



HIGHLAND DISTRICT COUNCIL Community Development Committee (CDC) Minutes

September 15th, 2020 6:30 p.m.

Committee members in attendance: Tim Morehead, Kevin Vargas, Andrew Jensen, Bob Whitehead, Anne Langford, Kathy Soderberg, Howard Miller, Marge Isom, Gary Martland, Jim Schoettler, Colleen Zuro-White

Executive Director: Kathy Carruth

Meeting was called to order at 6:30 p.m.

Approval of July 21st Meeting Notes

- Motion to approve (Ann), Seconded (Kathy). Minutes approved unanimously

1493 Highland Parkway, Michael Buelow

- Background on the variance requests
 - Michael and his wife was granted variances with the BZA last year with the support of HDC. Were going to build on existing foundation, but later found that they could not build on the existing foundation.
 - Submitted a zoning approved building approval on the new foundation.
 - 2 weeks into construction, they were told they had to stop because the zoning approval they had received was not appropriate, requiring them to reapply for the variance request.
 - With their new foundation, they moved their house to the east to eliminate the need for the side yard variance
 - Looking for support on 2 variances
 - Rear yard setback variance of 25 feet – 1 foot variance for proposed 24 feet
 - Variance of 17.8 square feet 2/10 of 1% or 40.2% lot coverage variance
 - Their concept home on a narrow lot (47 feet wide) and proposed rear yard setback variance to allow the garage to be attached to the house.
 - 3 other homes have attached garages on the block
- Questions from the board:
 - Are you going to be living in this home?
 - Yes
 - Can you design it to avoid variances?



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- It would not meet our needs if we could not attach the garage and the house. We're trying to design a single-story house. If we made a 2 story house it could be a lot larger and not be an issue.
- Most lots in St Paul are 40 feet and in older areas they are less, but average is 40.
- Are there any other unique aspects of the property that are requiring the variance?
 - We've designed a house that is level through all the entrances, which means they had to push the house back.
 - Its working with the topography of the property and the house. We have designed a universal designed home, which is a design concept that is handicap accessible throughout the house.
 - It must be handicap accessible
- Is the attached garage included in the 40.2% lot coverage by the zoning code?
 - Yes.
 - You enter from the east, right?
 - Yes
 - And you change the focal point by moving the patio and built out the front yard instead of having a small back yard, is that fair?
 - Applicant is trying to create an easy entrance at the garage and the front of the house is set at the required setback point. Could not pull the house any more forward without a variance.
- Neighbor Questions
 - When you said there were 3 attached garages that were closer than 25 feet to the alley.
 - No, there are 3 attached garages on our alley alone. It's not unprecedented.
 - How many are less than 25 feet to the alley?
 - Not sure.
 - Google map is showing, many are placed right at the alley. Applicant not required to know.
 - Patti's is a tuck under and 60 feet from the alley
 - There are attached garages, but different presentations. This is significant because it was presented as not unusual in the variance request. In the prior presentation, 2 houses just to the east of 1493 said they were attached and in fact they are not.
 - Applicant does not believe anything has been misrepresented. Has been forthright in the approach and the project. Tried to tell the story that there are other homes within 4-10 feet of the alley and there are other homes with attached garages.
 - Neighbor right next door to the east. Between the sidewalk and asphalt, there is going to be all hard surface. With arthritis and osteoporosis, worried about where the snow will go. Where will you shovel it? Also concerned about managing drainage?



There's no green grass so it'll all run to my side. You can also drive alongside the garage and there's another single door – it's a big garage. You can't leave a car within 4 feet of the property. Can't you have a single door and a double door without having more asphalt around the side?

- Understand concern about snow removal techniques. Drainage is going off the property and into a rain garden running along the front of the property with engineered soils and plants, which is possible because of the new design. It's a decent size garage, but not a huge garage – 22 feet deep, 2 car garage. There's a 3rd stall, but half of it is to create the entrance to allow for an even egress from the 108 elevation at the alley to the 109 elevation of the main floor. There is a small side garage door.
- The same proposed design can't be moved closer to Highland to remove the need for the variance?
 - No, we are at the setback line.
- When was the demolition?
 - Had a zoning approved building permit for exactly what they are building. Then got a demo permit. The two coincided simultaneously.
- Variance request was dated August 28, but it references an existing garage and am pretty sure the garage was already gone by that point?
 - No, this variance request was for additional lot area and attached garage?
 - The variance we are talking about that was submitted on 8/28 that the existing garage is setback 1 foot from the property. But by this point it would have been demolished? It says in attachment 1 that the request is for a remodel, but the lot is completely empty. Neighbor disagrees that you could create a design that could be done without a variance.
- Comment from the committee: Remember, this is not an unusual request for attached garages. Wouldn't even need this if it were a detached garage, and we have typically approved these.
- Another neighbor echoed concerns about drainage and snow removal from Cynthia and asks that this be looked into further.
- Applicant pointed out that when he was delayed, he put in steel sheeting on either side of the property to be respectful of neighbors properties, even though it wasn't necessary. Applicant expressed frustration and feelings of being bullied.
 - Are we going to recommend for approval a 1 foot variance and a 2/10 of a percent to the lot coverage.
- The city is using the 6094 square feet number, confirming Michael's number.
- The demo was on August 13th according to a neighbor.
- **Motion that we support the request for both variances as has been typical for requests like this to the Highland District Council in the past (Kathy), seconded (Gary)**
 - Discussion:



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- This is an emotional issue with a lot of concerns about how this will fit in our neighborhood. But it appears that the attempt was to go through the right processes. It might not have been in the right order, but the intent does not appear to be to mislead us. A 1 foot setback is more than consistent with what is in the rest of the alley and 0.2 pp addition for the lot coverage is more than consistent with other lots in the neighborhood.
- Comment from neighbor: Angry about damage to property. Just moved into the property 6 months ago and respect and communication goes a long way, and moving forward would request that there be more connections with neighbors, hoping that the language used today is sharing how we feel and want to open up and have more transparency in the process. Would have appreciated if the applicant approached the neighbor when learning of the damage instead of waiting for her to approach him.
- These are not huge variances, 1 foot and 17 feet of lot coverage (that's 4x4 feet). We've done many of these which were much more severe variances than these.
- Had these issues been addressed forthright with more transparency, it would be a much different conversation. To have to call the city to try and understand what is going on was frustrating and took a long time to get an answer. These ordinances are in place with effort and intention and they exist for a reason. Do we need to rethink how we arrived at past decisions? We need to address these rules directly, or else we have a farce.
- Call the question – vote passes
- Vote on the resolution to support the two variances
 - **7 Yes, 1 No, 1 Abstain – Resolution passes**
- Parting Comment from Michael: We want to be a supportive neighbor and one that you can count on. Both have grown up in Saint Paul and just want to reiterate that we are going to try and build a nice, safe home in our community and look forward to being a good neighbor.

New/ Old Business

- None

The meeting was adjourned at 7:51 p.m.

Respectfully submitted,
Andrew Jensen
CDC Secretary