

Moermond, Marcia (CI-StPaul)

From: *CI-StPaul_LegislativeHearings
Sent: Tuesday, July 14, 2015 8:38 AM
To: Moermond, Marcia (CI-StPaul)
Subject: FW: 1356 Jefferson Avenue, Robert and Cheryl McCarthy

Importance: High

Marcia,

Do you want to respond to Mr. McCarthy?

From: bob McCarthy [mailto:macspapa.bm@gmail.com]
Sent: Monday, July 13, 2015 2:57 PM
To: *CI-StPaul_LegislativeHearings
Subject: Re: 1356 Jefferson Avenue, Robert and Cheryl McCarthy

I have referred the minutes that you referred to. There are multiple errors in there as to what I actually said and what Ms Moermond said. These are not relevant to the time question and so I will remove them for now.

What is relevant is the initial conversation about my being there that day while my daughter was being prepared for a historectomy that afternoon and Ms Moermonds sympathetic response. Also relevant is the contradiction in your minutes, where it says "Ms Moermond asked Mr McCarthy to submit a diagram of his lot ...a Will give him two weeks to do that . We will have a conference a on what a solution would look like".

1. the minutes left out instructions by Ms. Moermond to look at using a wheel track approach as an alternative.

2 it leaves out the part where I pointed out that my daughter a was having surgery, I was caring for a sick wife and there was a holiday weekend in there. She then said to get it in by the end of that week and then we will have a conference on what a solution might be.

3 The July 7 date is added to the end of the notes almost as a postscript. In reality it would be impossible submit the diagram by the seventh, give it reasonable consideration, check the facts presented, have a conversation of alternatives, reach a concensus of action and submit it to the council all on July 7th. It is obvious that date was added post meeting.

Instead of concentrating just on enforcement, the result of this recommendation will be on the neighborhood. They will lose an attractive site with a surface that exceeds the city code and the neighboring alley in strength plus the biggest tree in the neighborhood. It will gain two more cars on an already congested street. Parking is allowed on only one side of Jefferson and it is a primary bike route so this will add to the mess. For the next two years, it will be the primary detour for Randolph and St Clair construction. The land itself has 4 to 6 inches of gravel under the dirt that has come to the top, so grass or flowers will not grow there, only weeds.

The best use I can make of it is a dog run. This does not appear to be the result the council intended when they passed this. My neighbors sure aren't happy about it!!!

Please be advised I intend to come to the August 5th public hearing. Please put me and my party on the agenda for no less than 45 minutes. I will speak as will my attorney, 5 neighbors and community council members.

Sincerely

Robert J McCarthy

On Fri, Jul 10, 2015 at 11:00 AM, *CI-StPaul_LegislativeHearings <LegislativeHearings@ci.stpaul.mn.us> wrote:

Mr. McCarthy,

There is no indication of July 10th mentioned in the minutes. I have also attached a letter I sent via email to you as well. See attached.

Mai

From: bob McCarthy [mailto:macspapa.bm@gmail.com]
Sent: Friday, July 10, 2015 10:23 AM
To: *CI-StPaul_LegislativeHearings
Cc: Seeley, Paula (CI-StPaul); Ross, John Peter (CI-StPaul); Moermond, Marcia (CI-StPaul)
Subject: RE: 1356 Jefferson Avenue, Robert and Cheryl McCarthy

She gave me until the 10Th to get this to her. I wrote it down on the copy of the ordinance they gave me. I put a lot of work into this to cooperate and it deserves to be considered.
At worst this is a nonconforming use question and should be referred to the zoning department.

On Jul 10, 2015 8:24 AM, "*CI-StPaul_LegislativeHearings" <LegislativeHearings@ci.stpaul.mn.us> wrote:

Mr. McCarthy,

You missed the hearing on July 7 to further discuss the parking issue. Ms. Moermond is recommending denial of your appeal. However, I will present this information to her for review prior to Council. If you wish to appeal to her recommendation, the City Council Public Hearing is August 5, 2015 at 5:30 p.m. in Room 300 Council Chambers.

Mai Vang

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mai.vang@ci.stpaul.mn.us



From: bob McCarthy [mailto:macspapa.bm@gmail.com]
Sent: Thursday, July 09, 2015 11:57 PM
To: *CI-StPaul_LegislativeHearings
Subject: 1356 Jefferson Avenue, Robert and Cheryl McCarthy

Att: Marcia Moermond

Here is the site plan that you asked me to send you by the 10th of July. It has been hard to get this together in two weeks with the holiday, my disabled wife and a flare up in my back problems.

i have talked to a number of people and the concensus is that the best solution would be to use 2 inch granite to a depth of two to three inches. The granite will give a very hard surface and the large size will stick to the ground and to each other while allowing the water through to the tree. Because it is bigger it will not wear away and it will not be carried into the storm sewers. Visually, it fits with all the other rock in the current landscape pattern.

I investigated the possibilities of tracks but need more information. There appears to be serious problems with every alternative. The best option there would be to go over the existing walkway and put 4 tracks in between the house and garage on a line from the deck to the street. This would not be attractive or go with the existing landscaping. I am an old man and my house will eventually have to be sold someday and this would decrease the value.

The amount of material and the cost of labor to prepare the site is extremely high for this option. With cement it involves trenching down a couple of ft or more through a mix of dirt and rock. There is one tile that is 3.5 inches deep and allows drainage but it is about \$ 6 per tile. it covers only 2.6 square ft. Each track would have to be about 40 square feet or a total of about 160 sq ft or about 62 tiles. That cost would then be \$362 plus trenching and base costs. There would also be labor to lay these which is estimated at a thousand dollars.

The estimated cost of the granite is About \$150. Labor simply involves leveling the service and spreading the gravel. Delivery costs are additional.

I don't think that the goal of the city is to bankrupt disabled pensionaires but that is exactly what the cement or block option would do to us. Frankly the tarring of the area would cost as much and is financially out of the question for us too.

We laid out this plan with the help of the City zoning and Planning departments to rescue a trash house in the neighborhood. The granite option goes with what we have as it was originally laid out. It protects the tree, provides a harder surface than what is in the alley and is the best looking option. This law was passed after we relied on the city for design help and the entire current landscape.

It is unfair that the city has 20% of the alleys in the city unpaved for lack of funds but jumps on law abiding homeowners. This law is only used to pressure home owners when other means fail. In my eight square block area, there are about 40 non-conforming parking spots. Ironically, I was planning to put new rock on that pad last year but i didn't get it done because my wife was too needy. I was looking for someone to do it this year when your inspector came around this year.

Finally, I do not believe the inspection department has the power to tow my handicapped badged vehicles as threatened in the order. Putting the ADA issues aside for the moment, The section quoted by your inspector says that before any existing spaces may be paved, site plan approval must be obtained as specified in the St Paul Zoning Code and the lot must be developed in comformance with such approval.

Sections 60 through 64 outline the zoning requirements which have the intent and purpose of increasing the quality of life for all citizens and see that standards are uniformly applied. they allow for "alternative material that is equivilent to that required. There is also a section 63.11 which deals with the need to protect existing trees whenever possible. Sec 63.115 says that stormwater treatment is a major consideration of a site plan and integrated into the plans. My tree would be classed as stormwater landscaping, the preservation of which must be a key factor. Finally, the code gives at least one year to comply after a site plan is approved. I believe that the abatement power cannot be applied as long as I am working on the problem in good faith plus a year.

I appreciate your understanding here and offer to work with me I would have had rock in by now except for all of this. I guess it is good that I haven't done because I would have relied on my discussions with the city and possibly had to take it all up. I want to get this done this summer get this done this summer instead of waiting another year. However, I feel I have to do what I have to do to protect this tree and will continue to fight if necessary.

Please advise me if you have questions about any of this. I am more than willing to work with you on this. Please advise me when this will be heard by the council and if you intend to submit a negative report. in that case, I would like to be heard by the council and bring an attorney. .

Sincerely,

Bob McCarthy

attach: Site Plan