



Application for a Zoning Appeal

To/From BZA
Zoning Section
Dept. of Safety & Inspections
375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806
(651) 266-9008

To/From Planning Commission
Zoning Section
Dept. of Planning & Econ. Dev.
1400 City Hall Annex
25 West Fourth Street
Saint Paul, MN 55102-1634
(651) 266-6589

Zoning office use only

File # 25-043750

Fee 462.00

Tentative hearing date:

August 13, 2025

Appellant Information

Name Chad Unger
On behalf of Stronger Sober House
Address 1790 Spinkaker Drive
City Woodbury State MN Zip 55125 Daytime phone 6512432343
Email StrongerSoberhouse@gmail.com

Property Location

Project Name 269 Harrison Ave W
Address 269 Harrison Ave W, St Paul

Type of Appeal: Application is hereby made for an appeal to the:

- ☐ **Planning Commission**, under the provision of Chapter 61, Section 701, Paragraph C of the Zoning Code, of a decision made by the Planning Administrator or Zoning Administrator on _____
(date of decision)
- ☒ **Board of Zoning Appeals (BZA)**, under the provisions of Chapter 61, Section 701, Paragraph C of the Zoning Code, to appeal a decision made by the Zoning Administrator on _____
(date of decision)
- ☐ **City Council**, under the provision of Chapter 61, Section 702, Paragraph A of the Zoning Code, of a decision made by the Planning Commission or the Board of Zoning Appeals (BZA). _____
(file number)

Grounds of 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, finding, or procedure made by the Planning Commission or BZA.

See attached letter

(Attach additional information as needed)

Appellant's signature _____

Date 6/9/25

City agent _____

GROUND OFS OF APPEAL

Stronger Sober House – 269 Harrison Avenue, Saint Paul, MN 55102

Zoning Appeal Under Chapter 61, Section 701, Paragraph C

File #25-033888

We respectfully appeal the decision made by the Zoning Board on June 9, 2025, regarding our variance request for 269 Harrison Avenue. The decision denied our request to allow a supportive housing facility for 12 residents at a distance of 804 feet from another qualifying facility, instead of the required 1,320 feet.

The staff findings for **Findings 3 and 4** were found *not met*, and we respectfully submit that those conclusions were made in error, based on misinterpretation of practical difficulties and failure to recognize the unique circumstances surrounding our property.

We also note for the record:

- **Finding 1 (Zoning Intent) and Finding 6 (Neighborhood Character)** were found met by the Board of Zoning Appeals at the June 9, 2025 hearing and are expected to be formally adopted at the July 2025 meeting.
- **Finding 5 (Permitted Use in Zoning District)** was correctly found *met* by staff, as supportive housing is a permitted use in the H2 district.

Finding 3: Practical Difficulties – Staff finding: Not met

The staff asserts that practical difficulties are not present because:

- We could reduce capacity to 6 residents to avoid the spacing requirement;
- We chose to pursue this use;
- Other properties are available elsewhere.

This assessment overlooks both the regulatory landscape and the public impact. We respectfully provide the following clarifications:

❖ *Not a New Use — a Required Classification Change*

This property has already been operating successfully as a 10-bed sober home. Due to recent state mandates, we are now required to transition into a licensed Board and Lodging facility classified as “supportive housing.” The use itself is unchanged — only the regulatory label has shifted. This is not a voluntary expansion; it’s a **compliance action**.

❖ *Loss of Beds Would Create Harm, Not Solve a Zoning Problem*

Staff suggested we reduce the number of residents to 6. Doing so would remove desperately needed housing for individuals in early recovery — those at the highest risk of relapse and overdose. We routinely turn away 5 to 20 men each week because we are full.

More critically, we understand that the new state regulation has created a severe shortage across Saint Paul. There is a demand for over 700 supportive housing beds, but only 300 are available — leaving a shortfall of 400+ beds. Denying our variance would deepen a community health crisis that Saint Paul is already struggling to manage.

* *Relocation is Not Practically Feasible*

Suggesting we find a different property or downsize to fit the rule does not reflect the practical, financial, or social realities of supportive housing. We've already made substantial improvements, invested capital, built relationships, and created stability at this site. Relocating would not only be disruptive — it's a **prohibitive burden** and directly undermines the City's housing and recovery goals.

This situation meets the definition of **practical difficulty** under the zoning code. The barrier is not financial — it's the forced regulatory transition colliding with a spatial rule designed for different circumstances.

Finding 4: Unique Circumstances – Staff finding: Not met

Staff determined that our situation is not unique because other properties are similarly affected by the 1,320-foot rule.

We respectfully disagree and submit that the following factors make our case unique:

* *The Property Is Already in Full Operation*

This is not a speculative or proposed use. We have operated here as a 12-bed sober house for over a year, with full-time staff, compliance with safety protocols, and significant community support. The only change is a technical reclassification to comply with evolving state licensing — a change that was not initiated by us, but by state-level policy updates.

* *Circumstances Are Not Self-Created*

Our variance request is a direct result of a **statewide regulatory change**, not an action we chose. The claim that this hardship is "self-created" ignores that the City and the State are sending conflicting messages — on one hand encouraging regulation and oversight, and on the other denying support for those attempting to comply.

* *This Property Serves a High-Need, Underserved Population*

We serve men in recovery, including many from marginalized communities, who are at a pivotal stage in rebuilding their lives. This home is one of few in the city serving this population with 24/7 support. That social impact, combined with regulatory pressure, makes this property uniquely situated and deserving of a thoughtful, equitable variance.

Summary of Additional Findings

- **Finding 1** (Intent of Zoning Code): Initially marked not met by staff but *found met* by the Board on June 9, 2025; to be formally adopted in July.
- **Finding 5** (Permitted Use): *Met*. Supportive housing is permitted in the H2 zoning district.
- **Finding 6** (Essential Character): Initially marked not met by staff but *found met* by the Board on June 9, 2025; to be formally adopted in July.

Conclusion

The staff's denial rests on rigid interpretations that do not reflect the real-world implications of this change. Denying this variance would harm people in recovery, shrink the city's already-limited housing options, and punish a provider attempting to follow the law in good faith.

We ask the Board of Zoning Appeals to recognize the legitimate practical difficulties and unique circumstances presented by this situation, and to approve our appeal accordingly.

Respectfully submitted,
Chum Struve & Chad Unger
Owners, Stronger Sober House