

MINUTES OF THE ZONING COMMITTEE
Thursday, June 2, 2016 - 3:30 p.m.
City Council Chambers, 3rd Floor
City Hall and Court House
15 West Kellogg Boulevard

PRESENT: Edgerton, Makarios, Merrigan, Nelson, Reveal, and Wenc
EXCUSED: Wickiser
STAFF: Bill Dermody, Cherie Englund

The meeting was chaired by Commissioner Nelson.

Zafar Khamdamov - 16-034-211 - Rezone lot 7, block 3, Sauer's Addition from B2 community business to T2 traditional neighborhood, 113 Annapolis St. E., Between Robert and Oakdale

Bill Dermody presented the staff report with a recommendation of approval for the rezoning. He also stated District 3 made no recommendation, and there were no letters in support, and no letters in opposition.

Commissioner Wenc said other properties around this parcel are zoned R4 and asked why the applicant wouldn't request rezoning to R4. Mr. Dermody said we are acting on the application, which is a request for a rezoning to T2. Commissioner Wenc also asked why this is not considered spot zoning. Mr. Dermody defined spot zoning as a zoning change which establishes a use classification inconsistent with the surrounding land uses and creates an island of nonconforming use within the larger zoned district. Neighbors to the east and west of this property are zoned single family. There is a senior living complex across the street in West St. Paul, and a variety of mixed commercial and residential uses along Robert St.

Mr. Dermody responded to Commissioner Edgerton that a T2 zoning allows for uses beyond those allowed in an R4 zoned property. In the commercial part of the property, the types of uses that would be allowed in a T2 zoning are similar to the types of uses in a B2 zoning, and the single family use is similar to what is allowable in R4 zoning.

Commissioner Reveal asked if the applicant requested T2 zoning, as opposed to R4 zoning in order to preserve the opportunity to have a commercial enterprise in the building. Mr. Dermody said he was not involved in those conversations, but this was his understanding. Commissioner Reveal then asked if there are any other B2 zoned properties within a couple of blocks of this property and Mr. Dermody said there are quite a few.

Commissioner Merrigan stated that it feels as if the goal of this application is not to make this a commercial space, but rather to make it a residential space. Mr. Dermody responded that the current B2 zoning does not allow for residential use, whereas T2 zoning would and this is the primary purpose for this application, along with commercial abilities for a future storefront.

In a question by Chair Nelson regarding the setbacks and site coverage differences between B2 and T2 zoning, Mr. Dermody said T2 traditional neighborhood has higher design standards than B2.

The applicant, Zafar Khamdamov, 12102 78th St. N.E., Otsego, MN said his request to change the zoning to T2 is that he has purchased this property because it is currently half residential and half commercial. The commercial part of this building consistently goes to the residential part. With the current B2 zoning he said he understands that he will not be able to use the commercial part of the building for residential use. T2 zoning will allow him to use the entire building for business purposes within the guidelines. His future intention is to reside at the property and use the front of the building as an office to accept clients, without having them enter the building through his residence. He said that in his research T2 was a more versatile zoning for a home-based business. Commissioner Reveal clarified that this is creating a live-work situation, to which Mr. Khamdamov agreed. Commissioner Wencil asked what type of business he conducts. Mr. Khamdamov said he is a wedding photographer and would like to have a sign on the front of the building and a separate access into a studio for clients. He would also like to restructure the mechanical part of the house, so he could have a heat and cooling source for both environments.

The public hearing was closed.

Commissioner Wencil moved to approve the rezoning from B2 to T2. Commissioner Reveal seconded the motion.

The motion passed by a vote of 6-0-0.

Adopted Yeas - 6 Nays - 0 Abstained - 0

Drafted by:



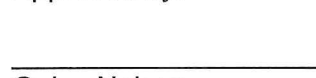
Cherie Englund
Recording Secretary

Submitted by:



Bill Dermody
Zoning Section

Approved by:



Gaius Nelson
Chair