

1493 Highland Parkway, Saint Paul, MN 55116

Variance request;

1. **Rear Yard setback 24 feet for attached garage.**
2. **Addition of 17.8 Sq. Ft. (3/10 of 1%) to 40% Lot Area Coverage**

Please consider,

- The Highland District Council (HDC) Recommended support for the Variances requested.
- The St. Paul Zoning Staff, Recommended approval of the Variances requested.

The BZA members did not enter proper findings of fact when handing down an adverse decision based on item #3. *That the purpose of the variance is not based exclusively upon a desire to make more money out of the property;*

BZA offered; "I'm not sure that avoiding inclement weather when entering or leaving a property is necessarily a practical difficulty that is unique to someone. Pretty much everybody faces"

We submit there are practical difficulties with the property, our difficulty is not to "avoid inclement weather". This is a single-story, universal design concept home. Attaching the house and garage allows for an enclosed handicap entry that eliminates steps while shortening the daily access.
(please see: Home owner's Federal Disability notice, exhibit A.)

BZA offered; "I don't have a covered walkway that connects the front of my home to my street, So I am subject to inclement weather and I think that's just a part of living in the city."

Our plans do not propose to have, "a covered walkway that connects the front of the home to the street" – So, we will also be "subject to inclement weather."

BZA offered; "I'm not sure that the grade changes are necessarily merit worthy in terms of creating practical difficulties, it seems to me that there may be another way to accommodate a person with accessibility needs"

We submit, the site is long and narrow with a significant rise in elevation from the front (south) of 100.0 up to the alley (north) of 108.4 Locating the house as far back towards the alley as practical will allow the main floor of this one-story house to be as close to the alley entrance level as possible.
(please see: Cross Section – Accessibility, exhibit D.)

BZA's concern regarding Item #6. The variance will not alter the essential character of the surrounding area. BZA offered; The applicant's proposal will alter the essential character of the neighborhood.
"no other home in the area surrounding the proposed house has a garage with a 1-foot setback."

This is simply misinformed. On our block alone, there are **4 garages with 1' setbacks**, and **6 Garages with 1'-6" setbacks**. Our plan is for the garage to be setback 1'-4" from the alleyway.
(See: Block overview, exhibit B.)

Please consider, **We received Zoning approved, Building and Demo Permits** and commenced with starting the new house. We Demoed the existing House and Garage, ordered floor and roof trusses and windows, and Excavated a large 3000 + sq Ft hole. Two weeks into construction a St. Paul building inspector informed us we had to stop construction because although the demo and new home Building Permit was approved, the Zoning approval we had received was not properly otherized.

We hope you will agree that accepting the attached garage set back and the addition of 17.8 Sq. Ft. (3/10 of 1%) to the 40% Lot Area Coverage is appropriate and that our variance request, Required Findings have been met.