

FILE
14-315255

DEPARTMENT OF SAFETY AND INSPECTIONS
Ricardo X. Cervantes, Director



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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

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

February 28, 2013

Steven and Jennifer Virkus
New Life Contracting
814 Grand Avenue
St Paul, MN 55104

RE: 814 Grand Avenue – ENFORCEMENT LETTER

Dear Mr. and Mrs. Virkus:

The above referenced property is located in a B2, Community Business zoning district. An inspection of the property verified the main house is a mixed commercial/residential building which is a conforming use.

The garage at the rear of the property has been converted to an illegal residential use. Section 66.421 of the Saint Paul Legislative Code allows for a mixed commercial/residential use but not a separate single family dwelling. There are no records of a city process granting approval or construction trade permits issued for this conversion.

In order to bring the property into zoning conformance, you have two options:

- Deconvert the living space to the original use as a garage – building permits will be required; or
- Apply by 3.25.13 to the Planning Commission for a rezoning of the property to a T2 District. An application must be submitted to Planning and Economic Development, a fee in the amount of \$1200.00, floor plans of both buildings, and a site plan of the property indicating building locations, setbacks, and available parking. An application to rezone has been included with this letter which explains the process. Once the rezoning is approved, a building permit application must be submitted to the Department of Safety and Inspections (DSI) – Plan Review for the conversion to a residential use. Construction trade permits will be required when the building permit has been issued.

In addition, two business signs have been placed on the front of the main building without an approved sign permit. Section 64.401 of the Saint Paul Legislative Code does not allow anyone to place a sign on their property that doesn't meet zoning requirements and without a permit for the sign.

Therefore, you must submit a sign permit application to DSI for review by 3.10.13. An application has been included with this letter. As the signs were installed without an approved permit, a penalty fee will be applied.

If you have any questions, please contact me at 651.266.9084 or karen.zacho@ci.stpaul.mn.us.

Yours truly,

Karen Zacho
Zoning Inspector – DSI

c. Michael Urmann, Fire Inspector
Yaya Diatta, Zoning Inspector

You may appeal this order and obtain a hearing before the Board of Zoning Appeals. The application for appeals must be filed and fee submitted to the Zoning Administrator within ten (10) days of the date this order was mailed. No appeal may be filed after this date. Applications are available at the Department of Safety & Inspections main office or the City website (www.stpaul.gov)

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375 Jackson Street, Suite 220
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August 28, 2013

Steven and Jennifer Virkus
New Life Contracting
814 Grand Avenue
St Paul, MN 55104

RE: 814 Grand Avenue – ENFORCEMENT LETTER

Dear Mr. and Mrs. Virkus:

A letter was sent to you earlier this year regarding the illegal use of the garage as a living unit (see attached).

As previously stated, the property is located in a B2, Community Business zoning district. You were informed the use of the house for a mixed commercial/residential building is conforming but the garage living unit is illegal. Due to this fact, you were given two options to legalize the property:

- 1) Deconvert the garage living unit to the previous use as a parking garage with the applicable construction permits; or,
- 2) Apply for a rezoning to a T2 district to the Planning Commission by filing with Planning and Economic Development (PED); once approved, the conversion shall require building floor plans and construction trade permits.

There has been no application filed with PED to rezone or any application for building/construction trade permits.

To bring the property into zoning compliance you must deconvert the garage with the applicable permits or apply for a rezoning to the Planning Commission by September 5, 2013. An inspection will be conducted based on this date to verify compliance.

Failure to comply with this order will result in further legal action by this office, including criminal citations to all responsible parties and potential summary abatement proceedings.

If you have any questions, please contact me at 651.266.9084 or karen.zacho@ci.stpaul.mn.us.

Yours truly,

Karen Zacho
Zoning Inspector – DSI

c. Michael Urmann, Fire Inspector

FILE
10-315253

DEPARTMENT OF SAFETY AND INSPECTIONS
Ricardo X. Cervantes, Director



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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

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

February 27, 2014

Steven and Jennifer Virkus
New Life Contracting
814 Grand Avenue
St Paul, MN 55104

RE: 814 Grand Avenue – ENFORCEMENT LETTER

Dear Mr. and Mrs. Virkus:

The above referenced property was recently approved for rezoning to a T2, Traditional Neighborhood district (enclosed).

As previously discussed, the garage at the rear of the property was converted to a residential use without construction trade permits issued for this conversion. The letter dated August 28, 2013 (attached) required construction trade permits for the conversion if the rezoning was approved.

Therefore, a building permit application along with floor plans of the new unit in the garage must be submitted to the Department of Safety and Inspections (DSI) – Plan Review for the conversion to a residential use. Construction trade permits will be required when the building permit has been issued.

Section 63.201 of the Saint Paul Legislative Code requires off-street parking be provided at the time of expansion of all buildings. Section 63.207 requires one (1) parking space for the conversion of the garage to residential. Please provide a site plan with the new off-street parking space. If you cannot provide the additional parking space, a variance to the Board of Zoning Appeals will be required. The information for this process is included with this letter.

In order to bring this property into zoning compliance you must:

- 1) Submit a building permit application with floor plans of the garage conversion to a dwelling unit.
- 2) Provide a site plan of the property with one additional parking space or apply for a variance from the Board of Zoning Appeals.

The above noted items must be submitted to this office by March 10, 2014.

If you have any questions, please contact me at 651.266.9084 or karen.zacho@ci.stpaul.mn.us.

Yours truly,

Karen Zacho
DSI Inspector

c. Michael Urmann, Fire Inspector
Yaya Diatta, DSI Inspector

7.7.14
talked to Atty. Joe Crosby
wants extension to 7.28.11

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FILE

14-315288

Diatta, YaYa (CI-StPaul)

From: Joe Crosby <jcrosby@crosby-law.com>
Sent: Monday, October 13, 2014 11:44 AM
To: Diatta, YaYa (CI-StPaul)
Subject: 814 Grand

YaYa:

With only a couple days notice, we received the Summit Association's notice of meeting relative to the requested 814 property variances. We did not receive from them any communications from property owners, names of property owners or residents in the area, who opposed the variance, other than the emails the zoning panel provided us over a month ago.

Mrs. Virkus and I attended. There were three "voting" members of the Summit Hill Council. Only 1 of the 3 spoke. He merely said these are "tough calls" and voted to deny the variances. The other 2 voting members also voted to deny the variance. None of the others offered ANY basis for the denial. When I asked the basis for the denial before the discussion was closed, no one gave us any facts of any kind to support their position.

As for the reference in Mr. Roy's email, in which he stated" *We have heard from nearby property owners who are opposed to the parking and snowplowing*". We want the record to reflect there was no one present at the Summit Hill hearing who opposed the variance. There were no property owners or residents present.

If as Mr. Roy indicates in his email to you of October 10, 2014, "*We have also heard from several nearby property owners who are opposed...*" they were no such people present at the Summit Hill hearing. If Mr. Roy, was contacted by other than other persons besides the previous emails you provided to us, the means of communication was not provided to us, nor the names of any of the "nearby property owners or residents". No one showed up at the Summit Hill hearing to oppose the variances.

We look forward to meeting with you this afternoon again. The previous search for rental parking spots a council member asked us to perform confirmed there are no such spots available, as set forth in the affidavit we submitted. Parking is the same issue all the apartments face on Grand. As we indicated at the last meeting, if our request for a variance of one parking spot one is not approved, the Virkus' will give to their tenants their "on street parking permits", which only requires the zoning appeals committee approve the occupancy at 814. The Virkus' already filled the requirements for occupancy required of them over the past two years. Thank you

Best,

Joe Crosby

From: "Jeff Roy" <summithill@visi.com>
Date: October 10, 2014 at 6:04:21 PM CDT
To: "Diatta, YaYa (CI-StPaul)" <yaya.diatta@ci.stpaul.mn.us>
Cc: <newlifecontracting@comcast.net>, "Jeff Roy" <summithill@visi.com>
Subject: 814 Grand Ave.

YaYa,

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I'm late in getting the SHA recommendation to you for 814 Grand and will send you an official letter on Monday the 13th. Our position is to recommend denying the variance application from Jenny and Steve Virkus based on the findings #2 and #4 which is in agreement with your Staff Report recommendation of 8/11/14. We have also heard from several nearby property owners who are opposed due to issue of parking and snowplowing in the alley in past.

Expect something more on Monday.

Jeff

Jeff Roy, Executive Director
Summit Hill Association
651-222-1222

Joe Crosby

***May you live as long as you want,
and never want as long as you live.***

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