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Gnia D. Kong & Blia V. Kong  
St. Paul, MIN 55130

December 27, 2016

The City Council of the City of St. Paul

**Subject:** Appeal the decision of the Board of Zoning Appeals

We own the house 312 E. Wheelock Parkway since 1989 (27 years). The house was built 1957 (59 years ago) It had been a duplex and the lower part has been a rental unit even before we bought it.

1. We converted the garage into living space in 1990 we were not told to remove the parking space. A safety inspector inspected the house and gave us occupancy permission. We were not told that we needed to remove the parking space in the front.
2. In 11-13-1992 we installed an asphalt driveway and 3 parking spaces in the back for our tenants. We were not told that we needed to remove the parking space in the front.
3. A garage was built in 2000. Nothing was mentioned about the parking space in front.
4. We replaced our windows 4 -5 years ago.
5. The City constructed the street, built a bike route and a sidewalk through our house in September - October 2016. **Nobody had talked to us about the two parking space in front of our house.**
6. My wife spoke to Juan Macias the construction supervisor and paid him \$450.00 to take out the cement slap on 10-27-2016 so we could replace a new slap matching the new sidewalk and bike route and **that was when the parking space was wrong and become the focal point.**
7. Kevin Nelson, the supervisor of the City of St. Paul Public works came to my house. **He asked me why did I remove the slap? I shouldn't remove it.** I told him that we wanted to make it new matching the new sidewalk and the bike route.
8. I went to the Department Of Safety and inspections 375 Jackson St. #220 spoke to Sean Westenhofer who also **asked me why did I remove the parking space. I should not remove it and should not replace it.**

9. A board member of Zoning Appeals asked the Safety and Inspections agent in the appeal session on 12-5-2016 for records of giving us policy requiring us to remove the parking space. She stated that they had no record of giving us policy and instruction. The employee back then gave us the permit without telling us.
10. There are 6 houses on Wheelock Parkway east of us having the driveway to the garages and parking space in front of their houses.

**The Safety and Inspections Department agent gave us Guidelines for Variance Requests to allow Parking:**

1. We have to proof that the parking space has been in existence and use continuously for the past 10 years. **WE HAVE PROVED THAT THE PARKING SPACE HAS BEEN IN EXISTENCE FOR 59 YEARS SINCE THE HOUSE WAS BUILT 1957. SEE ATTACHED PHOTO. WE HAVE BEEN USING IT FOR 27 YEARS.**
2. We have to demonstrate hardship in that there is no feasible alternative location for parking space. **THE 3 PARKING SPACE IN THE BACK OF THE HOUSE WERE FOR OUR TENANTS. OUR FAMILY HAS 3 CARS AND OUR TENANTS HAS 3 CARS. WE CANNOT PARK 6 CARS IN A 3 PARKING SPACE. IT IS 90 FEET FROM THE BACK PARKING SPACE TO THE STREET. UP TO 3 CARS WILL HAVE TO BACK UP 90 FEET EVERYTIME SOMEONE GOES OUT. THERE IS NO ALLEY OR OFF STREET PARKING.**
3. We have to submit a petition from property owners with 100 feet of the property along either side of the street stating that they have no objection to the parking. **WE HAVE THE CONSENTS OF OUR NEIGHBORS 100 FEET EAST AND WEST OF OUR HOME AND ACROSS THE STREET.**
4. The parking space is paved or the applicant agrees to pave the space within 120 days. **WE AGREED TO PAVE THE PARKING SPACE AS SOON AS THE WEATHER PERMITS.**
5. **We also appeared before DISTRICT COUNCIL 5 on December 6, 2016. The District 5 council had unanimously voted to support us keeping the parking space.**

**We appeal the decision of the Board of Zoning Appeals because we feel that the Board of Zoning:**

1. Did not make their decision base upon the **GUIDELINES FOR VARIANCE REQUEST TO ALLOW PARKING** that we had provided with the approval of District 5 Council.

2. **We strongly believe that if we were white we would not have been picked upon and/or our variance request would have been approved.**

We ask that the City Council considers allowing us to replace the parking space in front of our house. Thank you for consideration.

**Gnia Kong**



**Blia V. Kong**



**December 27, 2016**



← This is the parking space we talk about!





↑  
This is to prove that  
this parking space has been  
in existence over 10 years