



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

FEB 02 2015

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

We need the following to process your appeal: CITY CLERK

- ☒ \$25 filing fee (non-refundable) (payable to the City of Saint Paul)
(if cash: receipt number _____)
- ☒ Copy of the City-issued orders/letter being appealed
- ☒ Attachments you may wish to include
- ☒ This appeal form completed
- ☒ Walk-In OR ☐ Mail-In
for abatement orders only: ☐ Email OR ☐ Fax

HEARING DATE & TIME

(provided by Legislative Hearing Office)

Tuesday, Feb. 17, 2015

Time 1:30 p.m.

Location of Hearing:

Room 330 City Hall/Courthouse

Address Being Appealed:

^{Rental}
Number & Street: 1191 Reaney Ave. City: St. Paul State: MN Zip: 55106

Appellant/Applicant: Timothy McCormick Email timothy.f.mccormick@gmail

Phone Numbers: Business _____ Residence _____ Cell 612-201-5713

Signature: Timothy McCormick Date: 1/29/15

Name of Owner (if other than Appellant): _____

^{Home}
Mailing Address if Not Appellant's: 767 St. Anthony Ave., St. Paul, MN, 55104

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/Correction discussed in attachment

☐ Code Enforcement Correction Notice

☐ Vacant Building Registration

☐ Other (Fence Variance, Code Compliance, etc.)



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 22, 2015

TIMOTHY MC CORMICK
NOEL MC CORMICK
767 ST ANTHONY AVE
ST PAUL MN 55104-4848

FIRE INSPECTION CORRECTION NOTICE

RE: 1191 REANEY AVE
Ref. #122013
Residential Class: C

Dear Property Representative:

Your building was inspected on January 22, 2015 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 February 24, 2015 at 11:20 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 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. Exterior - Back yard - SPLC 34.08(5), 34.32(3) - All accessory structures including, but not limited to, detached garages, sheds and fences shall be maintained structurally sound and in good repair. Provide and maintain exterior unprotected surfaces painted or protected from the elements.-Repair the fence near the garage and the fence that runs along the East side of the yard. The garage requires some repairs and painting.

2. Exterior - Front of House - SPLC 34.09 (2), 34.32(2) - Repair or replace the unsafe stairways, porch, decks or railings in an approved manner. This work may require a permit(s). Call DSI at (651) 266-8989.-Concrete stairs were altered/repared in an unapproved manner. Stairs are missing hand and guardrails and has improper rise and rung.
3. Exterior - Garage - 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.
4. Exterior - Near Garage - SPLC 34.08 (1), 34.31 (1) - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces.-Remove the mattress and tires that are next to the garage.
5. Interior - Basement - MSFC 605.4 - Discontinue use of all multi-plug adapters.-The multi-plug adapters that are in the basement are not approved and they must be remove.
6. Interior - Basement - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.-Remove the extension cord that is connected to the washing machine.
7. Interior - Basement - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.-Light fixture in the basement bathroom requires a cover.
8. Interior - Basement - SPLC 34.10 (3) 34.33(2) - Provide an approved guardrail. Intermediate balustrade must not be more than 4 inches apart. Intermediate rails must be provided if the height of the platform is more than 30 inches.
9. Interior - Basement - SPLC 34.10 (3), 34.33(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.
10. Interior - Throughout - Ext. Door SPLC 34.09 (3), 34.33 (3) - Repair and maintain the door in good condition.-Remove the unapproved lock on the front door and repair the door frame and the molding where the old latch was. Repair the door frame for the side door on the West side of the house. All interior doors are required to have a door handle or door knob, however they do not need to have locks on them. Also replace or repair the strike plate for the North-East bedroom on the second floor.
11. 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.

12. 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: (651-266-8585) and must be filed within 10 days of the date of this order.

If you have any questions, email me at: Efrayn.Franquiz@ci.stpaul.mn.us or call me at 651-266-8955 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,

Efrayn Franquiz
Fire Inspector

Reference Number 122013

1. Exterior - Back yard - SPLC 34.08(5), 34.32(3) - fence & garage
 - a. Accepted - fence near garage. I've installed a top bar and clipped the fence to the bar.
 - b. Appeal - fence along east side of yard. I am pretty certain this fence is owned by the neighbor. It runs directly up to the corner of his detached garage, and my understanding of Saint Paul code for detached garages is that they are required to be 3' from the side lot line. Therefore, the fence is on their side of the lot line by approximately 3'.
 - c. Appeal - paint garage. Code requires the building to be maintained in a good state of repair. Paint is barely beginning to flake on one of the four walls of the garage. The other three walls show no noticeable deterioration. I completely accept that the wall will need to be painted a few years from now, but I do not think it is necessary at this time - especially not in the middle of winter, as the notice requires.

Image - picture of two walls of the garage:



Image - picture of wall where paint is starting to deteriorate:



Image - picture of neighbor's garage for comparison:



2. Exterior - Front - SPLC 34.09(2), 34.32(2) -
 - a. Appeal - Stairs require handrail. 34.09(2) indicates stairs must be maintained in accordance with building code in effect when originally constructed. The house

was built in 1911 and passed home inspection without railing when purchased late last summer (2014). Moreover, because there is a small "front" to the canopy at the landing which funnels one to the center of the stairs, a handrail would not make the stairs more safe.

- b. Appeal - stairs altered / repaired in an unapproved manner. Stairs had signs of repeated patching & spalling. Adding wooden sheathing to each tread & riser completely negates the slip hazard from spalled tread corners and maintains the original rise / run ratio.

Image - original steps - note the bottom step is basically entirely spalled out:



Image - wood-sheathed steps:



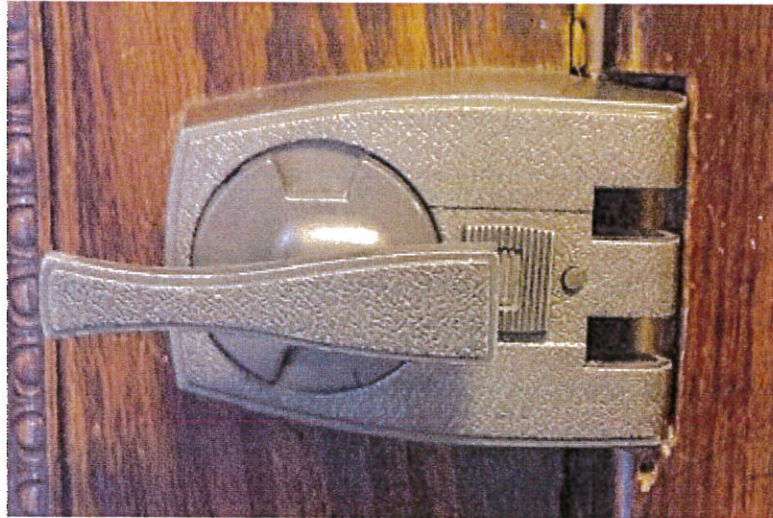
3. Exterior - Garage - SPLC 34.08(7). Appeal - Parking spaces must be paved with asphalt. The inside of the garage, where cars would park, is paved - the cement extends approximately 4-6" past the garage door. However, the apron between the alley and the garage is not paved. This is not a parking spot, and I could find no requirements that aprons be paved.
4. Exterior - near garage - SPLC 34.08(1) - garbage on property. Accept. I will ensure the garbage is removed. However, this is the third incident of illegal dumping on my property since September of 2014. I would like to discuss what the City can do to keep me from being a victim of this crime in the future.
5. Interior - basement MSFC 605.4 - multi-plug adapters. Accept. Adapters have been removed.

6. Interior - basement MSFC 605.5 - extension cords. Accept. Washing machine has been moved near outlet, and extension cord has been removed.
7. Interior - basement - MSFC 605.1 - Install cover / lens for basement bathroom light fixture. Accepted, but would like to discuss. I've tracked down the fixture make & model, and am ordering a replacement cover. However, I've been unable to find any code that requires this. My understanding is that Minnesota adopts IFC with some amendments. IFC 605.1 discusses identification of electrical hazards. However, I don't understand how a fixture without a cover is an electrical hazard.
8. Interior - basement - SPLC 34.10(3) 34.33(2) - guardrail for basement stairs. Appeal / modify. This code also references maintenance to the code under which the steps were originally constructed. Immediately after purchase I added a handrail along the wall to make them safer. However, I do not think a guardrail is required. If you do require a guardrail, it will need to stop a few steps up because the foundation comes in near the bottom step (reference photos).





9. Interior - basement - SPLC 34.10(3), 34.33(2) - Handrail. Appeal. Even though I do not think this is required by code, I installed a handrail immediately when I purchased the house. This item was not discussed during the inspection.
10. Interior - throughout - SPLC 34.09 (3), 32.33 (3)
- a. Front door - appeal. From a safety point of view, I removed the mechanism inside the lock so that it couldn't be accidentally engaged immediately upon purchase. I've removed the lock body, but in my opinion it is less aesthetically pleasing than leaving the lock in-place.



- b. Side door - appeal. The door frame is intact and there is no structural integrity issue. A portion of the trim molding was cut away at some point in the past. Trim molding is for aesthetic appeal so this is not a health or safety violation.
- c. Indoor doors - appeal. I was unable to find any code requiring indoor doors to have doorknobs. There are two doors missing knobs and they are both closets. Because the door hardware is antique, putting new knobs in will look haphazard.

- d. Strike plate in bedroom - accepted / modified. I thought a deadbolt in a bedroom was odd, so I removed the lock.
11. SPLC 34.11(6), 23.23(3) - Furnace. The boiler was serviced by Minneapolis St. Paul Plumbing, Heating, & Air on 11/26/2014 under order number 332001. A carbon monoxide test was performed at that time. I was unable to find a requirement in SPLC for the Fire Marshal's Existing Fuel Burning Equipment Safety Test Report. Please confirm this is still required if the boiler has been recently serviced, and I can take care of it.
12. SPLC 39.02(c). - Smoke Detectors. Accepted.

Thank you for your consideration. I look forward to meeting with you to discuss these items.

Best Regards,



Timothy McCormick