



APPLICATION FOR APPEAL

Saint Paul City Clerk

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

RECEIVED

DEC 06 2011

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
- Walk-In OR Mail-In

YOUR HEARING Date and Time:
request after 11:00
 Tuesday, Dec. 20, 2011 *am*
minutes
 Time: 1:30 p.m.
 Location of Hearing:
 Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 1379 Winchell St City: St Paul State: MN Zip: 55106

Appellant/Applicant: Ken Erickson Email: KErickson@CBBurnet.com

Phone Numbers: Business 651-773-2566 Residence 651-773-2566 Cell _____

Signature: *Ken Erickson* Date: 11-1-11

Name of Owner (if other than Appellant): _____

Address (if not Appellant's): _____

Phone Numbers: Business _____ Residence _____



K Erickson
Woodbury Office
7645 Currell Boulevard
Woodbury, MN 55125-2200

BURNET

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

(Updated paperwork added to appeal by
staff.)
Roger said only window is being
appealed.

From the desk of Ken Erickson

Re: 1379 Winchell Street, Saint Paul



To whom it may concern;

I closed on 1379 Winchell Street on 12/30/2004. I have been a Realtor since 1980 and I specialize on the East Side. I had subject property on the market for a number of months and it wasn't selling. The seller was a widow in her 80's. To 'help' the seller out, I bought the home, much to the displeasure of my wife, Anne. We have had 'marginal' tenants. In fact one single mom slighted us for \$2400.00 of unpaid rent.

Every month it's a struggle to pay the mortgage. The current tenants have been there about 5 years. Her boyfriend moved out and she now has 3 children.

Along comes the City of Saint Paul Fire Certificate of Occupancy inspection in which they come up with 12 violations. When the current tenants initially moved in, the home was in move in condition. The children wrecked the screens by sticking their heads outside and tore off the thermostat from the wall, just for starters.

I understand there needs to be a standard for rental property. What is unfair is when tenants damage the property and create an undue financial hardship for the owners.

Re: item #12 MSFC1026.1. An 'escape' window for the bedroom. That room is only a short distance to the rear door. The house was built in 1969 and the previous owner never had any concerns regarding the size of the window when it was owner occupied. Apparently the existing window is 4" short of the 'code'. Also, when I bought the home; 1) the truth-in-housing report did not red flag it and 2) the bank appraiser did not have concerns.

Consequently, I am requesting the existing window to be grandfathered in.

Thanks for your consideration.

Ken Erickson CRS

Coldwell Banker Burnet
7645 Currell Boulevard
Saint Paul, MN., 55125

Direct: 651-773-2566

kerickson@cbburnet.com



2005 President of the Minnesota CRS* Chapter.

"Smooth sailing with Ken Erickson"



* Elite organization comprising 4% of all Realtor's® nationwide.



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

November 22, 2011

KENNETH R ERICKSON
ANNE M ERICKSON
7645 CURRELL BLVD
WOODBURY MN 55125-2256

RE: RE-INSPECTION FIRE CERTIFICATE OF OCCUPANCY WITH DEFICIENCIES
1379 WINCHELL ST

Ref. # 113177

Dear Property Representative:

Your building was re-inspected for the Fire Certificate of Occupancy on November 22, 2011. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected immediately. A reinspection will be made on or after December 9, 2011.

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. 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.
2. SPLC 39.02(c) - Complete and sign the provided smoke detector affidavit and return it to this office.
3. 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.**

4. MSFC1026.1 – All Bedrooms - 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 will require permit(s). Call DSI at (651)- 266-9090. Refer to the Escape Windows for Residential Occupancies handout for more information.-18inches of openable height . 23 inches of openable width. Sill 34. Glazed is 36 inches in height by 30inches 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. # 113177

4. 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.
5. SPLC 39.02(c) - Complete and sign the provided smoke detector affidavit and return it to this office.
6. MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.
7. SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screens.
8. MSFC 901.8.1 - It shall be unlawful for any person to remove, tamper with or otherwise disturb or remove smoke detectors.
9. MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.
10. SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.-Repair or replace the floor tile. Kitchen
11. *No screws diff duct* 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.
12.  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.-18inches of openable height . 23inches of openable width. Sill 34 . Glazed is 36inches in height by 30inches in width .
13. SPLC 34.14 (2), 34.34 (5) - Provide an approved GAS service adequate to meet the buildings needs. Have Xcel restore gas service.

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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.