



APPLICATION FOR APPEAL

RECEIVED

SEP 20 2010

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 wish to include
- ☒ This appeal form completed

YOUR HEARING Date and Time:

Tuesday, 9/28/10

Time 1:30

Location of Hearing:

Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 1629-31 McAfee City: St. Paul State: MN Zip: 55106

Appellant/Applicant: Daniel J. Ruza Email danruza@live.com

Phone Numbers: Business 651-361-0803 Residence _____ Cell _____

Signature: [Signature] Date: ~~9-12-2010~~ 9-12-2010

Name of Owner (if other than Appellant): _____

Address (if not Appellant's): 13234 20th St. Ct. W, Stillwater, MN 55082

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

Permit for Dryer Vents - unable to
purchase



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

September 1, 2010

DANIEL J RUZA
SUZANNE RUZA
13234 20TH CT N
STILLWATER MN 55082-1777

FIRE INSPECTION CORRECTION NOTICE

RE: 1631 MCAFEE ST
Ref. #107044
Residential Class: C

Dear Property Representative:

Your building was inspected on September 1, 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 October 1, 2010 at 11:00 A.M..

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. 1629 - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.
2. 1629 - UMC 504.6 - Provide, repair or replace the dryer exhaust duct. Exhaust ducts for domestic clothes dryers shall be constructed of metal and shall have a smooth interior finish. The exhaust duct shall be a minimum nominal size of four inches (102 mm) in diameter. This work WILL require a permit(s). Call DSI at (651) 266-8989.

3. 1629 - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-Repair or replace and maintain an approved private hand sink. Secure loose bathroom sink
4. 1629 - 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. Refer to the Escape Windows for Residential Occupancies handout for more information.-19inches openable height and 39inches openable width Sill 36inches and Glazed measurements are 38inches height by 36inches width.
5. 1629 Basement - 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. Basement cannot be used for sleeping purposes. No egress
6. 1629 Bedroom East Side - 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 clasp lock from bedroom door.
7. 1629 Bedroom and Bathroom Doors - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition.-Both doors have holes in them.
8. 1631 - UMC 504.6 - Provide, repair or replace the dryer exhaust duct. Exhaust ducts for domestic clothes dryers shall be constructed of metal and shall have a smooth interior finish. The exhaust duct shall be a minimum nominal size of four inches (102 mm) in diameter. This work WILL require a permit(s). Call DSI at (651) 266-8989.
9. NEC 110-26 - Provide and maintain a minimum of 36 inches clearance in front of all electrical panels.
10. 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.
11. 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.
12. 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.
13. 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: james.thomas@ci.stpaul.mn.us or call me at 651-266-8983 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,

James Thomas
Fire Inspector

Reference Number 107044

APPLICATION FOR APPEAL

1629/1631

1625/1623

1646/1648 McAfee

St. Paul, MN 55106

This appeal is requested based on the grandfathering of existing building codes at time of original construction, costs of requested modification, and realistic fire safety concerns.

1. When regulatory agencies issue building permits and later change the codes I do not believe property owners should be required to alter these structures especially when the cost is excessive related to the safety factor. This house was constructed in 1966 and I presume a permit was issued and an inspection was performed. The windows were code at that time.
2. To replace the existing windows will cost in excess of \$25,000 and require the following
 - a. Tenants will have to be removed to accomplish the work safely. All tenants have lease contracts at present and would have legal claim with me.
 - b. All bedroom carpets would have to be removed
 - c. All floor and window trim would have to be removed
 - d. Sheetrock from 8 room walls would be removed
 - e. Exterior siding from 4 exterior walls would have to be removed
 - f. Temporary support for roof trusses would have to be erected.
 - g. Insulation, vapor barrier, exterior sheathing, would be removed.
 - h. Walls would be reframed to fit new windows including new headers
 - i. Eight new windows would be purchased and set.
 - j. Exterior sheathing and vapor barrier would be replaced
 - k. Exterior siding would be replaced
 - l. Interior wiring would be reconnected
 - m. Interior walls would be reinsulated and proper vapor barrier replaced
 - n. Install new sheet rock on exterior walls
 - o. Remove temporary roof support and replace ceiling sheetrock
 - p. Finish interior walls, ceiling
 - q. Scrape ceiling texture and re-spray entire ceiling
 - r. Paint walls and ceiling
 - s. Replace carpet.
3. The code requires windows large enough to escape in case of fire. Per item 7 & 16 the following is required:
 - a. A minimum of glazed area is 5 feet or 720 square inches; existing windows are 38"x28" or 1064 sq inches or 344 more than required
 - b. A minimum opening height of 24"; existing window has opening height of 19" or 5" less than required. The sash can easily be removed however.

- c. A minimum opening width of 20"; existing windows have an opening width of 31" or 11" more than required.
- d. A Maximum sill height of 48"; existing sill height is 35" or 13" lower than required.

The only conflict is the opening height of 19" which is 5" less than desired; however with 11" more window width and a lower window sill I believe the existing window would be easier to escape from (110 additional sq inches of escape opening) than the described window. In addition the sash can be removed easily.