



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

MAR 06 2019

CITY CLERK

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

We need the following to process your appeal:

- ☒ \$25 filing fee (non-refundable) (payable to the City of Saint Paul (if cash: receipt number 820643)
 - ☒ 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

HEARING DATE & TIME

(provided by Legislative Hearing Office)

Tuesday, March 19, 2019

Time 11:00 a.m.

Location of Hearing:

Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 495 KENNY ROAD E City: ST PAUL State: MN Zip: 55130

Appellant/Applicant: SITAHID Aziz Email: USEAN3183@GMAIL.COM

Phone Numbers: Business 612-2366792 Residence _____ Cell 612-2366792

Signature: [Signature] Date: _____

Name of Owner (if other than Appellant): SITAHID Aziz

Mailing 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
- ☐ Code Enforcement Correction Notice
- ☐ Vacant Building Registration
- ☐ Other (Fence Variance, Code Compliance, etc.)

I WAS TAKEN BY A CONTRACTOR \$130,000.00
I RUN A BUSINESS OUT OF THE BUILDING AND
THROWING ME OUT WOULD PUT 22 WORKERS
AND I WOULD BE FORCED TO GET OUT OF
MY BUSINESS ALL 22 LINES ARE PAVED
INSIDE AND OUT AND BRIGHT RUN
UPSTAIRS

Revised 8/2/2018



CITY OF SAINT PAUL

375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-8951
Web: www.stpaul.gov/dsi

March 6, 2019

Shahid Azizq
Discount Auto Service
1047 RAYMOND AVE
ST PAUL MN 55108USA

**NOTICE OF CONDEMNATION
UNFIT FOR HUMAN HABITATION
ORDER TO VACATE**

RE: 495 KENNY ROAD
Ref. # 12219

Dear Property Representative:

Your building was inspected on March 5, 2019.

The building was found to be unsafe, unfit for human habitation, a public nuisance, a hazard to the public welfare or otherwise dangerous to human life. A Condemnation Placard has been posted on the building.

The following deficiency list must be completed or the building vacated by the re-inspection date.

A reinspection will be made on March 11, 2019 at 1:30 pm.

CONDEMNATION OF THE BUILDING REVOKES THE CERTIFICATE OF OCCUPANCY.

Failure to complete the corrections may result in a criminal citation. The Saint Paul Legislative Code requires that no building be occupied without a Fire Certificate of Occupancy.

DEFICIENCY LIST

1. Boiler - Unused - MFGC 404.15 - Provide leak tight caps or plugs on disconnected or unused gas lines. -Per conversation with the owner on site during the inspection the boiler is not in use, but there is still a gas line connected to the boiler.

2. Commercial space - Change of use - MSBC 1300.022 Subp. 3 - The occupancy group or use division of this building has been changed from that previously approved. Discontinue the unapproved occupancy or use, or contact the Building Official at 651-266-8989 with your code analysis and to comply with requirements for approved occupancy. -The previously approved use for the commercial space of this building was: primary use as an F-1 Factory, with a secondary use as S-1 Storage. The building is now being used as an S-2 parking garage.
3. Commercial space - To residential space - MSFC 703.1, 1103.4 - Provide and maintain fire rated shaft or stairway construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-8989. The minimum rating must be: at least 1 hour. -There are two interior stairways that do not have any fire separation. There is also an open abandoned elevator shaft.
4. Commercial space - Throughout - 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.
5. Egress from residential space - MSFC 1014.2.1: Where more than one tenant occupies any one floor of a building or structure, each tenant space, dwelling unit and sleeping unit shall be provided with access to the required exits without passing through adjacent tenant spaces, dwelling units and sleeping units. -The only exiting from the residential space leads through the commercial space.
6. Exit doors - Blocked - MSFC 1030.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exit path. -The door that leads to the driveway is blocked with snow from the outside. The door leading to the Brunson street side is blocked on the outside by snow, and from the inside with storage.
7. Front commercial space - Electrical panel - NEC 110-12 - Provide for the electrical equipment to be installed in a neat and worker like manner. -There is an electrical panel in the front commercial space that is missing the front, and has wires hanging out of it. Per conversation on site with owner he stated that the panel is no longer in service. Have a licensed contractor remove the unused electrical panel.
8. Front commercial space - No building permit - 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. -There have been new interior walls installed in the front commercial space. There is no permit for this work. The area building inspector issued a stop work order for this project on 6/30/2017.
9. Front commercial space - To residential space - MSFC 703.1, 1106.1 - Provide and maintain fire rated floor and/or ceiling construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-8989. The minimum rating must be: at least 1 hour. -Multiple holes in the fire rated ceiling in the front commercial space separating the commercial space and the residential.

10. Front commercial space - To residential space - MSFC 1106.2 - Provide a required occupancy separation with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-8989. The minimum rating must be: at least 1 hour.

11. Interior - Throughout - SPLC 34.23, MSFC 110.1 - This occupancy is condemned as unsafe or dangerous. This occupancy must not be used until re-inspected and approved by this office. **-This building is being condemned due to but not limited to: improper egress from the residential space, no occupancy separation, no fire separation, and change of use of the commercial space.**

12. Open permits - Multiple - 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.

-There are multiple open permits for this property. There is an open Warm air permit for the installation of a 5-ton roof top furnace (permit number 17-054884) that the warm air inspector has indicated requires corrections. There is an open Mechanical permit for the installation of a 5-ton roof top furnace (permit number 17-054894) that the mechanical inspector has indicated requires corrections. There is an open permit for the installation of new electrical panels (permit number 18-016562) that has not been inspected. Have your contractors make the corrections and have their work inspected and approved.

13. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.

14. 2007 Minnesota existing elevator code 1307.0090 Subp. 8: The dormant elevator/escalator/dumbwaiter must be properly decommissioned.

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 the original orders.

If you have any questions, email me at: george.niemeyer@ci.stpaul.mn.us or call me at 651-266-8991 between 7:30 - 9:00 a.m. Please help make Saint Paul a safer place in which to live and work.

Sincerely,

George Niemeyer
Fire Safety Inspector
Ref. # 12219

cc: Housing Resource Center
Force Unit