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APPLICATION FOR APPEAL

RECEIVED
JUN 15 2011
CITY CLERK

Saint Paul City Clerk
310 City Hall, 15 W. Kellogg Blvd.
Saint Paul, Minnesota 55102
Telephone: (651) 266-8560

ck # 3141

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, 6-21-11

Time 1:30

Location of Hearing:
Room 330 City Hall/Courthouse

mailed 6-15-11

Address Being Appealed:

Number & Street: 1088 Summit Ave City: St. Paul State: Mn Zip: 55105

Appellant/Applicant: MATT Schumacher Email —

Phone Numbers: Business [illegible] Residence _____ Cell 612-386-8260

Signature: Matt Schumacher Date: 6-14-2011

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** See Attached
- ☐ **Code Enforcement Correction Notice** _____
- ☐ **Vacant Building Registration** _____
- ☐ **Other** _____
- ☐ **Other** _____
- ☐ **Other** _____

Matt Schumacher
452 Thomas Avenue South
Minneapolis, MN 55405

June 14, 2011

St. Paul City Clerk
310 City Hall
15 West Kellogg Blvd.
St. Paul, MN 55102

RE: Application for Appeal – Deficiency List Number 1.

Via: U.S. Mail, Certified, Return Receipt requested. Article #7009 2250 0000 3831 6149

Property Address; 1088 Summit Avenue
REF: 105956

To Whom it may concern:

The purpose of this letter is to respectfully appeal Deficiency Number 1. On the enclosed Fire Inspection Correction Notice. I am not appealing any of the other numbered deficiencies.

Deficiency Number 1. Relates to the Bedroom windows. The Fire inspector noted that the windows in my duplex open up to 22.5 inches height and the code calls for 24 inches height opening. However, from a safety standpoint these existing windows are 27.5 inches wide and have a total openable area of 618.75 square inches (22.5x27.5). The existing fire code calls for an openable area of only 480 square inches (24x20), so these windows are well in excess of that. The glazed area of the existing windows is 8.3 square feet. The Fire Inspector (Mitch Imbertson) indicated that he has seen many old building like mine and that he thinks the windows are safe. I also add that *all* of the bedroom windows are fully functionable (open and close).

The only other thing that I would like to point out is that these are the original double hung windows and the building is a historic duplex. The glass is the original wavy kind and the windows really do fit the character of the building. It would be extremely cost prohibitive to have to change out the windows, and again, I believe the windows are safe.

Thank you very much for your consideration in this matter and please call me anytime if you have questions, etc.

Yours very truly,

Matt Schumacher

Matt Schumacher
Enc.

612-386-8260

DEPARTMENT OF SAFETY AND INSPECTIONS
Fire Inspection Division
Ricardo X. Cervantes, Director

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

June 8, 2011

MATTHEW SCHUMACHER
452 THOMAS AVE S
MINNEAPOLIS MN 55405-1915

FIRE INSPECTION CORRECTION NOTICE

RE: 1088 SUMMIT AVE
Ref. #105956
Residential Class: C

Dear Property Representative:

Your building was inspected 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 July 20, 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. Both Units - 3 Bedrooms Each Unit - 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.-Existing double-hung windows have an openable area of 22.5 inches high by 27.5 inches wide and a glazed area of 53 inches high by 27.5 inches wide, 8.3 square feet.

2. Both Units - Basement - Stairway - SPLC 34.10 (3) 34.33(2) - Provide an approved guardrail. Intermediate balustrade must not be more than 4 inches apart. Intermediate rails must be provided if the height of the platform is more than 30 inches.

3. Both Units - Basement - Stairway - SPLC 34.10 (3), 34.33(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. Both Units - Garages - 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 damaged areas of wall and seal in an approved manner on wall.

5. Both Units - 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.-Existing detectors not within 10 feet of all bedrooms.

6. East Unit - MSFC 102.1.1 - Existing building features - application. - Existing construction and design features that exceed the requirements for existing structures or facilities but are less than the requirements for new structures or facilities shall not be further diminished. Existing construction and design features that exceed the requirements for new structures or facilities are allowed to be removed.-Hard-wired smoke detectors must be maintained where previously installed.

7. West Unit - Basement - MFGC 501.2 - Provide, repair or replace the fuel equipment vent or vent liner to develop a positive flow adequate to convey all products of combustion to the outside. This work may require a permit(s). Call DSI at (651) 266-9090.-Repair vent connection to appliance.

8. 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.

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: mitchell.imbertson@ci.stpaul.mn.us or call me at 651-266-8986 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,

Mitchell Imbertson

Fire Inspection

Reference Number 105956