

June 28, 2015

Inga Oelschlager
1916 Fairmount Avenue
St. Paul, MN 55105

FILE
15-186189

To the Board of Zoning Appeals, in care of Mr. YaYa Diatta, Staff Contact

Thank you very much for your thorough review of my variance request at the June 22nd public hearing.

To supplement my testimony at the hearing, I would like to share some additional information related to the two findings debated by members before the two 3 – 3 votes of the Board.

The staff recommendation regarding finding 3 is as follows:

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.

“The existing house on Parcel “A” encroaches over Parcel “B” by 3 feet. The lot can be split evenly north – south without a variance, but it would require the removal of the one-story sunroom located on the east side of the existing house. According to the applicant, the proposed lot split with a dividing line jogged around the sunroom is needed in order to preserve the sunroom and protect the original character of the house. However, the proposed lot split is a choice, not a difficulty. This finding is not met.”

I would like to share my perspective on this issue:

One of the board members asked about the difficulty of removing the sun room. I responded that there would definitely be practical difficulties in removing the sun room, but that it would, strictly speaking, be physically possible. The difficulty would arise from the sun room being of masonry construction, integrally tied into the brickwork of the main body of the house, so its removal would damage the integrity of the masonry in the house wall; filling in the resulting gaps and making them look original would be a painstaking process. I have attached two photos of the brick walls of the sun room at the joint with the brick wall of the house. In addition, the floor is quarry tile set in cement, not simply a wood joist floor, and there are two radiators in the sun room, so the plumbing would have to be addressed.

In addition to the practical difficulties with removing the sun room, it should also be noted that a variance to enable the original house to be preserved without change would help maintain the essential character and aesthetics of the house as it appears on our block today and better maintain the character

30

of the neighborhood. I believe this goes well beyond economic considerations and is a practical difficulty, not simply a choice.

The staff recommendation regarding finding 6 is as follows:

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

“All houses on this block are located on 50 foot lots except the house on the 4th lot to the west, on the southeast corner of Prior and Fairmount. The proposed 40 foot lot will result in a sub-standard lot width; it could change the character of this block. This finding is not met.”

My understanding of this issue is as follows:

The proposed lots would each be 50 feet wide at the street, and 50 feet wide at the alley, the same as most of other lots on the block. The variance would apply to a 36 foot long jog in the center of the lot, which is less than 30% of the total lot length. The side setbacks for both the existing and the proposed house would comply with the R3 requirement of 6 feet on each side and would be greater on the front and the back (as proposed on the site plan). This would leave an open space of 12 feet between the houses on the west and 21.8 feet between the proposed and the neighbors' house on the east, which exceeds the amount of open space between many of the other houses on the block. For example, there is 9.1 feet between my house and the neighbor to the west.

[Note: Reference was made during the hearing to my two lots being 99 feet in width. I found this confusing, as each of my two lots were platted as 50 by 124.5 foot lots, for a total of 100 feet by 124.5 feet. The current survey, utilizing more modern surveying techniques than those used in the 1920s, shows the two lots together as 99.88 feet wide on the street side and 100.17 feet wide on the alley side. When divided into two lots on the original plat lines, the width of each lot would be 49 feet, 11 ¼ inches on the street side and 50 feet, 1 inch on the alley side. So I believe it would be more accurate to describe the combined lots as 100 feet in width rather than 99 feet in width, with each proposed lot being as close to exactly 50 feet as the surveying techniques of the 1920s allowed.]

If the variance is granted, I intend to build a new house of my design on the east lot that blends in with the existing houses on the block, and will not alter the essential character of the surrounding area. I would be most happy to accept a variance conditioned on maintaining the design intent of the preliminary drawings submitted as supplemental materials with the variance application, both in the use of traditional materials and the proposed plan and massing configuration; I realize there might have to be slight adjustments to fully comply with the building permit requirements, which I intend to follow.

[As stated before, the house is designed with a single story element facing the street, similar to a traditional front porch. It also steps away from the east corner to preserve more open land and mitigate the effect of reduced green space on the neighbors immediately to the east. The main body of the house is two stories but steps away from the front by about 14 feet to further subdue the scale of new construction, even though the proposed house would be several feet

31

lower than my existing house. The design is based on roof orientation and use of dormers very common in 1920s bungalows. Other traditional elements such as a brick base, stucco and siding combination walls, and wide overhangs are included to make the house blend well into the historic neighborhood context. The design treats the back bedroom wing as an addition that might have been put on an original house, which I feel further breaks down the mass of the new building.]

There was also discussion among board members about available light for the existing sun room and whether the back bedroom wing of the proposed new house would interfere. First, the back bedroom wing would not overlap the sun room: as shown in the drawings, the west wall of the back bedroom would be almost 4 feet east of the east wall of the sun room, and there would be about 16 and a half feet clear between the corners of the existing sun room and the back wing of the new house. Thus, the sun room would be completely open to light both on the north and the south. In addition, the new house would be twelve feet from the east wall of the sun room and about half of the sun room length would be adjacent to the one-story part of the new house, allowing morning light from the east. As was noted in the board members discussion, many other houses in our neighborhood have sun rooms with less natural light than this, either because they are on the north side of the house, or because the neighboring houses are closer or taller than what I propose.

Based on all of the above, I believe that the proposed variance would not alter the essential character of the surrounding area. Instead, by enabling us to preserve the integrity of the historic 1925 house while building a new house appropriate in scale, design and materials for the neighborhood, granting the variance would help preserve the essential character of the neighborhood.

Thank you again for your time and thoughtful consideration of the variance request.

Respectfully submitted,

Inga Oelschlager

32

FILE
15-126189

Mr. YaYa Diatta
Zoning Inspector, Board of Zoning Appeals
City of St. Paul

Ms. Sarah Currier
1938 Fairmount Ave.
St. Paul, MN 55105

Dear Mr. Diatta,

I am writing again in support of our neighbors' proposed building project at 1916 Fairmount Ave. I have looked closely at Ms. Oelschlager's design plans and walked around our neighborhood, looking carefully at the spacing and scale of houses throughout the area. I believe the proposed house will fit in perfectly with our street.

For the following reasons, I urge you to grant a variance for the project:

- **Build up vs. Tear down:** There is understandable concern in the neighborhood about unnecessary teardowns. The Oelschlager proposal is the *opposite* of this! They want to contribute positively to our neighborhood. I believe that tucking in another high quality home will increase the value of property and strengthen the neighborhood for all of us.
- **Preservation:** Ms. Oelschlager's plan is true in spirit to the original intent of the builder who had planned a second home on the proposed lot. Ms. Oelschlager does not want to change the lovely brick home by removing the sunroom.
- **Environmental impact:** For a short period, of course, the environment will be impacted with the building of the new home. But we have watched the dedication shown by the family in watering and caring for trees not only on their boulevard and in the neighborhood. Over the long term, the addition of trees and landscaping will enhance the area around the house.
- **"Us" vs. "We":** I understand there are some people who are not in favor of the project. I question whether those individuals have taken the time to really look at and understand the proposed building. An individual may not like a *piece* of the idea, but it is important to consider the whole neighborhood. A vital city happens when the good of the whole is considered first.
- **Aesthetic commitment:** This is not a builder "spec" house, built without considering the surrounding houses. The Oelschlager design is of appropriate scale and design. The house will use materials common to other homes on the block. Ms. Oelschlager is more than willing to agree to particular requirements about siding, roof slope, etc. in order to be sure that the house will fit in.

Living together in a community means that we must work together to find a workable solution for all of us. Maintaining the integrity of the brick home and adding in a high quality new home will benefit all of us. I urge you to grant a variance for the project.

Sincerely,

Sarah Currier (curriersarah@gmail.com)

33

Department of Safety and Inspections
Ricardo X. Cervantes, Director
375 Jackson Street, Suite 220
St. Paul, MN 55101-1806

FILE
15-126189

Ross and Sarah Currier
1938 Fairmount Avenue
St. Paul, MN 55105

To the Board of Zoning Appeals,

We learned of our neighbors' request for a variance on their property at 1916 Fairmount Avenue so that they may create a buildable lot.

We would like to express our support for this project for the following reasons:

- **Appropriate scale:** We understand that the new house will be of an appropriate scale for the neighborhood. It will be slightly set back, with a one-story part towards the curb and two towards the back. We feel that this will look like many other houses on the block.
- **Desire to leave the old house unchanged.** We LOVE the beautiful brick house. We understand that if the sunroom on the old house were to be removed, there would be no need for a variance. We are so pleased that the owners' desire to preserve the integrity of the brick house means that they are willing to go to extra effort to make their plan work. They clearly value the aesthetics of the neighborhood.
- **History of the lot:** We understand that the original builders of the house had planned to build a second house for their other daughter, but because she never married, this didn't happen. It seems appropriate to build a house in this space.
- **Urban feel:** The other houses on our block and on surrounding blocks are quite closely spaced. This is one of the things that drew us to this area. We are not living in the suburbs. Using urban land wisely and efficiently is what keeps a city vital. By adding one more house to the block, it means one more family that will be here to shop, dine, use buses, and to be a member of the community.

We cannot be at the meeting today, but are happy to answer further questions if any arise.

Respectfully,

Ross and Sarah Currier

34

FILE
15-126189

Diatta, YaYa (CI-StPaul)

From: Paul Sabourin <paul.sabourin@gmail.com>
Sent: Friday, June 12, 2015 2:56 PM
To: Diatta, YaYa (CI-StPaul)
Subject: requested variance File 15-126189

Mr. Diatta-

I live at 1917 Fairmount Ave, and received the notice of application for a lot width variance for 1916 Fairmount.

I am not opposed to the lot split. There are 40 ft lots scattered through this neighborhood already, so I believe a house compatible with the neighborhood can be built on the proposed new vacant parcel.

The design of any structures proposed for the lot will be of more concern to me than the lot width. I wouldn't expect any design variances related to the size or unusual shape of this new lot to be requested or approved.

Regards,

-Paul Sabourin

35

FILE
15-126189

Diatta, YaYa (CI-StPaul)

From: Paul Sabourin <paul.sabourin@gmail.com>
Sent: Tuesday, June 16, 2015 3:03 PM
To: Adambackstrom@gmail.com
Cc: Diatta, YaYa (CI-StPaul)
Subject: Fwd: requested variance File 15-126189

Hello Adam-

I won't be able to attend the meeting on Friday, so I'm forwarding you the brief comments I sent to Yaya Diatta at the city regarding this variance. In addition to these, let me pass along several additional thoughts that have occurred to me regarding the proposed lot, and possible conditions Mac-Groveland and the city might want to consider requiring should they decide to support this variance.

1) Buildable Area: I am a bit puzzled by the purpose and possible implications of creating a new lot with this unusual shape, rather than just a simple rectangular 41 ft lot. The width of the lot between the existing homes would effectively be 41 feet, but the odd shape will result in a lot with about 16% more square footage than a 41 foot lot here. Based on the plan, it looks to me like the new parcel will have an area of approximately 5449 square feet, while a 41 x 125 ft lot would have an area of 5125 square feet. This would seem to allow about 16% more buildable area at the than would be possible with a regular 41 ft rectangular lot. I think it would be appropriate to make approval of the split conditional on treating the lot area of this new parcel as if it were a 41 x 125 ft rectangular lot when determining the maximum allowed buildable area. Can this be done?

2) Setbacks: Even though the main portion of this lot will be narrower than 50 ft., there should not be any future variance from the standard R3 sideyard setback requirements. The front setback should be consistent with the existing structures on the block, which I believe is already required.

3) Other: Any structure built on the new lot should conform to the requirements of the City-wide Residential Zoning Code Amendments now under consideration, except that based on the narrow width of primary building portion of the lot, I think it would be appropriate to treat this lot as if it was in an R4 zone, and limit the height at the minimum side yard setback to 24 feet.

I hope my comments make sense, but feel free to contact me if you'd like further clarification of anything here.

Regards,

-Paul Sabourin

----- Forwarded message -----

From: Paul Sabourin <paul.sabourin@gmail.com>
Date: Fri, Jun 12, 2015 at 2:55 PM
Subject: requested variance File 15-126189
To: yaya.diatta@ci.stpaul.mn.us

Mr. Diatta-

36

FILE
15-126189

I live at 1917 Fairmount Ave, and received the notice of application for a lot width variance for 1916 Fairmount.

I am not opposed to the lot split. There are 40 ft lots scattered through this neighborhood already, so I believe a house compatible with the neighborhood can be built on the proposed new vacant parcel.

The design of any structures proposed for the lot will be of more concern to me than the lot width. I wouldn't expect any design variances related to the size or unusual shape of this new lot to be requested or approved.

Regards,

-Paul Sabourin

37

Diatta, YaYa (CI-StPaul)

FILE
15-126189

From: Thomas Eckstein <tom@arundelmetrics.com>
Sent: Saturday, June 27, 2015 4:31 PM
To: Diatta, YaYa (CI-StPaul)
Subject: Zoning variance request, File 15-126189

Mr. Diatta,

We are sorry for our late comment about the zoning request for 1916 Fairmount Ave. We had expressed our opinion at the community council meeting, but didn't realize that those comments may not have reached you.

My wife and I are in support of allowing the requested variance.

While we mourn the loss of green space, that is not the decision at this time. As the lot will be developed by Ms. Oelschlager or a future owner, it is a choice of the best option for development of a home on the now vacant lot to the east of the current residence.

The street view of the current home at 1916 is original. The variance will allow this view to remain.

The variance will also require that any new home, such as the one proposed by Ms. Oelschlager or a future builder, will have a smaller view from the street because of the narrowing of the lot per the variance. This will cause any home to be less intrusive on the block. Current setback requirements for the lot will remain the same, allowing adequate spacing from the current home and from the home to the east.

While the variance is independent of the house design, we feel that the proposed house design does suggest that Ms. Oelschlager is developing a home that is in accordance with the block in both design and materials and will not be intrusive. As she has been in the neighborhood for 20 years and is proposing to remain in the new home, it shows her commitment to retaining the neighborhood.

In summary, we wish to support the acceptance of this variance by the Board of Zoning Appeals and that the necessary permits be granted for building on the vacant lot.

Thank you for your consideration.

--
Tom Eckstein & Diane Harder
1926 Fairmount Ave
651-222-5257 - Day
651-699-7872 - Home
651-238-1097- Cell

38

FILE
15-126189

Diatta, YaYa (CI-StPaul)

From: Jo <jojoklein@gmail.com>
Sent: Tuesday, June 30, 2015 10:10 PM
To: Diatta, YaYa (CI-StPaul)
Subject: Inga Oelschlager, 1916 Fairmount Avenue, St. Paul

Dear Mar. Diatta,

I live on Fairmount Avenue in St. Paul, across the street from Inga Oelschlager. I am writing to convey my support for Inga in her plans to build a house on her vacant lot to the east of her existing house.

Sincerely,

Jo Klein

1923 Fairmount Avenue
St. Paul 55105

39

FILE
15-126189

Diatta, YaYa (CI-StPaul)

From: Doug Anon <doug_klein_2007@yahoo.com>
Sent: Sunday, July 05, 2015 6:56 PM
To: Diatta, YaYa (CI-StPaul)
Subject: Expressing my support.

Mr. Diatta,

Regarding the zoning request for 1916 Fairmount Ave.: I am in support of allowing the requested variance.

The street view of the current home at 1916 is original. The variance will allow this to view to remain.

The variance will also require that any new home, such as the one proposed by Ms. Oelschlager or a future builder, will have a smaller view from the street because of the narrowing of the lot per the variance. This will cause any home to be less intrusive on the block. Current setback requirements for the lot will remain the same, allowing adequate spacing from the current home and from the home to the east.

While the variance is independent of the house design, we feel that the proposed house design does suggest that Ms. Oelschlager is developing a home that is in accordance with the block in both design and materials and will not be intrusive. As she has been in the neighborhood for 20 years and is proposing to remain in the new home, it shows her commitment to retaining the neighborhood.

In summary, I wish to support the acceptance of this variance by the Board of Zoning Appeals and that the necessary permits be granted for building on the vacant lot.

Thank you for your consideration.

Doug Klein
1923 Fairmount Avenue
St. Paul 55105
651-699-2393