



**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](mailto:legislativehearings@ci.stpaul.mn.us)  
PHONE: (651) 266-8585 FAX: (651) 266-8574

February 10, 2025

Thomas Nelson  
Ranettia Alexander- Nelson  
493 Van Buren Ave.  
St. Paul, MN 55103

VIA EMAIL: [mr.thomasnelsonjr@gmail.com](mailto:mr.thomasnelsonjr@gmail.com)  
[ms.nelson.r@gmail.com](mailto:ms.nelson.r@gmail.com)

Re: Appeal for Property at 493 Van Buren Avenue

Thomas Nelson & Ranettia Alexander- Nelson:

This is to confirm that at the Legislative Hearing on October 1, 2024, I indicated I would review the materials associated with your 2024 appeals:

- 1) Vehicle Abatement Order issued December 14, 2023 – Council voted to deny your appeal and granted an extension to come into code compliance by August 1, 2024. Compliance was defined as removal of the vehicles outlined in the order, or approval from the Department of Safety & Inspections for a parking surface for the area in question; and
- 2) Correction Order issued August 23, 2024 – indicated that code compliance had not been achieved.

The plan you submitted for site plan review was rejected. This left only removal of the vehicles as a means for compliance. The gravel area of the side and back yard has never been approved as parking surface through an approved site plan. With respect to “grandfathering” in of existing gravel, the attached policy clearly specifies it pertains to pre-existing approved parking, not establishment of new parking areas.

**Saint Paul Legislative Code Chapter (SPLC) 34.08: Exterior Property Areas on Residential Properties**

**(7) Parked or stored vehicles.** *All existing parking spaces shall consist of asphalt, concrete, gravel, rock, or other durable and dustless surfaces. Existing parking surfaces must be maintained in a professional state of repair and may be maintained with like materials without additional approval from the city. Existing parking surfaces must be contained to eliminate migration onto other adjacent surfaces and must be clearly delineated. In all residential districts, off street parking shall not be located within any front yard or non-interior side yard. Before any existing parking spaces or driveways*

*may be expanded upon, site plan approval must be obtained as specified in the Saint Paul Zoning Code and the lot must be developed in conformance with such approval.*

**Department of Safety & Inspection Summary of 2017 34.08(7) code change:**

Allows pre-existing gravel parking surfaces on commercial and residential properties so long as the following conditions are met:

- The parking surface is maintained in a professional state of repair
- Surfaces are clearly delineated on the property, as determined by the assigned inspector
- Parking surfaces are contained to eliminate materials migrating onto other adjacent surfaces
- Gravel surfaces may be maintained/replaced with like materials (gravel can be maintained/replaced with gravel), and this type of maintenance will not require approval from the city

If a property owner chooses to expand the footprint or change the type of surface on a pre-existing gravel parking area, the surface will require zoning approval and need to meet all zoning requirements. For example, should an owner choose to change the type of surface on a pre-existing gravel driveway to any other surface type (pavers, asphalt, concrete), then the parking space would require zoning approval and need to meet all zoning requirements.

It is my considered opinion that the requirements reflected above have not been met. The parking surface was not in existence or zoning approved prior to 2017. Rather, the area used for parking over the years was lawn only, lawn and worn-out lawn/dirt, lawn with some gravel, migrating gravel and more gravel. Allowing this use was not the intent of the policy in SPLC 34.08(7), and such a change in use would require zoning approval. Lacking that approval, there is a clear violation of this code section – the remedy for which is removal of the vehicles or approval by zoning. As mentioned earlier, a plan was submitted by you and rejected. I am told by zoning staff that an alternative plan could be brought forward. If the staff determination is not what you are looking for, the correct means of appealing would be an appeal to the Board of Zoning Appeals, and staff can advise you on this procedure.

My recommendation is that the Council deny your appeal and grant to March 14, 2025 for compliance. This matter will go before the City Council at Public Hearing on **Wednesday, February 12, 2025 at 3:30 pm. in room 300 City Hall**. If you are contesting my recommendation you may:

1. appear in person (*please arrive before 3:30 p.m. and check in with staff outside Council chambers when you arrive*); or
2. **Should you wish to address Council directly but not appear in person, you must register in person by no later than noon on Tuesday, February 11, 2025 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 my recommendation above without discussion. If you have any questions, please contact my office at 651-266-8585.

Sincerely,

/s/

Marcia Moermond

Legislative Hearing Officer

c: CE Supervisors  
Yaya Diatta, DSI Zoning Manager