



# APPLICATION FOR APPEAL

RECEIVED

JAN 06 2011

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

**YOUR HEARING Date and Time:**

Tuesday, 1-11-2011

Time 1:30

Location of Hearing:

Room 330 City Hall/Courthouse

*w/kin*

## Address Being Appealed:

Number & Street: 106 Magnolia Ave<sup>W</sup> City: St Paul State: MN Zip: 55117

Appellant/Applicant: Jenni Xiong Email: jenni.xiong@comcast.net

Phone Numbers: Business 651 292 9090 Residence \_\_\_\_\_ Cell 651 431 0852

Signature: *Jenni Xiong* Date: 1/6/11

Name of Owner (if other than Appellant): Jenni Xiong / Neng Xiong

Address (if not Appellant's): \_\_\_\_\_

Phone Numbers: Business \_\_\_\_\_ 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
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other *Fire Inspection Corrective Notice*
- Other
- Other

See attachment.

TO: Saint Paul City Clerk

From: Jenni Xiong/Neng Xiong

Re: Application for Appeal to the "Fire Inspection Correction Notice" issued 12/28/10

For 106 Magnolia Ave, St Paul, MN 55117

Date: January 6, 2011

I am filing this appeal to the Fire Inspector's "Fire Inspection Correction Notice" issued by the City on December 28, 2010 as attached to this memo. The \$25 required filing fee check is also attached. Prior to the re-inspection date on January 28, 2011, we would have been taking action to correct every other item on the list, except item 3. We are appealing to this item for the following reason.

3. Second Floor-South bedroom: This home was built in 1933 and the windows for this specific bedroom was designed and built that way—this seems to be its original version and nothing has been done to alter this window or the house in any shape or form. The size and style of this window is typical to lots of homes in St Paul built during that age: the openable height for this window is 22.1 inches, 2 inches less than what is required, and the openable width is 26.5 inches, 4 inches more than what is required. The overall condition of this window is still good and operational. The interior wall was made of plaster and the exterior covered by quality brick. Making this window to meet MSFC1026.1 will cause a great damage to the wall. It will also make this bedroom lost its original beauty. Thus, we are asking the City to re-consider waiving the requirement for the window size of this bedroom.

I hope this information is sufficient for your review and adjudication in our favor. If you need additional information please contact me at 651-431-0852.

Respectfully submitted,



Jenni Xiong

cc. Fire Inspector Mike Cassidy



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)

December 28, 2010

JENNI XIONG  
NENG XIONG  
11085 JAMES CURVE  
WOODBURY MN 55129-9866

### FIRE INSPECTION CORRECTION NOTICE

RE: 106 MAGNOLIA AVE W  
Ref. #111658  
Residential Class: C

Dear Property Representative:

Your building was inspected on December 28, 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 January 28, 2011 at 10:30 AM.**

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. 1st Floor - Bathroom - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-Toilet loose
2. 1st Floor - 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.
3. 2nd Floor - South bedroom - 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

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a minimum of 24 inches of openable height and 20 inches of openable width. With a finished sill height not more 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 Opening Height 22 in Width 26 in. Glazed area Height 44 in Width 23 in

4. Basement - NEC 440.13 - For cord-connected equipment such as room air conditioners, household refrigerators and freezers, drinking water coolers, and beverage dispensers, a separable connector or an attachment plug and receptacle shall be permitted to serve as the disconnecting means. The appliance must plug directly into a permanent outlet.-2 appliances on extension cord. Remove., connect directly to wall outlet.
5. Dining room - MSFC 605.4 - Discontinue use of all multi-plug adapters.
6. Front porch - MSFC 315.2.5 - Fueled equipment, including but not limited to motorcycles, mopeds, lawn-care equipment and portable cooking equipment, shall not be stored, operator or repaired within a building.-Remove propane tank.
7. Kitchen - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.-Replace with power strip if needed.
8. Living room - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.-Replace with power strip if needed.
9. Living room - MSFC 605.4 - Discontinue use of all multi-plug adapters.
10. SPLC 39.02(c) - Complete and sign the provided smoke detector affidavit and return it to this office.

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: [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 111658

*www.stpaul.gov*

*City Clerk.*

*Appeal Form*

*\$25 Filing Fee*

*or Bring in person*