

Council President and Members of the Saint Paul City Council,

My name is Ianni Houmas, and I am a resident of Saint Paul urging you not to approve the Minnesota Bureau of Criminal Apprehension's request for a 10-foot perimeter fence at 1430 Maryland Ave E, located in Ward 6, District 2.

This request is not a routine zoning matter. It is a decision about whether the City of Saint Paul will endorse the militarization of a residential neighborhood—despite the State providing no evidence that such an extreme measure is necessary, justified, or proportionate.

#### 1. The State Has Not Demonstrated a Practical Difficulty

The applicant, the State of Minnesota, has stated that it is not subject to municipal zoning authority and is participating in this process only “voluntarily.” Even so, the State has not provided any factual basis showing a practical difficulty that would justify doubling the legal fence height.

There is:

- No incident history
- No threat analysis
- No data showing a security breach
- No independent verification of the DHS audit they cite
- No evidence that a 10-foot fence is the least restrictive or most effective option

A variance cannot be granted on preference alone. The law requires necessity.

#### 2. The New Submission Raises a Procedural Question: Should This Actually Be Two Variances?

The State's revised submission includes both:

- a retaining wall, and
- an 8-foot fence placed on top of that wall

creating a combined 10-foot barrier.

Under Saint Paul Legislative Code §§ 61.601–61.602, a variance must be evaluated for each structure that exceeds the dimensional standards of the zoning district. The code treats retaining walls and fences as separate structures with separate height limits and separate review criteria.

Because:

- The retaining wall may exceed allowable height or grading limits, and
- The fence exceeds the maximum permitted height for fences in this zoning district, the City Code requires separate findings for each variance.

Therefore, this application should be processed as two distinct variance requests, not one bundled request. Each requires its own justification, its own practical difficulty analysis, and its own public notice. The State has not provided adequate justification for either one.

#### 3. The City's Board of Zoning Appeals Has Declined Approval Twice

The City of Saint Paul Board of Zoning Appeals (BZA) has now declined approval of this request twice:

- First in September 2025, when the BZA declined to vote, resulting in no approval.
- Again in the resubmitted 2026 request, where the BZA once more declined to approve the variance.

Two separate BZA reviews have reached the same conclusion:

The State has not met the standards required for a variance.

This repeated outcome underscores the seriousness of the deficiencies in the State's application.

#### 4. Approving This Fence Would Set a Dangerous Precedent

If the City approves a 10-foot security fence for a State agency without evidence, it signals that:

- Militarized infrastructure is acceptable in residential neighborhoods
- State agencies can bypass the standards required of every resident and business
- Community concerns about safety, livability, and neighborhood character are secondary to unsubstantiated security claims

This is not just a fence. It is a precedent-setting decision about the future of land use, public safety, and community trust in Saint Paul.

#### 5. The Community Has Been Clear: We Do Not Want Militarization in Ward 6

Residents in Ward 6 and District 2 have repeatedly expressed fear, frustration, and confusion about why such an extreme structure is being proposed in a neighborhood with homes, parks, schools, and small businesses.

A 10-foot perimeter barrier—8 feet of fence atop a 2-foot retaining wall—is not a normal security measure. It is a carceral design element. It changes the character of the area and sends a message of danger where none has been demonstrated.

Saint Paul should not normalize this.

#### 6. The Burden of Proof Is on the Applicant—And They Have Not Met It

Your responsibility is to uphold the zoning code, protect neighborhoods, and ensure that any variance is supported by clear, factual evidence.

The State has not provided that evidence.

#### Conclusion

I urge you to deny the variance request for 1430 Maryland Ave E.

Doing so is not anti-State. It is pro-community, pro-transparency, and pro-accountability. Saint Paul should not condone the militarization of our neighborhoods—especially when the applicant has failed to demonstrate any necessity for such an extreme measure.

Thank you for your time and your commitment to protecting the character and safety of our city.

Sincerely, Ianni Houmas Ward 6, District-2 Resident