



# APPLICATION FOR APPEAL

**Saint Paul City Clerk**

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8560

RECEIVED

NOV 10 2010

CITY CLERK

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, 11/16/10

Time 11:00

Location of Hearing:

Room 330 City Hall/Courthouse

## Address Being Appealed:

Number & Street: 274 S/DNRY AVE City: ST PAUL State: MN Zip: 55107

Appellant/Applicant: MARK CEMENSKY Email MCKEMENSKY@YAHOO.COM

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell 651-246-0545

Signature: [Signature] Date: 11/10/10

Name of Owner (if other than Appellant): \_\_\_\_\_

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
- ☐ Other
- ☐ Other

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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)

November 9, 2010

MARK CEMENSKY  
2343 SWAN DRIVE  
MENDOTA HEIGHTS MN 55120-1424

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

RE: 274 SIDNEY ST E  
Ref. # 114254

Dear Property Representative:

Your building was inspected on November 8, 2010.

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 re-inspection will be made on or after February 7, 2011.

**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. Basement - Floor - SPLC 4715.0200.F.M. - Repair the clogged drain line.-Standing water on basement floor.
2. Basement - Kitchen Door - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition.-Install door lock.

3. Basement - Missing Furnace - MN Rules 1300.0180 - Immediately discontinue use of unsafe heating appliance until repaired or replaced by a licensed contractor. This work may require a permit(s). Call DSI at (651) 266-9090. Red tags may not be removed except by fire department inspector.-No furnace in basement. Install new furnace under permit.
4. Basement - Staircase - SPLC 34.10 (3), 34.33(2) - Repair or replace the damaged guardrail in an approved manner.-Repair missing boards on basement guardrail.
5. Basement - Structural Support - SPLC 34.10 (2), 34.33 - Repair and maintain the damaged structural member. This repair may require a building permit, call DSI at (651) 266-9090.-New construction without permit. All work stopped immediately. Permit pulled by owner on 11.8.2010.
6. Basement - Water Heater - UMC 2127 - Install, replace or repair hot water pipes with brass, copper black wrought iron or steel. Copper must be type K, L or M. All pipes must have proper supports. This work may require a permit(s). Call DSI at (651) 266-9090.-Contact mechanical inspector to inspect new installation of basement water heater.
7. Dining Room - Floor - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.-Refinish the floor.
8. Exterior - Foundation Walls - SPLC 34.09 (1) a, 34.32 (1) a - Provide and maintain foundation elements to adequately support this building at all points.-Hole in west side of foundation underneath house. Tuck point and seal along rest of foundation walls throughout the property.
9. Exterior - North Staircases - SPLC 34.09 (2), 34.32(2) - Repair or replace the unsafe stairways, porch, decks or railings in an approved manner. This work may require a permit(s). Call DSI at (651) 266-9090.-Repair or replace wooden north staircase. Repair and replace north cement steps and walls.
10. Exterior - Tree and Vegetation Growth - SPLC 34.08 (5), 34.31 (3) - Repair, replace and maintain all exterior surfaces on fences, sheds, garages and other accessory structures free from holes and deterioration. Provide and maintain exterior unprotected surfaces painted or protected from the elements.-Remove vegetation growth along east side of property and against gas meter. Remove trees growing up against the foundation.
11. Exterior - West Porch - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.-Replace exterior outlet cover.
12. Exterior - West Side of Property - 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.-West ground dug up without drainage running out from basement wall.
13. Exterior - Yard - SPLC 34.08 (3) - Provide and maintain suitable ground cover on all exterior areas to control erosion.-Dirt mounds found all over grass. Foundation wall piles found along grass.

14. Exterior - SPLC 45.03 (6) - Cut and maintain the grass/weeds less than 8 inches tall.- Remove weed and vegetation growth from property.
15. Main Floor - East 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.-Install missing carbon monoxide detector on main floor.
16. Permits - MSFC 105.1.1 Permits required. Owner is to pull required permits for all new installations to property to include water heater, structural support throughout basement, new furnace installation and foundation support and walls.
17. Smoke Detectors - Multiple Locations - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-Repair or replace hard wired smoke detector in basement ceiling. Replace chirping smoke detector batteries on 2nd floor.
18. Structural Support - Without Permit - 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.-Structural construction without permit. Hole in west foundation walls with any support to open section underneath house. No heat in house.
19. VACANT UNIT - SPLC 33.05 - Uncertified portions of the building must not be occupied until inspected and approved by this office.-After permit is signed off contact inspection to finish certificate of occupancy process.
20. 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.
21. 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 the original orders.

If you have any questions, email me at: [sean.westenhofer@ci.stpaul.mn.us](mailto:sean.westenhofer@ci.stpaul.mn.us) or call me at 651-266-8982 between 7:30 a.m. - 9:00 a.m. Please help make Saint Paul a safer place in which to live and work.

Sincerely,

Sean Westenhofer  
Fire Inspector  
Ref. # 114254

cc: Housing Resource Center  
Force Unit