



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

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January 22, 2016

Frank Windship  
Delco LP  
778 Jessie Street  
Saint Paul, MN 55130

Re: 776 Desoto Street – Zoning/Licensing Violations

Dear Mr. Windship:

On October 28, 2015 you were sent a letter explaining that the operation of an unlicensed recycling processing center at the above referenced location was in violation of the zoning code conditions. This property is zoned I1, light industrial zoning district. The Department of Safety and Inspections (DSI) has sent a previous notice to inform you that your business was in violation but you have continued to disregard our attempts to bring your business into compliance.

**Inspection Observations:**

The inspector observed that there were several open storage containers that were filled with scrap metal. There was also a small machine that is used to crush the metal.

**Pertinent Code Sections:**

Under Chapter 66 of the City of Saint Paul Legislative Code a recycling collection center is a permitted use in an I1 light industrial zoning district, however, the following conditions are not being met under Section 65.783:

- (a) The facility shall not abut a property zoned for residential use (please see attached zoning map).
- (c) In industrial districts, all processing and handling operations shall be conducted within a completely enclosed building. Outdoor storage of materials shall be within covered containers or behind an opaque screen meeting the requirements of section 62.107 on three (3) sides. Such outdoor screening shall be located at least three hundred (300) feet from any residential district.
- (e) The facility shall be screened pursuant to section 63.114 if it is located within one hundred fifty (150) feet of a residential use district.

The property is also in violation of Chapter 408.01 of the Saint Paul Legislative Code:

No person shall engage in the business of operation a recycling collection center or a recycling processing center within the City's limits without a license. A separate license shall be held for each business premises or auxiliary location with the City.

Mr. Windship  
1-22-2016  
Page 2

**Orders:**

The referenced location was previously licensed as a recycling collection center from 1994 to 2009, however, the business license lapsed. In order to obtain a new license the property must conform to the current zoning code requirements. Therefore, in order to bring this property into compliance you must either:

1. Cease all operations of the business and remove all the scrap metal from the premises.

OR

2. Apply for and obtain a variance of conditions a, c, and e listed on the previous page from the Board of Zoning Appeals and the required recycling collection center business license. Please apply for and submit a variance application by February 22, 2016 (enclosed).

AND

Obtain a Class "N" License in order to continue to operate a recycling process center at the property (enclosed).

**You must comply with either of these options by February 22, 2016. You may apply for both the variance and the Class "N" license at the same time.**

**You must comply with this order by February 22, 2016. Failure to come into compliance is considered a nuisance under Chapter 45 of the Saint Paul Legislative Code. A Summary of Abatement will be issued to remove all items, including all exterior storage and you will be assessed a fee based on the cost of the removal.**

If you have any questions, please contact me at 651-266-9088, or [jerome.benner.II@ci.stpaul.mn.us](mailto:jerome.benner.II@ci.stpaul.mn.us)

Regards,



Jerome Benner II  
DSI Inspector I

c: Wendy Lane, Zoning Administrator  
Steve Magner, Code Enforcement Manager  
Kris Schweinler, Licensing Inspector III  
Paula Seely, Code Enforcement Inspector