



APPLICATION FOR APPEAL

Department of Safety and Inspections
375 Jackson Street, Suite 220
Saint Paul, MN 55101
651-266-9008

RECEIVED IN D.S.I.

AUG 30 2012

Zoning office use only

File no.

Fee

Tentative hearing date

APPLICANT

Name

Address

City

St. Mn Zip

Daytime phone

Name of owner (if different)

PROPERTY LOCATION

Address

Legal description:

(attach additional sheet if necessary)

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

☐ Board of Zoning Appeals

☒ City Council

under the provisions of Chapter 61, Section _____, Paragraph _____ of the Zoning Code, to appeal a decision made by the

on 8-21-12
(date of decision)

200

File number: 12-071778

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 Board of Zoning Appeals or the Planning Commission.

see Attached

(attach additional sheet if necessary)

Applicant's signature

Date

City agent

August 28, 2012

Board of Appeals
City of St Paul, Minnesota

We had a deck that was falling apart and for Mother's day my son decided to repair it for my wife. When the work began, we found the deck to be rotted and not just in need of repair but replacement. The deck work began over a weekend and I asked him to get a permit for the deck. He did not get the permit and I went down to get it on my day off but the inspector came that same day and stopped the work. We were told that we had to get a variance for the deck. He did inspect the portion that was done and we were told we could finish it. We did finish the deck, the variance for the deck was approved.

Prior to finishing the deck, called to find out if we need a permit as well for a driveway. We were told we did not need one for driveways. Our old driveway was sixteen feet wide. We poured the new driveway but added two feet so that we could have storage under the deck and the driveway would be the same width all the way from the house to the street. We poured the cement per recommendations with a rock base and four inches of concrete. The inspector came out several times during the building of the deck, saw the driveway being done, complimented us on the job and did not say anything about any restrictions until it was completed. We were unaware that a driveway could only be 12 feet wide. Our original driveway was 16 feet wide. At this point we were told we needed another variance and so we applied once again for a variance on the driveway. At first the board said our original driveway was 12 feet wide but did agree that was an error. They showed a picture of the property and driveway that was taken when the house was vacant. When we bought the house in 2008 the driveway had grass growing over it. We scraped off the grass and it was wider than the picture showed. There is a cement slab shown in the original picture which was also 16 feet wide and the driveway connected to was the same width all the way down to the street. The original driveway was asphalt. The neighbor with the fence shown in the picture put a swimming pool in his yard about four or five years ago. He had been draining the pool across our property which caused the asphalt to heave up and crack. We may not have had to replace it if it weren't for all the water that was seeping under it. The original driveway was also that part of the vacant alley. There is no other access to the back yard and the only entrance to the property is the front driveway. .

We submitted letters from the neighbors who signed the petition for the variances recommending approval of both the deck and driveway. All the driveways on our street with the exception of one are as wide or wider than ours. We are the only homeowners on our block that do not have a garage as there is no space for one, hence the storage under the deck. We built the deck and driveway to be consistent with the rest of the properties. It does not look out of place nor is it an eye sore. In fact we have had our neighbors thank us for the improvements rather than have a vacant foreclosed property on the block. We also wanted to have off street parking for those snow emergency days because we have no where else to park. There is only enough room on the

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12-101884

driveway for my van, my wife's car and one for visitors. The driveway also serves as a partial walkway to our doors. Our neighbor on the corner then constructed a fence that runs right against the new driveway making about a foot of it useless because when we park, we can't open the passenger doors on that side.

At the July hearing, I pled my case and the board did agree that the original driveway was actually 16 feet wide leaving us to ask for a 2 foot variance. To my surprise when the final decision was made on August 20, 2012 the board denied the variance and somehow was changed to a 6 foot variance and denied. I was not asked any questions at that hearing and no explanation was given for the change in size. I was only told that it was denied. The driveway is truly in uniform with the others on our block and is not bigger than they are nor does it stand out as inconsistent with the others. It is not just for our convenience that we have off street parking, but the law requires our vehicles to be off the street for snow removal. I am disappointed to say the least, that during all our contacts with the zoning board and their visits to the property that none of this information was given to us until everything was completed. This is our permanent home and we have taken great pride in the improvements made. We are only asking that we be allowed to keep it the way it is.

I am at a loss for understanding the denial and I am asking that you consider my request for an approval of the variance.

Respectfully,

Alan Young
654 California Ave E
St Paul Mn 55106

FILE
12-101884

May 24, 2012

To whom it may concern,

We live on the same block by Alan and Cora Young 654 California Ave E, St Paul, Minnesota where the replacement deck will be constructed.

We have no objection to their replacing and extending their deck by 2 feet.

Please approve the the variance allowing the Young's to replace and extend their deck.

Very Truly Yours,

Suzanne Young 670 California Ave.

FILE
12-101884

May 24, 2012

To whom it may concern,

We live on the same block by Alan and Cora Young 654 California Ave E, St Paul, Minnesota where the replacement deck will be constructed.

We have no objection to their replacing and extending their deck by 2 feet.

Please approve the the variance allowing the Young's to replace and extend their deck.

Very Truly Yours,



FILE
12-101884

May 24, 2012

To whom it may concern,

We live on the same block by Alan and Cora Young 654 California Ave E, St Paul, Minnesota where the replacement deck will be constructed.

We have no objection to their replacing and extending their deck by 2 feet.

Please approve the the variance allowing the Young's to replace and extend their deck.

Very Truly Yours,

Pia Young

FILE
12-101884

May 24, 2012

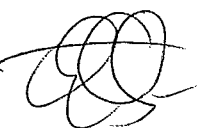
To whom it may concern,

We live next door to Alan and Cora Young 654 California Ave E, St Paul, Minnesota where the replacement deck will be constructed.

We have no objection to their replacing and extending their deck by 2 feet.

Please approve the the variance allowing the Young's to replace and extend their deck.

Very Truly Yours,



1650 Payne Ave

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FILE
12-101884

July 12, 2012

To Whom it May Concern:

My name is Kethkeo Vichaiyarakh my address is 647 California Ave. East St Paul, Mn
55106

I have no objection to the extension of 2 feet added to the deck built at 654 California Ave E, St Paul
Mn 55106

I have no objection to the driveway width of 18 feet located at 654 California Ave E., St Paul Mn
55106

Please grant Alan Young the variance needed for the above as it is a vast improvement for the
neighborhood

Kethkeo Vichaiyarakh

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FILE
12-101884

July 12, 2012

To Whom it May Concern:

My name is Linda Xiong, my address is 655 California Ave. East. St Paul, Mn
55106

I have no objection to the extension of 2 feet added to the deck built at 654 California Ave E, St Paul
Mn 55106

I have no objection to the driveway width of 18 feet located at 654 California Ave E., St Paul Mn
55106

Please grant Alan Young the variance needed for the above as it is a vast improvement for the
neighborhood

10

FILE
12-101884

July 12, 2012

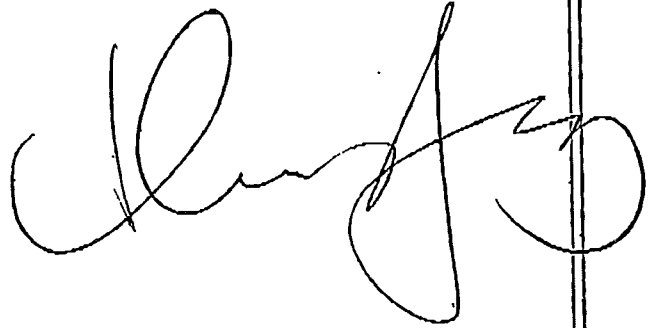
To Whom It May Concern:

My name is Thomas Young, my address is 659 California Ave E, St Paul, Mn
55106

I have no objection to the extension of 2 feet added to the deck built at 654 California Ave E, St Paul
Mn 55106

I have no objection to the driveway width of 18 feet located at 654 California Ave E., St Paul Mn
55106

Please grant Alan Young the variance needed for the above as it is a vast improvement for the
neighborhood



FILE
12-101884

July 12, 2012

To Whom it May Concern:

My name is Kider, my address is 665 California Ave, St Paul, Mn
55106

I have no objection to the extension of 2 feet added to the deck built at 654 California Ave E, St Paul
Mn 55106

I have no objection to the driveway width of 18 feet located at 654 California Ave E., St Paul Mn
55106

Please grant Alan Young the variance needed for the above as it is a vast improvement for the
neighborhood

Kider

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12-101884

July 12, 2012

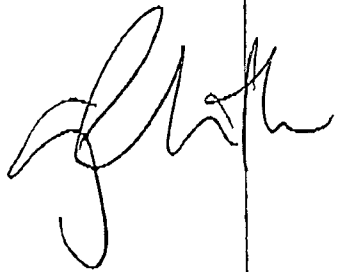
To Whom it May Concern:

My name is Gaoleah Thao, my address is 671 E California Ave, St Paul, Mn 55106

I have no objection to the extension of 2 feet added to the deck built at 654 California Ave E, St Paul Mn 55106

I have no objection to the driveway width of 18 feet located at 654 California Ave E., St Paul Mn 55106

Please grant Alan Young the variance needed for the above as it is a vast improvement for the neighborhood

 7/16/12

FILE
12-101884

July 12, 2012

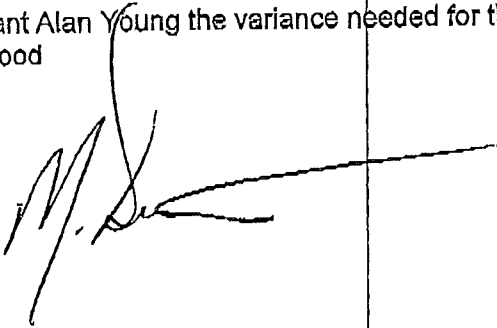
To Whom it May Concern:

My name is Matt Sigrist, my address is 654 California, St Paul, Mn
55106

I have no objection to the extension of 2 feet added to the deck built at 654 California Ave E, St Paul
Mn 55106

I have no objection to the driveway width of 18 feet located at 654 California Ave E., St Paul Mn
55106

Please grant Alan Young the variance needed for the above as it is a vast improvement for the
neighborhood



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FILE
12-101889

July 12, 2012

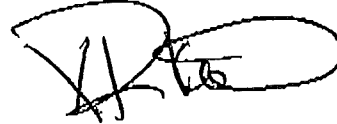
To Whom it May Concern:

My name is Steph Braus my address is 654 California, St Paul, Mn
55106

I have no objection to the extension of 2 feet added to the deck built at 654 California Ave E, St Paul
Mn 55106

I have no objection to the driveway width of 18 feet located at 654 California Ave E., St Paul Mn
55106

Please grant Alan Young the variance needed for the above as it is a vast improvement for the
neighborhood



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12-101884

July 12, 2012

To Whom it May Concern:

My name is THOR Deh/lein, my address is 1630 Payne Ave, St Paul, Mn
55106

I have no objection to the extension of 2 feet added to the deck built at 654 California Ave E, St Paul
Mn 55106

I have no objection to the driveway width of 18 feet located at 654 California Ave E., St Paul Mn
55106

Please grant Alan Young the variance needed for the above as it is a vast improvement for the
neighborhood



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220
St Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

September 7, 2012

Council Research
310 City Hall
St Paul, MN 55102

Dear Mary Ericksson:

I would like to confirm that a public hearing before the City Council is scheduled for October 3, 2012 for the following zoning case:

Appellant: Alan Young

Zoning File #: 12-071778

Purpose: An appeal of a decision of the Board of Zoning Appeals (BZA) approving a variance to legalize an enlarged deck in the required front yard and denying the variance request to legalize an 18-foot wide driveway in the front yard.

Location: 654 California Avenue E

Staff: Recommended approval of variance for the deck and denial for the driveway width

District: No recommendation

Board: Recommended approval of variance for the deck and denial for the driveway width.

I have confirmed this date with the office of Bostrom. My understanding is that this public hearing request will appear on the agenda of the City Council at your earliest convenience and that you will publish notice of the hearing in the Saint Paul Legal Ledger.

Thank you!

Sincerely,

Yaya Diatta
DSI Inspector