



APPLICATION FOR APPEAL

RECEIVED
FEB 02 2012
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 may wish to include
- This appeal form completed
- Walk-In OR Mail-In

YOUR HEARING Date and Time:
Tuesday, <u>Feb. 7, 2012</u>
Time <u>1:30 p.m.</u>
Location of Hearing: <u>Room 330 City Hall/Courthouse</u>

Address Being Appealed:

Number & Street: 1252 JAMES AVE City: ST. PAUL State: MN Zip: 55105

Appellant/Applicant: STEVE MATYSIK (CONTACT PERSON) Email spmatysik@comcast.net

Phone Numbers: Business _____ Residence 651-698-5441 Cell 612-849-9186

Signature: Steve Matysik Date: _____

Name of Owner (if other than Appellant): ALAN & KATHERINE N. YNGVE

Address (if not Appellant's): CURRENTLY LIVING IN BEIRUT, LEBANON UNDER WORK CONTRACT

Phone Numbers: Business _____ Residence _____ Cell _____
email: Alan Yngve <a-yingve@mindspring.com>

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 #10
 - Code Enforcement Correction Notice
 - Vacant Building Registration
 - Other (Items 3, 5, 10)
- #3 & #5
2 ITEMS SCRAPIE & PAINT POSTPONE WEATHER PERMITTING
TEMPORARY RENTAL SF HOME SEE ATTACHMENT "BACKGROUND"



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

January 27, 2012

CURRENT DEFICIENCIES
FROM RE-INSPECTION JAN 27, 2012

KATHERINE N YNGVE
ALAN YNGVE
PO BOX 16502
ST PAUL MN 55116

RE: RE-INSPECTION FIRE CERTIFICATE OF OCCUPANCY WITH
DEFICIENCIES
1252 James Ave.

Dear Property Representative:

Your building was re-inspected for the Fire Certificate of Occupancy on January 27, 2012. 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 February 27, 2012 at 10:00 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 be occupied without a Fire Certificate of Occupancy. The code also provides for the assessment of additional reinspection fees.

DEFICIENCY LIST

1. CORRECTED
Basement - SPLC 34.23, MSFC 110.1 - This basement is condemned as unsafe or dangerous as a sleeping area. This basement must not be used as a sleeping area until re-inspected and approved by this office.-Remove all beds and bedding.

2. SCHEDULED REMOVAL
Exterior - SPLC 34.08 (1), 34.31 (1) - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces.-Remove large pile of brush east of garage.

3. APPEAL WEATHER PERMITTING
Exterior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window frame.- Scrape and remove chipped and peeling paint. Repaint in a professional manner.

4. REPAIR ORDERED
Front steps to public sidewalk - SPLC 34.09 (2) 34.32 (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.

APPEAL
WEATHER
PERMITTING 5.

Garage vehicle door - 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.-Scrape and remove chipped and peeling paint. Repaint in a professional manner.

CORRECTED 6.

Garage vehicle door - 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.-Repair hole / damaged panel.

SCHEDULED
REMOVAL 7.

Northeast corner of driveway - SPLC 34.08 (1), 34.31 (1) - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces.- Remove pile of tree parts and lumber.

REPAIR
SCHEDULED 8.

Second floor - SPLC 34.10 (3) 34.33(2) - Provide an approved guardrail. Intermediate ballustrade must not be more than 4 inches apart. Intermediate rails must be provided if the height of the platform is more than 30 inches.-Current guardrail is 27 inches.

WILL
COMPLY 9.

SPLC 34.19 - Provide access to the inspector to all areas of the building.
Provide access to the inspector on February 27, 2012

APPEAL 10.

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.-
First floor - Crank out window
43 h x 16.5 w glazed 5.9 sq ft
Second floor Southwest - double hung
23 h x 20 w Glazed 5.2 sq ft
Second floor North - double hung
23 h x 20 w Glazed 5.2 sq ft

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 rick.gavin@ci.stpaul.mn.us or call me at 651-266-8994 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,

Rick Gavin
Fire Inspector



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

CORRECTED DEFICIENCIES
TO DATE FROM ORIGINAL
INSPECTION DATED 12/29/2011

December 29, 2011
KATHERINE N YNGVE
ALAN YNGVE
PO BOX 16502
ST PAUL MN 55116

RE: RE-INSPECTION FIRE CERTIFICATE OF OCCUPANCY WITH DEFICIENCIES
1252 JAMES AVE

Ref. # 115743

Dear Property Representative:

Your building was re-inspected for the Fire Certificate of Occupancy on December 29, 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 January 27, 2012 at 1:15 PM.

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. Basement - SPLC 34.23, MSFC 110.1 - This basement is condemned as unsafe or dangerous as a sleeping area. This basement must not be used as a sleeping area until re-inspected and approved by this office.-Remove all beds and bedding.
2. Basement - MSFC 104.9, 1005.3.2.2 - Remove the storage under the stairs or provide and maintain 1 hour fire resistive construction on the storage side of the stairs.
3. Basement - MN Stat 299F.18 - Immediately remove and discontinue excessive accumulation of combustible materials.-Reduce storage of cardboard and paper at basement steps landing.
4. Exterior - SPLC 34.08 (1), 34.31 (1) - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces.-Remove large pile of brush east of garage.

CORRECTED
01/28/2012

CORRECTED
12/29/2011

CORRECTED
01/28/2012

REMOVAL
SCHEDULED
02/2012

CORRECTED
01/25/2012

APPEAL
WEATHER
PERMITTING

REPAIR
ORDERED
01/25/2012

CORRECTED
01/25/2012

APPEAL
WEATHER
PERMITTING

REMOVAL
SCHEDULED
02/2012

REPAIR
ORDERED
SCHEDULED
02/2012

CORRECTED
01/25/2012

CORRECTED
12/29/2011

CORRECTED
1/25/2012

CORRECTED
12/30/2011

CORRECTED
1/25/2012

COMPLIED
1/27/2012

5. Exterior - Garage - facing the alley - SPLC 71.01 - The address posted is not visible from street. (HN-1)

6. Exterior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window frame.-Scrape and remove chipped and peeling paint. Repaint in a professional manner.

7. Front steps to public sidewalk - SPLC 34.09 (2) 34.32 (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.

8. Garage vehicle door - 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.-Scrape and remove chipped and peeling paint. Repaint in a professional manner.

9. Garage vehicle door - 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.-Repair hole / damaged panel.

10. Northeast corner of driveway - SPLC 34.08 (1), 34.31 (1) - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces.-Remove pile of tree parts and lumber.

11. Second floor - SPLC 34.10 (3) 34.33(2) - Provide an approved guardrail. Intermediate ballustrade must not be more than 4 inches apart. Intermediate rails must be provided if the height of the platform is more than 30 inches.-Current guarrail is 27 inches.

12. Throughout - SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screens.

13. First floor bedroom - MSFC 605.4 - Discontinue use of all multi-plug adapters.

14. 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.

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

16. SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screens.

17. SPLC 34.19 - Provide access to the inspector to all areas of the building on January 27, 2012 at 1:15 PM.

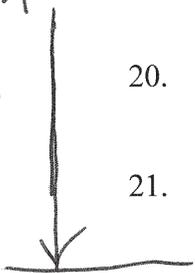
APPEAL

- 18. 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.-

First floor - Crank out window
 43 h x 16.5 w glazed 5.9 sq ft
 Second floor Southwest - double hung
 23 h x 20 w Glazed 5.2 sq ft
 Second floor North - double hung
 23 h x 20 w Glazed 5.2 sq ft

CORRECTED
12/29/2011

- 19. 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.
- 20. MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.
- 21. MSFC 901.6 - Provide required annual maintenance of the fire extinguishers by a qualified person and tag the fire extinguishers with the date of service.



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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 rick.gavin@ci.stpaul.mn.us or call me at 651-266-8994. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Rick Gavin
 Fire Inspector

XFINITY Connect

spmatysik@comcast.net

+ Font Size -

Background information on our home at 1252 James Avenue

From : Alan Yngve <a-yngve@mindspring.com>

Thu, Feb 02, 2012 07:22 AM

Subject : Background information on our home at 1252 James Avenue**To :** spatysik@comcast.net**Reply To :** Alan Yngve <a-yngve@mindspring.com>

To Interested Parties:

Katherine and I are living in Beirut, Lebanon for the duration of Katherine's three-year (renewable) contract to work for the American University of Beirut. During the period of this contract we are attempting to rent our St. Paul home with the full intention of returning as home owners in the property upon our return. It should be noted that we have personal belongings stored on the property, primarily in a half-car sized storage area that we constructed within the attached garage.

The contract here might be extended beyond the three years (the current contract extends to the end of July 2013) but that will have no effect upon our intentions.

Our home at 1252 James Avenue is where we raised our children (they are now in college). The home is not an investment, it is our only house and we intend to return to it when our overseas contract ends.

We are attempting to meet all of St. Paul's rental property rules and regulations, even though some of these requirements would not be required in an owner-occupied dwelling. In any event, this is not really an investment property, just an interim solution to an overseas job. We know that these circumstances may not make a difference but feel the need to mention them nonetheless.

We would appreciate your assistance, even if temporary, regarding the size of the egress windows in the three bedrooms, one on the main floor and the two smaller ones on the second floor.

Thank you for your assistance,

<signed> Alan Yngve and Katherine Yngve

PLAN OF ACTION TO CORRECT

XFINITY Connect**DEFICIENCIES OF**

spmatysik@comcast.net

RE-INSPECTION DATED JAN 27, 2012 + Font Size -

Re: 1252 James

From : spatysik@comcast.net

Wed, Feb 01, 2012 02:50 PM

Subject : Re: 1252 James**To :** Rick Gavin <Rick.Gavin@ci.stpaul.mn.us>**Cc :** Alan Yngve <a-yngve@mindspring.com>

Rick,

This is the plan of action that you requested on your last visit to 1252 James Ave., correction of deficiencies:

- 1) The basement family room has had all bedding items removed and is currently empty other than a dehumidifier. This was witnessed by you on your January 27 inspection. This room remains empty as the leased has expired and the tenant has vacated the property.
- 2) & 7) Brush pile will be removed before re-inspection scheduled for February 27 at 10:00am
- 3) 5) & 6) The missing panel has been replaced and secured as was witnessed by you on your January 27 inspection. Scraping of chipped paint and re-painting of the automobile garage door and from the window frame NW corner of house will be done weather permitting as we will file an appeal to postpone those repairs until warmer weather, late April or early May.
- 4) Front steps to public sidewalk, a new wrought iron handrail has been ordered from Selby Iron with install to be temporary and as weather permits permanent anchoring to follow. We will appeal this for a weather permit action. We hope to have this install on re-inspection February 27 at 10:00am.
- 8) Second floor guardrail height to be modified to meet code, materials have been purchased and modification will be completed prior to February 27 re-inspection.
- 9) All areas of the building will be made available to the inspector for inspection as scheduled for February 27 at 10:00am.
- 10) We will file for appeal on egress of windows as they are existing and original to the home. The owner will be moving back into the home upon completing contract work outside of the US. Replacement of the windows would constitute an unnecessary financial burden on the owner at this time.

Should you have any questions or concerns about this action plan, please call or email me. I am the contact person for the property at this time. My contact information is listed below. Would you be so kind as to acknowledge having received this communication.

Thank you for your time and consideration,
Steve Matysik
612-849-9186
spmatysik@comcast.net

From: "Rick Gavin" <Rick.Gavin@ci.stpaul.mn.us>
To: spatysik@comcast.net
Sent: Monday, January 30, 2012 8:02:21 AM
Subject: 1252 James
