CITY OF SAINT PAUL
Deadline for Action: July 7, 2025

BOARD OF ZONING APPEALS RESOLUTION
ZONING FILE NUMBER: 25-033875
DATE: June 9, 2025

WHEREAS, Stronger Sober House has applied for a variance from the strict application of the provisions of Section 65.162 of the Saint Paul Legislative Code pertaining to pertaining to the required distance between congregate living facilities. The applicant is proposing to establish a 11-resident supportive housing facility. The zoning code states that supportive housing facilities shall be a minimum distance of 1,320 feet from specified congregate living facilities with more than six (6) adult residents; this facility is within 1,320 feet from three supportive housing facilities with more than six (6) adult residents, the closest of which is 736 feet away, for a zoning variance of 584 feet in the H2 zoning district at 519 Farrington Street PIN: 362923130150; and

WHEREAS, the Saint Paul Board of Zoning Appeals conducted a public hearing on June 9, 2025 pursuant to said application in accordance with the requirements of Section 61.303 of the Legislative Code; and

WHEREAS, the Saint Paul Board of Zoning Appeals based upon evidence presented at the public hearing, as substantially reflected in the minutes, made the following findings of fact:

1. *The variance is in harmony with the general purposes and intent of the zoning code.*

   The building on the property is a single-family dwelling that has been operating as a 11-resident sober house. The applicant is proposing to convert the use to a 11-resident supportive housing facility. The zoning code states that supportive housing facilities shall be a minimum distance of 1,320 feet from specified congregate living facilities with more than six (6) adult residents; this facility is within 1,320 feet from three supportive housing facilities with more than six (6) adult residents, the closest of which is 736 feet away, for a zoning variance of 584 feet.

   The intent of the zoning code requirement to space supportive housing facilities with more than six (6) adult residents at least a quarter mile from supportive housing facilities, licensed correctional community residential facilities, emergency housing facilities shelters for battered persons, or overnight shelters with more than six adult facility residents is to ensure that residents of these facilities are able to live in a non-institutional environment. Permitting the establishment of a supportive housing facility with more than six facility residents at this location within a quarter mile of three other supportive housing facilities would create a cluster of facilities, which could create an institutional type environment for the residents within, which is contrary to the purpose and intent of the zoning code in Section 60.103 to promote and to protect the public health, safety, morals, aesthetics, economic viability and general welfare of the community, to prevent the overcrowding of land and undue congestion of population, and to fix reasonable standards to which buildings, structures and uses shall conform. **This finding is not met.**

2. *The variance is consistent with the comprehensive plan.*

   The proposed facility supports Policy H-15 of the Saint Paul Comprehensive Plan, which encourages the development of a diverse range of culturally appropriate housing types across the city to serve residents at all life stages and levels of ability. **This finding is met.**

3. *The applicant has established that there are practical difficulties in complying with the provision, that the property owner proposes to use the property in a reasonable manner not permitted by the provision. Economic considerations alone do not constitute practical difficulties.*

   The zoning code requires a 1,320-foot separation between supportive housing facilities to ensure their integration into the broader community and to avoid the creation of institutional clusters. The proposed facility would be located 736 feet from a seven-resident supportive housing facility at 470 Western Avenue North, 873 feet from a 24-resident supportive housing facility at 550 Galtier Street, and 1,161 feet from a supportive housing facility at 342 Fuller Avenue.

   The applicant has not met the practical difficulties standard for the following reasons:
   - The applicant could house up to six individuals at this property by right without meeting the required separation;
   - the fact that this property is within 1,320 feet of another supportive housing facility is not a practical difficulty, but rather due to the owner's choice to pursue this use at this location; and
   - it is owner's decision to pursue supportive housing rather than other available housing options; and
   - the difficulty is the result of the owner's decision to pursue supportive housing at the proposed resident number;
   - the owner has not demonstrated that there are practical difficulties to open a supportive housing facility at the number allowed by-right by the ordinance;
   - there are other locations that the applicant could pursue within the City of Saint Paul;
   - there are other available uses for the property that would not require a variance;
   - the difficulty is of the applicant's making.

   This finding is not met.

4. *The plight of the landowner is due to circumstances unique to the property not created by the landowner.*

   The property could house up to six residents without triggering the need for a variance of the separation requirement. The requested variance arises not from unique circumstances of the land but from the applicant's desire to exceed the permitted number of residents within the required separation distance. Other properties within 1,320 feet of the same supportive housing facility are in compliance with this standard. Given that the separation requirement affects other properties within the 1,320 feet proximity to the supportive housing facility, the plight is not unique to the landowner, but general to the surrounding area. **This finding is not met.**

5. *The variance will not permit any use that is not allowed in the zoning district where the affected land is located.*

   A supportive housing facility is a permitted use in the H2 zoning district. Granting the variance would not allow a use otherwise prohibited in this zoning district. **This finding is met.**

6. *The variance will not alter the essential character of the surrounding area.*

   Granting the variance request would result in the establishment of a supportive housing facility within a quarter mile of three other supportive housing facilities, creating a cluster of congregate living environments. This could undermine the goal of community integration and contribute to an institutional character that is inconsistent with the surrounding residential area. **This finding is not met.**

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Board of Zoning Appeals that the request to waive the provisions of Section 65.162 in order to permit a 11 resident supportive housing facility within 1,320 feet of three supportive housing facilities with more than six (6) adult residents, the closest of which is 736 feet away, on property located at 519 Farrington Street PIN: 362923130150; and legally described as Warren & Rice'S Addition,To Sa N 5o Ft Of Fol Lots 1 And Lot 2 Blk 23; in accordance with the application for variance and the site plan on file with the Zoning Administrator, **IS HEREBY DENIED.**

MOVED BY: Benner II
SECONDED BY: Dayton
IN FAVOR: 5
AGAINST: 0

MAILED: June 11, 2025

TIME LIMIT: **No decision of the zoning or planning administrator, planning commission, board of zoning appeals or city council approving a site plan, permit, variance, or other zoning approval shall be valid for a period longer than two (2) years, unless a building permit is obtained within such period and the erection or alteration of a building is proceeding under the terms of the decision, or the use is established within such period by actual operation pursuant to the applicable conditions and requirements of the approval, unless the zoning or planning administrator grants an extension not to exceed one (1) year.**

APPEAL: **Decisions of the Board of Zoning Appeals are final subject to appeal to the City Council within 10 days by anyone affected by the decision. Building permits shall not be issued after an appeal has been filed. If permits have been issued before an appeal has been filed, then the permits are suspended and construction shall cease until the City Council has made a final determination of the appeal.**

CERTIFICATION: **I, the undersigned Secretary to the Board of Zoning Appeals for the City of Saint Paul, Minnesota, do hereby certify that I have compared the foregoing copy with the original record in my office; and find the same to be a true and correct copy of said original and of the whole thereof, as based on approved minutes of the Saint Paul Board of Zoning Appeals meeting held on June 9, 2025 and on record in the Department of Safety and Inspections, 375 Jackson Street, Saint Paul, Minnesota.**

SAINT PAUL BOARD OF ZONING APPEALS

Maxine Linston

Maxine Linston
Secretary to the Board