



ZONING APPEAL APPLICATION

To/From Board of Zoning Appeals
Dept. of Safety & Inspections
Zoning Section
375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806
(651) 266-9008

To / From Planning Commission
Dept. of Planning & Econ. Devt.
Zoning Section
1400 City Hall Annex, 25 W 4th St.
Saint Paul, MN 55102-1634
(651) 266-6583

Zoning Office Use Only
File # 22-041008
Fee Paid \$ 462.00
Received By / Date D. Eide - 3/31/2022
Tentative Hearing Date 4/20/2022

APPELLANT

Name(s) Muna Ali
Address 664 Blair Avenue City St. Paul State MN Zip 55104
Email munaali5476@gmail.com Phone 651-815-3414

PROPERTY LOCATION

Project Name Ali Residence Expansion
Address / Location 664 Blair Avenue

TYPE OF APPEAL: Application is hereby made for an appeal to the:

- Board of Zoning Appeals**, under provisions of Zoning Code § 61.701(c), of a decision made by the Zoning Administrator.
- Planning Commission**, under provisions of Zoning Code § 61.701(c), of a decision made by the Planning Administrator or Zoning Administrator.
- City Council**, under provisions of Zoning Code § 61.702(a), of a decision made by the Board of Zoning Appeals or the Planning Commission.

Date of decision March 21, 20 22 File Number 22-034676

GROUND FOR APPEAL: Explain why you feel there has been an error in any requirement, permit, decision or refusal made by an administrative official, or an error in fact, procedure or finding made by the Planning Commission or Board of Zoning Appeals. Attach additional sheets if necessary.

PLEASE SEE ATTACHED GROUNDS FOR APPEAL

If you are a religious institution you may have certain rights under RLUIPA. Please check this box if you identify as a religious institution.

Appellant's Signature Muna Ali Date 3/31/2022

Zoning Appeal Application
664 Blair Avenue

GROUNDINGS FOR APPEAL

All findings for variance except finding #4 are met for both of the requested variances.

Variance denied due to Finding number 4, as proposed by the BZA staff report.

4. The plight of the landowner is due to circumstances unique to the property not created by the landowner.

The homeowner constructed the new addition directly up to the 15' required front yard setback. They did so without accounting for the enclosed entry. It is unclear why the applicant did not plan for this circumstance when originally designing this addition. This variance is self-created, as the owner had plenty of space prior to the construction of this addition to place a front enclosed entry that would meet the code. **This finding is not met for both requested variances.**

We do not agree with this determination as it is a subjective view questioning the applicant development process and blaming the applicant themselves for the setback limitations. This viewpoint is almost in direct conflict with finding #3.

Findings #4 determination does not at all address the “circumstances unique to the property not created by the landowner”

We find that the ordinance setback and entry size limitations themselves are the “*circumstances unique to the property not created by the landowner*”. These same setbacks and limitations are not applied to the rest of the long developed non conforming neighborhood and are **uniquely** and **unequally** subjected to this property alone.

We find that the required setbacks and limitations are inconsistent with the surrounding properties and create a **unique** burden to this property.

It is standard practice that older developments are often granted conditions and setbacks in line with adjoining properties.

St. Paul Zoning Code

Sec. 66.231. Density and dimensional standards table.

Minimum Front Yard Setback subnote (f) allows for setbacks to be set with other existing buildings that are non-conforming and less than the standard setback.

We feel the requested variances are minimal, reasonable and consistent with nearby properties and will fit into the neighborhood look and feel as if it were there all along. Granting this variance would not give the applicant any advantages above and beyond the existing neighbor's usage of their property. Muna Ali is not asking for anything special, just to be treated equally.

Muna Ali is striving to have the expansion fit in with her neighbors and provide an **equitable level of usability**.

Thank You.