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September 1, 2022

Mr. David Eide
Department of Safety and Inspections
City of Saint Paul
VIA EMAIL

Mr. Eide,

On August 31st, the Housing and Land Use Committee of the Macalester Groveland Community Council ("MGCC") held a public eMeeting via Zoom, at which it considered the application for lot width variances required for a parcel split for the property located at 1841 Lincoln Avenue (Reference No. 22-086120), which would result in the creation of two lots with a width below the minimum of 50 ft. The applicant appeared to speak to the application and to answer questions.

Prior to the meeting, MGCC did not receive any letters in opposition or in support of the application.

After speaking with the applicant, considering neighborhood feedback, consulting the Macalester Groveland Long Range plan, and assessing the merits of the application, the MGCC Housing and Land Use Committee unanimously passed the following resolution by a final vote of 10-0 with 1 abstention:

***** The Housing and Land Use Committee of the Macalester-Groveland Community Council recommends approval of both 10' lot width variances for the two lots created by the proposed parcel split at 1841 Lincoln Avenue, as well as a variance for total lot area, if required (Reference No. 22-086120). *****

If you have questions or concerns, please do not hesitate to contact me.

Alexa Golemo
Executive Director
Macalester-Groveland Community Council

cc (via email): Ward 3, City of Saint Paul
Paul Dubruiel, Planning and Economic Development, City of Saint Paul
Amy and Kurt Atkinson, Property Owners

Eide, David (CI-StPaul)

From: Betsy Judkins <weatherqueen@comcast.net>
Sent: Saturday, August 20, 2022 9:35 AM
To: *CI-StPaul_DSI-ZoningReview
Subject: 1841 Lincoln

A with of 50 feet is required and they want to make each lot 40 feet. I say "no way". How about a variance of 10 inches, not 10 feet. St Paul's granting of variances is ridiculous. How about following the rules. From Betsy Judkins at 331 Mount Curve.

Eide, David (CI-StPaul)

From: Judy Donohue <jdonohue1852@gmail.com>
Sent: Friday, September 2, 2022 1:08 PM
To: *CI-StPaul_DSI-ZoningReview
Subject: 22-086120/1841 Lincoln Ave.

I am writing to express my opposition to the proposed parcel split at the above address.

As a 33 year resident of this block, I would be disappointed to see another house crammed into the adjoining lot. Some of the appeal of this neighborhood are the wide and deep lots we enjoy.

I have also seen the unfortunate results of the tear downs and construction of houses that do not fit in with existing architecture. A prime example is the monstrosity that was erected on the northeast corner of Lincoln and Howell. That owner was also granted a variance.

I was very surprised when I received this letter. I only found out recently that Kurt and Amy (whom I considered excellent neighbors), had moved out! I wish they had communicated this plan with their good neighbors and friends.

A friend who also lives on Lincoln, but a different block, once said our block was her favorite block of Lincoln. That was before the aforementioned monstrosity was built. I fear there may be another.

Judith Donohue
1852 Lincoln Ave.

Eide, David (CI-StPaul)

From: Mary Deering <mauddeering@gmail.com>
Sent: Friday, September 2, 2022 12:45 PM
To: *CI-StPaul_DSI-ZoningReview; Eide, David (CI-StPaul)
Subject: Zoning Appeal - 1844 Lincoln Ave File # 22-086120

Think Before You Click: This email originated outside our organization.

Board of Zoning Appeals,

I'm responding to the variance request submitted by the owners of 1841 Lincoln. I am the owner and resident of 1833 Lincoln, the property just west of 1841. I am therefore the neighborhood resident who will be most directly impacted by the lot split.

I am concerned if the variance is granted, my large backyard maple tree that sits very close to the border of both properties will be damaged during excavation of a new house. I have consulted my arborist (from Rainbow Tree Service) about the risks to the maple.

According to the arborist excavation puts the tree's biology and structure at risk. He stated the risk for damage is significant because the tree's position places the major root system primarily underground the 1841 lot. If the tree were to be damaged, I would lose a crucial and valued feature of my property and incur great expense to have the tree removed. This situation seems to be addressed by the finding that the variance will not "alter the essential character of the surrounding area."

On a less personal basis but also related to the finding paraphrased above, this particular block has a tradition of large side yards, creating an open, less congested feel. It seems apparent that this lot and 1/2 plan was a deliberate design scheme to benefit the neighborhood as well as individual homeowners (1841 has a very small front yard). The side lots are integral to the character of this block, and indeed that property, not random empty spaces waiting to be monetized.

Thank you,
Mary Deering
1833 Lincoln Ave
St Paul, MN 55105
651-271-5117

September 13, 2020

Attention: Zoning Review Committee

I am deeply concerned about the zoning application filed for 1841 Lincoln Ave, which proposes the current 80 ft lot to be split into two 40 ft lots.

My primary concern is water run-off, and the potential implications that this decision has on the structure of my property, and the alleyway. Dividing the 1841 Lincoln property will reduce the greenspace in our area substantially, and increase the need to direct water toward the alley and toward my property.

Our alley has a propensity to flood, and is slow to drain. This poses a particular challenge and hazardous situation in the winter/spring when snowmelt is combined with below freezing temperatures. This issue became apparent to us shortly after purchasing and moving into our home this past February. We met several neighbors, including 1847 Lincoln and 1838 Grand, while trying to clear the storm drain etc. to allow water to drain and learned that this was a recurring issue. It should be noted that the city has been notified, and did respond by clearing the sewer/storm drain last winter/spring, and performed some patchwork this summer. Nonetheless, we still observe considerable pooling. Figure 1 depicts the alley after minimal rainfall on September 9th.





Figure 1: Alley drainage issue after minimal rainfall.

Ultimately, several factors contribute to the alley flooding/drainage issue. However, the number of structures on the alley is a primary influence. If a new single family dwelling with accessory structures are constructed on Lot 7, as proposed, additional precipitation will be routed toward the alley. Additionally, the lack greenspace/abundance of concrete directly to the northeast of the 1841 Lincoln property (see Figure 2) exacerbates the issue in the winter/spring. This area is densely populated with the Grandview Theater, a parking lot, and a primary structure directly on the alley (63 Fairview).

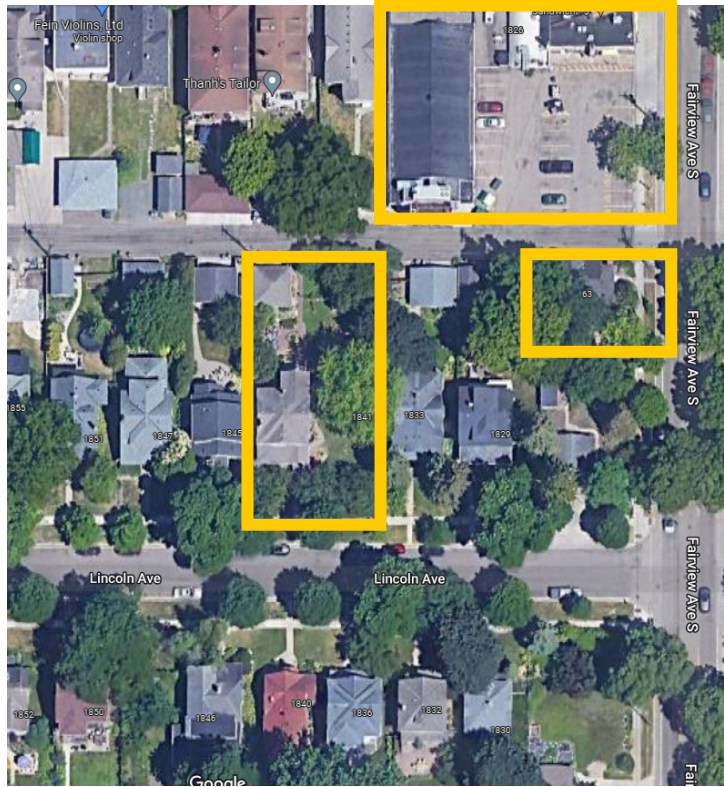


Figure 2: 1841 Lincoln relative to Grandview theater, parking lot, and 63 Fairview property

Further, Lot 7 provides the major source of drainage for the existing structures on Lot 6. Not only do the existing structures consume a substantial amount of Lot 6, this section of the yard has been heavily landscaped, and contains a large patio and paved walkways (shown in Figure 3, and Exhibit A of the Application). Arguably, this proposal not only challenges the 50 ft lot width requirement, but also challenges the maximum lot coverage ordinance¹ for the proposed lot with the existing primary structure (house) and larger accessory structure (garage) - Lot 6. Currently, the existing structures on Lot 6 do NOT meet setback requirements. Specifically, the distance between the primary structure and my home (1845 Lincoln) is 10.7 ft, rather than 12 ft (as indicated by the Applicant's land survey – Exhibit A), with the 1841 Lincoln structure 4.9 ft from the property line. The distance between the 1841 Lincoln garage and the property line is 1.4 ft, rather than 3 ft.

Related to this, the land survey drawing (Exhibit A) does not contain our two egress windows (36" wide, and 42" deep) that border our property line (see Figure 4). Note that this survey drawing also does not contain the concrete pads between the exiting house and the brick patio, and other smaller landscaping, including additional trees (visible in Figure 3).

Water on our property gravitates towards our patio/house and toward our sunken garage in our backyard. In the front yard, water flows and pools between our property and 1847 Lincoln. Both ourselves, and the previous owners (again, we purchased this property at the start of this year) have spent a considerable amount of time working to direct water away from the structures on our property.

¹ "Sec. 66.232 maximum lot coverage: principal buildings shall not cover more than thirty-five percent of any zoning lot. The total lot coverage of all buildings, including accessory buildings shall not exceed **forty percent.**"

Without the benefit of Lot 7, and the relief it provides to Lot 6 and to the alleyway, water drainage will become an even greater source of concern for our home and our property.

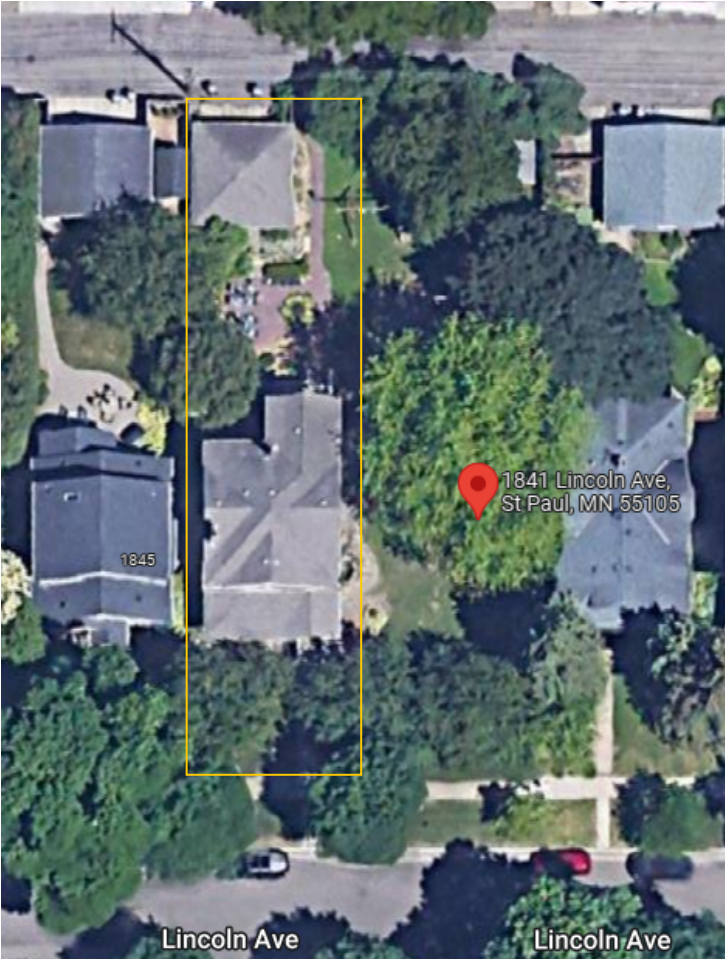


Figure 3: 1841 Lincoln parcel with existing house and garage structures.



Figure 4: Egress windows on 1845 Lincoln property adjacent to the 1841 Lincoln property

The zoning code, including sections that specify maximum lot coverage, lot width i.e., 50ft, and setback ordinances are critical to ensure adequate watershed /ground perminability within our area. At present, we are experiencing the negative impact that exceptions to ordinances can have, particularly to the alleyway deterioration and flooding. My concern is that extending variances further will begin to, if they haven't already, to have a negative impact on the homes in our neighborhood.

My husband actively sought a home in the Mac-Groveland area because we appreciate the maturity of the neighborhood, which as you know contains older homes with foundations more susceptible to water ingress. Our 64 year-old home, is an exception! The primary structure/house on 1841 Lincoln was built over a century ago in 1915, and the neighboring home adjacent to the proposed Lot 7, 1833 Lincoln was built in 1916. The applicants argue that development on Lot 7 can easily comply with the majority of the zoning code, the exception being the 50 ft width requirement. However, their plan fails to address the extensive lack of compliance associated with Lot 6, including the potential negative impact to my property and to the home on 1841 Lincoln. Perhaps this disregard relates to the fact that the applicants no longer live in this residence. It has been uninhabited since early summer.

To conclude, the proposed variance to split the larger lot associated with 1841 Lincoln rather than a true double lot into two smaller parcels is NOT in harmony with the general purposes and intent of the zoning code as required. The more frequently we allow exceptions/variance to the zoning codes, the more we stress the foundations of our beautiful, but aging homes and surrounding infrastructure, comprising the essential character of our neighborhood.

Appreciatively,

Beth Bullemer

1845 Lincoln Ave. St. Paul, MN 55105

Eide, David (CI-StPaul)

From: Susan Smith <snuz99@gmail.com>
Sent: Tuesday, September 13, 2022 11:10 AM
To: Eide, David (CI-StPaul)
Subject: 1841 Lincoln Ave

Think Before You Click: This email originated outside our organization.

Hello -

My name is Susan Smith, I live at 99 Fairview Ave. S.

I saw my neighbor who lives next door to the above address, Mary Deering, and asked how the hearing went. She told me that it was as yet unresolved, and that I could still submit comments.

I was surprised to get the letter regarding the variance request as that family had already moved out of the house. I suspect that their new house has a larger footprint than the one on Lincoln, so that some of the arguments submitted for requesting the variance (the yard is a lot of work, for instance) don't fly. They don't live there any longer, so won't be affected by squeezing another house onto a too small lot. The decision to try to split the lot is likely financial. It makes me angry that Kurt moves from the house, then decides to split the lot. Not very neighborly - oh, that's right, he's not a neighbor!

People have often asked me if I ever thought about selling my "extra" lot. So, I called Ramsey County, and was told my lot was too small. (My property is 0.22 acres, 1841 is 0.28). Is 0.06 acres enough space for an additional house? I don't think so.

I was unable to attend the hearing, and admit I forgot about sending comments prior to the first hearing, but in my opinion, the lot should not be split.

Thank you for reading -

Susan Smith
snuz99@gmail.com

From: [Mary Deering](#)
To: [Eide, David \(CI-StPaul\)](#)
Subject: BZA Hearing 10/3/22 - Variance Request for 1841 Lincoln Ave
Date: Friday, September 30, 2022 2:07:49 PM

Think Before You Click: This email originated **outside** our organization.

I am the home owner and resident of 1833 Lincoln Ave, the property directly east of the 1841 property whose current owners (and non residents) are applying to split the existing lot. I submitted comments and testified in opposition to the variance request at the BZA hearing held on September 6th. As you know because of timing, testimony from the applicants was rushed and the board, lacking quorum, was unable to reach an outcome at that time. The hearing was then held over until 9/19 and then again rescheduled

I am unfortunately unable to attend the hearing on 10/3 because of a long standing family obligation. I assume my original written comments will be reviewed again. I'm hoping that the following comments will be considered at the hearing in my absence.

Certainly the direct impact the lot splitting may have on my property is foremost however since that initial board meeting I find myself increasingly troubled by the seemingly lack of transparency and obfuscation of facts by the applicants.

1. The Atkincons appear to be presenting themselves as residing at 1841 when in fact they moved to a new residence in early June 2022. They did not mention this move at the BZA hearing nor at the MGCC HLU Committee special meeting held on 8/31. (The HLU meeting was recorded and I was able to watch it). This is significant because at both times they report their main interest in splitting the lot is to mitigate the "toll" the property upkeep is taking on them. However since the move, the only lawn upkeep that is occurring is done by a lawn service that comes biweekly for mowing. This service has been coming at least since the spring of 2020 and in the fall does leaf removal (I am aware of that because I started working from home because of the pandemic.) Additionally at the MGCC meeting, in a seeming effort to further bolster his point, (that a new house on the spot is preferable to the existing lot) Mr Atkinson mentions the lawn as an eyesore. In fact the lawn, bordered by a large hedge along the sidewalk, is visible to only the Atkinsons and myself. The lot prep and subsequent construction project will be an the *real* eyesore (and significant inconvenience to myself and other residents.)
2. At the BZA hearing Mr. Atkinson appeared to imply that the neighbors were in support of the lot split. It was difficult to parse out which

neighbors he was actually referencing. It is true that the HLU committee (none of the members live in any proximity to block and so are not impacted by the variance) unanimously supported the variance. The approval though was made without knowing that the applicants no longer lived at 1841 and with the understanding that *they* had no plans to cut any of the property's existing trees. One HLU member drove by the site and happened to catch the resident who lives across the street from 1841, and reported that she was in support of the split. My chats with 8 neighbors who live on the affected block are quite a bit less rosy. I encouraged them to extend their comments to the Board.

I hope my comments are not veering off into the realm of crank neighbor. Until the unannounced and somewhat undercover move from their home, my relationship with the Atkinsons has been nothing but cordial and friendly. I'm aghast that I was not informed of the plans to move and to split the lot - MGCC executive director told me that variant applicants are encouraged to tell their neighbors about the HLU hearing to discuss the variance and that did not occur. The desire by the Atkinsons to split the lot seems based purely on economic gain. If this is the case that desire seems in opposition to the third finding:.....Economic considerations alone do not constitute practical difficulties.

Thank you.

Mary Deering
1833 Lincoln Ave
651-271-5117