



# APPLICATION FOR APPEAL

RECEIVED

DEC 07 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 351905)
- ☒ 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, Dec. 18, 2012

Time 1:30 p.m.

Location of Hearing:

Room 330 City Hall/Courthouse

## Address Being Appealed:

Number & Street: 730 Western Ave N. City: St. Paul State: MN Zip: 55103

Appellant/Applicant: Via Ly Vang/Khamphieu Vang Email: KPVang@hotmail.com

Phone Numbers: Business N Residence N Cell 651-261-1094

Signature: Via Ly Vang/Khamphieu Vang Date: 12-7-2012

Name of Owner (if other than Appellant): Via Ly Vang

Address (if not Appellant's): \_\_\_\_\_

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell 651-261-1094

## 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

# 104300 list #1 and #5

(See letter for details.)

Yia Ly Vang/Khamphiou Vang  
9348 Preserve Trail  
Woodbury, MN 55125  
651-261-1094

City of St. Paul  
Department of Safety and Inspection

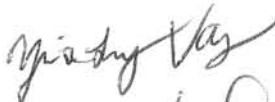

Ref: 730 Western Ave N. St. Paul, MN 55103  
Basement Height, Parking Area

To the City Office Representative,

1. The house was originally built by construction that was approved by the city of St. Paul. The basement height was 82 inches, which is the legally approved by an inspector for use as a bedroom. Recently, I received a letter stating that 82 inches is not up to code and for me to bring it up to code by raising it two inches higher. If the basement height was not up to code in the beginning, why didn't the inspector inform me that the basement height needed to be raised? The inspector let me buy the house knowing that the basement height wasn't up to code. I am asking you to please look over the attached house layout drawing including measurements to reconsider approving for use as a bedroom. If not the basement height is not approved for use a bedroom, I will be unable cover mortgage and utilities due to shortage of income. I will have no choice, but to leave this house to foreclosure.
2. The parking space next to the garage on the south side was originally covered with classified gravel. Tenants have been able to park in that spot for years before I bought this house. Four years ago, an inspector

said that using classified gravel to cover the spot is legally approved for parking. I ask again to please reconsider your decision about basement height and parking space.

Sincerely,

Yia Ly Vang/ Khamphiou Vang



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](http://www.stpaul.gov/dsi)

November 26, 2012

YIA LY VANG  
9348 PRESERVE TRAIL  
WOODBURY MN 55125-7502

### **FIRE INSPECTION CORRECTION NOTICE**

RE: 730 WESTERN AVE N  
Ref. #104300  
Residential Class: C

Dear Property Representative:

Your building was inspected on November 20, 2012 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 December 27, 2012 at 1:00pm.**

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. Basement Unit - Ceiling Height - SPLC 34.13 (1) - Provide and maintain all habitable areas with a ceiling height of 7 feet over 1/2 the floor area.-Provide a minimum ceiling height of 7 feet over 1/2 of the floor area or discontinue occupying the basement unit. The ceiling height in the basement unit north bedroom is 70-79 inches. The total area of the north bedroom is 12 feet x 8 feet = 96sf. The area with ceiling height at 70 inches = 59.25sf. The area with ceiling height at 79 inches is 36.75sf. The ceiling height throughout the remaining basement unit is 82 inches or 6 feet, 10 inches.



- ✓ 2. Basement Unit - SPLC 62.101 - Use of this property does not conform to zoning ordinance. Discontinue unapproved use or call DSI Zoning at (651) 266-8989 to convert to legal use.-There is an illegal 3rd unit that has been established in the basement of this property. The property is zoned as a non-conforming duplex. Immediately remove the illegal 3rd unit in the basement.
- ✓ 3. Basement and Upper Unit - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.-Remove and discontinue the use of extension cords and power-strips into non-grounded outlets. Power-strips are acceptable for electronics (TV, VCR, video games, stereo, etc) provided the power-strip is equipped with a resettable breaker and plugged directly into a permanently grounded outlet. Household appliances (refrigerator/freezer, range, washer/dryer, etc) must be plugged directly into a permanently grounded outlet. Noted deficiencies are as follows: Upper Unit Living Room (power-strip into non-grounded outlet), Kitchen (range into power-strip), Upper Floor Storage Area (extension cord); Basement (refrigerator into extension cord).
4. Basement, Lower Unit, and Upper Unit - Fire Extinguishers - MSFC 906.1, MN Stat. 299F.361 - Provide approved fire extinguishers in accordance with the following types, sizes and locations.-Provide one minimum 1A10BC fire extinguisher within each apartment unit or a minimum 2A10BC not be more than 50' travel distance from each apartment entrance. They must be permanently mounted between 3 and 5 feet high in readily visible and easily accessible locations. Provide required annual maintenance of the fire extinguishers by a qualified person and tag the fire extinguishers with the date of service.
5. Exterior - Driveway - SPLC 34.08 (7) - All parking spaces shall be paved with asphalt, concrete, or durable dustless surfacing. Before any existing spaces may be paved, site plan approval must be obtained as specified in the St. Paul Zoning Code. Contact DSI Zoning at 651-266-9090.-The driveway is class 5 gravel. Class 5 gravel is not an approved parking surface. Provide an approved parking surface.
- ✓ 6. Garage - Exterior Surfaces - 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.-Replace the rotted/deteriorated fascia/siding on the garage. Maintain all exterior surfaces in a good state of repairs and protected against elements of the weather.
- ✓ 7. Lower Unit and Upper Unit - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window glass.-Replace the broken window glass in the upper floor living room and lower unit living room and north bedroom.
- ✓ 8. Upper Unit - Upper Floor East Bedroom - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.

- ✓ 9. Upper Unit - Upper Floor East Bedroom - SPLC 34.13 (3) - Every room occupied for sleeping purposes by one (1) occupant shall have a minimum gross floor area of at least seventy (70) square feet and every room occupied for sleeping purposes by two (2) or more occupants shall have a minimum gross floor area of fifty (50) square feet per occupant thereof.-Room Dimension: 10 feet x 7 feet = 70 square feet. Reduce and maintain the number of occupants in the room to one (1).
- ✓ 10. Upper Unit - Upper Floor Storage Area - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-9090.- Remove the incorrectly installed light fixture in the storage area in the upper floor.
- ✓ 11. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.

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 this order.

If you have any questions, email me at: [wayne.spiering@ci.stpaul.mn.us](mailto:wayne.spiering@ci.stpaul.mn.us) or call me at 651-266-8993 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,

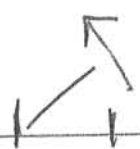
Wayne Spiering  
Fire Inspector

Reference Number 104300

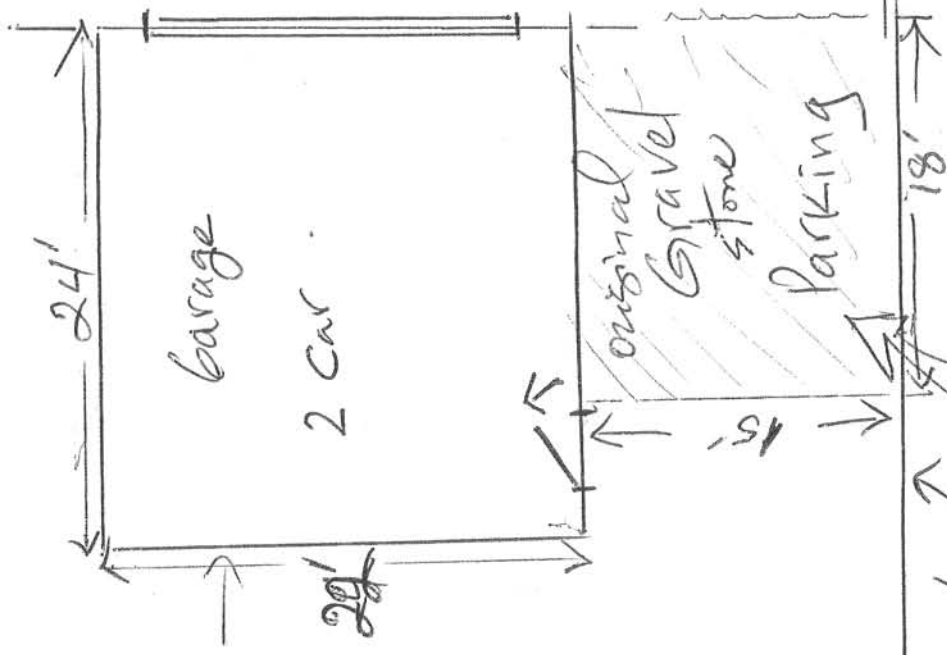
(N)

730. N. Western

Duplex House  
Here

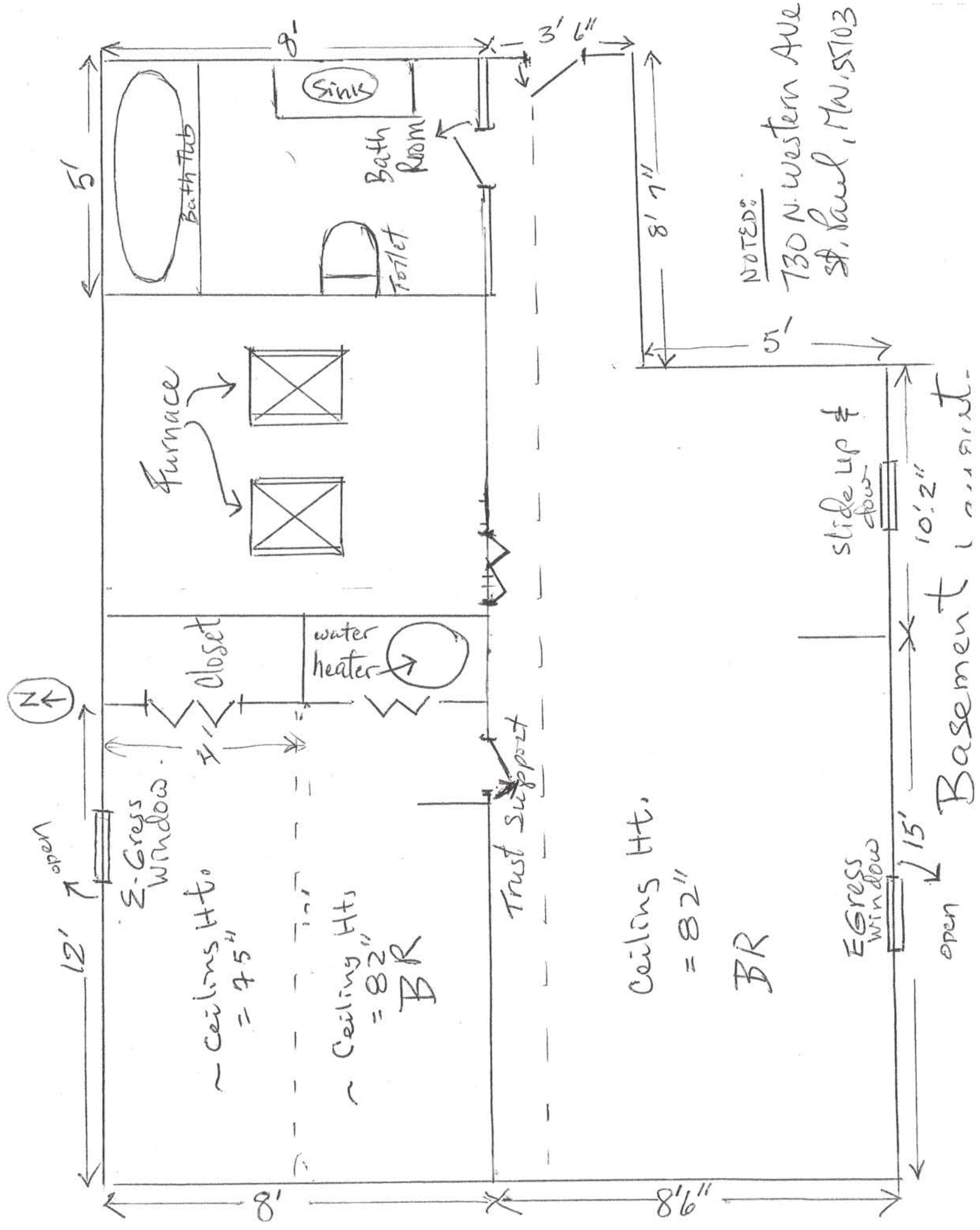


Western Ave. n. Street



NOTED:

730 N. Western Ave.  
St. Paul, MN 55103  
lot.



NOTED:  
730 N. Western Ave  
St. Paul, MN 55103

Ceiling Hts.  
= 82"  
BR

slide up & down  
10' 2"  
Egress window  
open  
Basement