me that his crew was done working jobs for the season.

As a side note, please know that this fence has been in the same state of disrepair for many years already. There is no urgency for its repair.

I ask for an extension until May 15, 2021 to have the repairs completed.

2. MAIN FLOOR APARTMENT EGRESS

The tenant in the main floor apartment of this duplex building has a bed in the living room. The City Inspector deems that to be a hazard and requires correction by January 15, 2021.

There are two exits from the apartment: a door in the living room, and a door in the kitchen.

The tenant has a minor daughter who sleeps in the bedroom, and so her father sleeps in the living room.

There is a housing shortage, and a shortage of affordable housing. This tenant would be severely prejudiced if he is forced to stop using the living room as extra bedroom space.

Looking at the cited code, MNFSC 1014.2(1), it appears that an area which is accessory to an area served and is not a "high-hazard occupancy" should be allowed to have a bed in it. This is not a high-hazard situation.

Importantly, there is no lock on the room which prevents occupants from accessing the front apartment exit door. Furthermore, the means of exit from the bedroom leads into the dining room, and not directly into the living room. There is virtually no risk that all occupants of the apartment cannot easily and quickly exit the apartment in an emergency.

I ask that the tenant's current use and occupancy of the apartment be allowed to continue.



CITY OF SAINT PAUL

375 Jackson Street, Suite 220
St Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

December 18, 2020

BOB LEIBMAN
Realty Professionals MN
3800 AMERICAN BLVD W SUITE 1500
BLOOMINGTON MN 55431-4429 USA

RE: RE-INSPECTION FIRE CERTIFICATE OF OCCUPANCY WITH DEFICIENCIES
687 5TH ST E

Ref. # 124194

Dear Property Representative:

Your building was re-inspected for the Fire Certificate of Occupancy on December 18, 2020. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected immediately. A reinspection will be made on January 15, 2021 at 1:00PM.

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 be occupied without a Fire Certificate of Occupancy. The code also provides for the assessment of additional reinspection fees.

DEFICIENCY LIST

1. Exterior - SPLC 34.08(5), 34.32(3) - All accessory structures including, but not limited to, detached garages, sheds and fences shall be maintained structurally sound and in good repair. Provide and maintain exterior unprotected surfaces painted or protected from the elements.--Chain link fence is in disrepair throughout the property.
2. Lower Unit - Interior - Main Floor Unit - MNFSC 1014.2(1) Egress through intervening spaces. Egress through intervening space shall comply with this section. (1) Egress from a room or space shall not pass through adjoining or intervening rooms or areas, except where such adjoining rooms or areas are accessory to the area served, are not a high-hazard occupancy and provide a discernible path of egress travel to an exit. (2) An exit access shall not pass through a room that can be locked to prevent egress. (3) Means of egress from dwelling units or sleeping areas shall not lead through other sleeping areas, toilet rooms or bathrooms. (4) Egress shall not pass through kitchens, storage rooms, closets or spaces used for similar purposes.--Living room right next to front egress is being used as sleeping area.

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 the original orders.

If you have any questions, email me at adam.powers@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,

Adam Powers
Fire Safety Inspector
Ref. # 124194