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JUN 06 2025

ZONING APPEAL APPLICATION

To/From Board of Zoning Appeals
Dept. of Safety & Inspections
Zoning Section
375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806
(651) 266-9008

To / From Planning Commission
Dept. of Planning & Econ. Devt.
Zoning Section
1400 City Hall Annex, 25 W 4th St.
Saint Paul, MN 55102-1634
(651) 266-6583

Zoning Office Use Only
File # 25-039863
Fee Paid $ 462.00
Received By / Date Yang - 6/6/2025
Tentative Hearing Date 6/25/2025

APPELLANT

Name(s) Dominic Carchedi
Address 3757 Foss Road City mpls State mn Zip 55421
Email NickCarchedi02@Gmail.Com Phone 612-819-4966

PROPERTY LOCATION

Project Name Investment Recovery Homes
Address / Location 418 Sherburne Ave

TYPE OF APPEAL: Application is hereby made for an appeal to the:

- ☐ **Board of Zoning Appeals,** under provisions of Zoning Code § 61.701(c), of a decision made by the Zoning Administrator.
- ☐ **Planning Commission**, under provisions of Zoning Code § 61.701(c), of a decision made by the Planning Administrator or Zoning Administrator.
- ☒ **City Council,** under provisions of Zoning Code § 61.702(a), of a decision made by the Board of Zoning Appeals or the Planning Commission.

Date of decision 5-27-2025, 20 25 File Number 25-028644

GROUNDS FOR APPEAL: Explain why you feel there has been an error in any requirement, permit, decision or refusal made by an administrative official, or an error in fact, procedure or finding made by the Planning Commission or Board of Zoning Appeals. Attach additional sheets if necessary.

See Attached

☐ If you are a religious institution you may have certain rights under RLUIPA. Please check this box if you identify as a religious institution.

Appellant's Signature [signature] **Date** 6-6-2025

Rev 7.4.2019

There is a disconnect between the State of Minnesota and the City of Saint Paul as it pertains to Sober Houses. The State wants more regulation while still supporting this disabled population. All of the sober houses in the City of Saint Paul will be in this category, and the City has not caught up.

The Supportive Housing category is way too broad a designation not to include room for variances when usage is so different.

The staff report about "Finding number 3" is not accurate.

This is a very unique building. This building was designed and built specifically for the purpose of housing men with chemical dependency issues. That is why there is a bathroom in every bedroom. It is certainly not reasonable for me to change locations.

We have been operating as a Sober House for the past sixteen months with the allowed six people per unit. With no problems that have been raised by any neighbors to my knowledge.

It was not my choice to pursue "Supportive Housing" but rather the State of Minnesota's requirement change that I provide food in addition to housing for sober living. The State calls this board and lodge. This requirement puts the property in a different category according to the City of Saint Paul. Which has forced me to apply for this variance. It also allows the State of Minnesota more oversite in this industry. With inspections and requirements which are not currently mandated. This will address the fraud and abuse that has recently been seen in the industry.

The staff report about "Finding number 4" is not accurate.

I did not create these circumstances;
Whether housing 6 residents or 24, the State of Minnesota will still require that we provide food which will put us in the "Supportive Housing" category. This will require a variance. We feel that it is unreasonable to expect us to move to another location or serve fewer people who have this disability. This property was the only vacant lot in the area to build this building. It is the location where the need is the greatest. Denial of a variance may also violate the Fair Housing Amendments Act of 1988.

The staff report about "Finding number 6" is not accurate.

It is easy to write (588 feet), however this figure does not tell the whole story.
This is not a cluster. The two locations that are within 1320 ft. are in a totally different neighborhood. You have to walk east almost an entire block to Western avenue. Then south a short block, across an alley way to University avenue. There you have to wait for a long traffic light and the light rail to cross University avenue. Then you have to cross Western avenue to the east side of the street, and then south to 470 Western avenue. Continuing south for two more blocks to Fuller. Then east again a block and a half to 342 Fuller. Again, not in the same neighborhood.

If the City is measuring "as the crow flies" it certainly does not give an accurate picture of the neighborhood, and it is completely unfair. I used a measuring wheel and walked to each location to get an accurate measurement from 418 Sherburne avenue.

Walking east on Sherburne avenue to Western avenue is almost 500 feet. Then crossing Western avenue to the east side of the street. Before turning south going towards University avenue. Standing on the N.E. corner of Western and University, measures 703 feet. Crossing to the south side of University avenue and standing on the S.E. corner of Western and University is 815 feet. (Yes, it is over 100 feet across University avenue.) Continuing south to 470 Western avenue is 927 feet, not 588. Continuing south to Fuller, then crossing to the S.E corner of Fuller and Western is 1443 feet. Continuing east one long block to Virginia avenue and standing on the S.E. corner of Fuller and Virginia is 1798 feet. Finally, standing in front of 342 Fuller is 1890 feet. I would argue that 418 Sherburne is not within 1320 feet of 342 Fuller.

Western U Plaza Apartments;
470 Western avenue is a Section 42. This means that it serves low income families with children. Residents pay between a preset market rent and preset subsidize rent, based on their income. They do not offer services of any kind. Not food, or counselling or medical. Also, they are not affiliated with the Wilder Foundation. So they may be in the wrong category.

Thank you,

Sincerely
Dominic Carchedi