

BZA Application and Documents:



CITY OF SAINT PAUL
 DEPARTMENT OF SAFETY AND INSPECTIONS
 375 JACKSON STREET, SUITE 220
 ST. PAUL, MINNESOTA 55101-1806
 Phone: 651-266-8989 Fax: 651-266-9124
 Visit our Web Site at www.stpaul.gov/dsl

ZONING VARIANCE APPLICATION

19-016696

ZONING VARIANCE APPLICATION

Applicant Contact Information

Name: JEFF ARUNDEL	Email: JEFF@LUCKYCLUBMAIL.COM	Phone: 612 812 1883
Address: 5 HEATHER PLACE		
City, State, Zip: ST. PAUL MN.		
Property interest of applicant (owner, contractor, purchaser, etc.): OWNER		
Property owner (if different):		

Subject Property Information

Address: 3 HEATHER PLACE				
Legal Description: SEE ATTACHED				
Lot size: 10394 SF	Existing use: RESIDENTIAL	Proposed use: RESIDENTIAL	Zoning District: R2	Planning District: HPL-H11

(AFTER SPLIT)
 Please select the type(s) of variance or review being requested and a brief description of the proposed project:

<input type="checkbox"/> Lot Area	<input type="checkbox"/> Separation from Specific Uses
<input checked="" type="checkbox"/> Setbacks (please specify: front / side / rear)	<input type="checkbox"/> Design Standards
<input type="checkbox"/> Density	<input type="checkbox"/> Off-street Parking
<input type="checkbox"/> Floor Area Ratio (FAR)	<input type="checkbox"/> Signage (requires additional application)
<input type="checkbox"/> Height	<input type="checkbox"/> Lot Coverage
<input type="checkbox"/> Sidewall Articulation (only Districts 14 & 15)	<input type="checkbox"/> Administrative Review (Appeal)

Applicant Signature:

Signature:	Date: 2/14/19	Received by:
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19-018696

To the Department of Safety and Inspections:

I am applying for a residential variance for my property located on 5 Heather Place:

- 1) The property is zoned R2 by St. Paul and 515R by Ramsey County.
- 2) We have applied for a split of the lot as proposed in the attached survey, which depict the large dwelling (5 heather place) and the smaller dwelling (3 Heather place).
- 3) Current and proposed legal descriptions are on the survey.
- 4) The address "3 heather place" already exists. The structure on this parcel is a frame house dwelling with a garage attached. The purpose and usage of the dwelling on Parcel A will not change once the property is subdivided.
- 5) The Zoning Staff has provided us a letter stating that the front yard of the current principal structure, which would be on Parcel B (5 Heather Place), is Oakland Avenue (letter attached).
- 6) The Zoning Board has determined that the dwelling on what would become Parcel A is an accessory dwelling unit, and after the split it would become a principal structure.
- 7) Therefore, as the dwelling on Parcel A sits within the setback as described for a principal structure, we request a variance. I have also attached photos of the structure that is on the other side of the rear lot line of Parcel A (it is a garage that serves the apartment building at 500 Grand Hill, which incidentally also appears to encroach on the lot line), and I have attached a map of the area as provided by the Zoning Staff.
- 8) The new lot (Parcel A) meets all other requirements for purposes of containing a principal structure.

Thanks,



Jeff Arundel

612 812 1883

jeff@luckyclubmail.com

ORIGINAL LEGAL DESCRIPTION:

All those parts of Lot 3 and 4 of Goodland Terrace, St. Paul, Minn. lying Easterly of a line described as follows: Beginning at a stone survey corner located on the East line of said Lot 4, a distance of 153 feet East from said Lot 4, a distance of 31.06 feet more or less to a point thence Southerly at an angle of 43 degrees 43 minutes, 56 feet more or less to the center of the top of a stone stamway which is an approach from Oakland Avenue thence Westerly along the top of said stamway to the Westerly line thereof thence Southerly along the said Westerly line of said stamway to a point in the Northernly line of Oakland Avenue 19.55 feet more or less Easterly from the Southeastery corner of said Lot 4.

PROPOSED LEGAL DESCRIPTION PARCEL A:

That part of Lot 4, Goodland Terrace, St. Paul, Minn., Ramsey County, Minnesota, lying Northernly of a line described as follows: Beginning at a stone survey corner located on the East line of said Lot 4, a distance of 153 feet East from said Lot 4, a distance of 31.06 feet more or less to a point thence Southerly at an angle of 43 degrees 43 minutes, 56 feet more or less to the center of the top of a stone stamway which is an approach from Oakland Avenue thence Westerly along the top of said stamway to the Westerly line thereof thence Southerly along the said Westerly line of said stamway to a point in the Northernly line of Oakland Avenue 19.55 feet more or less Easterly from the Southeastery corner of said Lot 4, and said line there terminating.

PROPOSED LEGAL DESCRIPTION PARCEL B:

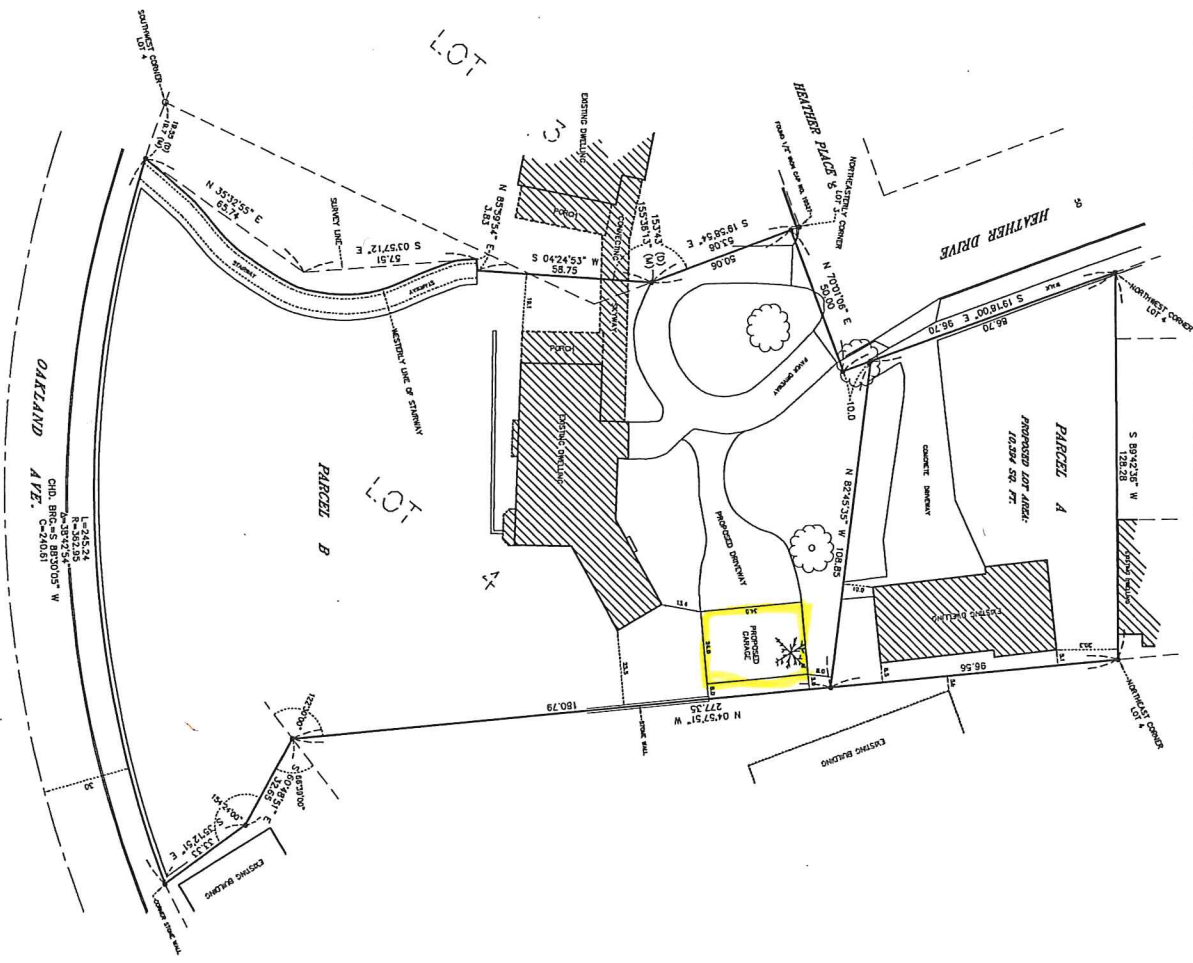
All those parts of Lots 3 and 4 of Goodland Terrace, St. Paul, Minn. lying Easterly of a line described as follows: Beginning at a stone survey corner located on the East line of said Lot 4, a distance of 153 feet East from said Lot 4, a distance of 31.06 feet more or less to a point thence Southerly at an angle of 43 degrees 43 minutes, 56 feet more or less to the center of the top of a stone stamway which is an approach from Oakland Avenue thence Westerly along the top of said stamway to the Westerly line thereof thence Southerly along the said Westerly line of said stamway to a point in the Northernly line of Oakland Avenue 19.55 feet more or less Easterly from the Southeastery corner of said Lot 4, EXCEPT that part of said Lot 4, lying Northernly of a line described as follows: Commencing at the Northwest corner of said Lot 4, thence Southerly along the Westerly line of said Lot 4, a distance of 66.70 feet to the point of beginning of the line as described, thence Easterly, a distance of 19.55 feet more or less to the point of beginning of the line as described, thence Southerly, a distance of 79.55 feet more or less to said Lot 4, and said line there terminating.

SCOPE OF WORK & LIMITATIONS:

1. Showing the length and direction of boundary lines of the legal description listed above. The scope of our services does not include determining what you own, which is a legal matter. Please check the legal descriptions with your records or consult with competent legal counsel. If necessary, to be sure the survey reflects any matters of record, such as encroachments, that you wish to be included on the survey have been shown.
2. Setting the location of observed existing improvements we deem necessary for the survey.
3. Setting survey markers or verifying existing survey markers to establish the corners of the property.
4. Existing building dimensions and setbacks measured to outside of siding or stucco.
5. The survey has been completed without the benefit of a current title commitment. There may be existing encumbrances or other circumstances that would be revealed by a current title commitment. Our survey does not purport to show any encumbrances or circumstances other than the ones shown herein.
6. We show a proposed division of the property per your instructions. Please review the proposed division to verify that it is what you intended. We suggest you submit this survey to the governmental agencies that have jurisdiction over it to obtain their approval. If you can, before making any decisions regarding the property.

STANDARD SYMBOLS & CONVENTIONS:

● Demons 1/2" Iron survey marker with RLS No. 43503, to be set, unless otherwise noted.



Advance
Surveying & Engineering, Co.

11717 Highway No. 1
Minnetonka, Minnesota 55345
Phone: (952) 835-2222
Fax: (952) 835-2223
www.advance-surveying.com

I HEREBY CERTIFY THAT THE PLAN, SURVEY OR REPORT HEREON WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A duly LICENSED SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

[Signature]
TERRY A. JOHNSON
443503
OCTOBER 17, 2018
SCALE

DRAWING ORIENTATION & SCALE

North Arrow
Graphic Scale: 1" = 20' HORIZ

CLIENT/JOB ADDRESS
STRAND
DESIGN
5 HEATHER PLACE
ST. PAUL, MN

DATE	REVISION DESCRIPTION
1/27/10	CITY CORNER
1/9/10	ADD RESIDENT GARAGE

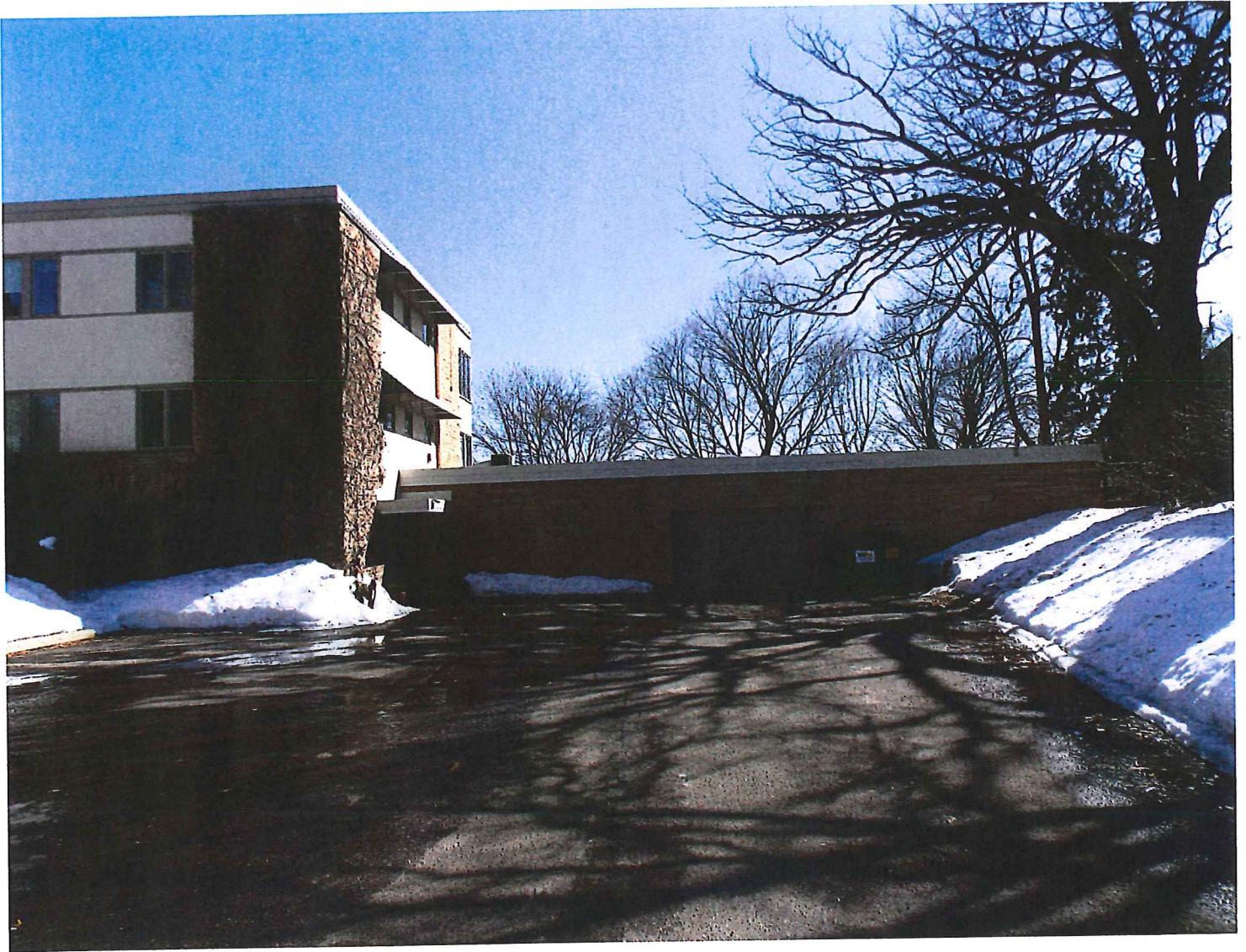
SUBMITTED DATE: SEPTEMBER, 2018
DRAFTED DATE: SEPTEMBER 20, 2018

SHEET TITLE:
LOT SUBDIVISION

SHEET SIZE: 22 X 34
DRAWING NUMBER: 180948 WP
SHEET NUMBER: S1

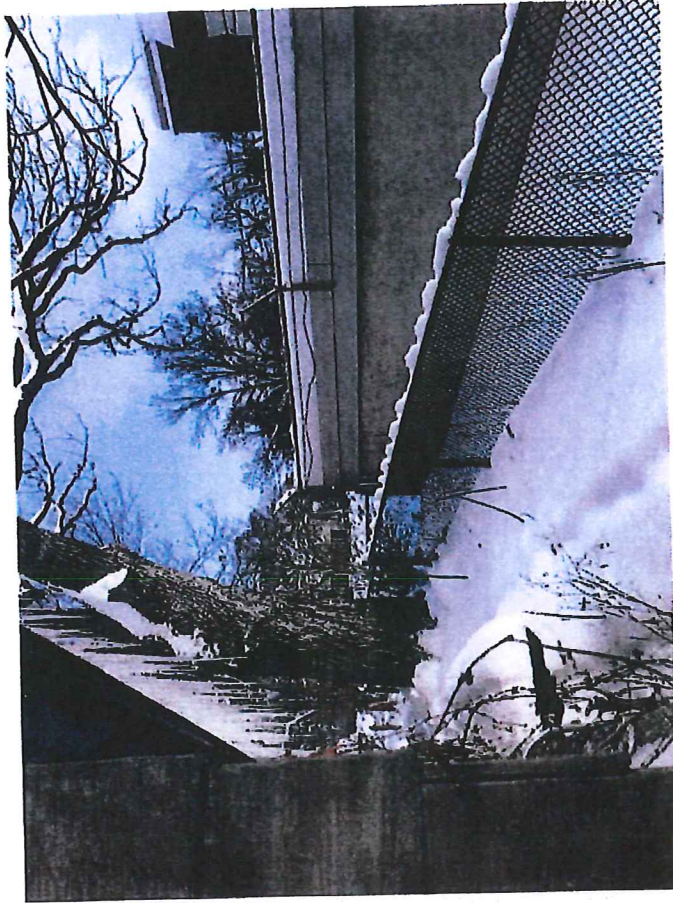
069910-61
FILE

Date: March 21, 2019
File #: 19 - 016696
Folder Name: 5 HEATHER PLACE
PIN: 012823320119



FILE

19-016696



FILE
19-016696



FILE

19-016696

Benner II, Jerome (CI-StPaul)

From: Scott Endres <scott@tangletowngardens.com>
Sent: Monday, March 25, 2019 9:55 AM
To: Benner II, Jerome (CI-StPaul)
Subject: 5 Heather Place (File#19-016696)

24 March 2019

Dear Jerome Benner and Planning Commissioners:

I have owned properties in St Paul for the last 23 years. Late last year, I moved into my home at One Heather Place.

I very much value the careful and thoughtful guidance the Historic Preservation Commission (HPC) has given residents in this district to help preserve and protect the nationally recognized homes and accessory buildings in this neighborhood. This was a primary reason I was chose to move here. Preserving the character and architectural integrity of our historic districts is something St Paul has become known for.

My neighbors directly across the street at 5 Heather Place have applied for 3 variances which include:

- a lot split, and a variance that would turn an accessory building into a primary residence
- a variance for the new parcel because the lot split would create a non-conforming structure/property.
- a variance for a new garage in the front yard of their house at 5 Heather Place.

At this time, I feel a full review and recommendation by the entire HPC Board is in order before the BZA can make their fully informed approval/denial of the applicants variance requests. These are major changes that in my opinion warrant a full review at commission level rather than decisions pushed through at HPC staff level. Without this, there is no way for the BZA to fully understand how these major variances will alter the essential character of the surrounding area. I am also concerned that rushing this decision would set new precedence for future decisions on these and other historic properties.

I also have concerns about the applicant's claim of the front yard of 5 (and possibly 7) Heather Place is actually Grand Avenue. This, despite the properties ever having a Grand Avenue address. I always thought that St Paul zoned based on use. Clearly for all intents and purposes, Heather Place (and prior to that, Floral) has always been the front of 5 and 7 Heather Place. Erasing 100 years of this history now for the sole purpose of this zoning request for a front yard garage seems wrong. And again, it changes the precedence for future decisions. This is yet another reason, a full HPC board review is in order.

I fully support the right of my neighbor to make these requests, but respectfully ask that the decisions today get tabled until the full HPC board has time to review and comment on the ramifications of these proposed variances. I believe this to be paramount as the process set in place and should be followed. Our neighborhood is 140 years in the making. Pressing the pause button to allow the process to work through will help set the tone for better future for everyone.

Respectfully,

Scott W Endres
One Heather Place

14

FILE
19-016696

March 19, 2019

Department of Safety and Inspections
Attn: Jerome Benner II
375 Jackson Street, #220
Saint Paul, MN 55101-1806
jerome.benner.II.ci.stpaul.mn.us
your ref.: File #19-016696

Dear Jerome Benner:

My wife and I reside at 500 Grand Hill. Our property abuts 5 Heather Place and is impacted by the proposed lot split which contemplates granting a 19.9' rear set-back variance for the "accessory building" that lies 5.1' from its boundary- lot line with 500 Grand Hill.

The proposed lot split would re-classify an extant "accessory building" as a "principal building/single-family dwelling" on newly-created, separate parcel "B". Absent the review of a site re-development plan the BZA is being asked not only to approve a proposed lot split, but also to acknowledge *status quo ante*, i.e., whether to grant (or "grandfather") the already-established setback of an existing accessory building a structure which possibly will be razed & re-developed, I believe, into a single-family dwelling.

I am concerned the BZA would grant a 19.9' setback variance to an "accessory building" if the BZA's permission hastens the presently unknown intentions of a developer who would not be bound by rear setback requirements after he razes or alters significantly the current accessory building and then proceeds to build a single-family dwelling on parcel "B". Granting a setback variance without first having considered a site conversion & re-development plan is tantamount to allowing a developer to ignore whether parcel B has sufficient lot size both to accommodate a new principal building and also meet the zoning code's customary 25' rear setback requirement.

Thank you for considering my comments during the Board of Zoning Appeals' public hearing on March 25th.

Sincerely,

Mr. Lynn G. Lindsay
500 Grand Hill, Apt 1
Saint Paul, MN 55102

cc: Pat and Christee Donovan
Justin and Laura Heal
Jay Westwater and Ginny Kraus



March 13, 2019

PUBLIC HEARING NOTICE – BOARD OF ZONING APPEALS

File #: 19 – 016696 (Major Variance)

Purpose: There are two residential structures on this property; a principal building and an accessory building that includes a three-car garage and dwelling unit. The applicant is proposing to split the zoning lot so that each structure is on its own, separate parcel. Once the lot is split, the accessory building becomes a principal building and must meet all setback and lot coverage requirements. The following variances are being requested: 1) A minimum rear yard setback of 25' is required; a setback of 5.1' is existing for a variance request of 19.9'. 2) Accessory buildings and uses must not be established in a required yard except a rear yard. The minimum required side yard is 8' in the R2, single family zoning district; The proposed side yard setback for the accessory structure is 5' for a variance request of 3'.

Property Address: 5 Heather Place

Applicant: Jeffrey S. Arundel
5 Heather Place
St Paul MN 55102-2615

Date: Monday, March 25, 2019

Time: 3:00 p.m.

Location: 15 Kellogg Boulevard West (Room 330 – Courthouse)

You may attend the hearing to express your opinion regarding this matter. You may send written comments to the Department of Safety and Inspections' staff person handling the case, Jerome Benner II, at the address listed in the letterhead above or E-mail him at jerome.benner.II@ci.stpaul.mn.us. If you have questions about this application, please call Jerome at 651-266-9080.

This property is located in the area represented by the Summit Hill Association, an independent organization that provides advisory recommendations to the City about a variety of issues. They may choose to discuss this item at a neighborhood meeting and provide a recommendation to the Board of Zoning Appeals. Please contact the Summit Hill Association, at 222-1222 or E-mail at director@summithillassociation.org if you are interested in participating in the neighborhood review process.