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# APPLICATION FOR APPEAL

RECEIVED  
APR 13 2012  
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
- Walk-In OR  Mail-In

**YOUR HEARING Date and Time:**

Tuesday, 4-24-12

Time 1:30 P.M.

**Location of Hearing:**  
Room 330 City Hall/Courthouse

*emailed 4-13-12 No hearing  
jane*

## Address Being Appealed:

Number & Street: 1360 Payne Ave City: St Paul State: MN Zip: 55130

Appellant/Applicant: TAB Properties Email janderson@tabproperties.com

Phone Numbers: Business 651-227-9963 Residence \_\_\_\_\_ Cell \_\_\_\_\_

Signature: [Signature] Date: 3/28/12

Name of Owner (if other than Appellant): TAB Legacy Partners I, LLC

Address (if not Appellant's): 1049 Grand Ave St. Paul, MN 55105

Phone Numbers: Business 651-227-9963 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 <sup>NO</sup> \_\_\_\_\_
- Code Enforcement Correction Notice \_\_\_\_\_
- Vacant Building Registration \_\_\_\_\_
- Other \_\_\_\_\_

To Whom It May Concern:

Please consider the following for our appeal regarding 1360 Payne Ave St. Paul.

1) Historical, Pre-existing Condition:

This building was built in 1962, purchased by Albemarle Partners in 2001, managed by TAB Properties. We have had several city inspections since the purchase in 2001 and would consider this to be a pre-existing condition to the new(er) statue.

2) Multiple entry/exits to each apartment space.

The way the property is configured there is a separate front and rear entry to each apartment unit. The secondary entry/exit is just outside the sleeping areas. This gives adequate access points in the case of an emergency.

3) Financial burden:

The work required to make each of these openings to the adopted code would be extensive. The exterior is stucco and would require the stucco to be cut out and modified to match the existing exterior. We are financially unable to make this repair at this time.

4) Extension:

Requesting seasonal extension on exterior repairs. Estimated completion date 10/1/12.

Thank you for your time and consideration.



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)

March 7, 2012

JENNA/MIKE TAYLOR  
TAB LEGACY PARTNERSHIP, LLC.  
649 GRAND AVE  
ST PAUL MN 55105

cal

### FIRE INSPECTION CORRECTION NOTICE

RE: 1360 PAYNE AVE  
Ref. #14205  
Residential Class: C

Dear Property Representative:

Your building was inspected on March 7, 2012 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 April 9, 2012 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. All Units - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window frame.-Scrap and paint.
2. All units - SPLC 34.11(5), 34.34(2), SPC 4715.0200Q - Provide adequate hot water between 120 degrees F and 130 degrees F.-Hot water 160 F.
3. All units - 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

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.-Double hung window openings.

H 20 in. - W 31.5 in.

Glazed area.

H 41 In. - W 27.5 in.

4. Basement - Storage units D and B - SPLC 34.19 - Provide access to the inspector to all areas of the building.
5. Basement - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.
6. Basement - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.-Access plate is decayed.
7. Exterior - SPLC 34.08 (2) - Provide and maintain the property grade to slope away from the building to minimize the accumulation of water near the building. This work may require a permit(s). Call DSI at (651) 266-9090.-Repair erosion.
8. Exterior - SPLC 34.12 (2), 34.35 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition.-Repair gutters.
9. Unit 1 - Bath - SPLC 34.14 (2) c - Provide or replace the duplex convenience outlet with ground fault protection within 3 feet of the basin on an adjacent wall in all bathrooms. This work may require a permit(s). Call DSI at (651) 266-9090.-Gfi pops off when checked.
10. Unit 1 - Living room - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceiling in an approved manner.
11. Unit 1 - Living room - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.
12. Unit 3 - Living room - MSFC 605.4 - Discontinue use of all multi-plug adapters.-Power strip to power strip.
13. Unit 3 - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.
14. Unit 4 - Bath - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceiling in an approved manner.
15. Unit 4 - Bedroom - MN State Statute 299F.50 Immediately provide and maintain an approved Carbon Monoxide Alarm in a location within ten (10) feet of each sleeping area. Installation shall be in accordance with manufacturers instructions.
16. Unit 4 - Bedroom - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.

17. Unit 6 - Bedroom - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.-Replace with power strip if needed.

18. 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.

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: (651-266-8688) and must be filed within 10 days of the date of this order.

If you have any questions, email me at: [mike.cassidy@ci.stpaul.mn.us](mailto:mike.cassidy@ci.stpaul.mn.us) or call me at 651-266-8984 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,

Mike Cassidy  
Fire Inspector

Reference Number 14205