

From: "Mark Thieroff" <MarkThieroff@siegelbrill.com>
To: "Wendy Lane" <wendy.lane@ci.stpaul.mn.us>
CC: "James, Patricia" <patricia.james@ci.stpaul.mn.us>, "Zangs, Larry" <larr...>
Date: 12/20/2011 2:39 PM
Subject: RE: Kingdom Pathways
Attachments: Siegel-Brill-Logo.gif

Wendy:

Thanks for your message. I have not discussed this option with my client, and therefore do not know whether it is a viable option for the organization, but it would seem that one possible solution to the separation distance issue presented by proximity to the Jeremiah Program would be to put the CRF/licensed human service serving 6 or fewer at 1038 Aurora, rather than in the duplex on Oxford. The Aurora property should be more than 1320 feet from 932 Concordia.

Again, I do not know if this would be an option or desirable for my client, but I'd appreciate your confirmation that this would be a possibility, at least from a zoning perspective.

Thank you.

Mark Thieroff
Siegel Brill PA

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From: Wendy Lane [mailto:Wendy.Lane@ci.stpaul.mn.us]
Sent: Tuesday, December 20, 2011 2:31 PM
To: Mark Thieroff
Cc: James, Patricia; Zangs, Larry; jamesm@usfamily.net
Subject: Re: Kingdom Pathways

Mark,

A community residential facility, licensed human service serving 6 or fewer facility residents is permitted in a R4 zoning district in one-half of the duplex at 426 N. Oxford St. provided the standards and conditions of Sec. 65.153 of the Saint Paul zoning code are met. The other half of the duplex at 426 N. Oxford St. and the single family dwelling at 1038 Aurora Ave. may be occupied by up to four unrelated persons and would be considered a permitted family allowed in a dwelling unit for zoning purposes.

The first standard under Sec. 65.153 says:

Standards and conditions:

(a) The facility shall be a minimum distance of one thousand three hundred twenty (1,320) feet from any other licensed community residential facility, emergency housing facility, shelter for battered persons with more than four (4) adult facility residents, overnight shelter, or transitional housing facility with more than four (4) adult facility residents, except in B4-B5 business districts where it shall be at least six hundred (600) feet from any other such facility.

Previously, we were looking at the separation from the facility at 1038 Aurora. With no separation required from a single family dwelling, I checked to make sure there were no other applicable properties within the specified distance. There is another facility, Jeremiah Program, at 932 Concordia Ave. within approximately 1,288 feet of 426 N. Oxford St., measured property line to property line. The Jeremiah Program is a transitional housing facility for 40 female residents. Therefore, condition (a) is not met and a community residential facility, licensed human service serving 6 or fewer facility residents is not permitted at 426 N. Oxford St. without a separation variance from the Board of Zoning Appeals.

Please let me know if you have questions.

Wendy

Wendy Lane
Zoning Administrator
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>>> "Mark Thieroff" <MarkThieroff@siegelbrill.com> 12/19/2011 9:36 AM
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Wendy:

Thanks for taking the time to speak with me on Friday. I am writing to confirm my understanding of the uses to which my client, Kingdom Pathways, may permissibly use the buildings it owns at 1038 Aurora and 426 Oxford.

First, it is my understanding from our conversation that a community residential facility (CRF) for up to six persons is a permissible use on both properties, i.e. on properties zoned R4 and RT1.

Second, it is my understanding that my client could use the single family house at 1038 Aurora for transitional housing for four persons and may at the same time permissibly use the duplex at 426 Oxford for transitional housing for four persons and for a CRF for six persons, without need for a variance or conditional use permit for either property.

If any of the above is in any way incorrect, please let me know as soon as possible.

Thank you.

Mark Thieroff
Siegel Brill PA

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