Department of Safety and Inspections
Ricardo X. Cervantes, Director

CITY OF SAINT PAUL

375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806

Phone: 651-266-8989
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December 27, 2019

EARLY NOTIFICATION SYSTEM NOTICE – CITY COUNCIL

File #: 19-111067

Purpose: The applicant is appealing a decision made by the Board of Zoning Appeals (BZA) to deny a variance request to legalize a parking pad installed in the front yard without prior approval from the city.

Property Address: 35 Winthrop St. N.

Applicant: Chue Vang
35 Winthrop St. N.
St. Paul, MN

Date: Wednesday January 15, 2020
Time: 5:30 p.m.
Location: 15 Kellogg Boulevard West (City Council Chambers)

You may attend the hearing to express your opinion regarding this matter. You may send written comments to the Department of Safety and Inspections' staff person handling the case, Matthew Graybar, at the address listed in the letterhead above or E-mail him at matthew.graybar@ci.stpaul.mn.us. If you have questions about this application, please call Matt at 651-266-9080.

This property is located in the area represented by the District 1 Community Council, an independent organization that provides advisory recommendations to the City about a variety of issues. They may choose to discuss this item at a neighborhood meeting and provide a recommendation to the Board of Zoning Appeals. Please contact the District 1 Community Council at 651-578-7404, or district1council@gmail.com if you are interested in participating in the neighborhood review process.

RECEIVED
DEC 2 4 2019
BY: MG

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 # _____
Fee Paid $ _____
Received By / Date _____
Tentative Hearing Date _____

APPELLANT

Name(s) Chue Vang
Address 35 Winthrop Street N City Saint Paul State MN Zip 55119
Email vang0174@gmail.com Phone 651-283-8974

PROPERTY LOCATION

Project Name Parking Pavement Front Yard
Address / Location 35 Winthrop Street N

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 12/16, 20 19 File Number 19-0971669

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.

Please See Attached
1) Grounds For Appeal
2) Pictures of Similar Front Yard Pavement and Parking
3) Email From District Council 7

☐ 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 _____ **Date** 12/23/2019

Rev 7.4.2019

I believe there has been an error in the refusal made by the Planning Commission or Board of Zoning Appeals because the Findings of number 3 and 6 are incorrect. In addition, District Council 1 reached out Matthew Graybar regarding the variance requests when they found out that there were two similar variance requests. The Disctrict Council's default position is to oppose, however, after I reached out to the District Council and explained the factors and reasoning behind the need for the extra parking space, Disctrict Council 1 supported the variance request.

I ask that these findings be reviewed again with the complete set of information regarding finding 3, 6 and the support of Disctrict Council 1.

Finding 3 states that parking on the street is reasonable. I believe this finding fails to see the uniqueness of my home and family. The comparision to other homes fails to note that the other homes do not have the unique factors below. The factors that contibute to needing more parking space and avoid parking on the street are the following:

* My home is at the end of an uncontrolled T intersection, increasing the danger during the winter. This danger is increased due to cars always slipping and sliding and getting stuck right at this intersection. The example properties used as for street parking do not have this factor. They are on a straight street.
* The T intersection is used by School Buses to pickup and drop off children. Many parents wait at this intersection for their children. The example properties used for comparision do not have this factor. Keeping the street free of parking will make this a safer intersection for school children. I say this because my child will soon attend school and I can imagine him getting dropped at this exact corner.
* My family is a multi-generational family including, wife, mother, brother, and niece. We have more cars because reliable independant transportation is necessary for economic stability and indepedance. It is important that we keep our cars reliably safe
* We have seen 4 winters in this home and have concluded that having our cars parked at this intersection is a safer benefit for the neighborhood. This is why we have spent the time and money to make it better.

Finding 6 states that "No other properties in the surrounding area have parking in front yards." This is not correct. There are 4 properties in the surrounding are that have very similar variance pavement and front yard parking. These properties are about 4 blocks east and 3 blocks West. Each property is paved very similary for front yard off street parking

* 92 Michael Street
* 27 McKnight Rd N
* 77 McKnight Rd N
* 2006 Hilding

Attached are the pictures of each Property with front yard parking
Given the uniqueness of this neighborhood where each home's parking area is adjusted to meet it's unique property and that this variance request is very similar to four other existing variance, it meets finding number 6 that it will not alter the essential character of the surrounding area. In addition, careful planning has been used to ensure a beautiful front yard, with landscaping and remodeling of the home to keep it's value, beauty and uniqueness in the neighborhood.

Subject: Re: District 1 letter regarding parking pads

Paul Sawyer <paul.m.sawyer@gmail.com> Mon, Dec 16, 1:50 PM (7 days ago)
to Graybar, Matthew (CI-StPaul)

You are viewing an attached message. Gmail can't verify the authenticity of attached messages.

Think Before You Click: This email originated **outside** our organization.

Hi Matthew,

Sorry for the late notice here, but since we sent our letter off to you, the applicant at 35 Winthrop contacted the District 1 office. The Land Use Committee was able to discuss his rationale and we are supportive of this particular variance. Please share this with the commissioners.

Thanks so much,
Paul

On Thu, Dec 12, 2019 at 4:57 PM Graybar, Matthew (CI-StPaul) <Matthew.Graybar@ci.stpaul.mn.us> wrote:

> Good Afternoon Paul,
> Thank you for your statement. I will include it with the applicant's variance request and will keep this on hand for future cases in your district.
>
> Respectfully,

Matthew Graybar
Zoning Inspector III
Department of Safety and Inspections
375 Jackson Street, Suite 220
Saint Paul, MN 55101
P: 651-266-9080
F: 651-266-9009
matthew.graybar@ci.stpaul.mn.us

The Most Livable City in America

Making Saint Paul the Most Livable City in America

DSI's Mission: To preserve and improve the quality of life in Saint Paul by protecting and promoting public health and safety for all.

DSI's Vision: To be the leader in creating the safest, healthiest, most livable, and vibrant city in America.

Think Green - please do not print this email unless necessary

Need assistance resolving a property issue with a resident or landlord?
Call the **Dispute Resolution Center**: http://disputeresolutioncenter.org/ 651-292-7791

**Address on next page

**Address on next page

77 McKnight

27 McKnight

**Address on next page

**Address on next page

92 Michael Street

2006 Hilding

**Address on next page

35 Winthrop My Home