



CITY OF SAINT PAUL
OFFICE OF THE CITY COUNCIL
310 CITY HALL
15 WEST KELLOGG BOULEVARD
SAINT PAUL, MN 55102-1615
Marcia Moermond, Legislative Hearing Officer
EMAIL: legislativehearings@ci.stpaul.mn.us
PHONE: (651) 266-8585 FAX: (651) 266-8574

October 30, 2023

Gregory VanWert
266 Burgess St
St. Paul, MN 55117

Scott VanWert
1985 Marshall Ave
St. Paul, MN 55104

VIA MAIL & EMAIL: gvw1961@icloud.com VIA MAIL

Re: Appeal for Property at 295 Larch Street

Dear Gregory VanWert:

This is to confirm that at the Legislative Hearing on Tuesday, October 17, 2023, Legislative Hearing Officer Marcia Moermond recommended that the City Council:

- 1) deny the appeal and grant an extension to December 15, 2023, for compliance with
 - a. item 2 regarding access to the public way by way of installation of a standard size door to allow approved egress from parking area;
 - b. item 3 regarding tire storage, noting all stored tires must be removed from the premise, as the Minnesota State Fire Code prohibits tire storage within 50 feet of a property boundary or building which leaves no legal tire storage location on the 120-foot-wide by approximately 134-foot-deep parcel with one building;
 - c. item 4 relating to exit light on the west side of the shop which shall be repaired or replaced.
 - d. item 5 relating to reduction in the number of vehicles by removal of at least 12 vehicles to bring the total number of vehicles to no more than 26, as allowed under the approved site plan; noting no vehicles may be parked in the Right-of-Way, as shown in current inspector's photos and prior year aerial photos of the property;
- 2) deny the appeal and grant an extension to May 1, 2024, item 5 relating to the re-striping of the parking stalls and relocation of all vehicles on premise into approved parking stalls;
- 3) grant the appeal on item 1 pertaining to filing for and establishing a change of use under the Minnesota Building Code, as the repair of vehicles are reported to be personal vehicles; however, the following caveats apply:
 - a. any vehicle found to be under repair or in the process of being disassembled, including for scraping purposes, shall be owned by Gregory VanWert, demonstrable by vehicle title, noting the inspector has the implicit right to see such documentation under the Saint Paul Legislative Code (SPLC), including

SPLC Zoning Code Section 61.102 which indicates “the Certificate of Occupancy as required by the SPLC shall also constitute certification of zoning compliance as required under this zoning code;

- b. any documented violation of the above provision will result in the re-issuance of orders requiring a change of use under the Minnesota State Building Code and appropriate state and local licensure.

This matter will go before the City Council at Public Hearing on **Wednesday, November 8, 2023 at 3:30 pm. in room 300 City Hall.** If you are contesting Ms. Moermond’s recommendation you may:

1. appear in person (please arrive before 3:30 p.m. and check in with staff outside Council chambers); or
2. **Should you wish to address Council directly but not appear in person, you must register in person by noon on Tuesday, November 7, 2023 here to testify via phone:**
<https://www.stpaul.gov/departments/city-council/city-council-public-hearing-live-testimony>.

If you don’t wish to contest then no further action is needed and the Council will proceed with Ms. Moermond’s recommendation above. If you have any questions, please contact me at 651-266-8585.

Sincerely,

/s/

Joanna Zimny

Legislative Hearing Executive Assistant

- c: Fire Supervisors
George Niemeyer – Department of Safety & Inspections, Fire Safety Inspector