



# APPLICATION FOR APPEAL

## Saint Paul City Council – Legislative Hearings

310 City Hall, 15 W. Kellogg Blvd.  
Saint Paul, Minnesota 55102  
Telephone: (651) 266-8585

RECEIVED  
JUL 18 2016  
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 794697)
  - 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

<b>HEARING DATE &amp; TIME</b> (provided by Legislative Hearing Office) Tuesday, <u>July 26</u>
Time <u>11:30 a.m.</u>
Location of Hearing: <u>Room 330 City Hall/Courthouse</u>

### Address Being Appealed:

Number & Street: 1225 White Bear Ave<sup>N.</sup> City: ST Paul State: MN Zip: \_\_\_\_\_

Appellant/Applicant: Al Bernstein / Jeff Bernstein Email jeffbernstein@att.net

Phone Numbers: Business 608 271 2279 ext 3 Residence \_\_\_\_\_ Cell 608 215 7454

Signature: Jeff Bernstein Date: 7/18/16

Name of Owner (if other than Appellant): Al Bernstein

Mailing Address if Not Appellant's: 5633 Odana Road Madison WI 53719

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell \_\_\_\_\_

### What Is Being Appealed and Why? Attachments Are Acceptable

- Vacate Order/Condemnation/Revocation of Fire C of O Parking Surface
- Summary/Vehicle Abatement \_\_\_\_\_
- Fire C of O Deficiency List/Correction \_\_\_\_\_
- Code Enforcement Correction Notice \_\_\_\_\_
- Vacant Building Registration \_\_\_\_\_
- Other (Fence Variance, Code Compliance, etc.) \_\_\_\_\_



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)

July 12, 2016

ALFRED E BERNSTEIN  
5633 ODANA RD  
MADISON WI 53719-1225

### **Revocation of Fire Certificate of Occupancy and Order to Vacate**

RE: 1225 WHITE BEAR AVE N  
Ref. # 115802

Dear Property Representative:

Your building was inspected on July 11, 2016, for the renewal of the Certificate of Occupancy. Since you have failed to comply with the applicable requirements, it has become necessary to revoke the Certificate of Occupancy in accordance with Section 40.06 of the Saint Paul Legislative Code.

**A re-inspection will be made on July 29, 2016 at 9:30 AM or the property vacated.**

The Saint Paul Legislative Code further provides that no building shall be occupied without a Certificate of Occupancy. Failure to immediately complete the following deficiency list or the building vacated may result in a criminal citation.

#### DEFICIENCY LIST

1. Exterior - Back of House - 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.-Repair, replace or remove the collapse fence in the back yard.  
7/11/16 - There are still sections of the fence in disrepair.
2. Exterior - Back of House - SPLC 34.09 (2) 34.32 (2) - Provide an approved handrail. The top of the handrail must be between 34 and 38 inches above the treads and run the entire length of the stair.-The wrong type of handrail has been installed.

3. Exterior - Parking Space - 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.  
**Since the garage has been demolished, the zoning law requires that every property has one (1) off-street parking available. If there are any questions, please call DSI and speak to someone in the zoning department.**
4. MSBC -Section 105.1 - Permits Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit. Work being done requires a permit. Ensure that all the proper permits have been obtained for the exterior work. Please contact DSI if you have any questions at 651-266-8989.
5. SPLC 40.06 Suspension, revocation and denial. (A) Grounds for revocation. The fire code official may, in writing, issue a notice to the owner(s) and know interested parties of the city's suspension or revocation of a fire certificate of occupancy issued under the provisions of this code, or deny an application, therefor:  
(3) If it is found upon inspection of the fire code official that the building or occupancy is in violation of provisions of this or other applicable safety codes, ordinances, rules and regulations;  
**The Certificate of Occupancy has been revoked due to long-term non-compliance. The owner has failed to provide site-plans, obtain and final permit(s) and provided a parking surface for the property.**
6. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.

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 this order.

If you have any questions, email me at: [Efrayn.Franquiz@ci.stpaul.mn.us](mailto:Efrayn.Franquiz@ci.stpaul.mn.us) or call me at 651-266-8955 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Efrayn Franquiz  
Fire Inspector  
Ref. # 115802