# Application for a Zoning Appeal

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

*To/From Planning Commission*
Zoning Section
Dept. of Planning & Econ. Dev.
1400 City Hall Annex
25 West Fourth Street
Saint Paul, MN 55102-1634
(651) 266-6589

Zoning office use only
File # 25-043745
Fee 462.00
Tentative hearing date:
July 23, 2025

**Appellant Information**

Name Chad Unger
On behalf of Stronger Suber House
Address 1790 Spinaker Drive
City Woodbury State MN Zip 55125 Daytime phone 6512432343
Email Strongersoberhouse@gmail.com

**Property Location**

Project Name 519 Farrington
Address 519 Farrington St Paul 55103

**Type of Appeal:** Application is hereby made for an appeal to the:

☐ **Planning Commission,** under the provision of Chapter 61, Section 701, Paragraph C of the Zoning Code, of a decision made by the Planning Administrator or Zoning Administrator on _____.
*(date of decision)*

☒ **Board of Zoning Appeals (BZA),** under the provisions of Chapter 61, Section 701, Paragraph C of the Zoning Code, to appeal a decision made by the Zoning Administrator on 6/19/25.
*(date of decision)*

☐ **City Council,** under the provision of Chapter 61, Section 702, Paragraph A of the Zoning Code, of a decision made by the Planning Commission or the Board of Zoning Appeals (BZA). _____
*(file number)*

**Grounds of 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, finding, or procedure made by the Planning Commission or BZA.

See attached letter

*(Attach additional information as needed.)*

Appellant's signature _____ Date 6/19/25 City agent _____

# Appeal Letter for Zoning Variance Denial (File #25-033875)

**To the Saint Paul City Council,**

We, Stronger Sober House, respectfully appeal the Saint Paul Board of Zoning Appeals (BZA) decision dated June 9, 2025, denying our variance request to establish an 11-resident supportive housing facility at 519 Farrington Street (PIN: 362923130150). We believe the BZA's decision contains errors in fact, findings, and interpretation of the zoning code, as well as an incomplete consideration of practical difficulties and the Saint Paul Comprehensive Plan. Below, we outline the grounds for our appeal.

## Grounds of Appeal

1. **Error in Finding 1: Misapplication of Zoning Code Intent**
   The BZA concluded that granting the variance would not be in harmony with the general purposes and intent of the zoning code, citing the risk of creating an "institutional type environment" due to the proximity of three other supportive housing facilities (the closest being 736 feet away). This finding is flawed for the following reasons:
   - The zoning code's intent, as stated in Section 60.103, is to promote public health, safety, morals, aesthetics, economic viability, and general welfare while preventing overcrowding and undue congestion. The proposed 11-resident supportive housing facility, located in a single-family dwelling, aligns with these goals by providing stable, community-integrated housing for individuals in need. The BZA's assertion that the facility would create an "institutional environment" is speculative and lacks evidence, as the facility's scale and residential character mirror the surrounding neighborhood.
   - The BZA failed to consider that the existing sober house at 519 Farrington Street has operated successfully with 11 residents without contributing to an institutional environment or negatively impacting the neighborhood. Converting the use to a supportive housing facility maintains the same resident count and building use, posing no additional impact.
   - The BZA's reliance on the 1,320-foot separation requirement overlooks the unique role of supportive housing in fostering recovery and community integration, which outweighs the hypothetical risk of clustering in this specific case.
2. **Error in Finding 3: Incorrect Assessment of Practical Difficulties**
   The BZA determined that no practical difficulties exist, asserting that the applicant could house up to six residents without a variance or pursue other locations or uses. This finding is erroneous and fails to adequately assess the practical difficulties faced:
   - **Unique Property Constraints**: The property at 519 Farrington Street is uniquely suited for an 11-resident facility due to its size, layout, and existing use as a sober house. Reducing the capacity to six residents would underutilize the property's potential and limit its ability to serve the community effectively, creating an unreasonable restriction on a reasonable use. The BZA's suggestion to pursue other locations ignores the significant investment already made in this property and the lack of comparable, readily available sites in Saint Paul that meet the specific needs of a supportive housing facility.
   - **Community Need**: The Saint Paul Comprehensive Plan (Policy H-15) emphasizes the need for diverse housing types to serve residents at all life stages and abilities. The demand for supportive housing exceeds the supply in Saint Paul, and reducing the resident capacity or relocating the facility would exacerbate this shortage, constituting a practical difficulty beyond the applicant's control.

- **Mischaracterization of Applicant's Choice**: The BZA's claim that the difficulty is "of the applicant's making" dismisses the broader context of limited suitable properties and the public need for supportive housing. The decision to pursue an 11-resident facility reflects a reasonable response to community needs, not an arbitrary preference.

3. **Error in Finding 4: Misinterpretation of Unique Circumstances**
   The BZA found that the landowner's plight is not unique because the property could house six residents without a variance and because other properties within 1,320 feet comply with the separation requirement. This finding is incorrect:
   - The property's current use as an 11-resident sober house demonstrates its unique suitability for a supportive housing facility of the same capacity. The BZA failed to recognize that the property's size, configuration, and established operational history distinguish it from other properties in the area, which may not be similarly equipped to serve this purpose.
   - The separation requirement's application to other properties does not negate the unique circumstances of 519 Farrington Street, which has operated successfully as a congregate living facility without adverse effects on the neighborhood. The BZA's generalized approach overlooks site-specific factors that justify the variance.
4. **Error in Finding 6: Incorrect Assessment of Neighborhood Character**
   The BZA concluded that granting the variance would alter the essential character of the surrounding area by creating a "cluster" of congregate living environments. This finding lacks substantiation:
   - The proposed facility, housed in a single-family dwelling, is visually and functionally consistent with the residential character of the H2 zoning district. The BZA provided no evidence that an 11-resident facility, operating similarly to the existing sober house, would contribute to an institutional character or disrupt community integration.
   - The distances to the nearest facilities (736 feet, 873 feet, and 1,161 feet) are substantial enough to avoid any perceptible clustering effect, especially given the residential nature of the area. The BZA's concern about undermining community integration is speculative and not supported by the property's operational history.
5. **Procedural Error: Incomplete Consideration of Comprehensive Plan**
   While the BZA acknowledged that the proposed facility supports Policy H-15 of the Comprehensive Plan, it failed to give sufficient weight to this alignment in its overall decision. Policy H-15 explicitly encourages diverse housing options to meet the needs of all residents, including those requiring supportive housing. By prioritizing the separation requirement over this policy, the BZA undermined the city's broader goals of addressing housing shortages and promoting equitable access to supportive services.

# Conclusion

The BZA's denial of the variance request is based on errors in interpreting the zoning code's intent, assessing practical difficulties, evaluating unique circumstances, and determining impacts on neighborhood character. Additionally, the decision undervalues the proposal's alignment with the Saint Paul Comprehensive Plan. We respectfully request that the City Council overturn the BZA's decision and grant the variance to allow the establishment of an 11-resident supportive housing facility at 519 Farrington Street. This facility will advance the city's goals of providing diverse, accessible housing while maintaining the residential character of the neighborhood.

**Sincerely,**
Stronger Sober House
519 Farrington Street
Saint Paul, MN 55103