

MINUTES
BOARD OF ZONING APPEALS
15 W KELLOGG BLVD, ROOM 330
ST PAUL, MINNESOTA, MAY 7, 2018

Continued from March 26, 2018 & April 23, 2018

PRESENT: Mmes. Bogen, Maddox and Trout-Oertel; Messrs. Rangel Morales and Miller and of the Board of Zoning Appeals; Mr. Warner, City Attorney; Mr. Diatta and Ms. Crippen of the Department of Safety and Inspections.

ABSENT: Thomas Saylor*

*Excused

The meeting was chaired by Gloria Bogen, Chair.

Hupp Holdings III LLC (#18-35099) 617 Laurel Avenue: The applicant is proposing to construct a 6-unit row house development on a vacant lot in the RM2, multi-family residential zoning district and is requesting four variances: 2) The zoning code states that no multi-family dwellings can be built to create three or more dwelling units on a lot that is less than 9,000 square feet in area; the applicant is requesting a variance from this requirement. 3) A side yard setback of 9' is required; a setback of 3' is proposed for a variance request of 6'. 4) A setback of 9' is required for the off-street parking area; the applicant is proposing a setback of 1' on both the east and west sides of the parking lot for a variance request of 8'.

Mr. Diatta reviewed the case history with a recommendation for denial. Mr. Diatta stated that Mr. Hupp has provided a summary of what happened in the discussions. Ms. Bogen stated that the public portion of the hearing has been closed so the Board cannot look at that information.

Mr. Miller stated that the Board had discussed that the building seemed a little large for the property. He stated that he drove around the neighborhood and around Dale Street there are a lot of big buildings and a lot of parking lots. He thinks that this project fits in great on Dale Street, it is a busy street with a lot of buildings. All up and down Laurel Avenue there are a lot of big houses on that street and several multi-unit buildings. He thinks that the profile proposed is actually a small silhouette compared to a lot of the houses on Laurel Avenue. The alleys on either side of Laurel have a lot of parking lots and parking pads, garages that range from four to eight stalls. He thinks that this fits in both on Laurel Avenue and Dale Street. It also has the district council support and staff support. He thinks it is an impressive intelligent design and it is too bad that the lot is a little too small.

Ms. Trout-Oertel stated that for her, the last variance that was applied for the parking with the one-foot setback was the last straw. There are a lot of variances requested for this project and it is a very nice project, but this may not be the site for it.

Hearing no further testimony, Ms. Bogen closed the public portion of the meeting.

Ms. Trout-Oertel moved to deny the variance and resolution based on revised finding 3 There is nothing unique about this property that would prohibit it from being used in a reasonable manner. Ms. Bogen stated finding 4 is the uniqueness of the property and finding 3 is the practical difficulties. At the last hearing the Board agreed on findings 3 and 4 that there were no practical difficulties in complying with the ordinance if the applicant uses the property to build three three-bedroom units. That there was nothing unique about the property just because the owner wants to add three more units to the property. Ms. Trout-Oertel thanked Ms. Bogen for correcting her motion.

Mr. Miller stated that variances were needed for the tri-plex, there were practical difficulties. Ms. Bogen stated that there were less variances requested to put the tri-plex on the site.

Mr. Rangel Morales stated that the summary states that the revised site plans were presented to the City Council and approved unanimously, he asked if that was the three-unit or the six-unit building? Ms. Bogen stated it must have been the District Council. What they presented to the District Council were the first plans for this variance request where the property owner was going to get a shared parking agreement with the Mississippi Market. She does not think that the District Council has sent anything in on the revised site plan with all the parking on the property. Mr. Rangel Morales asked if there were plans for the proposed parking? Ms. Bogen replied page 31 of the packet. Mr. Rangel Morales asked if it is street parking. Ms. Bogen replied no, they are adding asphalt to the rear of the yard off the alley to create the parking. They are using most of the green space on the lot for the parking. Maybe that is what the neighbors were talking about at the last hearing, the cars will be exiting the alley onto Dale Street, they were concerned that right across the street from the alley exit there is not another alley but street as the streets in that area are jogged, making it difficult to see when pulling out onto the street. A lot of the neighbors were talking about that at the last hearing.

Ms. Maddox seconded the motion that the project does not meet findings 3 and 4, she thinks that the property could be used, which was demonstrated with the last variance request for the triplex. She stated that she does not think that the property is unique. There were not any practical difficulties so she agrees with the motion to deny on findings 3 and 4 not being met, which failed on a roll call vote of 3-2(Rangel Morales, Miller).

Mr. Rangel Morales stated that there is a shortage of housing in St. Paul, these units have to go somewhere. He understands that the lot is small. If no one is going to change their mind we will have to continue this. Ms. Bogen stated that we need either 1 or two people to change their minds with the Board today, we need four votes one way or the other.

Staff discussed that Mr. Benner has sent an extension to the applicant so the Board has time to continue this case.

Ms. Maddox moved to continue the matter for two weeks for more Boardmembers.

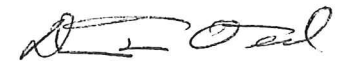
Ms. Trout-Oertel seconded the motion, which passed on a voice vote of 5-0.

Submitted by:



Jerome Benner II

Approved by:



Diane Trout-Oertel, Secretary