



RLH VO 15-11

# APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

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CITY CLERK

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

We need the following to process your appeal:

- ☒ \$25 filing fee (non-refundable) (payable to the City of Saint Paul)  
(if cash: receipt number 794146)
  - ☒ 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, March 24, 2015

Time 11:30 a.m.

Location of Hearing:

Room 330 City Hall/Courthouse

## Address Being Appealed:

Number & Street: 315 BLAIR AVE City: ST. PAUL State: MN Zip: 55104

Appellant/Applicant: EUGENE KOTZ Email: eugene.kotz@xcelenergy.com

Phone Numbers: Business 612-598-5804 Residence \_\_\_\_\_ Cell \_\_\_\_\_

Signature: Eugene Kotz Date: 3/4/15

Name of Owner (if other than Appellant): \_\_\_\_\_

Mailing 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/Correction
- ☐ Code Enforcement Correction Notice
- ☐ Vacant Building Registration
- ☐ Other (Fence Variance, Code Compliance, etc.)

See Attached

To Whom It May Concern,

The subject property had a terrible tenant that I was proactive in pursuing the eviction process. Even though I was going through the process and waiting for my court date, a nuisance order was initiated and my building cited for damages caused by this tenant. I am remedying the property as we speak, however, the eviction process did not allow for expedient removal of this nuisance. I am an upstanding citizen, and have never had problems until now.

I am planning on selling this property in MAY 2015.

Regards Gene Kotz



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)

February 20, 2015

EUGENE R KOTZ  
2021 BLUE JAY ST  
SHAKOPEE MN 55379-4384

## REVOCATION OF FIRE CERTIFICATE OF OCCUPANCY AND ORDER TO VACATE

RE: 315 BLAIR AVE  
Ref. # 114498

Dear Property Representative:

Your building was inspected on February 20, 2015, in response to a complaint. 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 March 2, 2015 at 11:00am. All work must be completed 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. INTERIOR - FRONT PORCH - SPLC 34.23, MSFC 110.1 - This occupancy is condemned as unsafe or dangerous. This occupancy must not be used until re-inspected and approved by this office. **-Front Porch is condemned due to extensive structural issues. Porch is pulling away from the building and is not properly supported. Immediately repair, replace, or remove under permit. Contact DSI at 651-266-8989.**
2. EXTERIOR - FRONT STEPS - 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.

3. EXTERIOR - GARAGE - MSFC 605.1 - Remove unapproved exposed wiring and install in accordance with the electrical code. This work may require a permit(s). Call DSI at (651) 266-8989. -Fixtures in the garage.
4. GARAGE - NFPA 211 8-2.4 - Immediately discontinue use and remove the wood burning stove from the residential garage. **-Remove the improperly installed woodstove.**
5. 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.
6. INTERIOR - BASEMENT - SPLC 34.10 (3), 34.33(2) - Repair or replace the unsafe stairway in an approved manner. **-Basement stair treads were loose and not matching in size.**
7. INTERIOR - BASEMENT - MSMC 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 and installed in accordance with the mechanical code. This work may require a permit(s). Call DSI at (651) 266-8989. **-Dryer vent was not properly installed and was not connected to the gas dryer.**
8. INTERIOR - BASEMENT - UMC 1346.703 - Provide 30 inches clearance around all mechanical equipment. **-Items stored too close to the water heater.**
9. INTERIOR - BASEMENT - SPLC 34.10 (1) - Abate and maintain the basement reasonably free from dampness and free of mold and mildew. **-Visible mold on the basement walls.**
10. INTERIOR - BEDROOMS - MSFC 1028.3 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exit way. **-Remove the items blocking the bedroom egress windows.**
11. INTERIOR - DRYER - MN Rules 1300.0180 - Immediately discontinue use of unsafe heating appliance until repaired or replaced by a licensed contractor. This work may require a permit(s). Call DSI at (651) 266-9090. Red tags may not be removed except by fire inspector. **-Dryer was red tagged. Inspector unplugged and shut the gas off to the unit.**
12. INTERIOR - FOUNDATION - SPLC 34.09 (1) a, 34.32 (1) a - Provide and maintain foundation elements to adequately support this building at all points.
13. INTERIOR - FOUNDATION - SPLC 34.10 (2), 34.33 - Repair and maintain the damaged structural member. This repair may require a building permit; call DSI at (651) 266-8989. **-Foundation support for the basement was not sitting on its footing.**
14. INTERIOR - KITCHEN - MSFC 603.7 - Immediately cease using the stove or oven for heating.



15. INTERIOR - REAR DOOR - SPLC 34.09 (3) i - Provide and maintain an approved one-inch throw single cylinder deadbolt lock.
16. INTERIOR - REAR ENTRY DOOR - Ext. Door SPLC 34.09 (3), 34.33 (3) - Repair and maintain the door in good condition.
17. INTERIOR - THROUGHOUT - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes were missing.
18. INTERIOR - THROUGHOUT - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989. -There were several broken outlets.
19. INTERIOR - THROUGHOUT - MSFC 1003.3.1.8 - Remove unapproved locks from the exit doors. The door must be openable from the inside without the use of keys or special knowledge or effort. **-Remove the locks on the basement door and the door leading to the second floor.**
20. INTERIOR - THROUGHOUT - MSFC 315.2 - Provide and maintain orderly storage of materials.-
21. INTERIOR - THROUGHOUT - MSFC 308.2.1 - No person shall throw or place, or cause to be thrown or placed, a lighted match, cigar, cigarette, matches, or other flaming or glowing substance or object on any surface or article where it can cause an unwanted fire. - **There were several cigarette butts, disposed of on combustible surfaces throughout the home.**
22. INTERIOR - THROUGHOUT - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.
23. INTERIOR - THROUGHOUT - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.  
**-Basement had a large amount of dirty clothes that were moldy on the floor on a dust covered surface.**  
**-Thoroughly clean the unit.**
24. INTERIOR - THROUGHOUT - SPLC 34.11, MSBC 2902.1, SPLC 34.17, MSPC 415.0220 - Repair or replace and maintain all parts of the plumbing system to an operational condition. **-There has been recent plumbing work (new fixtures, lines) without any permits obtained.**
25. INTERIOR - SPLC 34.09 (3), 34.33 (3) -Provide or repair and maintain the window screens, where broken or missing.
26. INTERIOR - SPLC 34.16 (2) - Properly dispose all of your garbage in the owner-provided containers.

27. INTERIOR - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area. **-Low battery indicator on smoke detector.**
28. INTERIOR - BASEMENT - SPLC 34.11 (4), 34.34 (1), MPC 4515, MPC 326 - Connect or cap the sewer piping in accordance with the plumbing code. **-Main stack was leaking. Contact a licensed plumber to repair under permit. Contact DSI at 651-266-8989.**
29. INTERIOR - THROUHOUT - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner. **-There were several holes in the walls.**
30. 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.
31. 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: [adrian.neis@ci.stpaul.mn.us](mailto:adrian.neis@ci.stpaul.mn.us) or call me at 651-266-8992 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

A.J. Neis  
Fire Inspector

Ref. # 114498