



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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July 17, 2017

Nancy Watkins
1163 W. Minnehaha Avenue
Saint Paul, MN 55104

Re: 1171 W. Minnehaha – Revocation of Agricultural Use Permit

Ms. Watkins:

On June 6, 2017, you submitted an application to use the above referenced property as a community garden as stated in Section 65.771 – *Agriculture, principal use of land for production of food or horticultural crops to be harvested, sold, or donated.*

The Department of Safety and Inspections (DSI) – Zoning Division approved your site plan that was submitted with your application that indicated two raised beds in the middle of the property and a storage shed in the northeast corner of the site. The site plan indicated that the storage shed was 3' away from the property line, in compliance with Section 63.501 which requires accessory uses to be at least 3' from all interior lot lines.

It was observed on July 11, 2017 by DSI inspectors that an agriculture use had not been established. To establish a garden under the agriculture use permit, utilitarian, crop producing plants must be present in sanctioned planting areas. Applicants must utilize a soil barrier when the existing soil lead level is greater than 100 parts per million or if no soil test is conducted. Planting beds must contain clean, imported soil. At the time of the site visit, the planter boxes were not filled with soil and no liner was present on the bottom of the planters, as is required when no soil test is submitted. Turf grass was present at grade within the planter. Turf grass is not a plant material that can be considered a utilitarian or crop plant, for the purposes of the urban agriculture permit. Furthermore, the location of the shed was less than 3' away from the property line; not in compliance with the site plan submitted.

Based on the inspectors' findings regarding the raised planter beds and the inaccurate location of the shed in reference to the property line, **your agricultural use permit has been revoked. You are hereby ordered to remove the raised planter bed boxes and any other equipment used for the purposes of operating an urban agricultural use at this property.** Please note, the summary abate order regarding the removal of the shed is a separate issue and will be handled by DSI Code Enforcement.

If you have any questions I can be reached by email at jerome.benner.II@ci.stpaul.mn.us or 651-266-9080. Any person affected by this decision that believes it to have been made in error may appeal the matter in writing to the Board of Zoning Appeals within 10 days of the date of this letter. Any appeal shall include the appropriate filing fee of \$547.

Sincerely,

Jerome Benner II
DSI Inspector III

cc: Peter Warner, City Attorney
Marcia Moermond, Legislative Hearing Officer
Steve Magner, Code Enforcement Supervisor