

**CITY OF SAINT PAUL  
BOARD OF ZONING APPEALS RESOLUTION  
ZONING FILE NUMBER: 19-026900  
DATE: June 3, 2019**

WHEREAS, MCR Property Holdings LLC has applied for a variance from the strict application of the provisions of Section 66.231(c) of the Saint Paul Legislative Code pertaining to the construction a multi-family development consisting of four, four-bedroom units. The following variances are being requested. 1) The zoning code requires a minimum lot size of 9,000 square feet for developments consisting of three or more dwelling units; the existing lot size is 6,388 square feet for a variance request of 2,612 square feet. 2) Off-street parking must be a minimum of 4' from any lot line. A setback of 0' is proposed in rear yard along the alley and 2' from the west property line for a variance request of 4' and 2' respectively in the RM2 zoning district at 2150 Grand Avenue. PIN: 052823410099; and

WHEREAS, the Saint Paul Board of Zoning Appeals conducted a public hearing on June 3, 2019 pursuant to said application in accordance with the requirements of Section 61.601 of the Legislative Code; and

WHEREAS, the Saint Paul Board of Zoning Appeals based upon evidence presented at the public hearing, as substantially reflected in the minutes, made the following findings of fact:

*1. The variance is in harmony with the general purposes and intent of the zoning code.*

The applicant is proposing to demolish an existing single-family dwelling and detached garage in order to construct a multi-family development consisting of four bedrooms in each unit with two bathrooms.

Based on the number of bedrooms in each unit, eight off-street parking spaces are required. The proposed site plan indicates there will be bicycle parking which allows for the reduction of one parking space pursuant to Sec.63.207(b), bringing the total of number of required spaces to seven, which will be provided in the rear yard.

The zoning code states that no multiple-family dwelling shall be built, nor shall additional dwelling units be added to an existing building to create three (3) or more dwelling units, on a lot that is less than nine thousand (9,000) square feet in area.

The existing lot size is 6,388 square feet and does not have sufficient lot area to meet the requirement, resulting in the requested variance.

The zoning code requires a minimum setback of 4' from any lot line; a setback of 0' is proposed in the rear yard along the alley and 2' from the west property line for a variance request of 4' and 2', respectively.

street parking spaces with a building footprint of only 21% of the lot.

The only use that could be permitted without any variances would be a single-family dwelling, which would not be suitable due to the large apartment buildings on the abutting parcels that would dwarf a single-family dwelling. It is difficult to construct a multi-unit building encouraged under the Comprehensive Plan and that meets the intent of the RM2 medium-density on this lot without the requested variance.

The purpose of providing setbacks is to ensure buildings are not impeding on the abutting properties, that there is adequate access to light and air, and any accessory uses such as parking, is proposed within reason.

The proposed building meets the required setback of 9', however, the parking spaces would be setback 2' from the side property line and 0' setback along the alley.

In order to provide adequate maneuvering of vehicles, a 20' wide drive aisle is required, which subsequently lessens the required setbacks. Furthermore, the two abutting lots have large off-street parking structures which would be aligned with the parking lot proposed for this site. An off-street parking lot next to structured parking is reasonable and would not negatively impact adjacent properties.

There is an alley between the parking lot and the abutting residential properties to the south, which, in turn, serves as a buffer between the residential uses, meeting the intent of the 4' rear yard setback. There is sufficient space to maneuver vehicles within the boundaries of the property without backing directly into the alley.

This finding is met for all requested variances.

4. *The plight of the landowner is due to circumstances unique to the property not created by the landowner.*

The proposed development meets the 1,500 square feet of lot area per unit requirement, which indicates that the property is of a sufficient size based on the number of units, but does not have additional lot area required, a circumstance unique to the property not created by the land owner. It is a unique circumstance to this property that a building along with parking cannot be developed that aligns with the nearby residential structures.

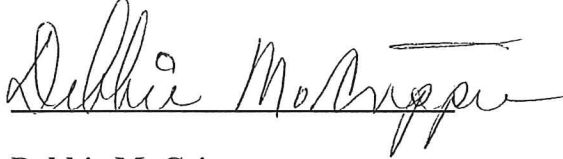
This finding is met for all requested variances.

5. *The variance will not permit any use that is not allowed in the zoning district where the affected land is located.*

The proposed development is an allowed use in the RM2, multi-family residential zoning district. This finding is met for all requested variances.

**CERTIFICATION:** I, the undersigned Secretary to the Board of Zoning Appeals for the City of Saint Paul, Minnesota, do hereby certify that I have compared the foregoing copy with the original record in my office; and find the same to be a true and correct copy of said original and of the whole thereof, as based on approved minutes of the Saint Paul Board of Zoning Appeals meeting held on June 3, 2019 and on record in the Department of Safety and Inspections, 375 Jackson Street, Saint Paul, Minnesota.

**SAINT PAUL BOARD OF ZONING APPEALS**

A handwritten signature in black ink, appearing to read "Debbie M. Crippen", written over a horizontal line.

**Debbie M. Crippen  
Secretary to the Board**