



CITY OF SAINT PAUL
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Date: August 27, 2014

To: Chair Gaius Nelson
Members of the Zoning Committee of the Planning Commission

From: Wendy Lane
Zoning Administrator

Re: Enforcement Background

I am on your agenda for tomorrow's Zoning Committee to talk about zoning enforcement. I will be providing a short presentation along with Dan Niziolek, the new Department of Safety and Inspections (DSI) Deputy Director and License Manager. I thought it would be useful to provide some background information prior to your meeting.

Before a site plan is approved or a building permit or business license is issued, staff checks to see if there were any zoning permits approved by the planning commission, the board of zoning appeals or the city council for the proposed use and makes sure the application is in compliance with any conditions imposed.

A DSI zoning inspector follows up on the conditions of approval following these steps:

- Check the computerized address file to see if required building permits and approvals were obtained and finalized. If the work is still underway, set the recheck date out to a later time.
- If site plan approval was required, pull the approved site plan and letter of approval so that all zoning issues can be inspected at the same time.
- Inspect the property to determine if the conditions are met and if the site work meets the approved site plan.
- If the work is in progress or has not yet started, set the follow-up inspection to a later date. If the two year time line has expired and a permit has not been issued, set the computer system file to "expired".
- If a violation is observed, make a note and take photos of the violation.
- Send a written letter to the applicant and property owner explaining the violation, giving them their options to resolve the matter and a deadline to come into compliance. Enter all information into the computer system.
- Recheck after the specified deadline to see if the violation is corrected. If not, talk to the applicant or property owner to see what the problem is. If they need additional time, give them a reasonable extension depending on the circumstances. If needed, send a second, more forceful order.
- If the violation is still not corrected, look at compliance tools to determine the most effective next step. Options: Send it back to the planning commission, board of zoning appeals, or city council; initiate adverse action against the business license; pull the certificate of occupancy; abate under the nuisance ordinance; take legal action.

There is staff assigned to zoning in both the Planning and Economic Development Department and in DSI. The DSI zoning responsibilities are:

- Coordinate site plan reviews
- Staff the Board of Zoning Appeals
- Review new building permit applications for new and additions to single family dwellings and duplexes for compliance with zoning and design standards; review new building permit applications for cell telephone antennas, solar panels, and demolitions; review animal permit applications for chicken coops and bee hives
- Review and issue sign permits
- Review and approve or deny applications for sober houses, student dwellings, statements of clarification, nonconforming vacant buildings, urban agriculture
- Prepare letters of compliance
- Provide customer service at the front counter, by phone, by email
- Enforce violations of the zoning code

Every year I prepare summary statistics on zoning activities. Attached are a few charts that reflect zoning activities as of the end of 2013. Also attached is the organization chart for the DSI.

If you have any questions about any of this material I can certainly discuss it in greater detail tomorrow at your meeting.