APPLICATION FOR APPEAL

RECEIVED
OCT 10 2011
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:

- [x] $25 filing fee payable to the City of Saint Paul (if cash: receipt number_____)
- [x] Copy of the City-issued orders or letter which are being appealed
- [x] Attachments you may wish to include
- [x] This appeal form completed
- [x] Walk-In *OR* ☐ Mail-In

YOUR HEARING Date and Time:

Tuesday, 10/18/2011

Time 1:30 pm

Location of Hearing:
Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 1888 Margaret St. City: St. Paul State: MN Zip:_____

Appellant/Applicant: David McKee Email dmckee26.2@comcast.net

Phone Numbers: Business _____ Residence 952-426-0030 Cell 952-303-1010

Signature: David J McKee Date: 10/7/11

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
- [x] Fire C of O Deficiency List — Deficiency not disclosed when purchased - see letter attached
- ☐ Fire C of O: Only Egress Windows
- ☐ Code Enforcement Correction Notice
- ☐ Vacant Building Registration
- ☐ Other

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

Open 7:30 A.M

October 2, 2011

DAVID J MCKEE
12917 HIGHCLERE DRIVE
BURNSVILLE MN 55337-3732

RE: RE-INSPECTION FIRE CERTIFICATE OF OCCUPANCY WITH DEFICIENCIES
1888 MARGARET ST

Ref. # 112327

Dear Property Representative: THERE HAS BEEN NO APPEAL ON THE EGRESS WINDOWS SIZE. YOU WILL NEED TO FILE AND APPEAL TO BE GRANTED A VARIANCE OR REPLACE THE WINDOWS . ENFORCEMENT ACTION WILL BE TAKEN IF THESE PROCESSES DO NOT TAKE PLACE BEFORE CLOSE OF BUSINESS ON OCTOBER 10, 2011

Your building was re-inspected for the Fire Certificate of Occupancy on July 14, 2011. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected immediately.

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 be occupied without a Fire Certificate of Occupancy. The code also provides for the assessment of additional reinspection fees.

DEFICIENCY LIST

1. All bedrooms - 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.**-Measured at 20inches openable height. Openable width is 37inches . Sill 27inches. Glazed 44inches in height by 33inches in width . These are double hung windows.**

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 the original orders.

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
Ref. # 112327

October 7, 2010

1888 Margaret Street
St. Paul MN

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

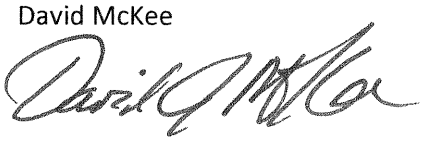
To whom it may concern,

I am writing this letter to request a variance to a deficiency list I have received in a recent inspection of a property I own at 1888 Margaret Street.

The deficiency states that all bedrooms – MSFC1026.1 – provide and maintain an approved escape window form 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. The windows of the subject property measured at 20 inches openable height and 37 inches openable width. The sill is 27 inches. Glazed 44 inches in height by 33 inches in width. Double hung windows.

I purchased the home from Deborah Busse in 2002, and was not aware of the code deficiency. Deb indicated she purchased the home in 1992. She recently told me she thought the house was grandfathered from those code requirements and was not aware that the windows were deficient. She still lives in the house (nearly 20 years) with her minor son Dylan, and pays the mortgage through me.

We (Deb and I) request a variance to the window deficiency in order to obtain the appropriate certificate of occupancy.

Thank you in advance for your time and consideration.

David McKee