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RLH FOW 12-165



APPLICATION FOR APPEAL

RECEIVED

MAY 07 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, 5-15-12

Time 1:30 P.M.

Location of Hearing:
Room 330 City Hall/Courthouse

e mailed 5-7-12 Jane

Address Being Appealed:

Number & Street: 885 Grand Avenue City: St. Paul State: MN Zip: 55105

Appellant/Applicant: Elmo Park Apartment Homes Email ffrench@thegoodmangroup.com *(managing company)*

Phone Numbers: Business (952) 361-8094 Residence _____ Cell _____

Signature: *Frank J. French* Date: May 4, 2012
Frank French, Authorized Representative

Name of Owner (if other than Appellant): Elmo Park Apartment Homes

Address (if not Appellant's): 1107 Hazeltine Boulevard, Suite 200, Chaska, MN 55318

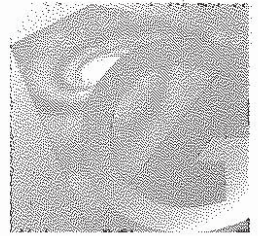
Phone Numbers: Business (952) 361-8094 Residence _____ Cell _____

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 see attached documents
- Code Enforcement Correction Notice _____
- Vacant Building Registration _____
- Other _____

Envisioning the Future

THE GOODMAN GROUP



May 4, 2012

City Clerk's Office
310 City Hall
15 Kellogg Boulevard West
St. Paul, MN 55102

Re: 885 Grand Avenue – Reference Number 17010

Dear Sir or Madam:

Enclosed please find an Application for Appeal regarding the Fire Inspection Correction Notice dated April 30, 2012 regarding the deficiencies listed under item numbers 20 and 25. As a result of the contractor (Sela Roofing and Remodeling, Inc.) pulling a permit as required, installing these current replacement windows to match what was existing, along with the fact that we have already paid the contractor in full, we believe we should remain grandfathered in.

With that said we are also requesting approval to continue the replacement of the balance of the existing windows with this same brand, size and style of window so that we can maintain continuity and uniformity throughout this building enhancement project. Our residents who received new windows thus far are extremely pleased with their new window(s), and thus we look to make the same impact as we replace the balance of windows in this building. Ownership looks forward to their opportunity to reduce utility costs by this energy conservation effort.

If you have questions, please do not hesitate to contact me at ffrench@thegoodmangroup.com or at telephone: (952) 361-8094.

Very truly yours,

THE GOODMAN GROUP

Frank J. French
Vice President of Asset Management

Enclosures: as noted above



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 30, 2012

TROY BAUGHN
THE GOODMEN GROUP
170 RUTH ST
SAINT PAUL MN 55119

FIRE INSPECTION CORRECTION NOTICE

RE: 885 GRAND AVE
Ref. #17010
Residential Class: C

Dear Property Representative:

Your building was inspected on April 30, 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 May 17, 2012 at 2:00PM.

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 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. **EXTERIOR - MULTIPLE LOCATIONS** - SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screen.
2. **EXTERIOR - REAR** - SPLC 34.14 (2) f - Provide and maintain a minimum of 1 foot candle at the grade level of exterior exits and entryways for security. This work may require a permit(s). Call DSI at (651) 266-9090.

3. **EXTERIOR** - 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.
4. **EXTERIOR** - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door latch on storm door at front of building.
5. **EXTERIOR** - SPLC 34.09 (1) b,c, 34.32 (1) b,c - Provide and maintain all exterior walls free from holes and deterioration. All wood exterior unprotected surfaces must be painted or protected from the elements and maintained in a professional manner free from chipped or peeling paint.-Repair soffit and fascia
6. **GARAGE** - SPLC 34.09 (1) a, 34.32 (1) a - Provide and maintain foundation elements to adequately support this building at all points.
7. **UNIT 1** - MSFC 1003.3.1.8 - Remove unapproved locks from the unit doors. The door must be openable from the inside without the use of keys or special knowledge or effort.- Remove 3rd locking device on entry door
8. **UNIT 1** - MSFC 703 - Repair and maintain the required fire resistive construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090.-Repair ceiling in living room
9. **UNIT 1** - SPLC 34.14 (3), MPC 4715.200.T - Provide and maintain a window or approved ventilation system in all bathrooms.
10. **UNIT 2** - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed access to egress window in bedroom.
11. **UNIT 2** - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.
12. **UNIT 2** - MN Stat 299F.18 - Immediately remove and discontinue excessive accumulation of combustible materials.-Reduce combustibles by 75% throughout the unit.
13. **UNIT 2** - MSFC 308.3.2 Open flames such as from candles, lanterns, kerosene heaters, and gas fired heaters shall not be located on or near decorative materials or combustible materials.
14. **UNIT 2** - MSFC 308.2.1 - No person shall throw or place, or cause to be thrown or placed, a lighted match, cigar, cigarette, matches, or other flaming or glowing substance or object on any surface or article where it can cause an unwanted fire.
15. **UNIT 2** - MSFC 605.4 - Discontinue use of all multi-plug adapters.
16. **UNIT 2** - SPLC 34.10 (4), 34.33 (3) - Provide a bathroom floor impervious to water. Provide water tight seal around tub.

17. **UNIT 2** - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.-Repair or replace the carpeting.
18. **UNIT 2** - SPLC 34.23, MSFC 110.1 - This occupancy is condemned as unfit for human habitation. This occupancy must not be used until re-inspected and approved by this office.-Unsanitary and excessive combustible storage.
19. **UNIT 2** - MSFC 315.2 - Provide and maintain orderly storage of materials.
20. **UNIT 3** - 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 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.
Window dimensions: 29 inches wide X 22 inches Ht. with a net glazed surface: 29 inches X 40inches double hung.
21. **UNIT 3** - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-water leaks under sink
22. **UNIT 3** - NEC 440.13 - For cord-connected equipment such as room air conditioners, household refrigerators, stoves and freezers, drinking water coolers. The appliance must plug directly into an outlet without use of a 3 prong adapter into ungrounded outlet.
23. **UNIT 3** - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door latch.-All entry doors must close freely and latch.
24. **UNIT 4** - 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.- Microwave ovens must plug directly into a wall outlet without use of adapters.
25. **UNIT 4** - 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 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.
Window dimensions: 26 inches wide X 22 inches ht. with a net glazed area 26 inches x 40 inches, double hung
26. **UNIT 5** - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exit way.-Provide unobstructed access to egress window in bedroom.
27. **UNIT 5** - MSFC 703 - Repair and maintain the required fire resistive construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090. - Repair openings around water line in closet area.

28. 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.
29. 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: (651-266-8688) and must be filed within 10 days of the date of this order.

If you have any questions, email me at: michael.efferson@ci.stpaul.mn.us or call me at 651-266-8981 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,

Michael Efferson
Fire Inspector

Reference Number 17010