

CITY OF SAINT PAUL, MINNESOTA
NONCONFORMING USE PERMIT

ZONING FILE #91-274

APPLICANT: Brian McConnon

PURPOSE: To re-establish an auto repair shop.

LOCATION: 675 Snelling Avenue North

LEGAL DESCRIPTION: Lot 3, Block 2; Hopkins 2nd Addition

ZONING COMMITTEE ACTION: Approval

PLANNING COMMISSION ACTION: Approval

CONDITIONS OF THIS PERMIT:

1. Customers' cars and any trucks used by the business shall be parked inside the building.
2. The hours of operation shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Friday and 8:00 to 3:00 p.m. Saturday.

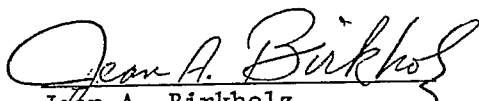
APPROVED BY: James Christenson, Planning Commission Chairperson

I, the undersigned Secretary to the Zoning Committee of the Planning Commission for City of Saint Paul, Minnesota, do hereby certify that I have compared the foregoing copy with the original record in my office; and find the same to be a true and correct copy of said original and of the whole thereof, as based on minutes of the Saint Paul Planning Commission meeting held on December 20, 1991 and on record in the Saint Paul Planning and Design Division Office, 25 West Fourth Street, Saint Paul, Minnesota.

This permit will expire one year from the date of approval if the use herein permitted is not established.

The decision to grant this permit by the Planning Commission is an administrative action subject to appeal to the City Council. Anyone affected by this action may appeal this decision by filing the appropriate application and fee at the Zoning Office, 1100 City Hall Annex, 25 West Fourth Street. Any such appeal must be filed within 15 calendar days of the mailing date noted below.

Violation of the conditions of this permit may result in its revocation.


Jean A. Birkholz
Secretary to the Saint Paul
Zoning Committee

Copies to: Applicant
File
Zoning Administrator
License Inspector
District Council

Mailed: January 9 1992

city of saint paul
planning commission resolution
file number _____
date _____

WHEREAS, BRIAN MCGONNOR, file # 91-274, has applied for a nonconforming use permit under the provisions of Sections 62.102(e)(5) and 60.544(19) of the Saint Paul Legislative Code for the purpose of reestablishing an auto repair shop on property located at 675 SNELLING AVE. N., legally described as Lot 3, Block 2, Hopkins 2nd Addition; and

WHEREAS, the Zoning Committee of the Planning Commission held a public hearing on December 12, 1991 at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of Section 64.300 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing, as substantially reflected in the minutes, made the following findings of fact:

1. The three required findings specified in Section 62.102(e)(5) for reestablishing a nonconforming use, and the ability of the proposed use to meet those findings, are as follows:
 - a. *The structure, or structure and land in combination, cannot reasonably or economically be used for a conforming purpose.*

This condition is met. The structure is designed to be used as an auto repair garage. It is equipped with the following: an alignment pit, an exhaust ventilation system, a hydraulic hoist, and air lines connected to a compressor. To rehabilitate the structure for another use would be costly. It makes a relatively poor location for retail or other commercial uses because there is no off-street parking while it provides indoor parking as an auto repair garage.

- b. *The proposed use is equally appropriate or more appropriate to the district than the previous nonconforming use.*

The proposed use is the same as the previous use and is, therefore, equally appropriate. In addition, conditions can be attached to a nonconforming use permit which may make the proposed use more appropriate

moved by _____
seconded by _____
in favor _____
against _____

than the previous use.

- c. *The proposed use is consistent with the health, safety, morals, and general welfare of the community and is consistent with the reasonable use and enjoyment of adjacent property.*

This condition is met. It is in the general welfare of the community to have buildings occupied and productive, rather than vacant, if the uses are compatible. The proposed use will be consistent with the reasonable use and enjoyment of adjacent property if appropriate conditions are attached limiting parking and hours of operation.

2. The four conditions specified for auto repair in Section 60.544(19) of the zoning code, and the ability of the proposed use to meet them, are as follows:

- a. *The minimum lot area shall be fifteen thousand (15,000) square feet.*

The lot area is 6,000 square feet. The building covers the entire site.

- b. *A ten-foot landscaped buffer with screen planting and an obscuring fence shall be required along any property line adjacent to an existing residence or adjacent to land zoned residential.*

There are residential uses across the alley to the west of the site. There is no room for a landscaped buffer and fence as the building is built out to the property line. The building wall and alley provide a reasonable buffer.

- c. *All repair work shall be done within an enclosed building.*

The applicant understands and agrees to this condition.

- d. *There shall be no outside storage.*

The applicant understands and agrees to this condition. In addition, there is no space on the site for outdoor storage.

3. The lot area and landscaped buffer conditions specified in finding 2 above should be modified. The proposed use meets all the conditions and requirements of Section 64.300(e), modification of special conditions.
4. The off-street parking requirement for auto repair shops is two spaces for every rack, stall, or pit. It is not known exactly how many racks, stall, and pits the shop will have. The applicant intends, however, to park all customers' and employees' cars inside the building and will agree to such a condition.

The building can accommodate 20+ cars. The applicant expects that he and his partner will work on four to eight cars per day. This number will increase if and when they hire additional mechanics but will be limited by the amount of parking available.

5. The proposed use, on balance, conforms to the comprehensive plan.

NOW, THEREFORE; BE IT RESOLVED, by the Saint Paul Planning Commission, that under the authority of the City's Legislative Code, the application for a nonconforming use permit to allow reestablishment of an auto repair shop at 675 SNELLING AVE. N. is hereby approved subject to the following conditions:

1. Customers' cars and any trucks used by the business shall be parked inside the building.
2. The hours of operation shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. to 3:00 p.m. Saturday.