



# APPLICATION FOR APPEAL

RECEIVED

AUG 16 2013

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, 8/27/13

Time ~~1:00 PM~~ 11:00 AM

Location of Hearing:

Room 330 City Hall/Courthouse

## Address Being Appealed:

Number & Street: 661 ASHLAND AVE City: ST. PAUL State: MN Zip: 55104

Appellant/Applicant: KENNETH D. FERKUS Email KEN@1IGPRINT.COM

Phone Numbers: Business 651-683-1125 Residence 651-797-3681 Cell \_\_\_\_\_

Signature: [Handwritten Signature] Date: \_\_\_\_\_

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
- ☐ Code Enforcement Correction Notice
- ☐ Vacant Building Registration
- ☐ Other

I AM <sup>ASKING</sup> ~~ASKING~~ FOR THE  
REINSPECTION DATE TO BE  
RESCHEDULED FOR APRIL 30, 2014  
TO ALLOW MY CONTRACTOR TIME  
TO COMPLETE THE SIDING OF  
THE HOUSE AND GARAGE. AND TO  
ALLOW US TIME TO COME UP WITH  
THE MONEY TO SIDE THE HOUSE  
AND THE GARAGE

Hello,

My name is Ken Firkus. My wife Allicia and I are the owners of 661 Ashland Avenue, St. Paul. This is the first house that I ever owned. I purchased the house approximately 16 years ago. For the first 7-8 years, I lived in the upper half and rented out the lower half. Then I met my wife. We both lived in the upper half and rented the lower half for a couple more years. We even lived there with our first child for about 6 months.

Then, in 2006, we got an opportunity to purchase our first home together. This home was my brother's house, and we felt fortunate to have a chance to purchase a home that we new was sound and well kept. We kept the duplex and in time, rented out both the upper and lower halves.

Now that we no longer live at the property, we have fallen into the City's realm of "landlord", and we now have a list of compliance guidelines that the City wants landlords to follow and be in compliance.

On January 29, 2013 we received our first list of compliance guidelines after the first inspection. There were 14 items that needed to be addressed (see attached notice dated January 29, 2013). We have addressed 12 of the 14 items, and now only have 2 items that need to be addressed (see attached notice dated August 13, 2013). All of the items that we have addressed so far, were, in our minds, the most important because they were potential safety issues. The last 2 items are cosmetic issues, and of course, these are the 2 most expensive items that we need to address, the exterior of the garage and the exterior of the house.

The garage has cracking and peeling paint, and the garage door has some cosmetic damage to one of the panels. The house has asphalt shingles that are deteriorating, brittle to the touch, and showing their age. There are some small holes, some broken siding shingles, etc. etc.

The inspector says that the City only requires minimum compliance, and that the holes and broken shingles only need to be repaired, not completely replaced. However, we want to do what is best and what is right. We don't want to spend the money to "fix" the current issue, only to have other issues pop-up later that we have to spend more money just to fix those issues. We want to do it the right way and we want to do it once.

You will see that we have also attached 2 bids. One is for repairing/replacing some of the shingle/holes. Then painting the house and the garage (see attached estimate from Paper Chase for \$5,775). The other is for having the house and garage resided with vinyl siding (see attached estimate from PorchLight Homes for \$11,685).

The repairing and painting is something we can afford to do in the next couple of months. However, we are concerned with how long that solution will last.

The replacing of the siding with vinyl siding is a solution that we are strongly leaning towards. We really think that siding the house would also "fit in" much better with the athstetic of the neighborhood. Many of the homes have wood clapboard siding, and the condo's on the corner are sided with vinyl siding, similar in style and color to what we would like to have done to our house.

However, we can't afford to accomplish the vinyl siding until the spring of 2014. The contractor who gave us the bid can't even start until the end of November, and that brings in the concern of weather.

Neither solution can be accomplished by either contractor until after the next inspection on September 12, 2013. This is why we are appealing to the City for more time. We would like to do the right thing when we can afford it.

One last thing we would like to mention to the City/Appeal Board/Appeal Person. Over the past 16 years, we have continued to make repairs/upgrades to our property without the City ever telling us that we had to.

21 of the 28 windows in the house have been replaced with new replacement windows. The last 7 windows were the only windows in good enough shape to keep.

On the interior, we have refinished woodwork, repaired cracked plaster on walls and ceilings, and professionally painted.

Last year, the roofs of the house and the garage were resingled. At that same time, we had the attic dormers resided, and the 9 deteriorating dormer windows replaced. The roofs were covered by insurance because of hail damage. But the dormers and the windows came out of our pockets. We knew that the dormers and windows needed attention, and since the company doing the roofing also did siding and windows, and they were up there anyway, we felt it was a good time, both from a financial and practical aspect, to take care of them. The dormers and windows cost us almost \$10,000 to have done. That put a very large dent in our savings. But they were done once, and they were done right.

We would really appreciate the time to do the siding the right way, when we can afford to have it done. Please accept our Appeal for more time to accomplish the siding of our house. We just can't afford to have it done right now, but if the City gives us the time, we will be able to have it done, once and the right way.

Thank you for your time and consideration,

Ken and Allicia Firkus



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)

August 13, 2013

KENNETH FIRKUS  
ALLICIA FIRKUS  
392 COLLEEN DR  
VADNAIS HGTS MN 55127-7085

### **Revocation of Fire Certificate of Occupancy and Order to Vacate**

RE: 661 ASHLAND AVE  
Ref. # 109929

Dear Property Representative:

Your building was inspected on August 12, 2013, for the renewal of the Certificate of Occupancy. Since you have failed to comply with the applicable requirements, it has become necessary to revoke the Certificate of Occupancy in accordance with Section 40.06 of the Saint Paul Legislative Code.

**A reinspection will be made on September 12, 2013 at 10:00 AM or the property vacated.**

The Saint Paul Legislative Code further provides that no building shall be occupied without a Certificate of Occupancy. Failure to immediately complete the following deficiency list or the building vacated may result in a criminal citation.

#### **DEFICIENCY LIST**

1. Exterior - Garage - 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.
2. Exterior - Throughout - SPLC 34.09 (1) b,c, 34.32 (1) b,c - Provide and maintain all exterior walls free from holes and deterioration. All wood exterior unprotected surfaces must be painted or protected from the elements and maintained in a professional manner free from chipped or peeling paint. - Repair or replace deteriorating siding.

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>

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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: (651-266-8585) and must be filed within 10 days of the date of this order.**

If you have any questions, email me at: [jeremy.hall@ci.stpaul.mn.us](mailto:jeremy.hall@ci.stpaul.mn.us) or call me at **651-266-8987** between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Jeremy Hall  
Fire Inspector  
Ref. # 109929



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)

January 29, 2013

KENNETH FIRKUS  
ALLICIA FIRKUS  
392 COLLEEN DR  
VADNAIS HGTS MN 55127-7085

### FIRE INSPECTION CORRECTION NOTICE

RE: 661 ASHLAND AVE  
Ref. #109929  
Residential Class: C

Dear Property Representative:

Your building was inspected on January 29, 2013 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 March 1, 2013 at 2:00 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 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 - Dryers - 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 may require a permit(s). Call DSI at (651) 266-8989.

2. Exterior - Garage - 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.
3. Exterior - Throughout - SPLC 34.09 (1) b,c, 34.32 (1) b,c - Provide and maintain all exterior walls free from holes and deterioration. All wood exterior unprotected surfaces must be painted or protected from the elements and maintained in a professional manner free from chipped or peeling paint.-Repair or replace deteriorating siding.
4. Garage - North Exterior - SPLC 71.01 - Provide address numbers on building per attached HN-1 handout.
5. North Stairs - SPLC 34.09 (2) 34.32 (2) - Provide an approved guardrail with intermediate balustrade or rails 4 inches or less apart. This work may require a permit(s). Call DSI at (651) 266-9090.
6. North Stairs - 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.
7. South 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. South Sidewalk - SPLC 34.08 (5), 34.31 (3) - Repair, replace or maintain all exterior surfaces on retaining walls.
9. Unit 1 - Entry way - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.
10. Unit 1 - Living room - MSFC 605.4 - Discontinue use of all multi-plug adapters.
11. Unit 2 - Multiple Locations - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.
12. Unit 2 - North stairwell doors - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door latch. - Repair or replace door knob.
13. 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.
14. 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: [jeremy.hall@ci.stpaul.mn.us](mailto:jeremy.hall@ci.stpaul.mn.us) or call me at 651-266-8987 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,

Jeremy Hall  
Fire Inspector

Reference Number 109929

## ESTIMATE

SUBMITTED TO:

# PAPER CHASE

6800 Greenway Lane  
Forest Lake, MN 55025  
651-464-6820  
Cell 612-209-6465



|                  |              |            |
|------------------|--------------|------------|
| NAME             | Ken Firkus   |            |
| ADDRESS          | 663 Ashland  |            |
| CITY             | St. Paul     |            |
| STATE            | Mn           |            |
| RES. PHONE       | 651-797-3681 | BUS. PHONE |
| ken@1igprint.com |              |            |

[illegible]

TERMS OF ESTIMATE the payments of this estimate to be made as follows. \_\_\_\_\_

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work specified. Payment will be made as outline above.

Accepted \_\_\_\_\_ Signature \_\_\_\_\_

Date \_\_\_\_\_ Signature \_\_\_\_\_

**SUBTOTAL**

DEPOSIT

**TOTAL OF ESTIMATE**

5775

1887 BARCLAY  
STREET  
ST. PAUL, MINN  
55108



PORCHLIGHT.BIZ  
DESIGN, BUILD,  
REMODEL

EST. 2008

612.360.0286  
JORDAN@  
PORCHLIGHT.BIZ

KITCHENS, BATHROOMS, MASTER SUITES, LIVING  
ROOMS, DINING ROOMS, PORCHES, GARAGES,  
SUNROOMS, WINDOWS, DOORS, SIDING, FLOORING,  
ADDITIONS, NEW CONSTRUCTION, RENOVATION.

# E s t i m a t e

| name / address                           | project                     | date     |
|--|-----------------------------|----------|
| 661 Ashland Ave.<br>St. Paul 55194-55104 | Re- siding house with Vinyl | 7-6-2013 |

|                | description   | amount      |
|----------------|---|-------------|
| <b>Siding</b>  | Remove siding from house and reside with a Vin siding.<br>- Remove all siding and install new whether wrap. taping all seams.<br>- Caulk all trim into all doors and windows.<br>- Install new vinyl siding.<br>- | \$11,235.00 |
| <b>Permit.</b> |   | \$450.00    |

**TOTAL**

**\$11,685.00**