

(R) 3441



Application for Appeal
Department of Planning and Economic Development
Zoning Section
1400 City Hall Annex
25 West Fourth Street
Saint Paul, MN 55102-1634
(651) 266-6589

Zoning office use only
File # 17-019853
Fee \$453.00
Tentative hearing date:
4-5-2017

Appellant

Name WAYNE FISCHER
Address 1560 LINCOLN AVE.
City SAINT PAUL St. MN Zip 55105 Daytime phone 303 964-1696
Name of owner (if different) _____

Property Location

Address 1560 LINCOLN AVE.
Zoning file name _____
Legal description: DUPLEX
(attach additional sheet if necessary)

Type of Appeal: Application is hereby made for an appeal to the:

- Planning Commission, under the provision of Chapter 61, Section 701, Paragraph C of the Zoning Code, of a decision made by the Planning Administrator or Zoning Administrator
- City Council, under the provision of Chapter 61, Section 702, Paragraph A of the Zoning Code, of a Decision made by the Planning Commission
- Board of Zoning Appeals (BZA), under the provisions of Chapter 61, Section 701, Paragraph C of the Zoning Code, to appeal a decision made by the BZA on _____ File Number _____
(date of decision)

Grounds of Appeal: Explain why you feel there has been an error in any requirement, permit, decision or refusal made by an administrative official, or an error in fact, procedure or finding made by the Planning Commission, City Council, or BZA.

BOARD MEMBERS DID NOT GET ALL INFO AND SOME MEMBER LEFT ^{TEAM UP} OTHERS DID NOT GET A CHANCE TO HEAR ME WAS POSTPONED A COUPLE OF TIMES SOME COULD NOT REMEMBER LOOKING TO THE MIN. THAT WERE NOT AVAILABLE HAD ONE VOTE 3 ON MY SIDE I AGAINST MEETING ON 2/27/17 NOT INVITED TO ONLY 4 SHOWED THAT DAY

Appellant's signature W. Fischer Date 3/15/17 City agent _____



APPLICATION FOR ZONING VARIANCE

Department of Safety and Inspections

375 Jackson Street, Suite 220

Saint Paul, MN 55101

General DSI Line: 651-266-9008

Zoning office use only

File no. 16-109677

Fee 456.00

Tentative hearing date:

1-18-17
63.50167
500's construction

APPLICANT

Name WAYNE FISCHER Company _____
Address 1560 LINCOLN AV _____
City SAINT PAUL St. MN Zip 55105 Daytime phone 303 964-1696
Property interest of applicant (owner, contract purchaser, etc.) _____
Name of owner (if different) _____

PROPERTY LOCATION

Address 1560 LINCOLN AV. _____
Legal description: LOT 8, BLOCK 6, SUMMIT VIEW
RAMSEY COUNTY, MINNESOTA.
(attach additional sheet if necessary)
Lot size 50.00 x 150.00 Present zoning R4 Present use RESIDENTIAL DUPLEX
Proposed Use (SAME) RESIDENTIAL DUPLEX

Variance[s] requested: CONSTRUCT A DETACHED 3 CAR GARAGE IN THE REAR YARD WITH ACCESS FROM ALLEY FOR EXISTING DUPLEX. ZONING CODE FOR ACCESSORY BUILDING ALLOWS FOR 1000 SQUARE FEET IN SIZE, THE PROPOSED GARAGE WOULD BE 1251, SQUARE FEET, REQUIRING VARIANCE OF 251 SQUARE FEET
Supporting Information: Supply the necessary information that is applicable to your variance request, provide details regarding the project, explain why a variance is needed. Duplex/triplex conversions may require a pro forma to be submitted. Attach additional sheets if necessary. Attach additional sheet if necessary.

Attachments as required: Site Plan Attachments Pro Forma

Applicant's signature W. Fischer Date 12/20/16 City agent _____

FILE

16-109677

DEPARTMENT OF SAFETY AND INSPECTIONS
Ricardo X. Cervantes, Director



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220
St Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

Date: 2-1-2017

Board of Zoning Appeals (BZA)
c/o Sean Westenhofer
Department of Safety and Inspections
City of Saint Paul
375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806

Re: Request for Continuance, Zoning file # 16-109677
(ex. 16-123456)

I hereby certify that I am the applicant or the applicant's representative regarding the zoning application under the Zoning file referenced above.

I am aware of and understand that Minn. Stat. §15.99, Subd. 2(a) requires the city to approve or deny this zoning application within 60 days

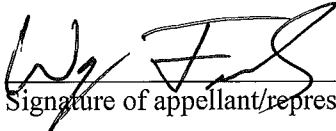
I understand that the city must make a decision on the zoning application no later than:
MARCH 31, 2017

I desire a deviation from the time limits stated in Minn. Stat. §15.99, Subd. 2(a) as follows:

I hereby waive all rights to a decision to approve or deny this zoning application within the 60 day period pursuant to Minn. Stat. §15.99, Subd. 2(a).

I hereby extend the deadline to approve or deny this zoning application pursuant to Minn. Stat. §15.99, Subd. 2(a) until 60 days after completion of the last environmental review process required under Minn. Stat. Chap. 116D.

Sincerely,


Signature of appellant/representative

WAYNE FISCHER
Printed name of appellant/applicant
or representative



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220
St Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

Date: 3/13/17

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16-109677

Board of Zoning Appeals (BZA)
c/o Sean Westenhofer
Department of Safety and Inspections
City of Saint Paul
375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806

Re: Request for Continuance, Zoning file # 16-109677
(ex. 16-123456)

I hereby certify that I am the applicant or the applicant's representative regarding the zoning application under the Zoning file referenced above.

I am aware of and understand that Minn. Stat. §15.99, Subd. 2(a) requires the city to approve or deny this zoning application within 60 days

I understand that the city must make a decision on the zoning application no later than:
MAY 8, 2017

I desire a deviation from the time limits stated in Minn. Stat. §15.99, Subd. 2(a) as follows:

- I hereby waive all rights to a decision to approve or deny this zoning application within the 60 day period pursuant to Minn. Stat. §15.99, Subd. 2(a).
- I hereby extend the deadline to approve or deny this zoning application pursuant to Minn. Stat. §15.99, Subd. 2(a) until 60 days after completion of the last environmental review process required under Minn. Stat. Chap. 116D.

Sincerely,

Wayne Fischer
Signature of appellant/representative

WAYNE FISCHER
Printed name of appellant/applicant
or representative

December 21, 2016

Applicant: Wayne J. Fischer

Address: 1560 Lincoln Ave., St. Paul MN 55105

RE: Minor Variance Request Regarding proposed 3-car garage, 1251.25 sq. feet.

Section 63.501

I wish to provide comment for use in Board of Zoning Appeals Staff Report, Part D "FINDINGS" as follows.

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

The building on this parcel at 1560 Lincoln Ave. is a legal duplex with an existing rundown, detached stucco 2 car garage in the rear yard with surface parking for 2 cars next to the garage. The overhead doors of the old garage face west and are directly across from the alley exit to the parking lot of Immanuel Lutheran Church on Snelling Ave.

The Zoning Code requires a duplex to have a 3 car garage; and the proposed garage is 1251.25 sq. ft., with space for 3 cars. This request for variance is being submitted because the plans include 251.25 sq ft. over allowable 1,000 sq. ft. The proposed garage would be used for parking and storage.

The proposed Accessory Structure ("proposed garage") would replace the old garage and be located in the rear yard with overhead doors facing south alley, alleviating traffic problems during events at Immanuel Lutheran Church. The proposed garage would meet or exceed all setback requirements. Specifically, the proposed garage would meet the required 3 ft. side setback requirements on the west alley, would be 11 ft. 3 in. from the east side lot line, and would be placed 8 ft. from south alley, exceeding 5 ft rear setback requirements.

The proposed garage would be constructed with dark brick façade to complement the existing house with dark brick façade and surrounding Immanuel Lutheran Church across alley and Macalester College buildings across Snelling that both also have dark brick façade. This is an improvement of the property consistent with the purpose and intent of the Zoning Code. The old stucco garage is rundown and an eyesore, whereas the proposed garage would match the appearance of house and surrounding buildings. Therefore, the variance is in harmony with the general purposes and intent of the zoning code.

2. The variance is consistent with the comprehensive plan.

The proposed garage involves a reinvestment in the property within a stable and affluent neighborhood, while still maintaining the vitality and preserving and promoting an established neighborhood, consistent with Strategy 2.1 of the Housing Plan. The proposed garage will also provide off street parking in order to lessen congestion in the public streets.

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3. The applicant has established that there are practical difficulties in complying with the provision that the property owner proposes to use the property in a reasonable manner not permitted by the provision. Economic considerations alone do not constitute practical difficulties.

This is a legal duplex and the Zoning Code requires a 3 car garage. The proposed garage will have room for 3 cars. Most families have 2 cars and 2 families reside in this duplex. My wife and I and my adult son and his family reside in the duplex, so we require space to park at least 3 cars.

The requested variance of 251.25 sq. feet will allow for 3 cars inside, and storage of lawnmowers, strollers, garden tools, so no additional small accessory building such as a shed is needed. The proposed garage is practical and keeps the integrity of the property.

There is 2 hour parking on Lincoln Ave. in front of the house which limits parking and poses practical difficulties. Thus far no resident permits are available. There is also a rain garden directly in front of the house at 1560 Lincoln Ave. which limits parking further.

4. The plight of the landowner is due to circumstances unique to the property.

There are at least 4-5 circumstances unique to the property not in control of the landowner:

- a. There is RAINGARDEN immediately in front of 1560 Lincoln Ave. This limits parking space. This circumstance is not in control of the landowner.
- b. There is a TWO HOUR Parking on Lincoln Ave. along the entire block in front of my house. This circumstance is not in control of the landowner.
- c. This house is the first house from SNELLING AVE PROXIMATEY and is across from MACALESTER COLLEGE. This creates parking pressure and is a circumstance beyond control of the landowner.
- d. This is the only LEGAL DUPLEX on the block to the best of my knowledge. This requires off-street parking for at least 3, preferably 4 cars. This circumstance is beyond control of the landowner.

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

An Accessory Structure is a use permitted in all Zoning Districts. The requested variance, if granted, would not change the Zoning Classification of the Property.

December 21, 2016

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6. The variance will not alter the essential character of the surrounding area.

- a. 1560 Lincoln Ave is a LEGAL DUPLEX, while none of the other houses on the block are legal duplexes. As evidenced by the attached photographs taken within a few block radius of my house, several 3 car and 4 car and high profile garages exist nearby with respect to single family homes, especially duplexes and multifamily homes.
- b. I plan a BRICK FAÇADE that is in keeping with the character of the area. Please see attached plans. The house at 1560 Lincoln is a dark brick façade similar to Macalester College and Immanuel Lutheran Church. The garage would thus blend with the look of the house, and the neighborhood in particular with the look and feel of Macalester College campus across Snelling Ave.
- c. The proposed garage is NOT A CARRIAGE HOUSE and would relieve parking pressure on the block.
- d. Several of the neighboring houses on Lincoln Ave, Goodrich Ave and Grand Ave have three car or four car garages as evidenced by accompanying photographs.