

TO: City of Saint Paul City Council Members and Board of Zoning Appeals

FROM: Nadja and Sean Berneche, 783 Randolph Ave.
Amanda Kautza and Jeremy Farley, 737 Randolph Ave.
Fiona and Alec Duncan, 807 Randolph Ave.
Beth and Brian Wean, 756 James Ave.

RE: Variances requested for 492 Bay St. #16-047761

We are writing, as neighbors on a block adjacent to the property in question, to oppose the setback variances that have been granted and appealed to the property at 492 Bay Street. We disagree with the findings of fact to support the variances. DSI staff have recommended AGAINST the variances, the Fort Road Federation recommends AGAINST the variances, and neighbors like us also recommend against it.

The request is in fact NOT consistent with the District 9 small area plan or the City of Saint Paul comprehensive plan. The district 9 plan specifically notes that new construction "will not alter the character of the surrounding area." Saint Paul's comprehensive plan also notes that new construction "must maintain the character of existing residential areas..." and "should respect the component and the character of existing housing" (Sec. 3.4).

- The setback variances create conditions that are clearly NOT in character with the existing neighborhood. The new construction should maintain setbacks similar to surrounding properties, which are at least 4 feet. There will be significant overcrowding of land with the proposed setbacks.
- Also, with only a single foot setback FROM THE FOUNDATION and a 6 ft. privacy fence erected on the property line, there will not be adequate room for maintenance, air flow, and light. It is also a public safety concern to have such a small space between a home and privacy fence, as the visibility will be significantly limited.
- The 1 ft. variance is from the foundation, which does not take into account any overhang from the roof, and it is very likely that runoff from an overhang will flow directly into the neighboring yard. And possibly onto a public sidewalk on the other side, where there would only be a 2.5 ft setback FROM THE FOUNDATION. Snow or ice buildup and water are also a safety concern.
- The shed was built without permit and without required granted variances and after being asked to stop construction. Also, corner lot accessory structures require the same setbacks as the primary structure. Also, structure alone is set to cover max of 35% of the property. Shed puts structures over that maximum.
- Pulling out of the garage would create a safety issue onto Bay Street, and there would only be 2.5 feet of property before a public sidewalk. It will be difficult to see pedestrians from the vehicle inside the garage to pull out safely.
- There is a lovely tree on the adjacent property that would be essentially cut in half and killed with the proposed location and size of the building on the property.

Economic considerations alone are not sufficient to grant this set of variances.

IF the goal of variance approval is to “increase housing choice to support economically diverse neighborhoods” as the findings of fact state, there are other ways to achieve this goal:

The variance for width, however, IS in keeping with the character of the neighborhood, as there are several properties on the surrounding blocks that are as narrow as 13 ft. and are quite attractive. Furthermore, as Saint Paul grapples with the emerging issue of tiny homes, this variance would allow for a home with more environmentally conscious footprint, without altering the character of the neighborhood. With the existing lot size, the house could feasibly be built at 15 ft. wide and still honor the required setback variances.

There is NOT practical difficulty in building a house on this lot. There is practical difficulty in BUILDING A HOUSE OF THIS SIZE on this lot. It is our opinion that a smaller house would work. Again, economic considerations alone are NOT a reason to approve all of these variances. A reasonable sized house that does NOT overcrowd the lot and maintains the character of the neighborhood would be more appropriate.

A new house will not alter the character of the neighborhood, but, again, a HOUSE OF THIS SIZE is not consistent with the neighborhood, and there are also significant safety considerations with these setback variances.

We urge that you overturn the initial approval of the variances.

Thank you,

Nadja and Sean Berneche, 783 Randolph Ave.

Amanda Kautza and Jeremy Farley, 737 Randolph Ave.

Fiona and Alec Duncan, 807 Randolph Ave.

Beth and Brian Wean, 756 James Ave.