



Legislation Text

File #: RES PH 13-70, **Version:** 1

Approving the application of Midwest Soda Clean for a sound level variance for the cleaning of the exterior parking ramp at 95 Seventh Street East on April 20, 21, 27, 28, and May 4 and 5 from 8:00 a.m. until 6:00 p.m. (The May 4 and 5 dates will be used in the event of a weather- related delay.)

WHEREAS, Chapter 293 of the Saint Paul Legislative Code was enacted to regulate the subject of noise in the City of Saint Paul; and

WHEREAS, §293.09 provides for the granting of variances from the sound level limitations contained in §293.07, upon a finding by the City Council that full compliance with Chapter 293 would constitute an unreasonable hardship on the applicant, other persons or on the community; and

WHEREAS, Midwest Soda Clean, represented by Simon Sheehan, Owner/President, who has been designated as the responsible person on the application, has applied for a variance for soda blasting for the purpose of cleaning the exterior parking ramp located at 95 7th Street East; and

WHEREAS, applicant has requested a variance for the hours of 8:00 a.m. to 6:00 p.m. on April 20, 21, 27, 28, May 4, & 5th, 2013. May 4 & 5, 2013 dates will be used in the event of a weather related delay; and

WHEREAS, if applicant is not granted a variance he will not be able soda blast at 95 7th Street East; and

WHEREAS, the Department of Safety and Inspections has reviewed the application and has made recommendations regarding conditions for the variance; now, therefore, be it

RESOLVED, that the Council of the City of Saint Paul hereby grants a variance to the Midwest Soda Clean, subject to the following conditions:

- 1) The variance shall be for the hours of 8:00 a.m. to 6:00 p.m. on April 20, 21, 27, 28, May 4, & 5th, 2013. May 4 & 5, 2013 dates will be used in the event of a weather related delay.
- 2) The applicant should employ best practical methods which do not unduly hinder the project or unreasonably increase its cost.
- 3) All equipment shall be turned off no later than 6:00 p.m. on the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the April 20, 21, 27, 28, May 4, & 5th, 2013 dates may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Midwest Soda Clean, , represented by Simon Sheehan, Owner/President, has requested an exemption from the sound level limitations in Chapter 293.07 for soda blasting for the purpose of cleaning the exterior parking ramp located at 95 7th Street East on April 20, 21, 27, 28, May 4, & 5th from 8:00 a.m. until 6:00 p.m. May 4 & 5, 2013 dates will be used in the event of a weather related delay. Chapter 293.09 provides for the granting of variances from the sound level limitations contained in Chapter 293.07.

Was proper notice given? YES - See Attachments