

CITY OF SAINT PAUL

Deadline for Action: September 5, 2025

BOARD OF ZONING APPEALS RESOLUTION

ZONING FILE NUMBER: 25-033888

DATE: June 9, 2025

WHEREAS, Stronger Sober House has applied for a variance from the strict application of the provisions of Section 65.162 of the Saint Paul Legislative Code pertaining to the required distance between congregate living facilities. The applicant is proposing to establish a 12-resident supportive housing facility. The zoning code states that supportive housing facilities shall be a minimum distance of 1,320 feet from specified congregate living facilities with more than six (6) adult residents; this facility is 804 feet from a specified congregate living facility with more than six (6) adult residents, for a variance of 516 feet in the H2 zoning district at 269 Harrison Avenue PIN: 012823420050; and

WHEREAS, the Saint Paul Board of Zoning Appeals conducted a public hearing on June 9, 2025 pursuant to said application in accordance with the requirements of Section 61.303 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 existing building is a single-family dwelling approved as a 12-resident sober house. The applicant is proposing to establish a 12-resident supportive housing facility to replace the existing use. The zoning code states that supportive housing facilities shall be a minimum distance of 1,320 feet from specified congregate living facilities with more than six (6) adult residents; this facility is 804 feet from a specified congregate living facility with more than six (6) adult residents, for a variance of 516 feet. The variance request is consistent with the purpose and intent of § 60.103 of the zoning code to provide for housing choice and affordability. **This finding is met.**

2. *The variance is consistent with the comprehensive plan.*

The proposed facility supports Policy H-15 of the Saint Paul Comprehensive Plan, which encourages the development of a diverse range of culturally appropriate housing types across the city to serve residents at all life stages and levels of ability. **This finding is met.**

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 zoning code requires a 1,320-foot separation between specified congregate living facilities with more than six (6) adult residents to ensure their integration into the broader community and to avoid the creation of institutional clusters. The proposed facility would be located 804 feet from a specified congregate living facility.

The applicant has not met the practical difficulties standard for the following reasons:

- The applicant could house up to six individuals at this property by right without meeting the required separation;
- the fact that this property is within 1,320 feet of another specified facility is not a practical difficulty, but rather due to the owner's choice to pursue this use at this location; and
- it is owner's decision to pursue supportive housing rather than other available housing options; and
- the difficulty is the result of the owner's decision to pursue supportive housing at the proposed resident number;
- the owner has not demonstrated that there are practical difficulties to open a supportive housing facility at the number allowed by-right by the ordinance;
- there are other locations that the applicant could pursue within the City of Saint Paul;
- there are other available uses for the property that would not require a variance;
- the difficulty is of the applicant's making.

This finding is not met.

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

The property could house up to six residents without triggering the need for a variance of the separation requirement. The requested variance arises not from unique circumstances of the land but from the applicant's desire to exceed the permitted number of residents within the required separation distance. Other properties within 1,320 feet of the specified congregate living facility are in compliance with this standard. Given that the separation requirement affects other properties within the 1,320 feet proximity to the specified congregate living facility, the plight is not unique to the landowner, but general to the surrounding area. **This finding is not met.**

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

A supportive housing facility is a permitted use in the H2 zoning district. Granting the variance would not allow a use otherwise prohibited in this zoning district. **This finding is met.**

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

Although the proposed supportive housing facility would be within a quarter mile of a specified congregate living facility, the two facilities are separated by 7th Street West and the facility would not alter the essential character. **This finding is met.**

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Board of Zoning Appeals that the request to waive the provisions of Section 65.162 in order to permit a 12-resident supportive housing facility 804 feet from a specified congregate living facility on property located at 269 Harrison Avenue PIN: 012823420050; and legally described as Whitacre Brisbane & Mullens Su Ex N 46 2/10 Ft Lot 96; in accordance with the application for variance and the site plan on file with the Zoning Administrator, **IS HEREBY DENIED.**

MOVED BY: Martinson

SECONDED BY: Benner II

IN FAVOR: 5

AGAINST: 0

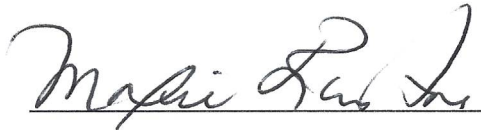
MAILED: July 23, 2025

TIME LIMIT: No decision of the zoning or planning administrator, planning commission, board of zoning appeals or city council approving a site plan, permit, variance, or other zoning approval shall be valid for a period longer than two (2) years, unless a building permit is obtained within such period and the erection or alteration of a building is proceeding under the terms of the decision, or the use is established within such period by actual operation pursuant to the applicable conditions and requirements of the approval, unless the zoning or planning administrator grants an extension not to exceed one (1) year.

APPEAL: Decisions of the Board of Zoning Appeals are final subject to appeal to the City Council within 10 days by anyone affected by the decision. Building permits shall not be issued after an appeal has been filed. If permits have been issued before an appeal has been filed, then the permits are suspended and construction shall cease until the City Council has made a final determination of the appeal.

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 9, 2025 & July 21, 2025 and on record in the Department of Safety and Inspections, 375 Jackson Street, Saint Paul, Minnesota.

SAINT PAUL BOARD OF ZONING APPEALS



Maxine Linton
Secretary to the Board

