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APPLICATION FOR APPEAL

RECEIVED

Saint Paul City Clerk

APR 12 2011

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

CITY CLERK

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 - *pending*
- Attachments you may wish to include
- This appeal form completed

YOUR HEARING Date and Time:	
Tuesday,	<u>4-26-11</u>
Time	<u>2:30</u>
Location of Hearing:	
<u>Room 330 City Hall/Courthouse</u>	

mailed to Daswell & Leach on 4-18-11

Address Being Appealed:

Number & Street: 315 Larch St City: ST Paul State: Mn Zip: 55117

Appellant/Applicant: John Norris Email: JMNEJ@AOL.COM

Phone Numbers: Business 651-488-4818 Residence Rolls over Cell 651-~~488~~ 366 8492

Signature: John E Norris Date: 4-11-11

Name of Owner (if other than Appellant): _____

Address (if not Appellant's): _____

Phone Numbers: Business 651-488 4818 Residence Roll's over Cell 651-366 8492

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

Verbal only - no paper work.
Not sure what appealing. Need answers from mip.

Haven't any knowledge of how this done off +
Counsel out of town till 5-5-11

This appeal is the result of bewilderment at actions taken. We have completed over 75% of the deficiency list compiled by inspector Neise. Most of the balance remaining are remaining due to weather(winter) and lack of explanation for the "deficiency" by inspector Neise. For example he states in deficiency "#24 MN Rules 1300.0180 Immediately discontinue the use of unsafe heating appliance until repaired or replaced by licensed contractor." When questioned he stated specifically the used oil furnace and the hanging gas heater. The used oil furnace has not even been installed is new on pallet never been powered or installed..... the hanging gas furnace---we had turned the gas valve off(for the summer) and had not put the cover panel back in place when inspector Neise made his inspection.

On 3-17 Inspector Neise Sent an email scheduling a visit on March 25 2011

On 3-23 Inspector Neise sent an email cancelling the appointment on March 25 2011

On 3-25 inspector Neise and a guest arrived He did not do any sort of inspection, did not identify his guest, he stated that we have been working on this for too long and he is being forced to forward this to another department (I am guessing that this would be the vacant buildings people since they arrived and that is why we are filing this appeal.)As we told inspector Neise we have been unable to complete some of his requirements due to the weather. Now that the snow and ice are mostly gone we will be able to continue correcting the deficiencies.

There have been several appointments missed by inspector Neise over the last year.

There is a real issue with inspector Neise, being in our opinion deliberately vague, and we should not be penalized for the lack of timely clarification of questions/issues.

We would also like to ask for inspector Neise to remove himself from the case since he doesn't seem to be able to explain his opinions and decisions.



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

Nuisance Building Code Enforcement

375 Jackson Street, Suite 220

Saint Paul, MN 55101-1806

651-266-8989

651-266-1919

www.stpaul.gov/dsi

April 11, 2011

John E Norris
2218 Doswell Ave
St Paul MN 55108-1703

VACANT BUILDING REGISTRATION NOTICE

The premises at **315 LARCH ST**

has been inspected and found to meet the legal definition of a Vacant Building as described in Saint Paul Legislative Code, Chapter 43. You are required to register this building with the Department of Safety and Inspections, Vacant Buildings Division, by filling out and returning the registration form provided with this letter. You are also required to pay the annual Vacant Building Registration Fee of **\$1,100.00**. The fee is due upon receipt of this letter and must be paid no later than thirty (30) days from the date of this letter, as required in Saint Paul Legislative Code Chapter 43. If this building is vacant due to a fire, complete the enclosed registration form and return it to this office within 30 days.

Please return the enclosed registration form along with your payment by May 11, 2011.

Do not mail cash.

If you wish to pay in person, you may do so from 8:00 a.m. to 4:00 p.m. Monday through Friday at:

DEPARTMENT OF SAFETY AND INSPECTIONS
375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806

You may file an appeal to this fee or registration requirements by contacting the Office of the City Clerk at (651) 266-8688. Any appeal of this fee must be made within ten (10) days of the date of this notice.

If the registration fee is not received in this office within 45 days of the date of this letter the full amount owed will be assessed to, and collected with, the taxes for this property as permitted by Saint Paul Legislative Code Chapter 43.

The Code Enforcement Officer has notified the Building Inspection And Design Section that this property meets the legal definition of a registered vacant building and in accordance with Legislative Code Chapter 33, no permits (except demolition, wrecking and removal permits) will be issued until the requirements of all applicable ordinances are fulfilled.

All category 2 and category 3 vacant buildings must be winterized with gas and water services shut off or, alternately, an excess flow gas valve must be installed in the dwelling, within sixty (60) days of the date of this Notice.

**WRITTEN PERMISSION FROM THE CITY OF SAINT PAUL IS REQUIRED BEFORE A
CATEGORY 2 OR CATEGORY 3 VACANT BUILDING CAN BE OCCUPIED OR SOLD.**

Category 2: Requirements include: 1. register/re-register the building, 2. pay outstanding fee(s), 3. obtain a code compliance report, 4. submit for approval a rehab cost estimate from a licensed contractor and a schedule for completion of all code compliance work, 5. submit proof of financial responsibility acceptable to the City, and 6. obtain Zoning approval of the proposed use.

Category 3: All requirements listed for Category 2 vacant buildings, AND obtain a **Certificate of Occupancy OR Certificate of Code Compliance** prior to the sale of the building.

If the use of this building meets the definition of a nonconforming use by the Zoning Code then the use will lose its nonconforming status 365 days from the date the building was declared vacant.

**You must contact the Enforcement officer, Matt Dornfeld,
at 651-266-1902 to find out what must be done before this
building can be legally reoccupied.**

The Enforcement Officer may declare this building(s) to constitute a Nuisance Building subject to demolition and issue an Order to Abate under authority of Legislative Code Chapter 45. In the event this building is declared a Nuisance Building subject to demolition, the Enforcement Officer will notify all owners and interested parties of the Order to Abate, as provided in the Legislative Code Chapter 45.

If you have questions about this annual registration fee or other vacant building requirements, please contact the Enforcement Officer, Matt Dornfeld, at 651-266-1902.

This registration form and fee is required by law. Your prompt attention to this matter is appreciated.

Thank You,

Steve Magner
Vacant Buildings Program Manager
Department of Safety and Inspections

Enclosures: Regulations Requirements Information
Vacant Building Registration Form

SM: md
vb_registration_notice 06/10



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

April 23, 2010

JOHN E. NORRIS
E J LIQUIDATION
315 LARCH ST
SAINT PAUL MN 55117

FIRE INSPECTION CORRECTION NOTICE

RE: 315 LARCH ST
Ref. #100526

Dear Property Representative:

Your building was inspected on April 19, 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 May 10, 2010 at 10:30am.

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. MSFC 901.6 - Provide required annual maintenance of the fire extinguishers by a qualified person and tag the fire extinguishers with the date of service.
2. MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.
3. MSFC 605.5.3 - Immediately, discontinue use of frayed, deteriorated, damaged or spliced electrical cords. -Several extension cords have been cut and spliced throughout the complex.

4. MSFC 1003.3.1.8 - Remove unapproved locks from the exit doors. The doors must be openable from the inside without the use of keys or special knowledge or effort. -All doors and gates leading to approved exits have been barred or chained shut. Immediately remove these devices and provide approved locks.
5. MSFC 3003.3.3- Secure the pressurized cylinders.-There are several propane tanks and hazardous materials tanks throughout the complex which are not secure.
6. MSFC 3404.3 - All Class 1 and 2 Flammable/Combustible liquid containers must be stored in the closed condition at all times except when in actual use. -Owner states used oil was stored in open drums, to be used in an unapproved oil burner.
7. MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.
8. MSFC 1010.1, 1004.3.1 - Provide and maintain a minimum of 28 inch aisles throughout employee only areas.
9. SPLC 34.19 - Provide access to the inspector to all areas of the building. -Several areas of the property were not accessible due to accumulation of materials.
10. MSFC 2305.1 - Provide and maintain structural integrity and stability of rack storage systems.
11. MSFC 2301.3 - Submit plans and specifications to this office for approval of the installation of the rack storage systems.
12. MSFC 2305.4 - Provide and maintain all aisle ways and exit access' to be free of obstructions.
13. SBC 3405.1, SBC 110.2 - The occupancy group or use division of this building may have been changed from that previously approved. Contact the Building Official at 651-266-9071 for a code analysis and to comply with requirements for approved occupancy. -Rack storage and modifications have been made to the buildings. Awnings made to connect buildings appear structurally unsound.
14. SPLC 62.101 - Use of this property does not conform to zoning ordinance. Discontinue unapproved use or call DSI Zoning at (651) 266-8989 to convert to legal use.
15. MSFC 315.2 - Provide and maintain orderly storage of materials.

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: adrian.neis@ci.stpaul.mn.us or call me at 651-266-8992 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,

A.J. Neis
Fire Inspector

Reference Number 100526

STAMP - Activity Detail[New Search](#)[Help using this report](#)[E-mail Service Desk](#)**315 Larch St**

Click [here](#) to access other applications using this address - GISmo, MapIT, and Ramsey County Info

Run Date: 04/14/11 02:33 PM**Folder ID#:** 07 001288**In Date:** 01/02/07**Issued Date:****Status:** Condemned/Vacant**Closed:****Type:** CO - Certificate of Occupancy - Business**Reference#:** 100526**Description:**

SEE COFO REF# 16616 The entire complex has been condemned under that file with orders sent.

Condition:

Condition Folder 10-504401

Document:[Fire Photo Document](#): - Generated: 04/11/2011 - Sent: 04/11/2011[Appointment Letter](#): - Generated: 09/28/2010 - Sent: 09/28/2010[Appointment Letter](#): - Generated: 09/10/2010 - Sent: 09/10/2010[Appointment Letter](#): - Generated: 08/06/2010 - Sent: 08/06/2010[Fire Photo Document](#): - Generated: 05/10/2010 - Sent: 05/18/2010[C of O with Deficiencies - Letter 3](#): - Generated: 04/23/2010 - Sent: 04/23/2010

* Note: Clicking on above document links may not reflect the exact formatting of the original document.

People:

Owner:

John E Norris
2218 Doswell Ave
St Paul MN 55108-1703

Responsible Party:

John E. Norris
E J Liquidation
315 Larch St
Saint Paul MN 55117
651-488-4818**Property:**

315 LARCH ST, PIN: 252923430102

Info Value:

Renewal Due Date: Jan 2, 2010

Inspection Date: Mar 3, 2011

Inspection Time: 11:15am

Is this a City Owned Building?: No

Business/Building Name: E J LIQUIDATION / OFFICE

Contact: JOHN NORRIS 651-488-4818

Commercial Square Feet: 500

Total Residential Units: 0

Number of Stories: 1

Number of Basement Levels: 0

Primary Occupancy Type Name: Office (Low-Rise)

Primary Occupancy Group: B

Keybox: No

Fire Alarm System: No

Emergency Generator: No

Fire Pump: No

Fire Service Elevator: No

Standpipe System (W/D): None

Sprinkler System: None

Non Wet Sprinkler System: No

Smoke Control System: No

Special Extinguishing System: No
Kitchen Hood System: No
704 Placards: N/A
Egress Controlled?: No
Last Inspection Date: Apr 6, 2011
Fireworks Permit?: No

Fee:

CO Commercial Initial Fee: \$180.00
CO Commercial Reinspection Fee: \$90.00

Pre-Inspection

Assigned To: Neis, Adrian

Comment: Units: 0, Office (Low-Rise)

Closed: 04/13/10

Result:

04/13/2010: Done

C of O Inspection

Closed: 04/23/10

Result:

04/23/2010: Correction Orders

C of O Re-Inspection

Comment: 5/10/10 I inspected property w/ licensing, zoning and PD. Property is extremely dangerous and I found several propane tanks, and other hazardous materials stored in an unsafe manner. I condemned and will send letter to owner indicating can only conduct business inside to comply with code requirements. PD advised not to make entry w/o an officer present. Several areas of the property are not accessible. 4/23/10 Property is in poor condition and it appears several racks and structures are not sound. I have advised all necessary DSI inspectors and we will address all issues on May 10, 2010 reinspection. This property poses a huge safety concern for suppression personnel. ajn /

Closed: 05/10/10

Result:

05/10/2010: Condemned/Occupied

Deficiency:

SPLC 34.19 - Provide access to the inspector to all areas of the building. Several areas of the property were not accessible due to accumulation of materials. First Noted on: 04/23/2010, Notice#: 2, Severity: 2, Status: Abated

Condemned

Comment: 3/25/11 I went to property with St. Martin, and met both John's. I advised them that their engineer is not willing to provide report of structural integrity/code compliance for canopies. They state my orders are not specific enough for them to comply. I advised that this has been going on for almost a year, and have to move to VB. They indicate they have complied and lost thousands of dollars in inventory. They also state they have tried to obtain permits to build a new structure but DSI will not order until they comply with my orders. I ask if they advised plan review and told that permit was to make a code compliant structure so they could comply and they were not sure. They wanted to know if I was willing to state that, and I said yes as long as approved plans were submitted and approved. 4/5/11 I updated PO of the status and are now moving to VB as Cat 3. Christine Rozek and Steve Magner will also be advised. ajn 9/28/10 I am rescheduling appointment due to LADR and owner was out of town for other appointment. ajn I had driven by area and met with both Johns approx two weeks ago. They stated they have been cleaning out and are still in process of obtaining structural engineer for canopies and such. I am sending an appointment letter for reinspection. ajn

Closed: 04/06/11

Result:

04/06/2011: Condemned/Vacant - 3

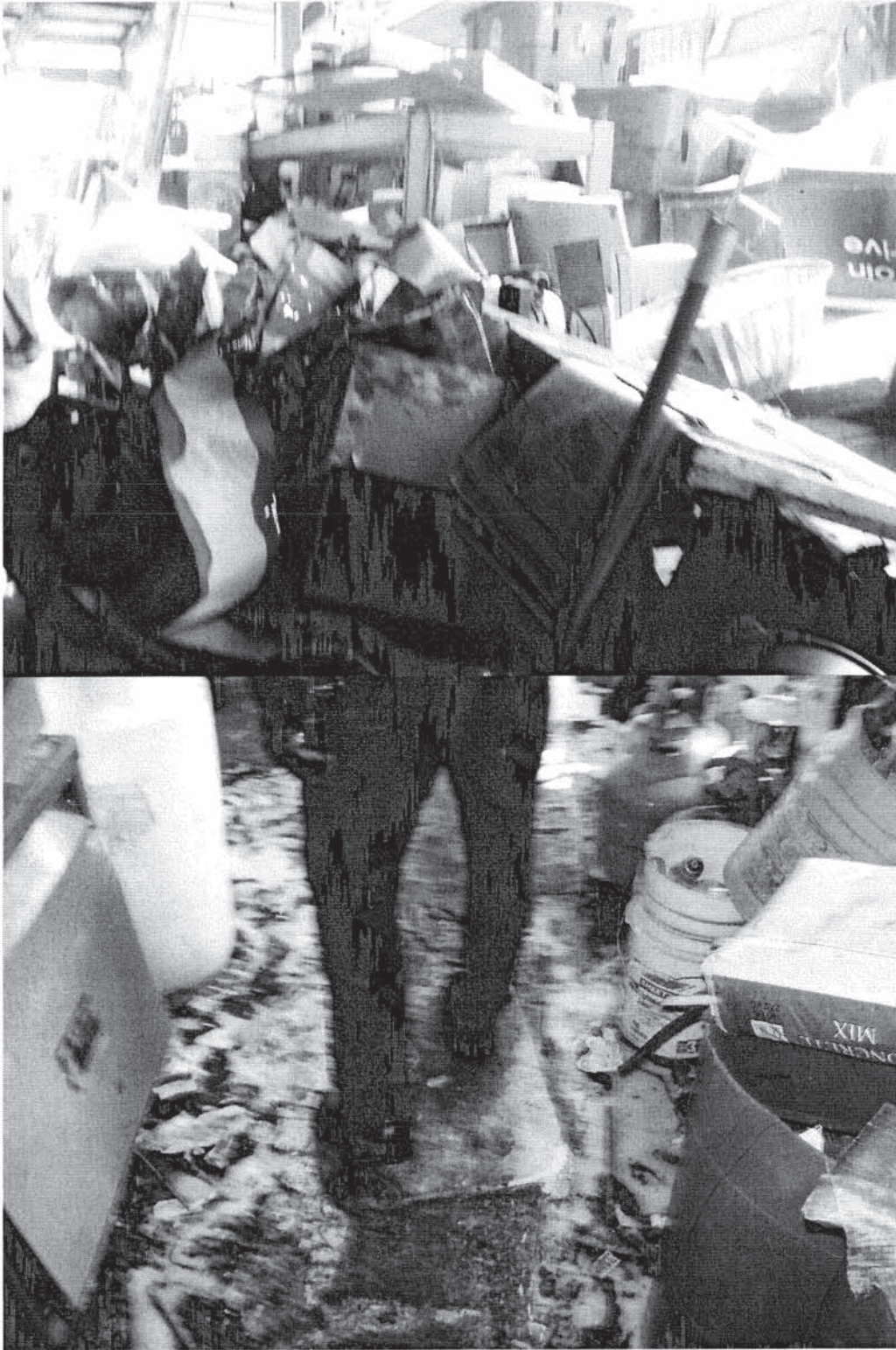
Deficiency:

SPLC 62.101 - Use of this property does not conform to zoning ordinance. Discontinue unapproved use or call DSI Zoning at (651) 266-8989 to convert to legal use. Discontinue:. First Noted on: 04/23/2010, Notice#: 3, Severity: 9, Status: Abated

Vacant

Next Schedule: 07/05/11

Date: April 11, 2011
File #: 07 - 001288
Folder Name: 315 LARCH ST
PIN: 252923430102



Date: April 11, 2011
File #: 07 - 001288
Folder Name: 315 LARCH ST
PIN: 252923430102

