

ZONING COMMITTEE STAFF REPORT

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| 1. FILE NAME: Jerry Walczak | FILE # 15-002-935 |
| 2. APPLICANT: Jerry Walczak | HEARING DATE: February 5, 2015 |
| 3. TYPE OF APPLICATION: Nonconforming Use Permit - Reestablishment | |
| 4. LOCATION: 1438 Edmund Ave, between Pascal and Albert | |
| 5. PIN & LEGAL DESCRIPTION: 342923240149; Syndicate No 5 Addition, Lot 10, Block 21 | |
| 6. PLANNING DISTRICT: 11 | |
| 7. ZONING CODE REFERENCE: § 62.106(i), §62.109(e) | PRESENT ZONING: R4 |
| 8. STAFF REPORT DATE: February 13, 2015 | BY: Josh Williams |
| 9. DATE RECEIVED: January 13, 2015 | 60-DAY DEADLINE FOR ACTION: March 14, 2015 |
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- A. **PURPOSE:** Reestablishment of nonconforming use to construct a new duplex
- B. **PARCEL SIZE:** 4960 sq. ft.
- C. **EXISTING LAND USE:** Vacant
- D. **SURROUNDING LAND USE:**
North: Residential (R4)
East: Residential (R4)
South: Residential (R4)
West: Residential (R4)
- E. **ZONING CODE CITATION:** § 62.106(i) provides for continuance of legal nonconforming status for a limited time after a structure is destroyed by fire. §62.109(e) lists the conditions under which the Planning Commission may grant a permit to reestablish a nonconforming use.
- F. **HISTORY/DISCUSSION:** The property was established as a duplex prior to the adoption of the modern zoning code. A fire in December 2013 made the structure uninhabitable, and the City designated it as a Category 3 vacant building on December 5, 2013. A second fire occurred in March of 2014. The structure was demolished in September of 2014. The Zoning Administrator has determined that per §62.106(i), because no building permit for repair or replacement of the structure was applied for within 180 days of the Category 3 designation, a duplex cannot be reconstructed on this property zoned R4 one-family residential unless the Planning Commission approves the reestablishment of a non-conforming use. The applicant has stated that a settlement with his insurance company was not reached until July 2014, and that this among other reasons prevented him from applying for a building permit within 180 days of the Category 3 designation.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The Hamline Midway Coalition/District Council 11, on February 4, 2015, wrote that they are currently opposed to the reestablishment of nonconforming use to construct a new duplex, and asked for more time to consider the application.
- H. **FINDINGS:**
1. Zoning Code § 62.106(i) states that "when a structure containing a nonconforming use is removed or destroyed by any means, including by fire or other peril, to the extent of more than fifty (50) percent of its estimated market value as indicated by the records of the county assessor at the time of destruction, and no building permit for repair or replacement of the structure has been applied for within one hundred eighty (180) days of the time of the removal or damage, it shall not be reconstructed except in conformity with the provisions of this code." A fire in December 2013 made the structure uninhabitable, and the City designated it as a

Category 3 vacant building on December 5, 2013.

2. Guidelines for duplex and triplex conversions adopted by the Planning Commission in 2009 state that staff shall recommend denial of establishment of nonconforming use as a duplex unless all required findings in §62.109(e) are met and the following guidelines are met:
 - A. Lot size of at least 5000 square feet with a lot width or front footage of 40 feet.
 - B. Gross living area, after completion of duplex conversion, of at least 1,500 square feet. Neither unit shall be smaller than 500 square feet.
 - C. Three off-street parking spaces (non-stacked) are preferred; two spaces are the required minimum.
 - D. All remodeling work for the duplex is on the inside of the structure unless the plans for exterior changes are approved by the Board of Zoning Appeals as part of the variance. (The Planning Commission will approve these changes for the cases they handle.)
 - E. For the purpose of protecting the welfare and safety of the occupants of any structure that has been converted into a duplex without the necessary permits, a code compliance inspection shall be conducted and the necessary permits obtained to bring the entire structure into conformance with building and fire code standards; or the property owner must, as a condition of the approval, make the necessary improvements to obtain the necessary permits and bring the entire structure into building and fire code compliance within the time specified in the resolution.

The guidelines above for lot and unit size are met, and the guideline above for off street parking could be met. Regarding guideline D above, the proposal is not to remodel an existing structure, but rather to build an entirely new duplex. The applicant has supplied plans for the new structure for review by the Planning Commission. The proposed new duplex is a full two stories, larger than the previous 1½ story structure on the lot that was originally built as a single-family house, and was therefore more consistent with the character of the surrounding area and more appropriate to the district than the proposed new duplex. The proposed new duplex does not meet all of the required findings §62.109(e).

3. Zoning Code § 62.109(e) states: *When a legal nonconforming use of a structure, or structure and land in combination, is discontinued or ceases to exist for a continuous period of more than one (1) year, the planning commission may permit the reestablishment of a nonconforming use if the commission makes the following findings:*
 - (1) *The structure, or structure and land in combination, cannot reasonably or economically be used for a conforming purpose.* This finding is not met. The lot is a vacant, small R4 one-family lot that does not meet minimum lot dimensional requirements for a duplex in residential zoning districts where duplexes are allowed. Use of the lot for the conforming use as a one-family dwelling is both reasonable and economically feasible, consistent with the surrounding one-family dwellings on similar lots.
 - (2) *The proposed use is equally appropriate or more appropriate to the district than the previous legal nonconforming use.* This finding is not met. The proposed new duplex is a full two stories, larger than the previous 1½ story structure on the lot that was originally built as a single-family house. The previous structure was generally similar in mass and design to the principal structures on surrounding lots, primarily a mix of bungalows and other one and a half story one-family homes, and was therefore more appropriate to the district than the proposed new duplex.
 - (3) *The proposed use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare.* This finding is not met. The immediate neighborhood is characterized by predominately single-family homes. Most surrounding principal structures are bungalows or other one and a half

story one-family homes. The previous structure was generally similar in mass and design to the principal structures on surrounding lots. The larger mass and design of the proposed new duplex would be detrimental to the existing character of development in the immediate neighborhood.

- (4) *The proposed use is consistent with the comprehensive plan.* This finding is not met. Policy H2.1 of the Housing Chapter of the Saint Paul Comprehensive Plan is to "maintain the vitality and high quality of life in existing stable neighborhoods by engaging in a variety of actions [including] continue to enforce City codes [and] support community-based organizations' efforts in community organizing and crime prevention." The proposed new duplex is not consistent with code requirements that do not allow construction of a new duplex on a lot less than 6000 sq. feet and less than 50 feet wide. Policy H2.1 also suggests that a new nonconforming duplex should not be allowed on property where a previous nonconforming duplex had a history of code violations and police calls that harmed the vitality, quality of life, and stability of the neighborhood.
- (5) *A notarized petition of at least two-thirds of the owners of the described parcels of real estate within one hundred (100) feet of the subject property has been submitted stating their support for the use.* This finding is met. The petition was found sufficient on January 13, 2015: 19 parcels eligible; 13 parcels required; 13 parcels signed.

- I. **STAFF RECOMMENDATION:** Based on the findings above, staff recommends denial of the application of Jerry Walczak for reestablishment of nonconforming use to construct a new duplex at 1438 Edmund.



NONCONFORMING USE PERMIT APPLICATION
Department of Planning and Economic Development
Zoning Section
1400 City Hall Annex
25 West Fourth Street
Saint Paul, MN 55102-1634
(651) 266-6589

PD= 11

Zoning Office Use Only	
File #	15-002935
Fee	700.00
Tentative Hearing Date	2-5-15

342923240149

APPLICANT

Name JERRY WALCZAK
Address 1300 NORTHWEST PARKWAY # 213
City NEW BRITAIN St. MN Zip 55112 Daytime Phone _____
Name of Owner (if different) N/A
Contact Person (if different) _____ Phone 651-308-7279

PROPERTY LOCATION

Address/Location 1438 EDMUND AVE. ST. PAUL MN 55104
Legal Description LOT 10, BLOCK 21, SYNDICATE NO. 5 ADDITION, RAMSEY CO., MN Current Zoning _____
(attach additional sheet if necessary)

TYPE OF PERMIT: Application is hereby made for a Nonconforming Use Permit under provisions of Chapter 62, Section 109 of the Zoning Code:

- The permit is for: ☐ Change from one nonconforming use to another (para. c)
☒ Re-establishment of a nonconforming use vacant for more than one year (para. e)
☐ Establishment of legal nonconforming use status for use in existence at least 10 years (para. a)
☐ Enlargement of a nonconforming use (para. d)

SUPPORTING INFORMATION: Supply the information that is applicable to your type of permit.

Present/Past Use DUPLEX TO DUPLEX

Proposed Use DUPLEX

Attach additional sheets if necessary

CK 1025

Attachments as required ☐ Site Plan ☐ Consent Petition ☐ Affidavit

Applicant's Signature [Signature] Date 12-8-15 City Agent [Signature]
1-8-15

Jerry Walczak

Date: 1/20/15

1438 Edmund

St. Paul, MN.

Hardship letter:

To whom it may concern,

I have owned and lived at the above property for 10 years. I bought this home because of the location and most of all the ability to own & occupy a rental home to help pay my mortgage.

Sadly I have lost almost everything with my house fire in December 2013 and another one in March 2014. I have been displaced and trying to figure out how I can rebuild my home. It has been a long and frustrating process with insurance company and investigators determining the cause and amount to be paid out to me to replace my home. The Insurance Company finally settled on the cost for replacement July 2014, (7 months after the first fire and 4 months after second fire).

I started in July with an architect/builder to design and price out new home. I designed the footprint a little smaller to save cost and mostly to allow larger setbacks. I hired a certified surveyor and got that done in 2 weeks (record time) for demolition permit. Continued to work on building plans and pricing and finish material selections for a few months while I was working on a demolition permit. Permit was issued September 3, 2014. House was demoed immediately. I settled on plans and pricing in October and applied for a building permit. I feel very fast time frame.

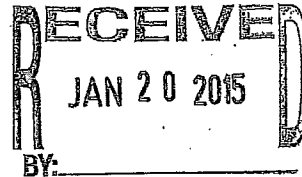
I was contacted by Wendy in the zoning dept stating that the home could not be rebuilt as a duplex. Apparently we needed to start home sometime before April or May in order for duplex to be rebuilt. Wendy also stated that the house was larger than original home. The home was not designed bigger footprint than original home it was actually smaller. This was a complete shock to me hearing I was supposed to have started home 3 months after original fire in December 2013 in order to rebuild my duplex home. Time frame City allowed me was impossible and I was not informed properly of the circumstances. Not to mention the insurance company would not allow home to be disturbed until investigation was final in June and check was not issued until July. I applied and obtained a demolition permit months before and I was never told about expired time frame to rebuild my home as a duplex.

I have worked diligently to rebuild my home to fit within the neighboring properties and sacrificed footprint size and feel the time frame to rebuild a non conforming structure is not reasonable to accomplish. Had I known I would have addressed this with the city and asked for an extension due to the complex situation with the multiple fires and lengthy investigation of claims adjuster and insurance company. I could not do any home designing until 6 months after fire, once insurance finally settled my

claim. I am very confused on what I needed to do differently. I am getting mixed timeframes as it states below it shows 1 year reestablishment....

I now have had pay money write a letter and explain to my neighbors my hardship with little understanding of why I am even required to get people to sign and agree with me to rebuilt my home as the same use as I had bought it and lived in for 10 years. This home will be an improvement to the neighborhood, safer and more energy efficient.

Reestablishment of nonconforming use:



City Plan tech Paul Dubruiel is requiring me to submit a response to your Reestablishment of nonconforming use:

When a nonconforming use of a structure is discontinued or ceases to exist for a continuous period of more than one year, the planning commission may permit the reestablishment of a nonconforming use if the commission makes the following findings:

This does not apply to 1438 Edmund due to the fact that the home existed 4 months ago. Home was demolished in September 2014. The first Fire was December 2013 and second fire was in March 2014. New home Building permit was applied in October 2014 less than a year from original fire.

- 1) *The structure, or structure and land in combination, cannot reasonably be or economically used for a conforming purpose;*

Response:

For me the answer is No.

My home was purchased as a duplex and other homes close to property are also duplexes. To rebuild home and not have the ability to rent out the upper level becomes a financial strain for me to afford to pay my mortgage. The home is less valuable as a single family home. My equity would be much less. I payed my loan down for 10 years and barley made it thru financial collapse of 2008. If I build a smaller home the minimal cost savings still would be a financial strain and not conform to neighboring properties and home would be less valuable and I would loose equity I have been struggling to keep for 10 years.

- 2) *The proposed use is equally appropriate or more appropriate to the district than the previous nonconforming use;*

Response:

Proposed was appropriate when I purchased it 10 years ago and will be even more appropriate with new structure that will now meet current building codes, safety standards and an improvement to the neighborhood.

Neighborhood has a combination of single family and duplex homes. See attached pictures of 5 duplexes close to my home. Proposed footprint is less than previous home similar size to neighboring homes. See attached picture showing home footprint sizes. Home was a duplex and still would be a duplex if fire had not destroyed.

- 3) *The proposed use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare;*

Response:

Absolutely not.

Neighborhood has a combination of single family and duplex homes. See attached pictures of 5 duplexes close to my home. Proposed footprint is less than previous home similar size to neighboring homes. See attached picture showing home footprint sizes.

Proposed structure will meet current building codes, safety standards and an improvement to the neighborhood.

- 4) *The proposed use is consistent with the comprehensive plan; and*
5) *A notarized petition of at least two thirds of the owners of the described real estate within 100 feet has been submitted stating their support for the support*

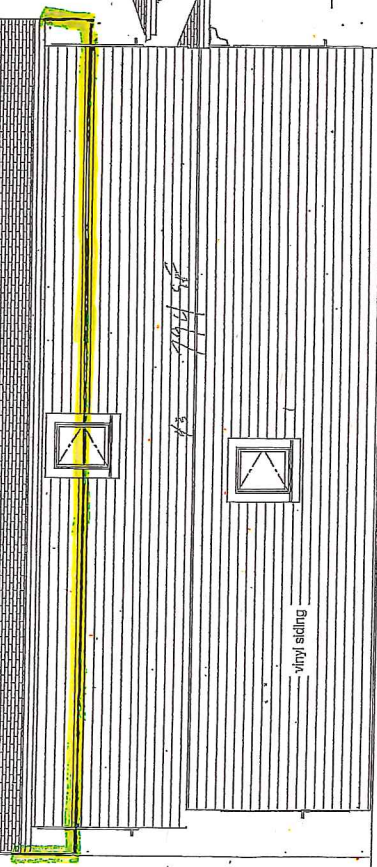
Response:

4) and 5) Submitted to city previously

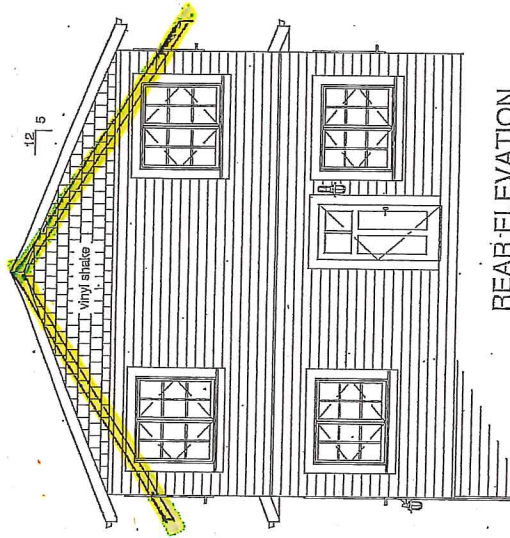
Regards, Jerry Walczak

1-14-2012 6.13

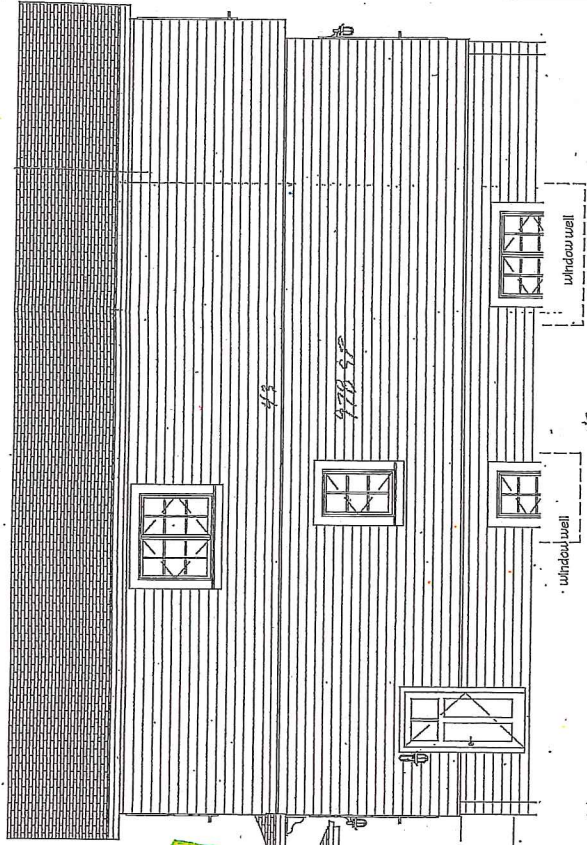
continuous ridge vent



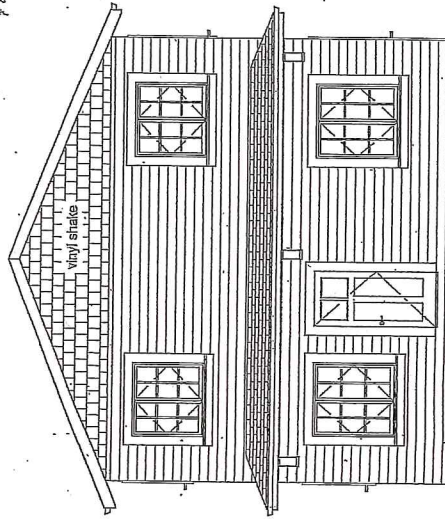
LEFT ELEVATION



REAR ELEVATION



RIGHT ELEVATION



FRONT ELEVATION

Jerry Wolczak
1488 Edmund
St. Paul

Design by:
Paul T. Vogelton

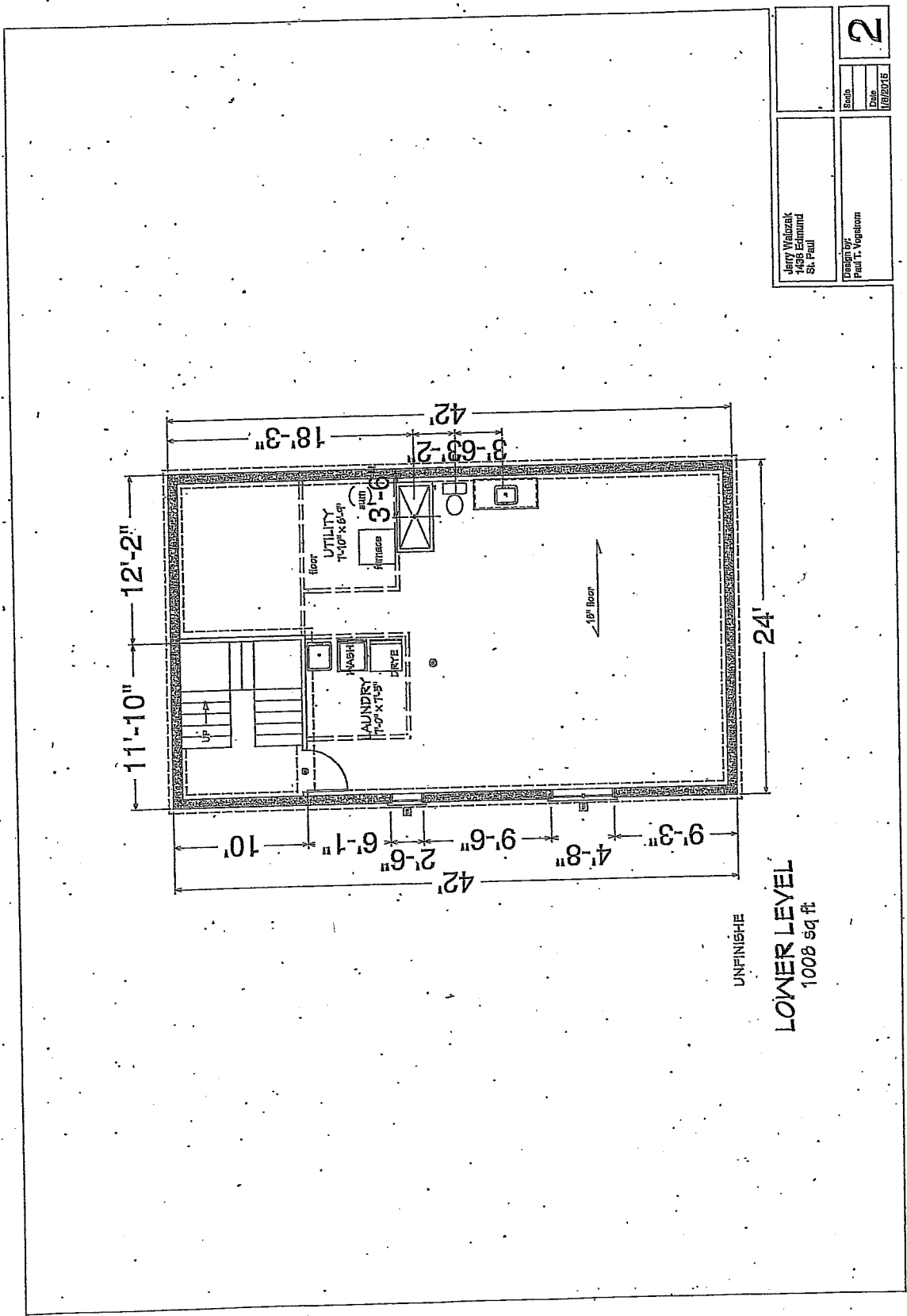
Scale

Date

10/22/2014

1

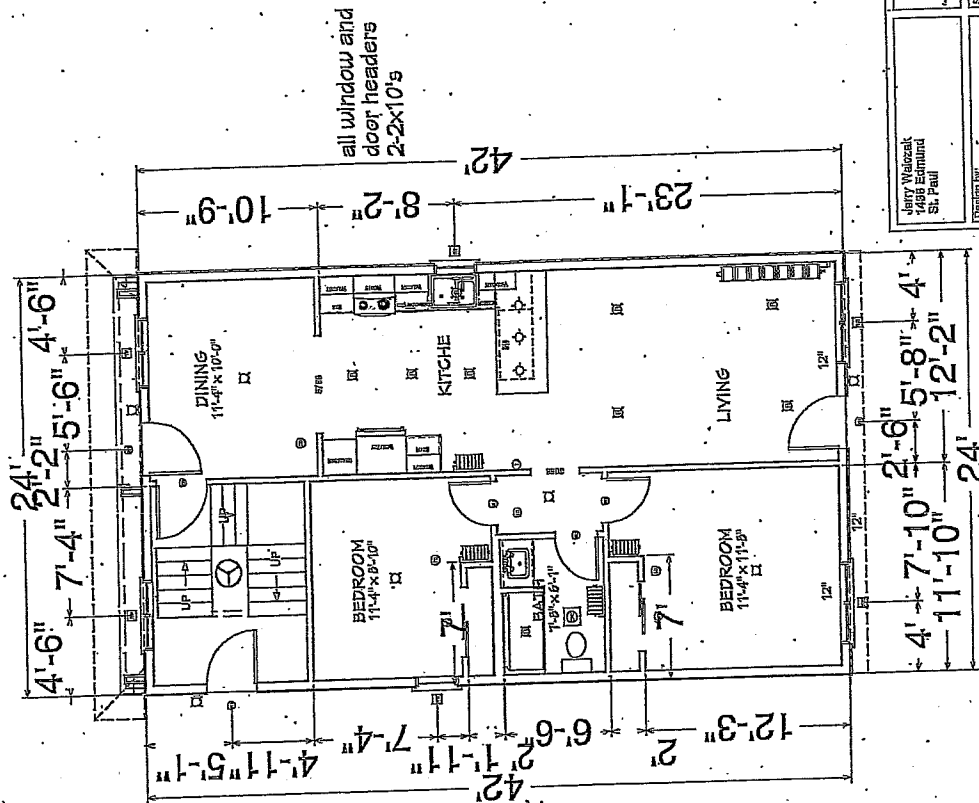
Jerry Walczak 1438 Edmund St. Paul	
Design by: Paul L. Vagstad	Date: 10/20/06



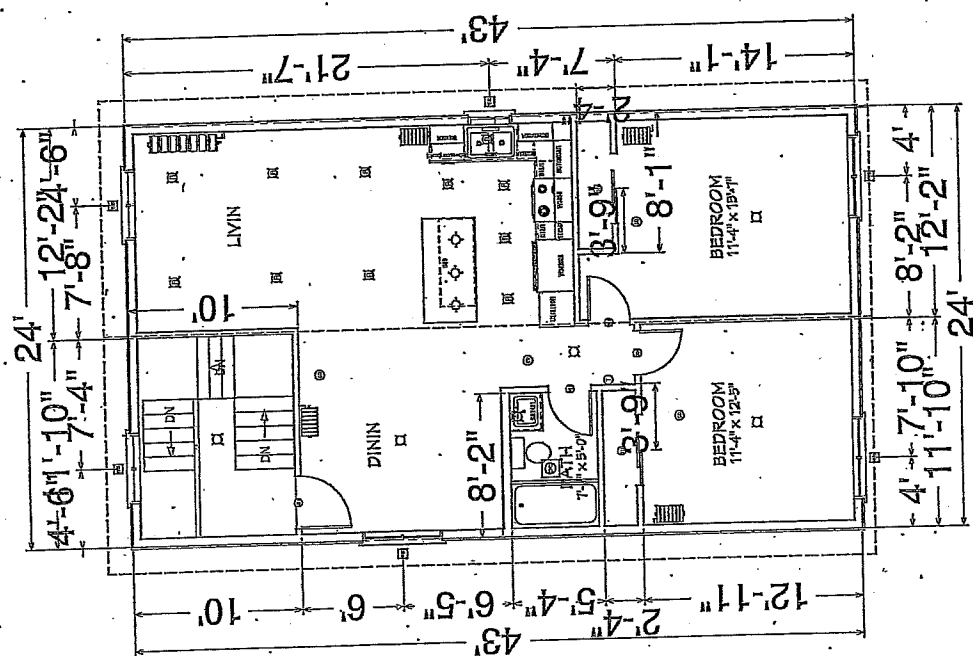
NUMBER	LABEL	QTY	FLOOR	WINDOW SCHEDULE	DESCRIPTION
W01	2830SO	1	1	30"X36" SO	SINGL. CASEMENT-H/R
W02	2830SO	1	2	30"X36" SO	SINGL. CASEMENT-H/R
W03	4140DO	2	2	48"X24" DO	SINGL. CASEMENT-H/R
W04	2830SO	1	0	30"X36" SO	SINGL. CASEMENT-H/L
W05	2830SO	1	0	30"X36" SO	SINGL. CASEMENT-H/L
W06	2830SO	1	0	30"X36" SO	SINGL. CASEMENT-H/L
W07	4840DO	1	2	60"X48" DO	SINGL. CASEMENT-H/R
W08	4840DO	2	2	60"X48" DO	SINGL. CASEMENT-H/R
W09	4840DO	2	2	60"X48" DO	SINGL. CASEMENT-H/R
W10	4830DO	1	0	60"X42" DO	SINGL. CASEMENT-H/R

NUMBER	LABEL	QTY	FLOOR	DOOR SCHEDULE	DESCRIPTION
D01	3068	1	2	3068 R.N.	HINGED 6 PANEL
D02	2658	1	1	2658 R.N.	HINGED 6 PANEL
D03	2658	1	1	2658 R.N.	HINGED 6 PANEL
D04	3068	2	2	3068 R.N.	HINGED 6 PANEL
D05	3068	2	2	3068 R.N.	HINGED 6 PANEL
D06	3068	1	0	3068 R.N.	HINGED 6 PANEL
D07	3068	1	1	3068 LEX	EXT. HINGED 2 LITE 2 PANEL
D08	3068	2	1	3068 REX	EXT. HINGED 2 LITE 2 PANEL
D09	3068	2	2	3068 REX	EXT. HINGED 2 LITE 2 PANEL
D10	4068	2	2	4068 L.N.	SLIDER

MAIN FLOOR PLAN 963 sq ft



Jerry Wolsch 1488 Edmund St. Paul		<div style="border: 1px solid black; width: 40px; height: 40px; text-align: center; line-height: 40px; font-size: 24px; margin: 0 auto;">3</div>
Design by: Paul T. Vogtson		
Scale	Date	
		10/20/15



all window and
door headers
2-2x10's

SECOND FLOOR PLAN
919 sq ft

Jerry Walczak 1438 Edmund St. Paul	Scale Date 1/9/2015	4
	Design by Paul T. Vogtson	

ZONING PETITION SUFFICIENCY CHECK SHEET

REZONING

SCUP

NCUP

FIRST SUBMITTED

RESUBMITTED

DATE PETITION SUBMITTED:

1-8-15

DATE PETITION RESUBMITTED:

1-13-15

DATE OFFICIALLY RECEIVED:

DATE OFFICIALLY RECEIVED:

1-13-15

PARCELS ELIGIBLE:

19

PARCELS ELIGIBLE:

19

PARCELS REQUIRED:

13

PARCELS REQUIRED:

13

PARCELS SIGNED:

12

PARCELS SIGNED:

13

CHECKED BY:

Raul Dubourel

DATE:

1-13-15

CITY OF SAINT PAUL

AFFIDAVIT OF PETITIONER FOR A CONDITIONAL USE PERMIT OR A NONCONFORMING USE PERMIT

STATE OF MINNESOTA)

:SS

COUNTY OF RAMSEY)

The petitioner, TERRY WALCZAK, being first duly sworn, deposes and states that the consent petitioner is informed and believes the parties described on the consent petition are owners of the parcels of real estate described immediately before each name; each of the parties described on the consent petition is an owner of property within 100 feet of the subject property described in the petition; the consent petition contains signatures of owners of at least two-thirds (2/3) of all eligible properties within 100 feet of the subject property described in the petition; and the consent petition was signed by each said owner and the signatures are the true and correct signatures of each and all of the parties so described.

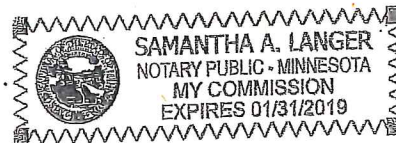
Terry Walczak
NAME

1300 NORTHWEST PARKWAY 2E
NEW BRIGHTON MN 55112
ADDRESS

651-208-7779
TELEPHONE NUMBER

Subscribed and sworn to before me this
8 day of January, 2015

Samantha Langer
NOTARY PUBLIC



CALLER 12-11-14

FAUL. BU
DUBRO 1EL @ CI. ST PAUL, MN
CITY OF SAINT PAUL

.05

CONSENT OF ADJOINING PROPERTY OWNERS FOR A
CONDITIONAL USE PERMIT

We, the undersigned, owners of the property within 100 feet of the subject property, acknowledge that we have been presented with the following:

A copy of the application of JERRY WALCZAK
(name of applicant)

to establish a Home / DUPLEX
(proposed use)

located at: 1438 EDMUND AVE. ST. PAUL MN. 55104
(address of property)

requiring a conditional use permit, along with any relevant site plans, diagrams, or other documentation.

We consent to the approval of this application as it was explained to us by the applicant or his/her representative.

	ADDRESS OR P.I.N.	RECORD OWNER	SIGNATURE	DATE
GOT 1	1440 EDMUND AVE	MICHAEL MURPHY	[Signature]	12/6/14
GOT 2	1446 Edmund Ave	DONALD JOHNSON	[Signature]	12/6/14
GOT 3	1430 EDMUND	SARAH MCINNAM	[Signature]	12/6/14
	R 1431 Edmund	Hansah Omar	[Signature]	12/6/14
GOT 5	1435 Edmund	Liddiehi Tolzman	[Signature]	12/6/14
GOT 6	1439 Edmund	Tim Anderson	[Signature]	12/6/14
GOT 7	1450 Edmund	Liz Barlow	[Signature]	12/6/14
GOT 8	1427 Charles Ave.	Adria Fernandez	[Signature]	12/6/14
	R 1431 Charles Ave	Carolyn Guri	[Signature]	12/6/14
	1435 Charles	Brian Gonglys	[Signature]	12/6/14
GOT 11	1443 Charles	PC Stroebel	[Signature]	12/6/14
GOT 12	1451 Charles	K Ostlie-Olson	[Signature]	12/6/14
GOT 13	1447 Charles	S. Donahoe	[Signature]	12/6/14
GOT 14	1432 Edmund Ave	A. Swanson	[Signature]	12/7/14

NOTE: All information on the upper portion of this application must be completed prior to obtaining eligible signatures on this petition.

CITY OF SAINT PAUL

CONSENT OF ADJOINING PROPERTY OWNERS FOR A CONDITIONAL USE PERMIT

We, the undersigned, owners of the property within 100 feet of the subject property, acknowledge that we have been presented with the following:

A copy of the application of JERRY WALCZAK
(name of applicant)

to establish a HOME/DUPLEX
(proposed use)

Located at: 1438 EDMUND AVE. ST. PAUL MN. 55104
(address of property)

requiring a conditional use permit, along with any relevant site plans, diagrams, or other documentation.

We consent to the approval of this application as it was explained to us by the applicant or his/her representative.

ADDRESS OR P.I.N.	RECORD OWNER	SIGNATURE	DATE
1437 CHARLES	DONALD FISHER	Donald Fisher	1-4-15
1447 W. EDMUND AVE	TODD SCHWINGER	Todd Schwinger	1/7/2015
1439 Charles Ave	Eric Bjorklund	Eric Bjorklund	1/8/2015

NOTE: All information on the upper portion of this application must be completed prior to obtaining eligible signatures on this petition.



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

November 20, 2014

Mr. Jerry Walczak
1300 NW Parkway, # 213
New Brighton, MN 55112

RE: Building Permit for 1438 Edmund Avenue, Saint Paul, MN

Dear Mr. Walczak:

The purpose of this letter is to inform you that the building permit you and your contractor applied for on October 31, 2014 (permit #14-342609) to construct a new duplex at 1438 Edmund cannot be approved based on the provisions of the Saint Paul Zoning Code.

The property at 1438 Edmund Ave. is located in the R4 one-family residential zoning district. The building that previously occupied this lot was used as a duplex and was a legal nonconforming use, since duplexes are not permitted in the R4 district. A fire in December 2013 made the building uninhabitable, and it was classified as a Category 3 vacant building by the City on December 5, 2013.

Chapter 62 of the City of Saint Paul's Zoning Code (based on Minnesota Statutes Sec. 462.357 subd. 1e) regulates legal nonconforming uses. Specifically, Ch. 62.106(i) states:

When a structure containing a nonconforming use is removed or destroyed by any means, including by fire or other peril, to the extent of more than fifty (50) percent of its estimated market value as indicated in the records of the county assessor at the time of the destruction, and no building permit for repair or replacement of the structure has been applied for within one hundred eighty (180) days of the time of the removal or damage, it shall not be reconstructed except in conformity with the provisions of this code.

The Ramsey County Assessor's 2013 estimated market value of the building was \$112,600. Subsequent classification of the building as a Category 3 vacant building indicates that the fire damage was extensive enough to make the building uninhabitable and that the cost of repair exceeded 50% of the estimated market value, or \$56,300. Using the date of December 5, 2013, as the date of the building's destruction, a building permit for the repair or replacement of the duplex should have been submitted to the Department of Safety and Inspections (DSI) no later than June 3, 2014. No permit application was received in our office by that date. Instead, a permit for the demolition of the building was issued by DSI on September 8, 2014, and a subsequent inspection indicates that the building has been removed. Therefore, it is the determination of this office that the nonconforming use has expired, and the lot at 1438 Edmund must now be used in conformance with the zoning code.

Typically, this would be a single family home, but the complete list of conforming uses can be found in the residential use table of the Zoning Code, Sec. 66.221.

If you can provide documentation showing that the fire caused less than \$56,300 of damage, you may fall under Sec. 62.106(a) of the Zoning Code, which permits continuance of the nonconforming use "...through repair, replacement, restoration, maintenance, and improvement of structures, unless the nonconformity is discontinued for a period of more than one (1) year." In which case, a building permit for a new duplex structure that maintains the previous building's footprint and cubic content could be approved. However, the plans submitted with the building permit application of October 31, 2014, show a different building footprint and increased cubic content, and the permit cannot be approved based on Sec. 62.106(f):

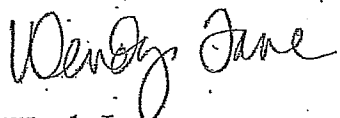
A nonconforming use shall not be moved to a new location on the zoning lot or expanded in any way, including increased cubic content, unless the planning commission approves a permit for the expansion or relocation as set forth in section 62.109(d).

Information on Planning Commission permits for expansion of a nonconforming use can be found online at <http://www.stpaul.gov/index.aspx?NID=1899>. A copy of Sec. 62.109(d) is attached.

To summarize, residential reuse of the now-vacant lot at 1438 Edmund is limited to a one-family residential structure unless you can provide documentation that the fire damage did not exceed 50% of the assessor's estimated market value (\$56,300) and you are issued an expansion of nonconforming use permit by the Saint Paul Planning Commission.

This decision may be appealed to the Board of Zoning Appeals within 10 days. There is a filing fee of \$520.00. Information on the appeal process may be found at <http://www.stpaul.gov/index.aspx?NID=1870>.

Yours truly,



Wendy Lane
Zoning Administrator

Enc.

Michael Murphy
Patricia Murphy
1440 Edmund Ave
St Paul, MN 55104

2/4/2015

To whom it may concern:

We received a notice that there was an upcoming hearing regarding the status of rebuilding 1438 Edmund. We thought it would be a good idea to share some of the experiences we have had in our time here.

We have lived next door to 1438 Edmund since December 2011. As new homeowners we were very excited to be moving on to what seemed to be a quiet street. We were aware that 1438 was a rental but having just been renters ourselves we didn't make any assumptions about the type of people that we would be living next door to. Overall, the first winter was pretty quiet but then as it started to warm up we realized the situation we were in. The duplex was occupied by one big family. Over the summer of 2012 we experienced and witnessed: domestic disturbances, screaming children, loud music at all hours, drug use and distribution by the tenants, littering, abandoned vehicles, etc. Having not met the owner at that point, we made several calls to St Paul PD. Things would quiet down for a day or so, then kick right back up. Eventually the tenants figured out it was likely us who were calling the police and they became hostile towards us. There was an incident on Mother's Day where Patricia asked one of their young children (running and screaming in their yard well after dark) to please keep it down. The child then went inside to tell their parent/grandparent. At that point the tenant stormed out of their house, yelling obscenities and threats toward us to the point where we had to sneak out of our backyard and meet the police up the block. Soon after that is when we first met Jerry and he assured us he was trying to kick them out. They moved out over that summer, if I remember correctly.

The next renters were better. Looked like a mother, 2 kids, and a dog. Jerry had moved in to the bottom duplex. Within a month of moving in, the mother approached us to ask if we had seen her dog that had apparently been in the house when she left, but was now missing. She accused Jerry of doing something to the dog. A few days later they packed up and moved out.

The final tenants before the fires were Jerry on the bottom still, and a small family with 2-3 kids upstairs. They were a very disrespectful bunch of people, much like the first set of tenants. There were constantly strange cars stopping out front, and the mother would allow the children to throw trash out of the 2nd story window into our yard. They were home when the first fire started, and only came back to clean out their belongings.

The interactions overall that we have had with Jerry have been polite, but brief. He was constantly making apologies for his tenants' behavior, but seemed to take very little action to have them removed in a timely manner.

After the fires, we were heavily questioned by fire investigators, police, and insurance representatives. We had the opportunity to testify that we saw Jerry in the house the morning of the second fire, but declined due to the fact that we were only about 75% sure that we saw him before the fire started. We did not feel right with the possibility of wrongfully accusing someone of a crime, regardless of the past experiences we have had.

In the time since the house has been knocked down, we have seen Jerry only a handful of times working in the garage. Having the house unoccupied and eventually removed has made our quality of life infinitely better. We were unaware that our block was zoned for single-family homes until now, and we would really like to see that happen with the rebuild, even though we originally did sign the petition Jerry went door-to-door with.

Please don't hesitate to call or email with any further questions. Thanks for the opportunity to let us share our experiences.

Sincerely,

Michael and Patricia Murphy

612-462-3496

612-385-7737

From: Scott Walters [<mailto:SWalters@halsaadvisors.com>]
Sent: Wednesday, February 04, 2015 11:40 AM
To: Michael Jon Olson
Cc: Kim-Hunter; Stark, Russ (CI-StPaul); Beach, Tom (CI-StPaul)
Subject: Edmund Property Update

Dear Michael Jon,

Here is my summary of the situation:

The duplex was a rental property for as long as we have lived in the neighborhood (1999), and has consistently been a source of complaint. Issues have included:

- Domestic disputes resulting in police calls
- Domestic disputes without police calls (weekly for significant periods)
- Poor maintenance of the facility
 - Failure to mow the lawn
 - Failure to shovel snow
 - Painting projects started but not finished for years, with multiple contrasting colors visible
- Rude and obnoxious behavior at all times of day and night
 - Loud car stereos at any time of day and night (thumpin')
 - Yelling at children, neighbors, passers-by, and visitors
 - Litter in the yard
- Failure to secure the property after the first fire, resulting in a second fire
- Failure to secure the property after the second fire, leading to calls to report children entering the structure (through the open door) and endangering themselves
- Failure to secure the hole in the ground left after demolition of the home (ongoing)
- And now, thankfully, failure to reestablish a non-conforming use in the allotted time, leading to the need for this process (which has granted the neighborhood an opportunity to eliminate this non-conforming use and at least reduce the harm to the neighborhood of the landlord's poor property management by limiting the property to one poorly screened tenant instead of two).

All of these issues were continuous, ongoing, and seemingly never ending. The noise was the biggest complaint. The yelling and the thumpin' could be counted on every summer day and night, sometimes lasting for a few minutes, sometimes lasting for hours. The litter, yard, shoveling, painting fiasco, etc. were just continuous visible reminders that this problem remained.

Sometime during the Great Recession, the owner moved in to one of the units and continued renting the second. The noise problems were significantly reduced (though not eliminated), but the poor property management that led to the visible issues remained.

That's a brief history. The city's LIEP database contains a long history of code and other violations associated with this address. In addition, we have had two neighbors choose to move out of the neighborhood, partially because they just couldn't stand living next to this place any longer. One of them has taken the time to write a letter in opposition of granting this permit from her new home in Roseville – that's how deep her resentment of what this absentee landlord did to our neighborhood runs.

I oppose granting the permit for reestablishment of a non-conforming use for three reasons:

1. The property is clearly valuable and useful as a single family residence. A new infill single family house was constructed a few years ago on Pascal at Thomas, many neighbors are reinvesting in their single family homes, so clearly that use is financially viable.
2. This block of Edmund is almost exclusively single family homes. There is only one designed duplex, and only two homes converted to multi-family that I know of. This is a great opportunity to convert one of only four structures to the planned use for this area, maintaining the character of the neighborhood.
3. This is a great opportunity to reduce the opportunity for negative impact to the health, safety, and peace of the neighborhood. This property owner has consistently demonstrated an inability to properly manage a two family structure. A new single family structure is economically viable, and reduces the risk and impact of continued poor property management on the surrounding properties. I am unpersuaded by the argument that the owner plans to live in one unit and rent the second. After the permit is granted, and the building is built, that arrangement could evaporate overnight, leaving a permanent, problematic, non-conforming use.

Hopefully this helps you understand the situation and my atypical opposition to a development opportunity in the Midway.

Thanks and best regards,

Scott Walters
1451 Edmund Avenue

Williams, Josh (CI-StPaul)

From: Henningson, Samantha (CI-StPaul)
Sent: Thursday, February 05, 2015 11:33 AM
To: Williams, Josh (CI-StPaul)
Subject: FW: 1438 Edmund

In case you don't have this one already.

From: Stark, Russ (CI-StPaul)
Sent: Thursday, February 05, 2015 11:28 AM
To: Maria Huntley
Cc: #CI-StPaul_Ward4
Subject: RE: 1438 Edmund

Maria,

Thanks for the note, I have forwarded it Tom Beach who is staffing the zoning committee meeting of the Planning Commission where this issue is being heard. I really appreciate hearing from you and the other neighbors I've heard from, but this issue will only come to City Council if a decision of the Planning Commission is appealed.

Best,
Russ Stark

From: Maria Huntley [<mailto:mhuntley1435@gmail.com>]
Sent: Wednesday, February 04, 2015 3:15 PM
To: Stark, Russ (CI-StPaul)
Subject: 1438 Edmund

Greetings Mr. Stark -

It is my understanding that there is a hearing tomorrow re: the plan for a replacement duplex at 1438 Edmund Ave., unfortunately I am unable to attend in person. However - I did want to share with you that I am NOT in favor of this request.

I have lived in my home which is directly across the alley from this property for 10+ years with my husband and two young children. We love this neighborhood and hope to raise our kids here. We have consistently made investments in our home over the years and we are really excited about the improvements that have been made to our neighborhood.

Consistently the individuals that rented from the owner proved to be difficult neighbors. There were not specific circumstances where we witnessed illegal behavior but we often observed very suspicious behavior that made us uncomfortable.

Of all of the "annoying" situations over the years - the most disturbing was the fact the Mr. Walczak lied to my husband when he was requesting signatures after he missed the deadline for submitting replacement plans to the city, when he came back a second time and we told him that he lied to us, he claimed that he didn't remember what he had told us.

I sincerely appreciate you taking our concerns and experiences into consideration.

Regards -

K. Maria Huntley, CAE, MANM

mhuntley1435@gmail.com

651.442.4173 -

<http://www.linkedin.com/in/mariahuntley>

Elizabeth Barlow

St. Paul Planning Commission Zoning Committee

2/3/2015

Reestablishment of non-conforming use to construct a new duplex.

I am writing in regard to the property at 1438 Edmund Ave, St. Paul, MN. The owner Jerry Walczak approached me last month requesting that I sign approval replacement plans to the city to rebuild on his property at 1438 Edmund Ave. He stated he wanted to rebuild a duplex on said property and that he had planned to live on the property. He also stated he knew he had some poor management issues in the past and that he was going to work on resolving these issues going forward. I was unaware at the time that the area is zoned for a single family residential and that he needed approval to build a duplex on that property. I now feel that I was misled.

I received a post card from the zoning committee about the hearing on reestablishment of non-conforming use to reconstruct a new duplex. I would like to withdrawal my signature of approval for this reconstruction. The reasoning for my decision is the new investments in housing in real estate in this area. This decision also affects property values and this is a perfect opportunity to bring the lot back to single family zoning. A duplex obviously means renters and Jerry has a long history of poor property management. The property has been subject of many police interventions such as domestic abuse, drugs and child neglect in the past. He also rarely shoveled the side walk, mowed the lawn and had issues with garbage removal. The fact that he was unable to turn in plans on time is just another example of his inability to manage a rental property.

I am unable to attend this hearing and would like my opinion to be considered. I have lived at 1450 Edmund Ave for twenty two years. Please feel free to contact me if you have any questions.

Sincerely,

Elizabeth Barlow

From: Heide Erickson <heidekerick2@gmail.com>
Subject: Thursday Zoning Committee/1438 Edmund Ave.
Date: February 2, 2015 at 9:44:04 PM CST
Cc: russ.stark@ci.stpaul.mn.us
To: tom.beach@ci.stpaul.mn.us

Mr. Beach,

I'm contacting you and copying my city council member Mr. Stark on this email regarding the 1438 Edmund Ave property. My understanding is that the owner of the 1438 Edmund Ave. property has to appear at the Zoning Committee of the Planning Commission this Thursday, Feb. 5 regarding a plan for a replacement duplex in an area that is zoned for single family residential. I'd appreciate you taking the interest of the neighborhood into consideration and to not approve the 1438 Edmund Ave. property for a duplex

I am a long-term resident on the 1400 block of Thomas Ave (one block from Edmund) and I am active in the neighborhood from hosting neighborhood events to organizing ally plowing. An increase of renter units puts significant stresses our neighborhood. In addition, the property owner has a reputation with neighbors for poor property management and for not holding his renters accountable for behavior that has a negative impact on the entire neighborhood. Therefore, I'd urge you to not approve the property for a duplex but only for a single family structure according to zoning.

Please feel free to contact me if you'd like additional detail. Unfortunately, I will not be able to attend the hearing myself and hope that through this email my voice will be heard.

Best regards,
Heide Erickson

From: Tracey Pyscher [<mailto:pysc0001@umn.edu>]

Sent: Wednesday, February 04, 2015 4:58 PM

To: kim@kimhunterlaw.com; Stark, Russ (CI-StPaul); Beach, Tom (CI-StPaul)

Subject: Edmund property owned by Mr. Jerry Walczak

To whom it may concern. I am writing this response as an co-owner of a property at 1431 Edmund Ave., St. Paul. My partner, Cindy Reuther and I, resided at the Edmund house and endured terrible experiences of co-neighboring with Mr. Walczak's adjacent property. We currently rent our 1431 Edmund house to excellent tenants. We moved back to Minneapolis over two years ago.

While living across the street from Mr. Walczak's "rental" property for over four or more years, we endured persistent parties, domestic disputes, numerous phone calls to the police department including concerns about child neglect, conditions of the property (poor), and our concern that drugs were being sold out of the house and the number of people residing at the property. It became so bad, that I contacted Mr. Walczak directly via phone and complained. I explained to him our (mine, my partner's and neighbors) concerns/complaints about his numerous tenants and all the chaos they create daily. He was unresponsive. What we later found out was that the property was not a legal rental. We discovered this after the most severe incident at the property. On a summer day about 4-5 years ago, there was huge disrupt coming out of the house with multiple people fighting in the streets and screaming and punching each other. Multiple police cars arrived and my partner felt so unsafe she sat on the floor concerned about weapons and fighting. It was a chaotic scene. Eventually, multiple people were arrested and a coroner pulled up. A baby died that morning in the house at the hands of his father. Later, we discovered the house was condemned due to bug and rodent infestation and was deemed unlivable. All the while, Mr. Walczak "rented" this property illegally..

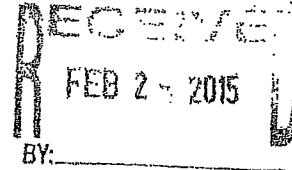
We fully protest his ability to build back on this site. This also influenced our decision to move out of Hamline Midway to a neighborhood that was more conducive to basic respect and community living. Feel free to call with any follow up questions. We will try to attend the public meeting tomorrow, but that is difficult considering we just discovered that the meeting was happening.

Thank you. Tracey Pyscher & Cindy Reuther
Tracey can be reached at 651-983-3294.

--

Tracey Pyscher, Ph.D. Candidate
Curriculum and Instruction, Critical Literacy and English Education
University of Minnesota
651-983-3294

Mr. Paul Dubruiel
1400 City Hall Annex
25 W. Fourth St.
St. Paul, MN. 55102



Re; FILE # 15-002-93,
Nonconforming use as a duplex at
1438 Edmund Ave., St. Paul, MN

To Whom It May Concern:

After living at our residence for 45 Plus years, we were surprised to find out that this property had been classified as a duplex. It had a single address in a quiet neighborhood and the previous owner lived there with his wife and daughter. Occasionally he would let known people that were down and out stay there for awhile.

That all changed with the new owner! There has been two fires, One child's death, tenants that have been kicked out because of building code violations, noisy parties of which I went down there twice myself to tell the tenants to quiet down, blocked alley access for the other residents, trash haulers, and emergency vehicles, and numerous police vehicles at that location for unknown reasons! While tenants were occupying the building, we experienced two break-ins, one attempted break-in and the people at 1431 Edmund Ave had a break-in.

When he applied for a demolition permit, he did not have the utilities cut-off as required and he listed an excavating company as doing the work when it was a tree trimming company which was probably not licensed to do that type of work in the city of St. Paul.

Since the last fire and the demolition of the building, the neighborhood has become quiet and peaceful

Please do not grant a nonconforming use permit for a duplex at the property that was original a single family dwelling. Do not fall for his line, to me it seems he'll tell you what ever he has to in order to get what he wants!

Yours truly

Arthur & Bonita Steinbeck
1426 Edmund Avenue
St. Paul, MN 55104

A handwritten signature in cursive script, appearing to read "Arthur Steinbeck".

A handwritten signature in cursive script, appearing to read "Bonita Steinbeck".

From: Sara Blair [mailto:saramblair@gmail.com]

Sent: Monday, February 02, 2015 11:55 AM

To: Williams, Josh (CI-StPaul)

Subject: 1438 Edmund Ave. Duplex

Hi Josh,

My name is Sara Blair, and I own the house at 1427 Edmund Ave., St. Paul. It's my understanding there is a hearing on Thursday to approve the rebuilding of the duplex at 1438 Edmund. I am unable to attend in person, but wanted to email you and let you know our (my husband and I's) thoughts.

We would like to oppose the structure being rebuilt as a rental, especially if the property owner is the same man. This property was often a source of frustration for neighbors on our street, and the property owner has never responded to nor dealt with complaints related to his renters. Also, we want to avoid another rental unit to avoid the Hamline University college student creep that is already happening. I love colleges and college students, but they can be a nuisance if you live in the middle of their area.

Please let me know if you have any questions.

Thank you so much for your time,
Sara

From: Michael Jon Olson [<mailto:michaeljon@hamlinemidway.org>]
Sent: Wednesday, February 04, 2015 11:55 AM
To: Williams, Josh (CI-StPaul)
Cc: 'Michael Jon Olson'; 'Scott Walters'
Subject: 1438 Edmund

To the Members of the Saint Paul Planning Commission Zoning Committee:

On January 26, 2015 the City of Saint Paul mailed a notice regarding a public hearing on the reestablishment of a nonconforming use to construct a new duplex at 1438 Edmund Avenue (File #15-002-935).

Over the past few days, several property owners who received that notice have expressed serious concerns about the applicant, Jerry Walczak, and the applicant's history of poor property management at 1438 Edmund Avenue, to the City of Saint Paul and Hamline Midway Coalition (HMC)/District Council 11. HMC believes that these concerns deserve significant consideration and warrant more investigation.

For this reason, HMC is currently **OPPOSED** to the reestablishment of nonconforming use to construct a new duplex at 1438 Edmund.

Also, given that the HMC Development Committee and Board of Directors have not had enough time to fully discuss this matter, HMC respectfully requests that this matter be laid over until the next meeting of the Zoning Committee on February 19.

Thank you for your consideration.

Michael Jon Olson
Executive Director
Hamline Midway Coalition/District Council 11
michaeljon@hamlinemidway.org
www.hamlinemidway.org
651-494-7682

From: Donald Johnson [<mailto:donald.c.johnson@rrd.com>]

Sent: Tuesday, February 03, 2015 1:05 PM

To: Williams, Josh (CI-StPaul); michaeljon@hamlinemidway.org; Stark, Russ (CI-StPaul)

Subject: 1438 Edmund Avenue - Zoning hearing and petition

City Officials and Neighborhood Coalition Director,

I'm writing to voice a concern regarding an owner proposed conditional use permit for the property at 1438 Edmund Ave, St. Paul, MN 55104.

I initially signed the petition presented by Jerry, the property owner, but on further reflection I wish to remove my consent. I own, and live at, 1446 Edmund - two properties directly West of the parcel in question. As I understand it, the owner requires 2/3 of neighbors within 100 feet to ok the proposed nonconforming use. I'm opposed to the proposed use.

With the concerns being raised in the neighborhood - I believe it would be prudent to postpone the upcoming zoning hearing regarding 1438 Edmund Avenue, in order for the community to clarify it's standing.

The property owner in question hasn't been present, nor has he contracted services to care for the property in his absence. I know this because I've been clearing the snow from the sidewalk in front of the property so fellow neighbors can safely use the sidewalk.

Feel free to contact me with any questions.

Regards,

- Don

Don Johnson | Technology Staff, Premedia | RR Donnelley

18790 West 78th Street | Chanhassen, MN 55317

Office: 952.906.2391 | Mobile: 612.836.3774

donald.c.johnson@rrd.com

<http://www.rrdonnelley.com>

Langer, Samantha (CI-StPaul)

From: Julia Reed <julia.reed82@gmail.com>
Sent: Wednesday, February 04, 2015 9:33 AM
To: Beach, Tom (CI-StPaul); Stark, Russ (CI-StPaul); Langer, Samantha (CI-StPaul)
Cc: swalters@halsaadvisors.com; kim@kimhunterlaw.com
Subject: Comment for Zoning Hearing: 1438 Edmund Avenue variance application to R4 - 1 Family Zone

Greetings!

I urge the Board of Zoning Appeals to deny the variance application by Jerry Walczak for the re-establishment of a non-conforming use structure on the vacant lot at 1438 Edmund Avenue. I see on the zoning map that my neighborhood is in a bright yellow sea of R4 -1 Family zoned blocks and I would like to see the Hamline-Midway neighborhood north of University go more in that direction. This is a perfect opportunity to do the right thing. A duplex is clearly outside the summary of uses allowed in a R4-Residential District.

I recall a conversation I had with my mortgage banker regarding the property value risk to buying a home in this neighborhood and he assured me that once the federal, state, and local governments have invested millions of dollars in a transit project like the Green Line, the property values will only go up. In my opinion, owner occupied homes make for a safer, cleaner, and more cooperative community, leading to increased property values and better quality of life. With the University Avenue apartment buildings (existing and new construction now underway) and Hamline University dwellings (just to name two) in such close proximity, I feel it is important to enforce conformity to zoning code whenever the opportunity arises.

Thank you for your service to the community. I regret that I cannot attend the hearing in person – I am not able to step away from my job during working hours.

Sincerely,

Julia Reed

1454 Edmund Avenue

Saint Paul, MN 55104

From: Elizabeth Tolzmann [mailto:elizabeth@tolzmannlaw.com]
Sent: Monday, February 2, 2015 10:12 PM
To: russ.stark@ci.stpaul.mn.us
Cc: tom.beach@ci.stpaul.mn.us; twincitiesboxing@hotmail.com
Subject: Opposition to replacement plans of 1438 Edmund Ave

Dear Council Member Stark,

My husband and I reside at 1435 Edmund Ave. We are writing to oppose the replacement plans that is being submitted by the property owner of 1438 Edmund Ave. It is our understanding that he is seeking a zoning variance to change this property from single family residential to a duplex.

We have been law-abiding residents and proud owners of our property since 1999. During this time, we have observed this property on 1438 Edmund to be consistently rented and poorly managed. There has been numerous residents in/out of the property; loud noise including arguments with profanity and violence; and there were recently two fires within the past year. This has affected the quality of life in our neighborhood including those who work hard to maintain our homes, yards, and create a peaceful and thriving neighborhood.

Please note that the owner of this property had approached our home and had asked us to sign a "variance," in which I understood it to be a variance on the a design portion of the deck (and nothing else). He also orally stated to me that he owns the property, would reside there, and would not rent it out. It is my understanding that the request before you on Thursday is not a variance on the design, but instead a variance on the zoning of the property. We feel that we have been misled and if that is the case, we believe there is no credibility or integrity to the home owner.

We enjoy living on Edmund Ave, we think our neighbors our wonderful, and for once in a very long time, we have not had any problems since this property had been burned down. We fear that if you allow the owner to change the zoning to a duplex, he will convert it to a rental unit and continue his past practices of poor property management. We prefer residents who take pride within their properties, are vested in the community, and who care for their neighbors.

For the reasons above, we oppose the replacement plans of 1438 Edmund.

Sincerely,

L. Elizabeth Tolzmann, Esq.
Attorney at Law

Phone: 612-819-0850
elizabeth@tolzmannlaw.com

"CONFIDENTIAL NOTICE. The information contained in this email is intended for the use of the addressee only. It may contain information that is privileged, confidential and exempt from disclosure. If the recipient of this email is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this email in error or if there is a transmission error, please notify our office immediately by telephone or email."

Feb. 2, 2015

Dear Committee Members:

I am writing in regards to the petition by Jerry Walczak to construct a duplex at 1438 Edmund Avenue in St. Paul (File# 15-002-935.)

As a resident at 1446 Edmund, we were grateful that we were shielded from this house by our next door neighbor, although as an elderly woman, she was terrified by the tenants that rented Mr. Walczak's property.

From the beginning of his tenure, Mr. Walczak's tenants were a constant problem on our block. During the best of times, we endured regular drunken parties that featured disruptive street noise at all hours of the night. Politely asking the tenants to be quiet resulted in terroristic threats and verbal abuse. This continued from the late 1990's through the fire.

One group of tenants included women who walked up and down University Avenue looking for customers who they would have park in front of our house while they "serviced" them. Each Sunday morning, we would rake up the used condoms from our boulevard that were tossed from the cars. This group enjoyed spreading their parties two to three doors in each direction and would loiter all weekend in front of our house, blasting music from their cars.

Even my backyard was intruded upon. As I worked in my garden, the men in this household would sit on their back steps and glare at me.

The next group of tenants appeared to sell drugs, and operated a car repair shop from their garage. The noise would continue all night, sometimes with a loud, constant banging lasting for hours. Even residents from two blocks away were disturbed by these tenants.

The property deteriorated severely after Mr. Walczak took ownership. He made repairs only when cited by inspectors, who were called by neighbors. He only made the minimal repairs, and did them badly.

I'm sure a review of the police records regarding this address would provide evidence as to the degree in which that property degraded the quality of life for the residents on this block.

Each neighbor next to Mr. Walczak's property sold their home and moved away. We did the same in November of 2014. I would give a large share of blame to this landlord for our decision to move to Roseville. Although we no longer have a say in your decision, please consider that we carry such a bad memory of this experience, we are willing to take the time to weigh in on behalf of our former neighbors. Permitting this man to operate a duplex will continue to negatively affect the stability and property values of this neighborhood.

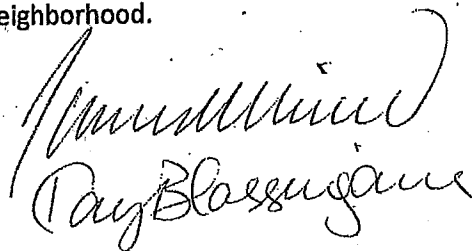
Sincerely,

James Muirhead

Kay Blassingame

3091 Mt. Ridge Road

Roseville, MN 55113

Handwritten signatures of James Muirhead and Kay Blassingame. The signature of James Muirhead is written above the signature of Kay Blassingame.

Reestablishment of a Non-conforming Use – Code of Ordinances Sec. 62.109 (e).

The commission must make the following findings:

- (1) The structure, or structure and land in combination, cannot reasonably or economically be used for a conforming purpose;
- (2) The proposed use is equally appropriate or more appropriate to the district than the previous legal nonconforming use;
- (3) The proposed use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare;
- (4) The proposed use is consistent with the comprehensive plan; and
- (5) A notarized petition of at least two-thirds of the owners of the described parcels of real estate within one hundred (100) feet of the subject property has been submitted stating their support for the use.

The evidence does not support such a finding under subsections 1, 3, or 4. As to subsection 5, over 1/3 of the property owners of parcels within 100 feet have written the committee objecting to granting the reestablishment of the non-conforming use or are present today to speak against reestablishment of the use despite their earlier signing of the petition.

Furthermore, some of the signatories have indicated they were misled as to the nature and meaning of the document they signed.

A conforming purpose – a new single family residence – is a reasonable and economically viable use for this parcel.

- Houses on this street are generally very well maintained and many residents have recently made significant investments in their single family residences.
 - 1457 Edmund – rental single family home – major renovations in spring/summer 2013
 - 1451 Edmund – New kitchen renovation in 2013/2014
 - 1456 Edmund – Exterior renovations, garage reconstruction, new roof, painting in 2014
 - 1446 Edmund – New kitchen, finish attic expansion, new historically accurate storm windows and trim restoration, stucco re-dashing in 2006
 - 1439 Edmund – New kitchen, bath remodel, exterior improvements in 2010.
 - This is by no means an exhaustive list.
- A new single family residence was constructed in this neighborhood in 1997 at 603 Pascal, one and a half blocks from this location.

The significant investments being made in both owner occupied and rental houses, along with the construction of a new single family home in this neighborhood over the last few years demonstrate conclusively that single family residential is a reasonable and economically viable use for this parcel.

The evidence does not support a finding that “the structure, or structure and land in combination, cannot reasonably or economically be used for a conforming purpose.”

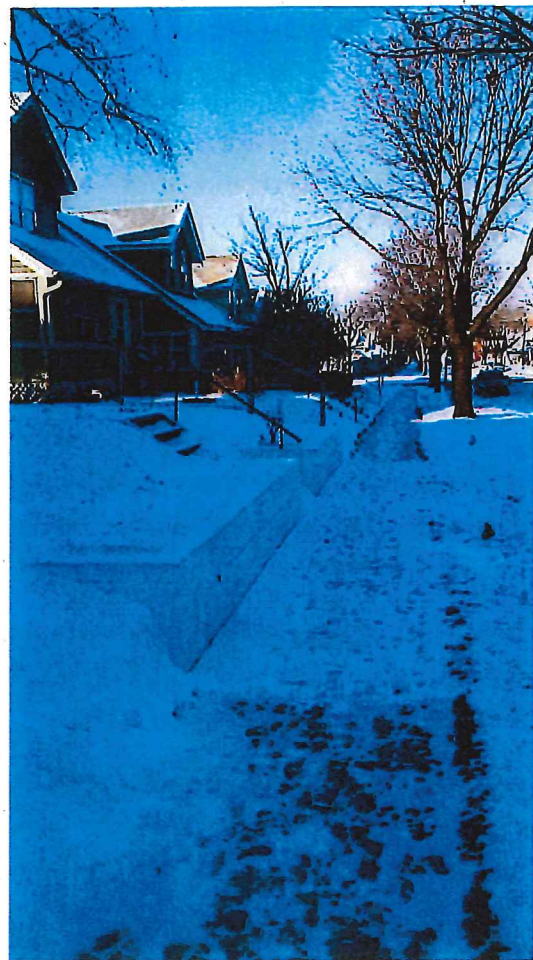
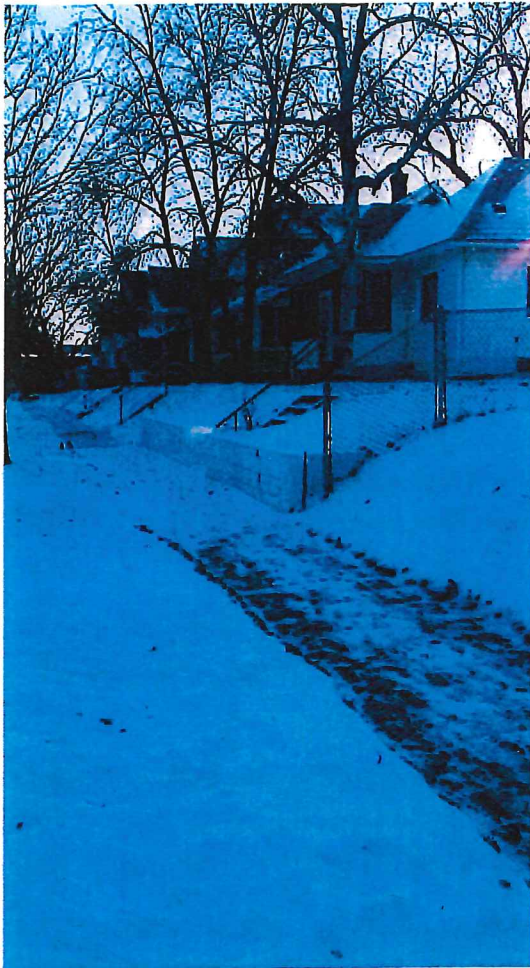
The proposed use is equal to the previous non-conforming use.

This finding is reasonable.

The proposed use will likely be detrimental to the existing character of development in the immediate neighborhood and will likely endanger the public health, safety, and general welfare.

- The vast majority of structures on this block of Edmund Avenue, whether rental or owner-occupied, are single family residences. There is only one structure on the entire block designed as a duplex, at 1418 Edmund Ave. There are only two other multi-family structures on the block. Elimination of this non-conforming use will make significant progress in elimination of non-conforming uses on this block.
- Allowing this particular parcel to be developed as a non-conforming use will likely endanger the public health, safety, and general welfare.
 - The owner of this property has exhibited a consistent record of epic inability to manage a duplex rental property. Reducing the unit count from two to one will improve the likelihood of successful property management and decrease the ongoing negative impact on city resources, the neighborhood, not to mention the unfortunate tenants of this landlord's stunning lack of property management ability.
 - The police record of this property dating back through the 90s almost defies belief, with 91 police contacts since May 21, 2001. The full record is attached. Highlights of the criminal activity at the property includes:
 - Discharge of a firearm in the city limits,
 - Arson,
 - Drug possession,
 - Disorderly conduct,
 - Domestic violence, (over, and over, and over again)
 - Disturbance – fights,
 - Sexual Offences,
 - Theft,
 - Burglary, and
 - Auto theft
 - The property has had frequent code compliance complaints including tall grass and weeds, garbage, and ice and snow covered sidewalks, requiring multiple inspections and re-inspections to correct. One collection of structural defects required **seven** re-inspections.
 - Complaints have included **rodent infestations**.
 - The current Vacant Building inspection report has one word that reappears on almost every line "**unaddressed**." That report is attached.

- o The property is currently out of compliance with city ordinance. Even on the day of a hearing regarding the property, the owner couldn't manage to comply with Section 113.02 of the city code.



The relative absence of multiple family units on this block of Edmund Avenue, with only one designed duplex on the street, combined with the extensive record of criminal behavior and ongoing code violations endangering the health and safety of both neighbors and tenants illustrates the threat that the previous duplex at this address represented. Converting this property to a conforming use will at least limit the opportunity for continued disruption to the neighborhood and the city. ***The evidence does not support a finding that "the proposed use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare."***

The proposed use is not consistent with the Comprehensive Plan or with the Hamline Midway Community Plan

Two of the Major Strategies in the Housing section of the City of Saint Paul's Comprehensive Plan are:

- Preserve and Promote Established Neighborhoods and
- Ensure the Availability of Affordable Housing Across the City

At first blush, it may appear that granting this application to reestablish a nonconforming use would help accomplish those strategies. This first impression is misleading. The City's plan needs to be read within the context of the Hamline Midway Community Plan, an Addendum to the Saint Paul Comprehensive Plan.

The Hamline Midway Housing Plan, Housing Objective and Strategy H3.3: "Encourage development that fill *[sic]* gaps in Saint Paul housing stock, *such as larger rental units.*" (Emphasis added)

Allowing the proposed two family structure will create two smaller units. This is exactly the opposite type of development that the Comprehensive Plan, as clarified by the Hamline Midway Community Plan, strives to achieve. A single family rental unit on this site will create the type of larger rental unit that the Comprehensive Plan has specifically identified as a need for Saint Paul and specifically for the Hamline Midway neighborhood.

Also, the Hamline Midway Community Plan strategy H 2.1 indicates a desire to "Foster relationships between rental property owners and the neighborhood to improve the condition and aesthetic of properties."

The owner of this property, when managed as a duplex, has proven entirely incapable of helping the neighborhood achieve this objective and strategy. Converting to a single family structure may reduce the management burden, creating a better opportunity for the property to help achieve this objective.

Building two smaller units, as opposed to a single larger rental unit, fails to meet the Hamline Midway Community Plan and the City of Saint Paul Comprehensive Plan. ***The evidence does not support a finding that "The proposed use is consistent with the comprehensive plan."***



Permits Online



Info Main City Contact

1438 EDMUND AVE -- Property Information --

PIN	Zoning/Use	HPC District
342923240149	R4 - Vacant Building Category 3	

Information disclaimer...

Data Disclaimer:-

The City of Saint Paul and its officials, officers, employees or agents does not warrant the accuracy, reliability or timeliness of any information published by this system, and shall not be held liable for any losses caused by reliance on the accuracy, reliability or timeliness of such information. Portions of such information may be incorrect or not current. Any person or entity that relies on any information obtained from this system does so at his or her own risk.

List of Activity...

Number	Address	Description	Details	Status
15 002935	Jerry	Reestablishment Planning Commission Cases		Pending
000 00 PC	Walczak	of Type: Nonconforming Use Permit - Reestablishment nonconforming Work Type: Duplex use to construct a new duplex	Entered on: 01/13/2015	
14 326815	1438	Demolition Permit		Finalized
RES 00 DM	EDMUND AVE - To be wrecked	Type: Demolition Residential Demo Issued Date: 09/08/2014 Final Date: 12/24/2014 Contractor: Don & Wayne Excavating LLC Estimated Value: \$6,000.00		
		Activity (most recent first): Final Inspection: 12/23/2014: Final Preliminary Inspection: 09/15/2014: Approved Demolition Review: 09/08/2014: Approved Erosion Control Review: 09/08/2014: Approved		
14 326559	1438	Joint Sewer Excavation Permit	PW Right of Way Permit Type: Excavation Work Type: Joint Sewer Permit Entered on: 09/08/2014	Canceled
14 326558	1438	Joint Sewer Excavation Permit	PW Right of Way Permit Type: Excavation Work Type: Joint Sewer Permit Entered on: 09/08/2014	Canceled
14 326557	1438	Joint Sewer Excavation Permit	PW Right of Way Permit Type: Excavation Work Type: Joint Sewer Permit Entered on: 09/08/2014	Canceled
14 322992	1438	Joint Sewer Obstruction Permit	PW Right of Way Permit Type: Obstruction Work Type: Joint Sewer Permit Entered on: 08/26/2014	Canceled

[Move](#)
[Top](#)
[2](#)

14 322991	1438	Bulkhead sewer	PW Sewer Permit	Inspected
ASN 00 SS	EDMUND	pipe within 4'	Type: Sanitary	
	AVE	behind the	Work Type: Abandonment	
		property line.	Entered on: 08/26/2014	
		9-5-14: Actual		
		bulkhead was		
		done in the		
		boulevard.		
		Change		
		"Obstruction"		
		fee to "ROW		
		Fee". BA		
14 296700	1438	Cut Tall Grass	Parks Summary Abatement	Closed
000 00 PA	EDMUND	and weeds on	Type: Tall Grass	
	AVE	the property	Entered on: 06/11/2014	
			Closed on: 06/12/2014	
14 188611	1438	CUT & CAP FOR	PW Right of Way Permit	Final
EXC 00 RW	EDMUND	DEMO XCEL	Type: Excavation	
	AVE	PROJECT-	Work Type: Utility	
		11965199	Entered on: 03/20/2014	
		GSOC TKT-	Closed on: 05/12/2014	
		140760313		
		CROSS STREET-		
		PASCAL ST N		
		4x5 HOLE IN		
		SW/BLVD ; 120'		
		OF PARKING		
		LANE FOR		
		EQUIPMENT		
		REQUESTED BY-		
		JEFF SCHMIDT		
		651-229-2381		
		FAX-		
		651-229-2396		
14 186230	1438	DUMPSTER TO	PW Right of Way Permit	Final
OBS 00 RW	EDMUND	BE PLACED	Type: Obstruction	
	AVE	ACROSS THE	Work Type: Dumpster	
		STREET FROM	Entered on: 03/12/2014	
		PROPERTY	Closed on: 03/21/2014	
		ADDRESS.		
13 257459	1438		Electrical Permit	Closed
S&C 00 E	EDMUND		Type: Service & Circuits Residential Repair/Alter	
	AVE		Issued Date: 12/13/2013	
			Contractor: Oaks Electric Co	
			Estimated Value: \$1,500.00	
			Activity (most recent first):	
			MAIN-Electrical Inspection: 04/08/2014: Permit	
			Closed	
			03/03/2014: Corrections Required	
13 255096	1438	Opening a	Complaint Date: 12/05/2013	Under Review
VAC 00 CS	EDMUND	VB1-fire exempt	Initial Inspection: 12/05/2013	
	AVE	file due to	VB Category 3 - Duplex	
		severe damage	Next Inspection on or after: 02/09/2015	
		caused by fire.	Inspector: 321	
		See the fire		
		report for more	Inspection Results (most recent first):	
		info. ~MD		
		12-5-2013:	01/22/2015: Grass/Weeds (Unaddressed)	
		Hold Vb fee for	VB Monitoring (Recheck)	
		90days due to		
		the fire	01/12/2015: Grass/Weeds (Unaddressed)	
		exemption	VB Monitoring (Recheck)	
		policy. ~MD		
		01/28/2014	12/22/2014: Grass/Weeds (Unaddressed)	
		Snow Walk	VB Monitoring (Recheck)	
		Complaint		
		Received.	11/19/2014: Grass/Weeds (Unaddressed)	

06/05/2014 Tall VB Monitoring (Recheck)
 Grass Complaint
 Received. 10/28/2014: Grass/Weeds (Unaddressed)
 6/25/14 kids VB Monitoring (Recheck)
 running in and
 out of the house 10/15/2014: Grass/Weeds (Unaddressed)
 almost every VB Monitoring (Recheck)
 day, Property is
 an eyesore. 09/22/2014: Grass/Weeds (Unaddressed)
 VB Monitoring (Recheck)

09/08/2014: Grass/Weeds (Unaddressed)
 VB Monitoring (Recheck)

08/15/2014: Grass/Weeds (Unaddressed)
 VB Monitoring (Recheck)

07/23/2014: Grass/Weeds (Unaddressed)
 VB Monitoring (Recheck)

07/15/2014: Grass/Weeds (Unaddressed)
 VB Monitoring (Recheck)

07/09/2014: Grass/Weeds (Unaddressed)
 VB Monitoring (Recheck)

06/25/2014: Grass/Weeds (Unaddressed)
 VB Monitoring (Recheck)

06/13/2014: Grass/Weeds (Unaddressed)
 VB Monitoring (Recheck)

06/10/2014: Grass/Weeds (Work Order)
 VB Monitoring (Recheck)

06/04/2014: VB Monitoring (Recheck)

05/20/2014: Garbage/Rubbish (Abated)
 VB Monitoring (Recheck)

05/12/2014: Garbage/Rubbish (Summary
 Abatement-Comply By: 05/16/14)
 VB Monitoring (Recheck)

04/23/2014: VB Monitoring (Recheck)

04/07/2014: VB Monitoring (Recheck)

04/02/2014: VB Monitoring (Recheck)

03/13/2014: VB Monitoring (Recheck)

03/10/2014: Garbage/Rubbish (Advise)
 VB Monitoring (Recheck)

03/03/2014: Garbage/Rubbish (Summary
 Abatement-Comply By: 03/10/14)
 VB Monitoring (Recheck)

02/06/2014: Garbage/Rubbish (Extension)
 Snow/Ice (Abated)
 VB Monitoring (Recheck)

02/03/2014: Garbage/Rubbish (Extension)
 Snow/Ice (Extension)
 VB Monitoring (Recheck)

01/27/2014: Garbage/Rubbish (Summary

Abatement-Comply By: 02/03/14)
 Snow/Ice (Orders-Comply By: 01/31/14)
 VB Monitoring (Recheck)

12/05/2013: VB Monitoring (Recheck)

12 115805 1438 12/03/2013: Certificate of Occupancy
 000 00 CO EDMUND Early C of O in Type: Residential 2 Units
 AVE child referral. Occupancy Type: Dwelling Units
 Residential Units: 2
 Class: A
 Renewal Due Date: Nov 7, 2012

12/03/2013: Condemned/Vacant - 2

12 095050 1438 Building Permit
 EXP 00 B EDMUND Type: 2-Family/Duplex Express Repair
 AVE Issued Date: 08/17/2012
 Final Date: 09/12/2012
 Contractor: Building A Difference LLC
 State Valuation: \$1,400.00

Activity (most recent first):
 Building Permit Inspection:
 Final Inspection - Appd

09 515881 1438 Follow up on C Referral
 000 00 RF EDMUND of O folder Type: C of O
 AVE approved with Entered on: 12/21/2009
 corrections. Closed on: 07/27/2010

09 515880 1438 Certificate of Occupancy
 000 00 CO EDMUND Type: Residential 2 Units
 AVE Occupancy Type: Dwelling Units
 Residential Units: 2
 Class: C
 Completed on: 09/06/2012
 Paid In Full = Yes

Inspection Results (most recent first):
 09/06/2012: Approved
 1. EXTERIOR: Ext. Walls SPLC 34.09 (1) b,c, 34.32
 (1) b,c (Abated - 7th reinspection) - Severity 7
 2. Roof SPLC 34.09 (1) e, 34.32 (1) d (Abated - 5th
 reinspection) - Severity 5

07/26/2012: Correction Orders

06/21/2012: Correction Orders

04/20/2012: Correction Orders
 1. EXTERIOR: Ext. Window Glass SPLC 34.09 (3),
 34.32 (3) (Abated - 4th reinspection) - Severity 2
 2. EXTERIOR: Window Screen SPLC 34.09 (3), 34.33
 (3) (Abated - 4th reinspection) - Severity 2
 3. EXTERIOR: Ext. Door SPLC 34.09 (3), 34.33 (3)
 (Abated - 4th reinspection) - Severity 3
 4. EXTERIOR: Res. Grading and Drainage SPLC 34.08
 (2) (Abated - 4th reinspection) - Severity 3
 5. UPPER: Discontinue Use of Multi-Plug Adapters
 MSFC 605.4 (Abated - 2nd reinspection) - Severity 2
 6. UPPER: Bathroom Floor Impervious to Water SPLC
 34.10(4), 34.33(3) (Abated - 2nd reinspection) -
 Severity 4
 7. UPPER: Unit Illegal Locks MSFC 1003.3.1.8
 (Abated - 2nd reinspection) - Severity 4

11/07/2011: Correction Orders
 1. Heating Equipment Maintenance SPLC 34.11 (6),
 34.34 (Abated - 1st inspection) - Severity 5
 2. Required Smoke Detector Affidavit SPLC 39.02(c)

09 275991 1438
000 00 CO EDMUND
AVE

(Abated - 1st inspection) - Severity 9

Certificate of Occupancy
Type: Residential 2 Units
Occupancy Type: Dwelling Units
Residential Units: 2
Class: C
Completed on: 12/18/2009
Paid In Full = Yes

History

Inspection Results (most recent first):

- 12/18/2009: Approved w/Corrections
1. EXTERIOR(Both Rear Stairways): Ext. Handrail
SPLC 34.09 (2) 34.32 (2) (Deficiency - 6th
reinspection) - Severity 5
2. EXTERIOR(Front): Ground Cover SPLC 34.08 (3)
(Deficiency - 6th reinspection) - Severity 3
3. EXTERIOR(Garage): Accessory Structures SPLC
34.08(5), 34.32(3) (Deficiency - 6th reinspection) -
Severity 3
4. EXTERIOR(House): Ext. Walls SPLC 34.09 (1) b,c,
34.32 (1) b,c (Deficiency - 6th reinspection) -
Severity 7
5. EXTERIOR(Rear Stairway to Upper Unit): Ext.
Guardrail SPLC 34.09 (2) 34.32 (2) (Deficiency - 6th
reinspection) - Severity 5
6. UPPER UNIT(Front Entry): Unsafe Interior Stairway
SPLC 34.10 (3), 34.33 (Abated - 6th reinspection) -
Severity 7
7. UPPER UNIT(Front Entry): Repair Interior Guardrail
SPLC 34.10 (3), 34.33(2) (Abated - 6th
reinspection) - Severity 5
8. UPPER UNIT(Rear Entry): Dead Bolt Required SPLC
34.09 (3) i (Abated - 3rd reinspection) - Severity 5
9. Heating Equipment Maintenance SPLC 34.11 (6),
34.34 (Abated - 4th reinspection) - Severity 5

11/30/2009: Correction Orders

1. GARAGE: Remove Exposed Wiring MSFC 605.1
(Abated - 4th reinspection) - Severity 4
2. LOWER UNIT(Basement): No Interior Guardrail
SPLC 34.10 (3) 34.33(2) (Abated - 5th reinspection)
- Severity 5
3. THROUGHOUT: Missing Elect.Cover Plate MSFC
605.6 (Abated - 5th reinspection) - Severity 2
4. THROUGHOUT: Ext. Door SPLC 34.09 (3), 34.33
(3) (Abated - 5th reinspection) - Severity 3
5. THROUGHOUT: Repair Ceilings SPLC 34.10 (7),
34.34 (6) (Abated - 5th reinspection) - Severity 4
6. UPPER UNIT(Side Bedroom): Provide Sleeping
Room Egress Window MSFC1026.1 (Abated - 5th
reinspection) - Severity 9
7. UPPER UNIT: Ext. Window SPLC 34.09 (3), 34.32
(3) (Abated - 5th reinspection) - Severity 2
8. UPPER UNIT: Ext. Window Glass SPLC 34.09 (3),
34.32 (3) (Abated - 5th reinspection) - Severity 2

10/26/2009: Correction Orders

1. EXTERIOR(Front): Address - Not visible from
street SPLC 71.01 (Abated - 4th reinspection) -
Severity 3
2. EXTERIOR(Front Entry): Ext. Door SPLC 34.09
(3), 34.33 (3) (Abated - 4th reinspection) - Severity
3
3. EXTERIOR(Garage): Address - Not posted SPLC
71.01 (Abated - 4th reinspection) - Severity 5
4. EXTERIOR: Ext. Sanitation SPLC 34.08 (1), 34.31
(1) (Abated - 4th reinspection) - Severity 6

5. LOWER UNIT(Basement): Water Meter Grounding Jumper MSFC 605.1 (Abated - 4th reinspection) - Severity 4
6. LOWER UNIT(Basement): Repair Damaged Elect. Fixtures MSFC 605.1 (Abated - 4th reinspection) - Severity 5
7. LOWER UNIT(Basement): Flame spread MSFC 806.2 (Abated - 4th reinspection) - Severity 6
8. LOWER UNIT(Basement): Repair Interior Handrail SPLC 34.10 (3), 34.33(2) (Abated - 4th reinspection) - Severity 5
9. LOWER UNIT(Basement Door): Unapproved Locks MSFC 1003.3.1.8 as amended (Abated - 4th reinspection) - Severity 9
10. LOWER UNIT(Front Bedroom): Exit Obstruction MSFC 1028.3 (Abated - 4th reinspection) - Severity 4
11. LOWER UNIT: Unapproved Locks MSFC 1003.3.1.8 as amended (Abated - 4th reinspection) - Severity 9
12. THROUGHOUT: Comb. Materials - Orderly Storage MSFC 315.2 (Abated - 4th reinspection) - Severity 2
13. THROUGHOUT: Light Fixture Globes MSFC 605.1 (Abated - 4th reinspection)
14. THROUGHOUT: Interior Unsanitary SPLC 34.10 (5), 34.33 (4), 34.16 (Abated - 4th reinspection) - Severity 8
15. THROUGHOUT: Repair Interior Walls SPLC 34.10 (7), 34.34 (6) (Abated - 4th reinspection) - Severity 4
16. UPPER UNIT: Comb. Materials Attic Concealed Spaces MSFC 315.2 (Abated - 4th reinspection) - Severity 9

09/28/2009: Correction Orders

1. Required Smoke Detector Affidavit SPLC 39.02(c) (Abated - 1st inspection) - Severity 9

09 225219 1438
000 00 CO EDMUND
AVE

Certificate of Occupancy
Type: Residential 2 Units
Occupancy Type: Dwelling Units
Residential Units: 2
Completed on: 08/06/2009

Not a CO Bldg

09 224214 1438
CFO 00 CS EDMUND
AVE

Broken
windows,
stairway
appears
unsound,
rodents going
under the house

Inspection Results (most recent first):

Complaint Date: 08/03/2009
Initial Inspection: 08/06/2009

Callback Pending

Inspection Results (most recent first):

07 036618 1438
000 00 CO EDMUND
AVE

Certificate of Occupancy
Type: Residential
Occupancy Type: Dwelling Units
Residential Units: 2
Completed on: 11/08/2007
Paid In Full = Yes
11/08/2007: ** CLOSED/CANCELLED **

History

06 031645 1438
RSN 00 SS EDMUND
AV

PW Sewer Permit
Type: Sanitary
Work Type: Repair
Entered on: 02/17/2006
Closed on: 03/09/2000

Finaled

Saint Paul Police Department

Address/Intersection Report

Address Search: 1438 EDMUND AV

Total Records: 91

(Sector 1, Grid 85)

Complaint #	Occur Date & Time	House No	Apt#	Incident Type	Dispo
14177077	08/20/2014 16:15:51	1438		DISTURBANCE-SUSPICIOUS PERSON, CAR, ACTIVITY	ADV
14098094	05/20/2014 19:33:50	1438		TRAFFIC VIOLATION-DANGEROUS CONDITIONS	GOA
14047478	03/01/2014 12:35:00	1438		ARSON-RESIDENTIAL,MULTIPLE OCCUPANCY,OTHER	RR
13257668	12/03/2013 08:33:51	1438		ASS-ASSIST FIRE/AMBULANCE	ADV
13207709	09/25/2013 02:32:06	1438		DISTURBANCE-FIGHTS	GOA
12223328	09/17/2012 14:44:15	1438		POLICE VISIT-PROACTIVE POLICE VISIT	TAG
12215077	09/07/2012 22:59:19	1438		DISTURBANCE-DISTURBANCE CALLS	ADV
12210707	09/02/2012 18:50:03	1438		DISTURBANCE-DISTURBANCE CALLS	ADV
12197335	08/18/2012 14:25:47	1438	UP	DOMESTICS	GOA
12173128	07/21/2012 21:49:05	1438		DISTURBANCE-FIGHTS	ADV
12170538	07/19/2012 00:14:42	1438		DISTURBANCE-DISTURBANCE CALLS	ADV
12142103	06/17/2012 13:57:40	1438		TRAFFIC VIOLATION-OTHER PARKING VIOLATIONS	ADV
12138195	06/13/2012 07:01:46	1438	UPST	911 HANGUP	SNR
12123328	05/26/2012 23:55:55	1438		DISTURBANCE-DISTURBANCE CALLS	ADV
12122786	05/26/2012 12:08:17	1438		DISTURBANCE-DISTURBANCE CALLS	GOA
12110544	05/11/2012 23:41:00	1438		INVESTIGATE-AND ALL OTHER	RR
12101606	05/01/2012 19:56:28	1438		DISTURBANCE-FIGHTS	ADV
12089527	04/17/2012 13:01:13	1438		INVESTIGATE-CODE ENFORCEMENT	ADV
12080440	04/06/2012 20:45:01	1438		DISTURBANCE-DISORDERLY BOYS,GIRLS,PERSONS	ADV
12080312	04/06/2012 18:30:11	1438		DRUGS-NARCOTICS	Unfou
12069551	03/25/2012 13:13:20	1438	UPST	DOMESTICS	ADV
12000229	01/01/2012 04:54:10	1438	UPST	DOMESTICS	SNR
11246447	11/23/2011 20:55:21	1438		DISTURBANCE-SUSPICIOUS PERSON, CAR, ACTIVITY	GOA
11246365	11/23/2011 18:48:34	1438		DISTURBANCE-SUSPICIOUS PERSON, CAR, ACTIVITY	GOA
11169937	08/16/2011 12:20:27	1438	B	911 HANGUP	CAN
11127774	06/23/2011 20:07:43	1438	UPPR	HARASSMENT-PHONE CALLS	ADV
11127598	06/23/2011 16:40:35	1438	LOWR	HARASSMENT-PHONE CALLS	ADV
11126602	06/22/2011 09:50:00	1438		BURGLARY-FORCED ENTRY,DAY,RESIDENCE	RR
11046426	03/09/2011 20:13:32	1438	MAIN	911 HANGUP	SNR
11043186	03/05/2011 02:55:00	1438	2	DOMESTICS	ADV

Saint Paul Police Department

Address/Intersection Report

Address Search: 1438 EDMUND AV

Total Records: 91

(Sector 1, Grid 85)

Complaint #	Occur Date & Time	House No	Apt#	Incident Type	Dispo
11028446	02/12/2011 07:21:29	1438	UP	WEAPONS-DISCHARGING A FIREARM IN THE CITY LIMITS	ADV
11028444	02/12/2011 07:12:00	1438		INVESTIGATE-ASSIGNED TO CRIMES AGAINSTR PROPERTY	
10230049	10/21/2010 17:28:52	1438		INVESTIGATE-AND ALL OTHER	ADV
10207910	09/22/2010 19:22:00	1438		DRUGS-POSS OF MARIJUANA	RR
10181479	08/20/2010 09:34:38	1438		LOWRFAMILY/CHILDREN-CHILD ABUSE	Unfou
10163300	07/29/2010 02:20:56	1438	LWR	DOMESTICS	ADV
10154161	07/18/2010 06:41:57	1438		DISTURBANCE-FIGHTS	ADV
10153588	07/17/2010 15:03:57	1438		WEAPONS-WEAPONS	TAG
10092244	05/04/2010 21:55:03	1438		DOMESTICS	ADV
10092234	05/04/2010 21:37:46	1438		DOMESTICS	GOA
10092221	05/04/2010 21:20:00	1438		DOMESTICS	CAN
10081279	04/20/2010 17:13:31	1438		POLICE VISIT-PROACTIVE POLICE VISIT	ADV
10075111	04/13/2010 02:59:13	1438		DISTURBANCE-DISTURBANCE CALLS	ADV
10074190	04/11/2010 23:19:10	1438		DISTURBANCE-DISORDERLY BOYS,GIRLS,PERSONS	GOA
10052062	03/15/2010 12:55:17	1438	UP	DOMESTICS	ADV
09201448	09/18/2009 19:30:43	1438		ASS-ASSIST CITIZEN CALLS, ALL	ADV
09201367	09/18/2009 18:08:48	1438		POLICE VISIT-PROACTIVE POLICE VISIT	ADV
09201261	09/18/2009 16:51:09	1438		POLICE VISIT-PROACTIVE POLICE VISIT	ADV
09201160	09/18/2009 14:38:14	1438	MAIN	HARASSMENT-PHONE CALLS	CAN
09201015	09/18/2009 12:20:55	1438		TRAFFIC ACCIDENT-PROPERTY DAMAGE,HIT &CAN RUN	
09201014	09/18/2009 12:20:11	1438		DISTURBANCE-DISORDERLY BOYS,GIRLS,PERSONS	ADV
09200912	09/18/2009 03:00:00	1438	Upper	DEATH-INVESTIGATION OF A DEATH	RR
09200771	09/18/2009 02:12:18	1438		DISTURBANCE-DISTURBANCE CALLS	ADV
09195753	09/11/2009 21:35:31	1438		DISTURBANCE-DISTURBANCE CALLS	GOA
09195733	09/11/2009 21:15:54	1438		DISTURBANCE-DISTURBANCE CALLS	CAN
09167386	08/08/2009 00:39:44	1438		DOMESTICS	ADV
09166878	08/07/2009 15:12:17	1438	2	CHECK WELFARE	ADV
09161712	08/01/2009 15:02:11	1438		DISTURBANCE-DISORDERLY BOYS,GIRLS,PERSONS	ADV
09153167	07/22/2009 20:29:37	1438		DISTURBANCE-DISTURBANCE CALLS	ADV
09148204	07/16/2009 20:58:56	1438	MAIN	911 HANGUP	CAN
09139759	07/06/2009 23:06:14	1438		DISTURBANCE-DISTURBANCE CALLS	ADV
09137614	07/04/2009 13:40:41	1438	MAIN	DOMESTICS	ADV

Saint Paul Police Department

Address/Intersection Report

Address Search: 1438 EDMUND AV

Total Records: 91

(Sector 1, Grid 85)

Complaint #	Occur Date & Time	House No	Apt#	Incident Type	Dispo
09136678	07/03/2009 12:18:16	1438	MAIN	911 HANGUP	CAN
09104896	05/26/2009 21:16:42	1438		DISTURBANCE-SUSPICIOUS PERSON, CAR, ACTIVITY	ADV
09075854	04/20/2009 15:50:47	1438		INVESTIGATE -JUVENILE	ADV
09034649	02/21/2009 19:33:01	1438	UPST	DISTURBANCE-SUSPICIOUS PERSON, CAR, ACTIVITY	ADV
09034405	02/11/2009 15:55:00	1438	2	THEFT-ALL OTHER,\$501 TO \$1000	RR
09030460	02/15/2009 13:58:02	1438	UL	DOMESTICS	ADV
09003109	01/05/2009 22:10:22	1438		ASS-ASSIST CITIZEN CALLS, ALL	ADV
08224117	10/27/2008 21:42:47	1438	LOW	HARASSMENT-PHONE CALLS	ADV
08224116	10/27/2008 21:42:10	1438	LWR	HARASSMENT-PHONE CALLS	CAN
08101059	05/31/2008 21:40:11	1438		DISTURBANCE-DISTURBANCE CALLS	GOA
07174313	08/30/2007 21:05:19	1438		DISTURBANCE-DISTURBANCE CALLS	ADV
07085706	05/10/2007 19:47:35	1438		DISTURBANCE-DISTURBANCE CALLS	ADV
07057061	03/30/2007 00:37:33	1438	1	DISTURBANCE-DISORDERLY BOYS,GIRLS,PERSONS	ADV
06247134	12/05/2006 16:14:16	1438		INVESTIGATE-AND ALL OTHER	ADV
06243080	11/29/2006 10:48:58	1438		DOWNINVESTIGATE-AND ALL OTHER	ADV
06131864	07/02/2006 02:30:00	1438		THEFT-FROM AUTO,UNDER \$500	RR
06086546	05/06/2006 21:06:36	1438	1	911 HANGUP	ADV
05141666	07/09/2005 19:39:55	1438		DOMESTICS	SNR
03172402	08/12/2003 21:19:29	1438		ASS-ASSIST CITIZEN CALLS, ALL	ADV
03167418	08/06/2003 21:31:17	1438		DISTURBANCE-DISTURBANCE CALLS	CAN
03155464	07/24/2003 18:37:58	1438	B	INVESTIGATE-AND ALL OTHER	CAN
03025146	02/09/2003 21:43:00	1438	UP	SEX OFFENSE-MOLESTING	RR
03013333	01/22/2003 08:13:35	1438	UP	FAMILY/CHILDREN-MENTAL/VULNERABLE ADULT	ADV
03011354	01/18/2003 18:17:13	1438	UPST	FAMILY/CHILDREN-MENTAL/VULNERABLE ADULT	ADV
03008601	01/14/2003 16:35:23	1438		DOMESTICS	ADV
02264216	12/04/2002 22:20:16	1438		FAMILY/CHILDREN-VIOLATION OF RESTRAINING ORDER	ADV
02141299	07/07/2002 01:39:58	1438		ANIMAL CALLS-COMPLAINTS,NOT ANIMAL BITES	GOA
01152880	07/23/2001 21:08:00	1438	1	THEFT-ALL OTHER,\$501 TO \$1000	RR
01099976	05/21/2001 22:01:00	1438	UP	AUTO THEFT-AUTOMOBILE	RR

cn	hno	st	ssfx	dir	xst	apt	cdisp	ocdate	incd	sector	grid	timer	times	timea	timec	supv	sqd2	oday	idesc
9518571 1	01438	EDMUN D	AV			STAI	ADV	12/06/95	0037	1	85	0154	0155	0158			113	WED	SUSP ACTIVIT Y
9602960 3	01438	EDMUN D	AV				ADV	03/02/96	0037	1	85	0824	0826	0838	0859		120	SAT	SUSP ACTIVIT Y
9814494 5	01438	EDMUN D	AV			UPST	REC	09/02/98	1420	1	85	1958	2038	2046	2113		133	WED	VANDALI SM
9713666 8	01438	EDMUN D	AV				REC	08/24/97	0711	1	85	1242	1243	1258	1426		121	SUN	AUTO THEFT
9720251 4	01438	EDMUN D	AV				ADV	12/14/97	0065	1	85	0955	0956	1020	1037		120	SUN	ASSIST CALLS
9710444 4	01438	EDMUN D	AV				REC	07/06/97	0510	1	85	1803	1804		1840		134	SUN	BURGLA RY

DISPOSITION KEY
FOR
ADDRESS PRINTOUTS

RR OR

RCV = RECEIVED

A Police report was written.

CAN = CANCELLED
was written.

The call was cancelled. No police report

GOA = Gone On Arrival

The police went to the scene of the call and upon arrival the disturbance/suspects were not there. No report was written.

SNR = Services Not Rendered

Police services were not required. No police report was written.

ADV = Advised

Police handled the situation at the scene and advised the people involved how to deal with it. No police report was written.

TRF = Traffic

A Traffic Tag (ticket/citation) was issued. No police report was written.

PCN = Previous Case Number

A case number (C.N.) was previously assigned to this incident at another time. Check that case number's disposition.

UNF = Unfounded

There was no reason for the call. No police report was written.

DUP = Duplicate Call

A Case Number (C.N.) was previously assigned to this incident at another time. Check that case number's disposition.

DTX = Detox

The police brought an individual to the Detox Center. No police report was written.

MP = Morgan Plan (Traffic Accident Only). The officer went to the scene of the accident, gave all parties an envelope and they were told to exchange envelopes. Each envelope had a state accident form and each party was told to send that form into the State DMV.

Saint Paul Police Department

Name Search

Person Search: Last, first, middle names starts with "WALCZAK", "JERRY", ""

Total Records: 3

Name & Address	Juv	Person Type	Complaint #	Occur Date & Time	Incident Type
Walczak, Jerry 1145 Rockstone LA, New Brighton, MN 55112 Home Phone: Work Phone:		Complainant	05214527	10/4/2005 4:00:00 PM	THEFT-ALL OTHER,\$501 TO \$1000
Walczak, Jerry 1438 EDMUND AV Apt Lower, ST PAUL, MN 55104 Home Phone: Work Phone:		Victim	13257907	12/3/2013 8:25:00 AM	ARSON-RESIDENTIAL,MULTIPLE OCCUPANCY,ENDANGERING LIFE
Walczak, Jerry L 1145 ROCK STONE LN, NEW BRIGHTON, MN 55112 Home Phone: Work Phone:		Victim	14047478	3/1/2014 12:35:00 PM	ARSON-RESIDENTIAL,MULTIPLE OCCUPANCY,OTHER



Housing

Introduction

The Hamline Midway Community Plan seeks high quality housing of diverse character and densities by encouraging maintenance and improvement of existing homes while embracing new higher-density housing development. This plan also envisions a healthy balance between owner-occupied and rental properties.

Housing Objectives and Strategies

H 1. Encourage the maintenance and improvement of existing housing stock. 

H 1.1 Support funding assistance to help homeowners with housing maintenance, repairs, and remodeling.

H 1.2 Support targeted home remodeling programs that have a broad community impact and/or public health benefits (e.g. exterior repairs, encourage lead paint remediation, lead water line replacement, etc.).

H 1.3 Promote a contracting co-op where homeowners with similar repair needs can receive a volume discount by providing a certain amount of work to a contractor.


H 1.4 Explore and support efforts proactively address vacant residential properties. 

H 2. Maintain sustainable rental opportunities.

H 2.1 Foster relationships between rental property owners and the neighborhood to improve the condition and aesthetic of properties.

H 2.2. Create a marketing strategy to promote the

"Hamline-Midway" neighborhood on rental property listings.

H 2.3 Explore senior housing options, such as a senior housing co-op or assisted living rental buildings. 

H 3 Provide a variety of new housing options, particularly near the Green Line LRT.

H 3.1 Prioritize redevelopment on University Avenue and Snelling Avenue for high density housing or mix-used development that includes housing. Such development should be appropriate to an urban setting with an emphasis on transit-oriented design.

H 3.2 Encourage infill housing development on appropriate sites.

H 3.3 Encourage development that fill gaps in Saint Paul housing stock, such as larger rental units.

Google

To see all the details that are visible on the screen, use the "Full" link next to the map.





IRIS Picture Printout

Location: MN ~ Ramsey County, Minnesota

Description: 01/01/1996 - Street View - PropertyKey

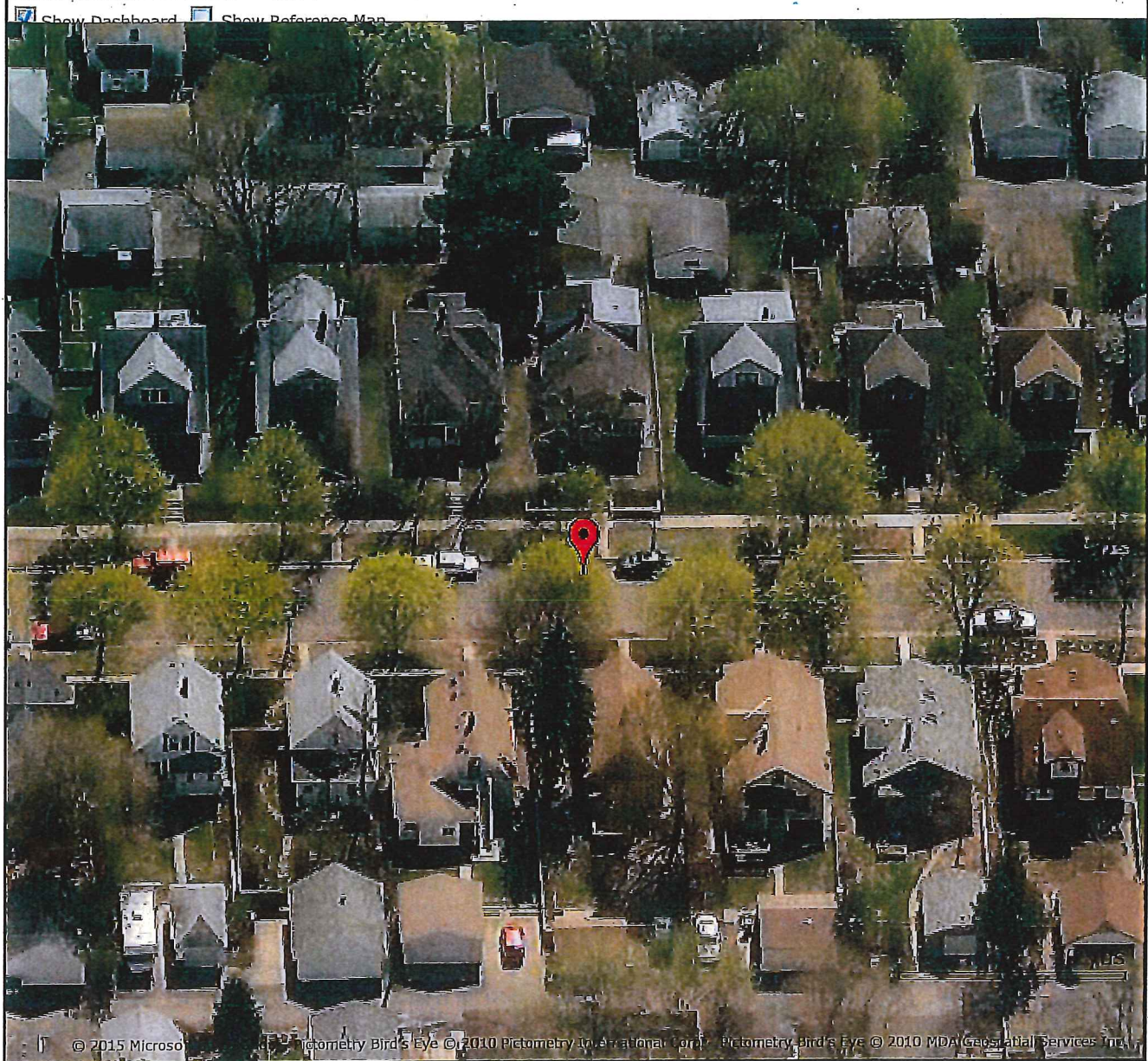
Address: 1438 EDMUND AVE ST PAUL

7



GISmo Oblique Photography

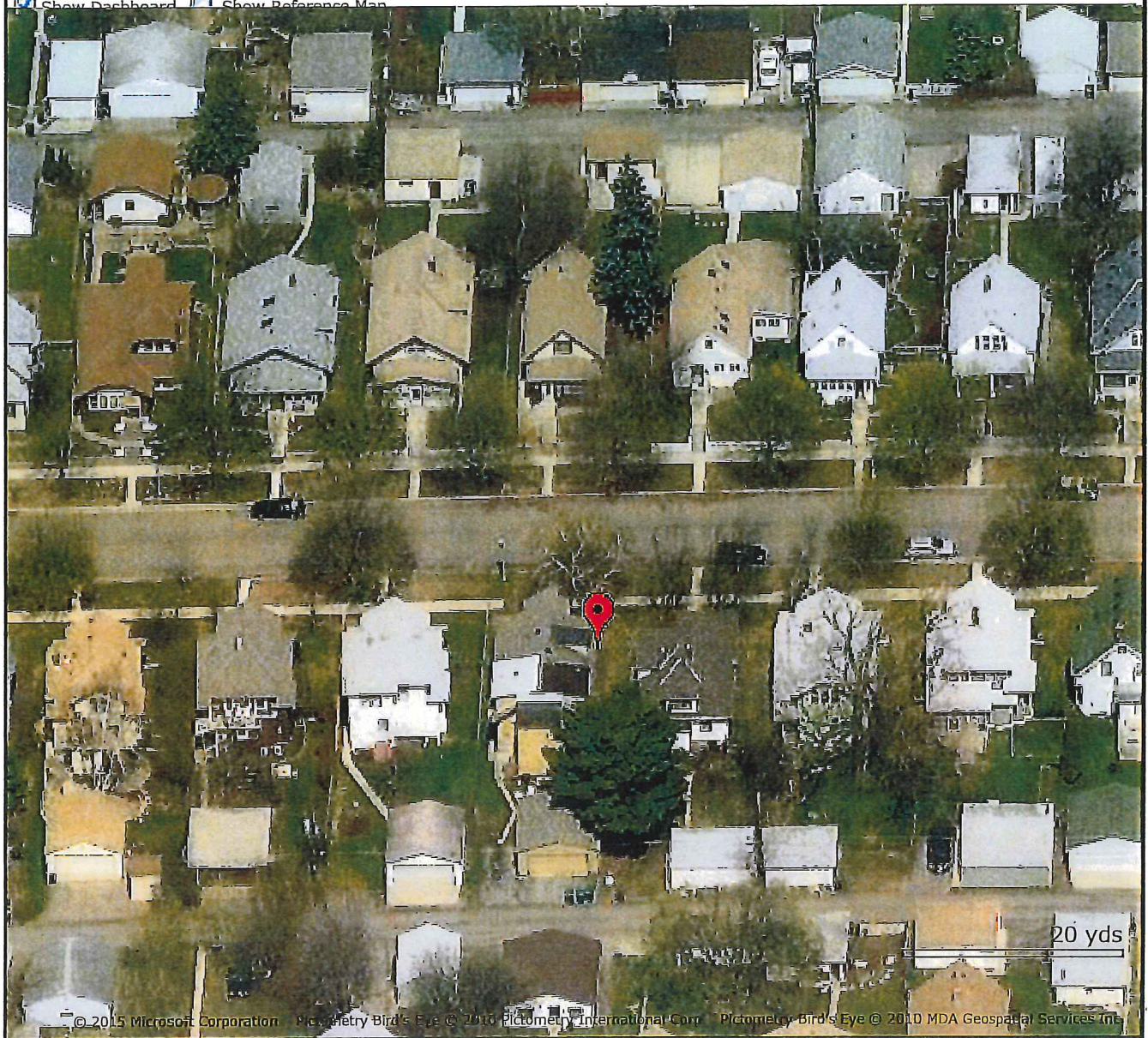
Images courtesy of: Microsoft® Virtual Earth™ 2006



GISmo Oblique Photography

Images courtesy of: Microsoft® Virtual Earth™ 2006

☒ Show Dashboard ☐ Show Reference Map

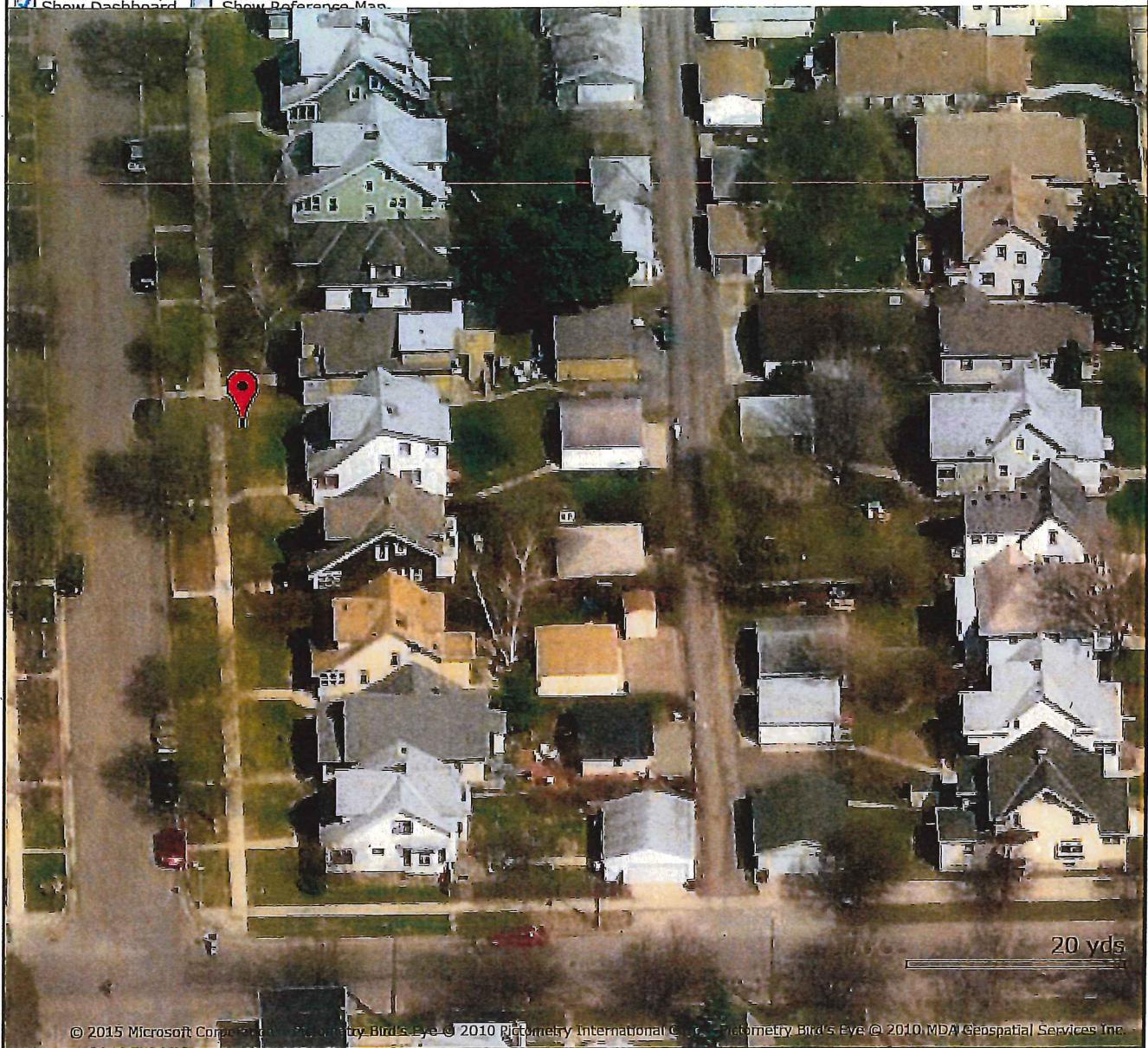


© 2015 Microsoft Corporation Pictometry Bird's Eye © 2010 Pictometry International Corp Pictometry Bird's Eye © 2010 MDA Geospatial Services Inc

GISmo Oblique Photography

Images courtesy of: Microsoft[©] Virtual EarthTM 2006

[Show Dashboard](#) [Show Reference Man.](#)



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EDMUND DRIVE

1450

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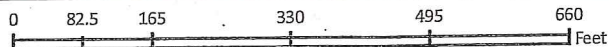
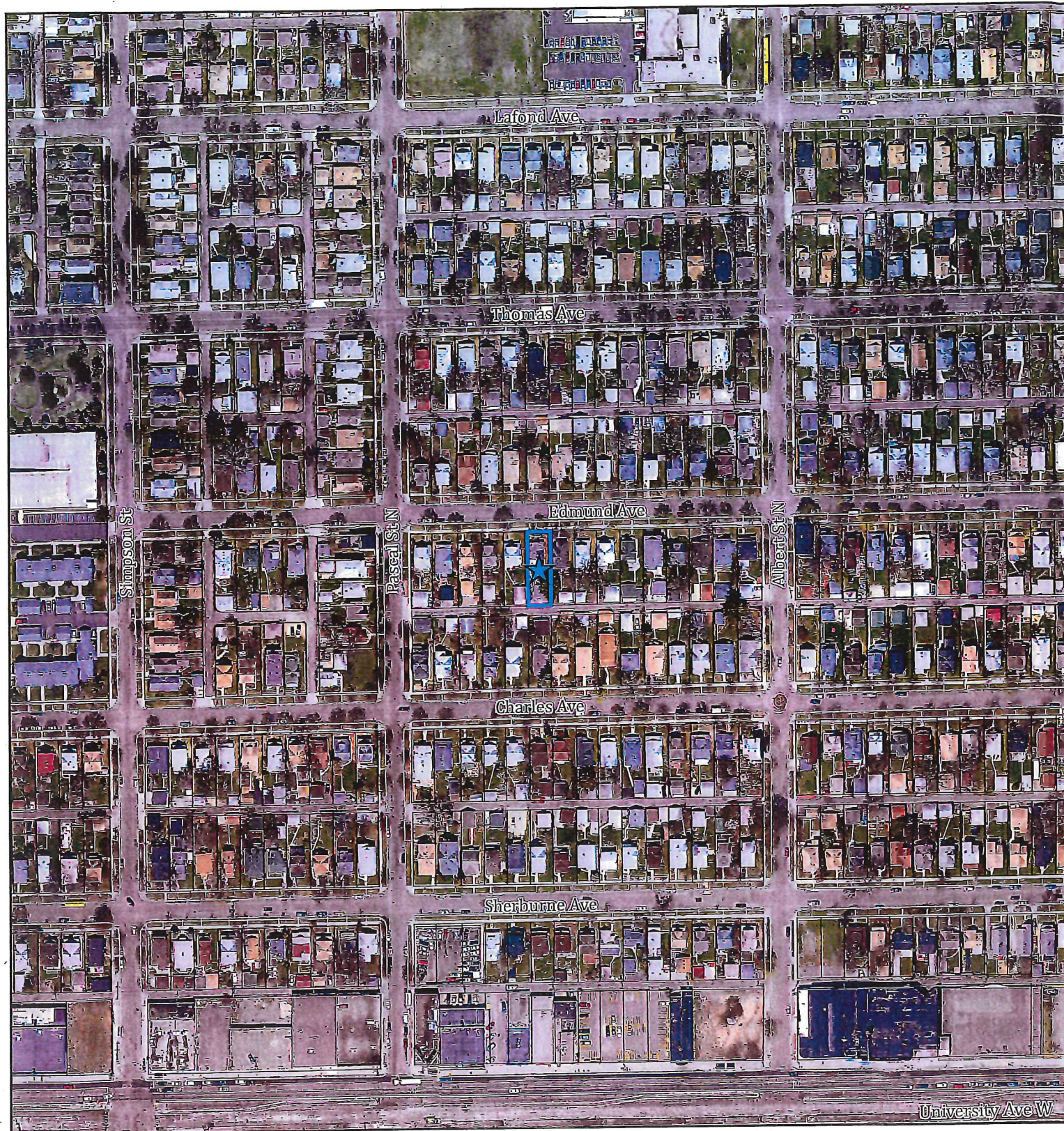
1422

city of Saint Paul, Public Works, Technical Services

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GeoMoose

POWERED



FILE NAME: Jerry Walczak

Aerial

 Subject Parcels

APPLICATION TYPE: Expansion of Nonconforming Use

FILE #: 15-002935 DATE: 1/13/2015

PLANNING DISTRICT: 11

ZONING PANEL: 8





FILE NAME: Jerry Walczak

APPLICATION TYPE: RE-EST of Nonconforming Use

FILE #: 15-002935 DATE: 1/13/2015

PLANNING DISTRICT: 11

ZONING PANEL: 8

Land Use

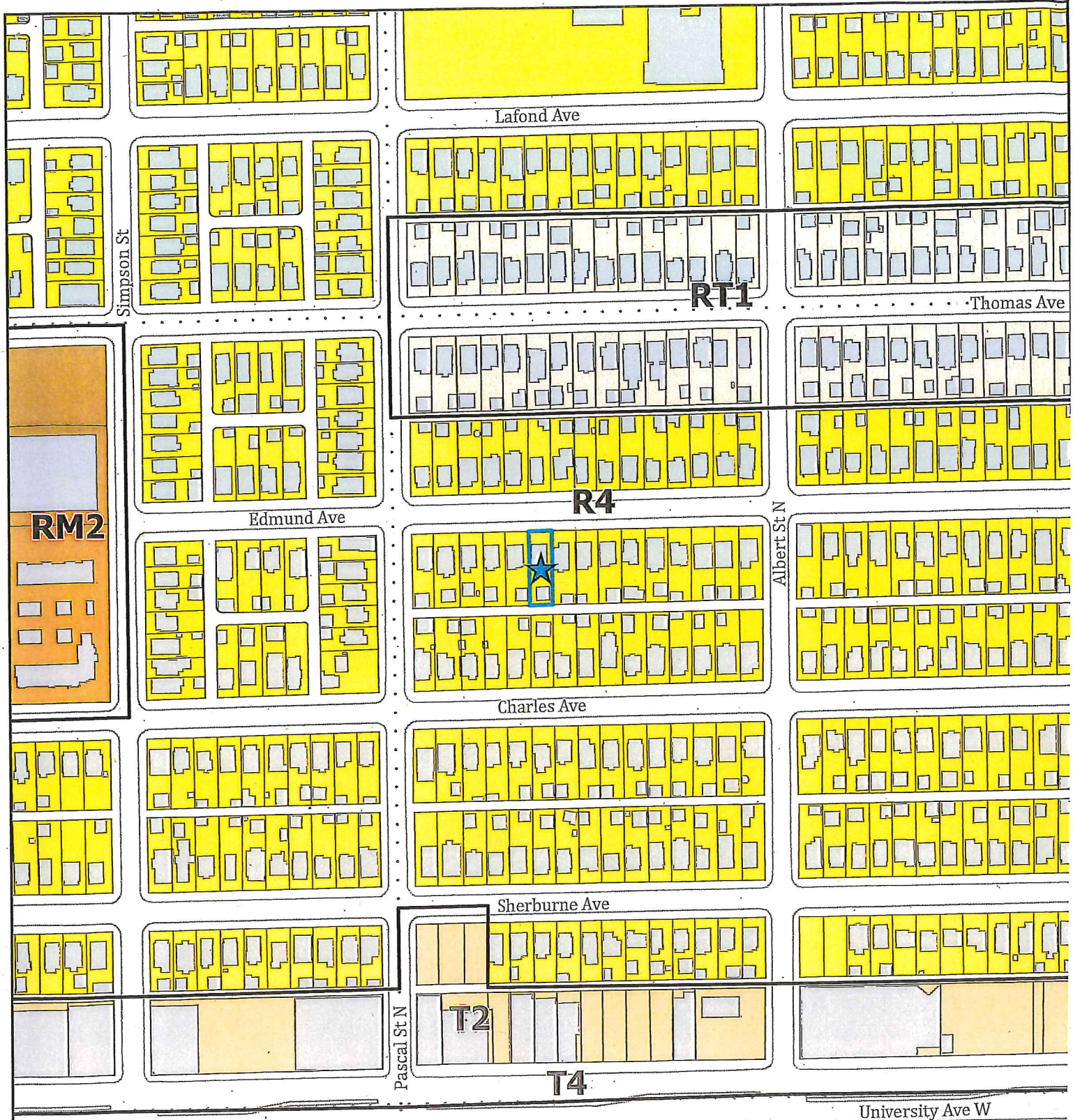
- Single Family Detached
- Single Family Attached
- Multifamily
- Office
- Retail and Other Commercial
- Industrial and Utility
- Institutional

Undeveloped

Subject Parcels

Section Lines





FILE NAME: Jerry Walczak

APPLICATION TYPE: RE-EST of Nonconforming Use

FILE #: 15-002935 DATE: 1/13/2015

PLANNING DISTRICT: 11

ZONING PANEL: 8

Zoning

- R4 One-Family
- RT1 Two-Family
- RM2 Multiple-Family
- T2 Traditional Neighborhood
- T4 Traditional Neighborhood
- Subject Parcels
- Section Lines