

From: Margaret Isom <marge@grophy.com>

Sent: Friday, October 23, 2020 4:47 PM

To: Kelley, Pattie (CI-StPaul) <pattie.kelley@ci.stpaul.mn.us>; Tolbert, Chris (CI-StPaul) <chris.tolbert@ci.stpaul.mn.us>

Subject: Re: Saint Paul City Clerk

Dear Pattie and CM Tolbert – Thanks for your note. The time sensitive nature for this hearing has made clarifications necessary, so your follow up is appreciated.

To summarize, I understand Public Comment is due by Monday 430 pm for the City Council meeting on Wednesday, October 28. While it's fitting the case was deferred due to delayed posting of public comment on Tuesday, and process exists for public comment next week, the following remains troubling:

City Staff representative, Mr. Graybar was able to present his perspective, but dissent was not – from the BZA Committee and the Public. While this may be typical process, it poses inherent bias. This is especially troubling as Mr. Graybar and Applicant continue to perpetuate false information regarding objective data that shows otherwise. Most recent re:

PETITIONS

1. 22 of 27 Petitions are directly on the block. 1 just off the block at Pascal and Eleanor. The additional 4 are nearby, 3 within a mile in Highland, 2 of which had a similar teardown sequelae nextdoor. The 4th is nearby in the West 7th neighborhood. Mr. Graybar reflected a very different summary. **Refer to pg 13-23 of Opposition Packet - attachment to Agenda, October 21st meeting to see the actual Petitions.**

GARAGES on the block

1. Two garages have been repeatedly reported to be attached –1477 and 1485 Highland. They are not. **See PHOTOS on pgs 10-13 of ABZA 20-6 Marge and Jon Isom email 10-20-20 attachment to Agenda, October 21st meeting. See DATA on pg 24 Opposition packet, October 21 agenda attachment. This was provided at the September 21, 2020 BZA appeal meeting.** This can also be subjectively observed in overhead photos of the block provided by Mr. Graybar's report.

Moreover, per code

https://library.municode.com/mn/st._paul/codes/code_of_ordinances?nodeId=PTILECO_TITVIIIZOCO_C H63ZOCOE GGEAP_ARTV63.500.ACBU_S63.501ACBUUS

Accessory buildings shall be located at least six (6) feet from the principal structure or shall be considered attached for purposes of the zoning code.

2. All *actually* attached garages on the block meet front and rear yard set backs, different from what proposed by the new construction. Note – this is also contrary to comment by CM Brendmoen statement that she lived on the block and not all homes/garages fit set back ordinances. She happened to live at 1477 Highland (we bought the home from her). The garage was detached then and has not changed since.

3. The remaining garages on the alley are *unattached*, and all have proper rear set backs. Front yards also have proper set backs. As result, all have rear and front yards excluding the two noted above that are continually misrepresented as having attached garages – –1477 and 1485 Highland. This two homes are close to the alley and have limited back yards because the alley was installed where it was, years after the homes were built.

Why is this relevant? These misrepresented details have been repeatedly used to validate the proposed construction at 1493 Highland Pkwy – that it will not alter the essential character of the surrounding area (criteria #6 for BZA). But as noted above, *it is not like the surrounding homes*. No homes/garages cover the lot front to back, with only a limited front yard. Moreover, the new construction would have the smallest front yard set back. **See pg 2 of ABZA 20-6 Marge and Jon Isom email 10-20-20 attachment to Agenda, October 21st meeting.**

Further troublesome, Mr. Graybar, his boss Mr. Diatta, and Mr. Tolbert/ staff were all made aware of these discrepancies weeks ago, yet the inaccurate data continues to be presented as fact.

*Why?

* Why is it allowed to continue?

* Why are there no ramifications for presenting false info.

While Ms. Kelley reassured me neighbor comments are part of the public record, this seems to have mattered little thus far. Only CM Prince noted any discrepancies in Staff Report vs. Public and BZA Committee findings, with her question about Petitions. As noted above, Mr. Graybar's response was misrepresented the data. The majority (22/27) of Petitions are from homeowners right on the block, and 1 just off the block at Pasqual and Eleanor, making 23/27 from the direct area of 1493 Highland Pkwy.

As result. please give strong consideration to findings pointed out here. Please refer to

- **ABZA 20-6 Marge and Jon Isom email 10-20-20 attachment to Agenda, October 21st meeting**

- **Opposition Packet and**

- **additional Public Comment** already provided and more that may come.

Please strongly consider allowing live testimony from neighbors next week. And reconsider in the future how complaint of inaccurate information is handled. Finally, reconsider allowing only City zoning employees to present on cases such as this.

Thank you for the work you do on behalf of citizens and our City,

Margaret and Jon Isom

XXXX Highland Pkwy