APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

310 City Hall, 15 W. Kellogg Blvd.
Saint Paul, Minnesota 55102
Telephone: (651) 266-8585
legislativehearings@ci.stpaul.mn.us

RECEIVED
MAR 19 2025
CITY CLERK

We need the following to process your appeal:

- [X] **$25 filing fee** (non-refundable) **(payable to the City of Saint Paul) (if cash: receipt number** 8051 **)**
- [X] **Copy of the City-issued orders/letter being appealed & any attachments you may wish to include**
- [X] Walk In [ ] Mail [ ] Email

Appeal taken by:

HEARING DATE & TIME
(provided by Legislative Hearing staff)
Tuesday, March 25, 2025
Location of Hearing:

- [X] **Telephone:** *you will be called between* 2:00 pm & 4:00 pm
- [ ] **In person** *(Room 330 City Hall)* **at:** _____
(required for all condemnation orders and Fire C of O revocations and orders to vacate)

Address Being Appealed:

Number & Street: 2286 Como Ave City: St. Paul State: MN Zip: 55108

Appellant/Applicant: Michael Frattallone Email mike.frattallone@frattallones.com

Phone Numbers: Business 651-330-8325 Residence _____ Cell 612-709-2222

Signature: _____ Date: 3/18/2025

Name of Owner (if other than Appellant): Frattallone I, LLC

Mailing Address if Not Appellant's: 1010 Sibley Memorial Highway, Mendota Heights, MN 55118

Phone Numbers: Residence _____ Cell 612-709-2222

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** See attachment
- [ ] **Code Enforcement Correction Notice** _____
- [ ] **Vacant Building Registration** _____
- [ ] **Other** (Fence Variance, Code Compliance, etc.) _____

St. Paul City Council
Department of Legislative Appeals
310 City Hall, 15 W. Kellogg Blvd
St. Paul, MN 55102

Subject: Appeal of Fire Inspection Correction Notice

Dear Members of the Department of Legislative Appeals,

I am writing on behalf of Frattallone's Hardware and Garden to formally appeal the deficiency cited in the recent Fire Inspection Correction Notice regarding our aisle width requirements. This is the first item on the attached deficiency list, cited as MSFC 1104.23, 1018.1. Specifically, the notice states that our aisles must maintain a minimum width of 42 inches.

The base width of our aisles do meet this requirement. However, the inspector noted that in a few places, the overhead racking system slightly decreased the width of the aisle. Since our store's opening in 2017, our current aisle configuration has been consistently approved in multiple fire inspections without any prior citations or concerns.

Unfortunately, widening the aisles would require removing one of our six aisles, which would result in approximately 16% of our total product being removed. Alternatively, we could remove the multi-rack shelving that stores our overstock above regular inventory. Removing this shelving would leave us without a designated space for overstock, which would have a significant negative impact on store operations.

Given these substantial operational challenges, we respectfully request a variance to maintain our current aisle configuration. We are open to discussing potential solutions and safety measures with the hearing officer to ensure compliance while minimizing disruption to our business. We appreciate your time and consideration of this appeal and look forward to the opportunity to present our case.

Please let us know the next steps regarding the hearing process and any additional documentation or information required.

Thank you for your time and attention to this matter.

Sincerely,

Mike Frattallone

SAINT PAUL
SAFETY & INSPECTIONS

DEPARTMENT OF SAFETY & INSPECTIONS (DSI)
ANGIE WIESE, PE(MN), CBO, DIRECTOR

375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806
Tel: 651-266-8989 | Fax: 651-266-9124

February 24, 2025

Tom Frattallone
1203 W County Road E
Arden Hills Mn 55112

RE-Fire Safety Inspection Appointment

Dear Property Owner:

We have scheduled an inspection of your property. The details of the inspection are listed below:

Address:	2286 Como Ave	**Units:**	
Date:	March 28, 2025	**Time:**	10:30A.M.
Inspector:	James Thomas	**Phone:**	651-266-8983
		Email:	james.thomas@ci.stpaul.mn.us

Action Required By You

You or someone representing you must report to the front of the building to accompany the inspector throughout the building, including each rental unit, where applicable. Please have keys available to all units and common areas. The owner of a building is responsible for notifying the tenants that an inspection will be done at least 24 hours before the inspection.

If you no longer own or manage this building, contact James Thomas at 651-266-8983 immediately.

Additional Action Required For Housing

You must complete a **Smoke and Carbon Monoxide Detector Affidavit** prior to the inspection.

The success of your initial inspection determines what happens next in the inspection cycle. Routine self-inspections before our visit can help you obtain the best grade possible.

About the Inspection

Forms, fee schedules, a pre-inspection checklist and other inspection handouts and information are available on our website at: http://www.stpaul.gov/cofo. Thank you for your co-operation.

Saint Paul Legislative Code authorizes this inspection and the collection of inspection fees. It is a criminal misdemeanor violation to not appear for this appointment without rescheduling with the inspector. In addition, a No Entry fee may be assessed to your Renewal fee if you need to re-schedule the appointment but fail to notify the inspector in writing by 8:00 a.m. on the date of the inspection.

SAINT PAUL
SAFETY & INSPECTIONS

DEPARTMENT OF SAFETY & INSPECTIONS (DSI)
ANGIE WIESE, PE(MN), CBO, DIRECTOR

375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806
Tel: 651-266-8989 | Fax: 651-266-9124

February 24, 2025

TOM FRATTALLONE
1203 W COUNTY ROAD E
ARDEN HILLS MN 55112

FIRE INSPECTION CORRECTION NOTICE

RE: 2286 COMO AVE
Ref. #58237

Dear Property Representative:

Your building was inspected on February 13, 2025, 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 28, 2025, at 10:30A.M.

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. MSFC 1104.23, 1018.1 - Provide and maintain a minimum of 42-inch aisles where storage or fixtures are on two sides of the aisle. -

2. MSFC 5003.5 - Provide NFPA 704 hazard identification placards per handout HM-1.
Blue = Red = Yellow = White = Size =-

3. MSFC 315.3.3 - Remove combustible storage within 36 inches of fuel burning equipment. -

4. MSFC 603.5.3 - Provide clearance around all mechanical equipment. -

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: james.thomas@ci.stpaul.mn.us or call me at 651-266-8983 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,

James Thomas
Fire Safety Inspector

Reference Number 58237