



Legislation Details (With Text)

File #: RLH VO 11-65 **Version:** 2

Type: Resolution LH Vacate Order **Status:** Archived
In control: City Council
Final action: 9/21/2011

Title: Appeal of Brian D. Alton to a Fire Certificate of Occupancy Condemnation and Order to Vacate Unit 6 at 929 SUMMIT AVENUE. (Public hearing continued from August 17)

Sponsors: Melvin Carter III

Indexes: Vacate Order, Ward - 1

Code sections:

Attachments: 1. 929 Summit Ave.CAO Memo.7-27-11.pdf, 2. 929 Summit Ave.Appeal.10-29-10.pdf, 3. 929 Summit Ave.Alton Email.11-8-10.pdf, 4. 929 Summit Ave.Letter to Bob Kessler.11-8-10, 5. 929 Summit Ave.Letter to Halverson & Blaiser 10-26-10.pdf, 6. 929 Summit Ave.PC ltr.10-19-10.pdf, 7. 929 Summit Ave.St Paul Fire Inspection Condemned sign.10-25-10, 8. 929 Summit Ave.Alton Ltr.1-27-11.pdf

Date	Ver.	Action By	Action	Result
9/21/2011	2	City Council	Withdrawn	
8/17/2011	2	City Council	Continue Public Hearing	Pass
1/25/2011	1	Legislative Hearings	Referred Under Master Resolution	
12/21/2010	1	Legislative Hearings		

Appeal of Brian D. Alton to a Fire Certificate of Occupancy Condemnation and Order to Vacate Unit 6 at 929 SUMMIT AVENUE. (Public hearing continued from August 17)

929 Summit Avenue

Unit 6, condemned due to an inadequate number of exits. Vacate date is November 8 at 11:30 a.m.

October 26, 2010

This legislative file was not originally forwarded to the City Council. This is because there had already been an appeal on this matter, where the Council had denied the appeal. I had accepted the Alton appeal on his request that I examine the situation again, to determine if anything had changed from the time of the Council's original decision. I did not believe it was necessary to place it in front of the Council for a 2nd vote. However, upon repeated request of the appellant, I did ask the City Attorney's Office to review the matter and make a recommendation to me as to how to proceed. They recommended that I put the matter again before the City Council. This memo is attached to this file.

Unit 6, the 3rd floor unit, has been determined to have no second exit in case of fire, which has been noted in the Fire Inspection Orders since June of 2010. It was condemned and vacated at the end of the school year (it was occupied by law students from William Mitchell). The question is whether it can be re-occupied without a second exit, and have this requirement "waived."

It is my understanding is that the appellant's architect has initiated discussion with the Building Official on a possible fix for this problem. However, there has been no application for a building permit.

WHEREAS, in the matter of the Appeal of Brian D. Alton to a Fire Certificate of Occupancy Condemnation and Order to Vacate at Unit 6 of 929 Summit Avenue, the Legislative Hearing Officer has reviewed the appeal and considered the testimony of City staff and the appellant; and

WHEREAS, the Legislative Hearing Officer recommends that the City Council deny the appeal; Now, Therefore, Be It

RESOLVED, that the Saint Paul City Council hereby accepts and adopts the Legislative Hearing Officer's recommendation in this matter.