City of Saint Paul

City Hall and Court House
15 West Kellogg Boulevard
Phone: 651-266-8560

Legislation Details (With Text)

File #:	RES 16-599 **Version:** 1		
Type:	Resolution	**Status:**	Passed
		In control:	City Council
		Final action:	4/20/2016

Title: Declaring a hardship to satisfy petition requirements for a proposed vacation of Superior Street adjacent to the property at 603 West Seventh Street.

Sponsors: Rebecca Noecker

Indexes:

Code sections:

Attachments: 1. Exhibit A - Vacation Area

Date	Ver.	Action By	Action	Result
4/22/2016	1	Mayor's Office	Signed	
4/20/2016	1	City Council	Adopted	Pass

Declaring a hardship to satisfy petition requirements for a proposed vacation of Superior Street adjacent to the property at 603 West Seventh Street.

WHEREAS, Robert Dubnecay ("Petitioner") is seeking to vacate a portion of Superior Street between Western Avenue and West Seventh Street adjacent to his property at 603 West Seventh Street, as highlighted on Exhibit A attached hereto, for the purpose of establishing an outdoor restaurant patio within the proposed vacated area; and

WHEREAS, in accordance with the City of Saint Paul's ordinance for vacating city streets, (Legislative Code, Sec. 130.02 (a) (2)), Petitioner has attempted to secure the support of a majority of abutting property owners for the vacation; and

WHEREAS, the owner of the property abutting Superior Street to the north, whose support is necessary to constitute a majority, will not agree to support the vacation or sign the petition; and

WHEREAS, Petitioner believes that the vacation would not adversely impact the neighboring owner’s access to or use of its property; and

WHEREAS, pursuant to Legislative Code, Sec. 130.02 (a) (3), Petitioner believes that a hardship therefore exists and requests that the Saint Paul City Council waive the "majority" requirement; now, therefore be it

RESOLVED**,** that the Mayor and Council of the City of Saint Paul do hereby declare that a hardship exists with respect to the proposed petition to vacate said portion of Superior Street between Western Avenue and West Seventh Street, and that the requirement to obtain support from a majority of abutting property owners is hereby waived.

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