



APPLICATION FOR ZONING VARIANCE

Department of Safety and Inspections

375 Jackson Street

Suite 220

Saint Paul, MN 55101-1806

General: 651-266-9008

Fax: (651) 266-9099

RECEIVED IN D.S.I.

AUG 19 2013

Zoning office use only

File Number: 13-222492

Fee: \$ 00.00

Tentative Hearing Date: 09-16-13

Section(s) 61-103

City agent: D I A T T A

APPLICANT

Name David M. King Company
Address 1075 Lombard Avenue
City Saint Paul St. Zip 55105 Daytime Phone 651.216.2261
Property Interest of Applicant (owner, contract purchaser, etc) Owner
Name of Owner (if different) Phone

PROPERTY INFORMATION

Address / Location 1075 Lombard Avenue
Legal Description Lot 12 except for east 25 feet, all lot 11, Block 1, Slaytons Addition to Ridgeview Park
(attach additional sheet if necessary)
Lot Size 62.5 x 119.8 feet Present Zoning Present Use Residential
Proposed Use No change

Variance[s] requested:

Supporting Information: Supply the necessary information that is applicable to your variance request, provide details regarding the project, and explain why a variance is needed. Duplex/triplex conversions may require a pro forma to be submitted. Attach additional sheets if necessary.

I am requesting the BZA to review my case, under Section 61.108 of the Zoning Code. This is a request for deletion of condition 3, of the granted variance (zoning file number: 11-253290), which states "The existing driveway and curb cut in the front yard must be completely removed and replaced with a new curb and gutter."

The following items are the basis for the request for deletion of condition 3:

- 1. The original requirement for a variance only occurred secondary to the unique topography of the rear yard which resulted in the garage build going from "detached," not requiring a variance, to "attached" given the need for a walk way from the garage to the first floor of the house.
2. The driveway has been in place, with continuous use, since the house was constructed in 1922.
3. Safety and ease of use of the property given the unique qualities of Lombard Avenue resulting in limiting street parking, including no north side street parking; on which side my house is located.

This driveway falls within the legal land use as described in Zoning code section 62.104. - Nonconforming Uses of Land, part (f) which states: An existing off-street parking space for one- and two-family dwellings in a required front or side yard shall be considered a legal nonconforming use provided the parking space was established pursuant to a curb cut permit issued by the department of public works prior to October 25, 1975, and the parking space has existed continuously since the permit was issued or it can be demonstrated by clear and convincing evidence that the parking space has been in existence and used continuously since October 25, 1975. The burden of proof shall be on the property owner.

Attachments as required:

Site Plan

Attachments

Pro Forma

Applicant's Signature David M. King (electronic signature) Date August 13, 2013

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ADVANCE SURVEYING & ENGINEERING CO.
5300 S. Hwy. No. 101 Minnetonka, MN 55345 Phone (952) 474 7964 Fax (952) 225 0502
www.advsnr.com

SURVEY FOR: DAVID KING

SURVEYED: July 14, 2011 **DRAFTED:** July 15, 2011

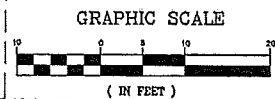
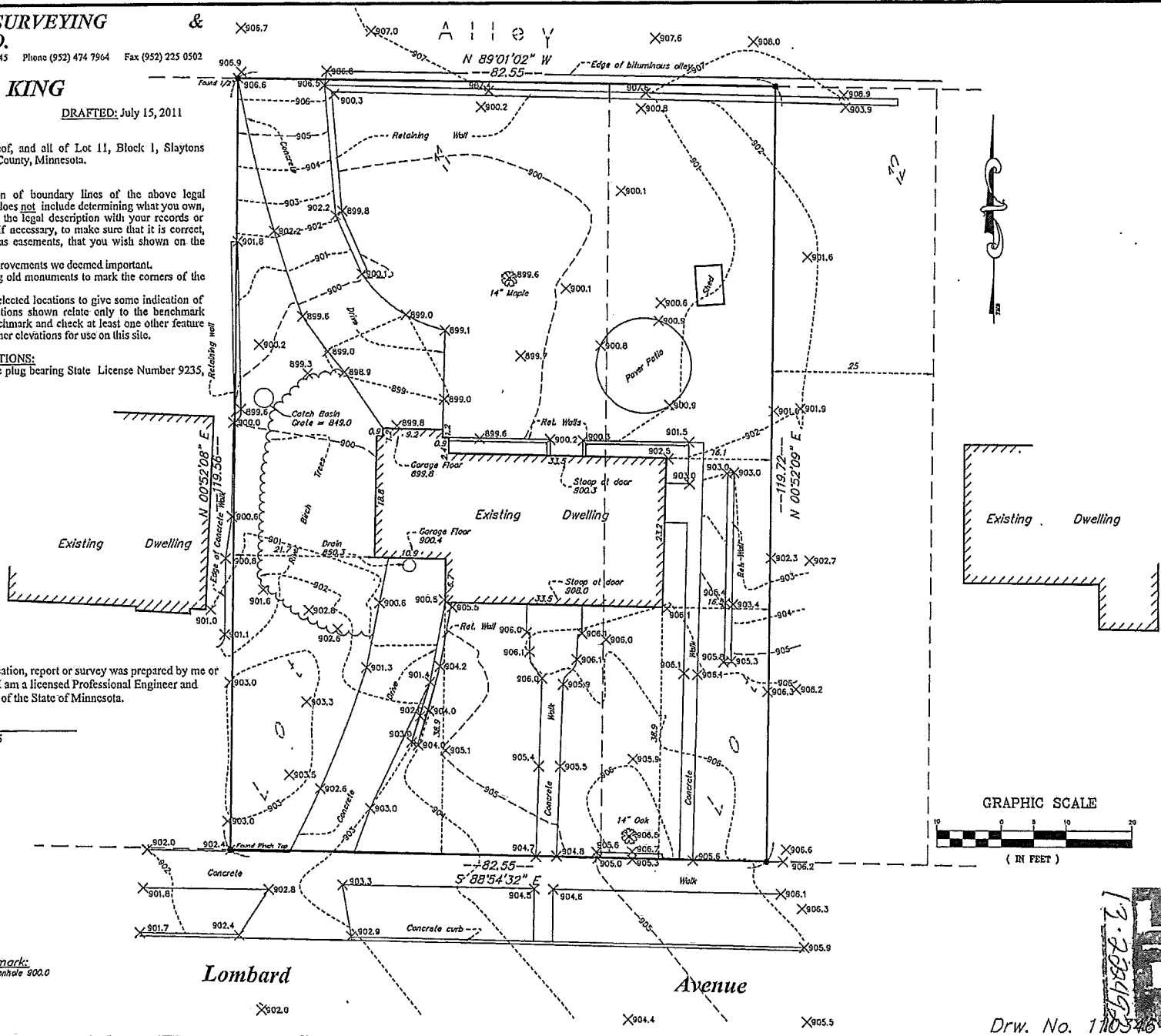
LEGAL DESCRIPTION:
Lot 12, except the East 25 feet thereof, and all of Lot 11, Block 1, Slaytons Addition to Ridgewood Park, Ramsey County, Minnesota.

- LIMITATIONS & NOTES:**
1. Showing the length and direction of boundary lines of the above legal description. The scope of our services does not include determining what you own, which is a legal matter. Please check the legal description with your records or consult with competent legal counsel, if necessary, to make sure that it is correct, and that any matters of record, such as easements, that you wish shown on the survey, have been shown.
 2. Showing the location of existing improvements we deemed important.
 3. Setting new monuments or verifying old monuments to mark the corners of the property.
 4. Showing elevations on the site at selected locations to give some indication of the topography of the site. The elevations shown relate only to the benchmark provided on this survey. Use that benchmark and check at least one other feature shown on the map when determining other elevations for use on this site.

STANDARD SYMBOLS & CONVENTIONS:
"X" Denotes 1/2" ID pipe with plastic plug bearing State License Number 9235, set, unless otherwise noted.

CERTIFICATION:
I hereby certify that this plan, specification, report or survey was prepared by me or under my direct supervision and that I am a licensed Professional Engineer and Professional Surveyor under the laws of the State of Minnesota.

James H. Parker
James H. Parker P.E. & P.S. No. 9235



17-233495

Drw. No. 110346

FILE
13-222492

City of Saint Paul Board of Zoning Appeals Hearing

Regarding 1075 Lombard Avenue

Saint Paul, Minnesota

September 16, 2013

FILE
13-222492

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Purpose

This is a request to the Board of Zoning Appeals, under section 61.108 of the Zoning Code, for deletion of condition 3 of the granted variance (Zoning File Number: 11-253290). Condition 3 states:

“The existing driveway and curb cut in the front yard must be completely removed and replaced with a new curb and gutter.”

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11-253290
Zoning File Number

Introduction

- Unique topography of 1075 Lombard Avenue that resulted in the original variance application.
- Historic significance of the driveway at 1075 Lombard Avenue
- Safety and ease of use of the property

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City of
Chicago

The James E. and Phillippina Niemeyer House

1075 Lombard Avenue



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12-22-1910
E. J. Niemeyer

James E. and Phillippina Niemeyer House

1075 Lombard Avenue

- Designed and built by Saint Paul architect James E. Niemeyer in 1922.
- The architect and his wife Phillippina lived nearly 50 years in the house. This was their first home and only home from what can be gathered from historic sources.
- There have been five owners of the property.
- One previous family so enjoyed living on Lombard Avenue that they moved across the street when their family outgrew the Niemeyer House.
- I have lived in the Niemeyer House since June 2003.

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13-228492
EHE