



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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October 19, 2010

Patrick and Barbara Madigan
711 North Oak Drive
Vadnais Heights MN 55127

RE: Request for reasonable accommodation (#10-603083)
1499 PACIFIC STREET

Dear Patrick and Barbara Madigan:

We have reviewed your request for a reasonable accommodation to establish a sober house for seven (7) residents at the referenced location. Such request is required because a sober house is an exception to the maximum number of unrelated persons living together in a dwelling unit in Saint Paul. Additionally, you have requested a reasonable accommodation to provide the required parking in an arrangement not allowed by the parking regulations in the zoning code.

A sober house is defined in the Saint Paul Zoning Code under Section 65.160 as:

A dwelling unit occupied by more than four (4) persons, all of whom are in recovery from chemical dependency and considered handicapped under the Federal Fair Housing Act Amendments of 1988, that provides a non-institutional residential environment in which the residents willingly subject themselves to written rules and conditions, including prohibition of alcohol and drug use (except for prescription medications obtained and used under medical supervision), intended to encourage and sustain their recovery. The residents of a sober house are similar to a family unit, and share kitchen and bathroom facilities and other common areas of the unit. Sober houses are financially self-supporting. This definition does not include facilities that receive operating revenue from governmental sources. Sober houses do not provide on-site supportive services to residents, including the following: mental health services; clinical rehabilitation services; social services; medical, dental, nutritional and other health care services; financial management services; legal services; vocational services; and other similar supportive services.

This property is located in the RT1 two-family residential zoning district. As such, a sober house serving seven (7) or fewer residents is a permitted use providing certain conditions are met.

The sober house must be located a minimum distance of 330 feet from any other property containing a sober house. This condition is met.

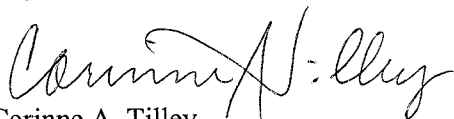
The sober house must meet the parking standards as required in Sec. 63.207. A sober house for seven (7) residents requires three (3) off-street parking spaces. The parking plan you submitted shows two (2) parking spaces in the front yard parking pad with two (2) stacked parking spaces and you indicate that on-street parking is available in front of the house. You have requested a reasonable accommodation of the parking requirement for one (1) parking space required of the single family dwelling unit and two (2) additional parking spaces required for a sober house with seven residents.

We hereby find that your proposed facility meets the definition of a sober house and we grant you an accommodation for a seven (7)-resident sober house and an accommodation for the parking requirement and layout as shown on your parking plan, subject to the following conditions:

1. Off-street parking: The proposed front yard off-street parking area for three (3) parking spaces is permitted only until the use of the sober house (with 5 – 7 residents) is discontinued, changes ownership, or the property is sold. At such time that the sober house (with 5 - 7 residents) ceases to exist, changes ownership, or sold, the required one off-street parking space for a single family dwelling unit must be put back in to it's original location. Building and trade permits must be obtained for all remodeling work. The entire structure must meet building code standards.
2. Certificate of occupancy: This building must comply with all life and safety requirements of the State Building and Fire Codes. A fire certificate of occupancy is required from the City Fire Marshal before the building may be occupied. Please Contact Leanna Shaff at 651-266-8980 (between the hours of 7:30am - 9:00am; Monday through Friday) to schedule an appointment.
3. Trash: Garbage containers should not be placed in the parking area. Containers should be wheeled out to the alley on trash pickup days only.
4. Revisions: Any changes proposed for this facility relating to financial support, services provided, number of residents, parking arrangements or change of ownership or operator, will require a new application and review.

If you have any questions regarding this matter, please contact me at 651-266-9085 (office) or corinne.tilley@ci.stpaul.mn.us (email).

Regards,



Corinne A. Tilley
DSI Inspector – Zoning

Copy: Leanna Shaff, Fire Marshal's Office