ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** 275 Erie Nonconforming Duplex **FILE #** 21-236-115
2. **APPLICANT:** Eyob Gebrekristos **HEARING DATE:** February 25, 2021
3. **TYPE OF APPLICATION:** Nonconforming Use Permit - Reestablishment
4. **LOCATION:** 275 Erie Street, between Grace Street and Saint Clair Avenue
5. **PIN & LEGAL DESCRIPTION:** 12.28.23.22.0026; STINSON'S SUB OF B3 STINSON BR, LOT 28, BLK 3
6. **PLANNING DISTRICT:** 9
7. **ZONING CODE REFERENCE:** § 62.109(e) **PRESENT ZONING:** R4
8. **STAFF REPORT DATE:** February 17, 2021 **BY:** Anton Jerve
9. **DATE RECEIVED:** February 8, 2021 **60-DAY DEADLINE FOR ACTION:** April 9, 2021

A. **PURPOSE:** Reestablishment of nonconforming use of a house as a duplex.

B. **PARCEL SIZE:** 5,400 sq. ft. (40' frontage on Erie Street)

C. **EXISTING LAND USE:** Single-family house

D. **SURROUNDING LAND USE:**

North: Single-family residential (R4)
East: Single-family residential (R4)
South: Single-family residential (R4)
West: Single-family residential (R4)

E. **ZONING CODE CITATION:** § 62.109(e) lists the conditions under which the Planning Commission may grant a permit to reestablish a nonconforming use.

F. **PARKING:** Zoning Code § 63.207 requires a minimum of three off-street parking spaces for a duplex.

G. **HISTORY/DISCUSSION:** The structure was constructed in 1887 as a church. The property received a variance for lot size from the Zoning Committee (ZF 6588) to allow the conversion of the church to a legal duplex in 1968 (Council File 240948). Later the building was converted illegally to triplex. The property had fallen into disrepair by the late 2000's and early 2010's, resulting in many complaints about upkeep and behavior on the property. The building was listed as a "Category 2" vacant building in 2013 (File #13-248233). The applicant purchased the property in 2015 and was informed that the building would need to be brought up to code as either a single-family building as allowed in the R4 zoning district, or he would need to reestablish the nonconforming use through the Planning Commission. That year he signed a Residential Use Affidavit for Prospective Owners of Category II Registered Vacant Buildings stating the building would be converted to a single-family building with one kitchen. The applicant was unable to get the required signatures of two-thirds of property owners within 100 feet of the parcel in 2015, nor during a later attempt in 2019. The applicant was in the process of preparing a variance application for the required signatures in the months prior to the Covid-19 Pandemic. To support the variance the applicant provided an affidavit stating concerns about safety and racism as reasons why he was unable to get the signatures. The affidavit also states concern regarding organized complaints toward the property. City records show 24 complaints against the property since 2017, and for the vast majority of those DSI determined the property was "in compliance" with regulations. A Mayor's Executive Order that eliminated the need for signatures related to nonconforming use permits nullified the need for a variance.

H. **DISTRICT COUNCIL RECOMMENDATION:** The District 9 Council had not commented by the time this report was written.

I. **FINDINGS:**

1. The application is to reestablish the use of the property as a duplex, which prior to 1975 was a permitted use subject to a minimum lot width of 50 ft. and a minimum lot area of 6000 sq. feet. The property received a variance for lot size from the Zoning Committee (ZF 6588) to allow the conversion of the church to a legal duplex in 1968 (Council File 240948). The property is currently zoned R4 residential, which does not permit a duplex. The property lost its legal nonconforming status as a duplex when it was listed as a "Category 2" vacant building in 2013. The 40 ft. wide, 5400 sq. ft. property was purchased as a vacant property in 2015 and was renovated to be a single-family home at that time.
2. The duplex conversion guidelines adopted by the Planning Commission state that staff will recommend denial of applications for reestablishment of legal nonconforming status for a duplex in a residential district unless, in addition to the required findings in § 62.109(e) of the Zoning Code, the following guidelines are met:
   A. *Lot size of at least 5000 square feet with a lot width or front footage of 40 feet.* This guideline is met. The lot has 40 feet of frontage on Erie Street and the total lot area with half of the alley applied to the lot area requirement is 5,400 sf.
   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.* This guideline is met. The total square footage of the units will be 2,420 sf. It is an over-under duplex with roughly 1,300 sf for the main floor unit and 1,120 sf for the upper-level unit.
   C. Three off-street parking spaces (non-stacked) are preferred; two spaces are the required minimum. This guideline met. There is a parking pad with two parking spaces on the property.
   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). This guideline is met. No exterior changes are proposed.
   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. This guideline is met. The applicant will bring the build up to code.
2. 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 met. The structure was built as and used as a church for most of its existence. The large footprint, height of the first floor, and lack of interior circulation make it more conducive to use as a duplex.
   (2) The proposed use is equally appropriate or more appropriate to the district than the previous legal nonconforming use. This finding is met. The previous legal nonconforming use was a duplex. This permit would reestablish that use making it equally appropriate.
   (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 met. The proposed housing use will not endanger the public health, safety, or general welfare. The structure has been part of the character of the immediate neighborhood for over a century. Reinvestment in the structure will contribute to general quality of housing in the neighborhood.

(4) *The proposed use is consistent with the comprehensive plan*. This finding is met.

The use is consistent with the site's Future Land Use designation of Urban Neighborhood from the approved *2040 Comprehensive Plan:*

> *Urban Neighborhoods are primarily residential areas with a range of housing types. Single-family homes and duplexes are most common, although multi-family housing predominates along arterial and collector streets, particularly those with transit.*

Because it is less than one block from St. Clair Avenue and two blocks from W. 7th Street, which are both served by transit, it is consistent with Policy LU-1. Encourage transit-supportive density and direct the majority of growth to areas with the highest existing or planned transit capacity.

And it is consistent with the following housing policy:

> Policy H-48. Expand permitted housing types in Urban Neighborhoods (as defined in the Land Use Chapter) to include duplexes, triplexes, town homes, small-scale multifamily and accessory dwelling units to allow for neighborhood-scale density increases, broadened housing choices and intergenerational living.

The use is also generally consistent with the *District 9 Plan*, which states:

> *The plan emphasizes the need to preserve and improve existing housing stock while allowing new, large housing developments in specific geographic areas. The neighborhood's housing stock spans 150 years, and new construction should respect and complement the character of existing housing in the community. Housing stock, both new and refurbished, should continue to provide a mix of incomes with affordable places to live.*

(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 has been superseded by a Mayor's Executive Order that eliminates certain petition requirements during the pandemic.

J. **STAFF RECOMMENDATION:** Based on the findings above, staff recommends approval of the reestablishment of nonconforming use of the house at 275 Erie Street as a duplex, subject to the following condition:

1. The applicant shall adhere to all applicable code requirements and obtain a certificate of occupancy for the two duplex units.

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) 266-6583

Zoning Office Use Only
File # _____
Fee Paid $ _____
Received By / Date _____
Tentative Hearing Date _____

APPLICANT

Name EYOB GEBREKRISTOS
(must have ownership or leasehold interest in the property, contingent included)
Address 3801 Laurel Court City Eagan State MN Zip 55122
Email N/A Phone 612.928.7224 (attorney's)
Name of Owner (if different) _____ Email _____
Contact Person (if different) Aklilu Dunlap Email aklilu@adunlaplaw.com
Address 3033 Excelsior Blvd., Ste. 100 City Minneapolis State MN Zip 55416

PROPERTY INFO

Address/Location 275 Erie Street
PIN(s) & Legal Description 12-28-23-22-0026
(attach additional sheet if necessary)
Lot 27, Block 3, Stinson Subdivision of B3 Stinson Lot Area _____ Current Zoning _____

TYPE OF PERMIT: Application is hereby made for a Nonconforming Use Permit under provisions of Zoning Code § 62.109.

The permit is for:
- ☐ Establishment of legal nonconforming use status for use in existence at least 10 years (para. a)
- ☐ Change of nonconforming use (para. c)
- ☐ Expansion or relocation of nonconforming use (para. d)
- ■ Reestablishment of a nonconforming use vacant for more than one year (para. e)

Present / Past Use Single Family Housing/ Duplex - Triplex Use
Proposed Use Triplex, alternatively Duplex

SUPPORTING INFORMATION: Demonstrate that each of the requirements in Zoning Code § 62.109 for the type of nonconforming use permit being requested is met. Attach additional sheets if necessary.

Pleasse see attachment.

Attachments as required: ■ Site Plan ☐ Consent Petition ■ Affidavit

☐ If you are a religious institution you may have certain rights under RLUIPA. Please check this box if you identify as a religious institution.

Applicant's Signature _____ **Date** November 21, 2019

Rev 8.5.2019

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

AFFIDAVIT OF EYOB GEBREKRISTOS

Eyob Gebrekristos, being first duly sworn upon oath, deposes and states as follows:

1. I am the property owner located at 275 Erie Street, in the City of St. Paul and County of Ramsey in Minnesota. I am an Eritrean-American, and I speak with an accent that is noticeable.

2. When I purchased the property, it had been condemned and was uninhabitable. I spent thousands of dollars and many months rehabilitating it to a condition in which its habitability could be reinstated. The rehabilitation passed City inspections, and the home was determined to be habitable.

3. For years, the property was zoned a triplex and was, is and continues to be tax-assessed as such even though I was forced by the City to waive its grandfather status, which it lost when it was condemned.

4. My intent when purchasing the property was to return it to a triplex classification or, alternatively, to a duplex in order to make it produce a cash flow that would make the purchase affordable. When I tried to do this, the City told me that I would have to petition the neighbors for approval to reinstate the previous classification. The City gave me a list of the properties I would have to get signatures from.

5. I have taken extraordinary measures to seek reinstatement, including hiring an attorney and a native-speaker to assist me. For months in 2015, 2018 and 2019, we went from house to house on this list, asking residents to support my application for reinstatement. However,

I was treated badly by several of these residents, and I am fearful to approach the others for my safety.

6. I have leased the property to a family. Several of the neighbors have organized together and have repeatedly reported complaints regarding this family. This City has investigated their claims, but not one of these reports proved to be credible. These neighbors are White. My tenants are African-American. Because of the hostility visited upon me and my tenants by these White residents, I can only surmise that the motivation for their resistance and obstruction of my plans to improve the home is race-based.

7. I do not believe that it is safe for me to go from house to house to get support. The hostility that has been shown me is because of my race, coloring and/or national origin. If I have to go through the signature collection process, I will be subjected to more hate, hostility and discrimination. The process of collecting residential assent just is not safe for someone like me.

FURTHER YOUR AFFIANT SAYETH NOT.

Under penalty of perjury the undersigned hereby affirms that everything stated in this document is true and correct.

Dated: November 21, 2019

Eyob Gebrekristos

Sworn/affirmed before me this 21st day of November 2019.

Notary Public \ Deputy Court Administrator

AKLILU DUNLAP
NOTARY PUBLIC - MINNESOTA
My Commission Expires Jan. 31, 2023

Name: Aklilu Dunlap

Address: 3033 Excelsior Blvd., Ste.100

City/State/Zip: Minneapolis, MN 55416

Telephone: 612.928.7224

To the St. Paul Planning Commission:

I reside at 298 Oneida Street, St. Paul, MN 55102. I have been notified by the attorney representing the owner of the property located at 275 Erie Street regarding his application for nonconforming permit. As long as the property is maintained and well-managed, I have no objection to the application and hereby give my consent.

Dated: 10/2/19

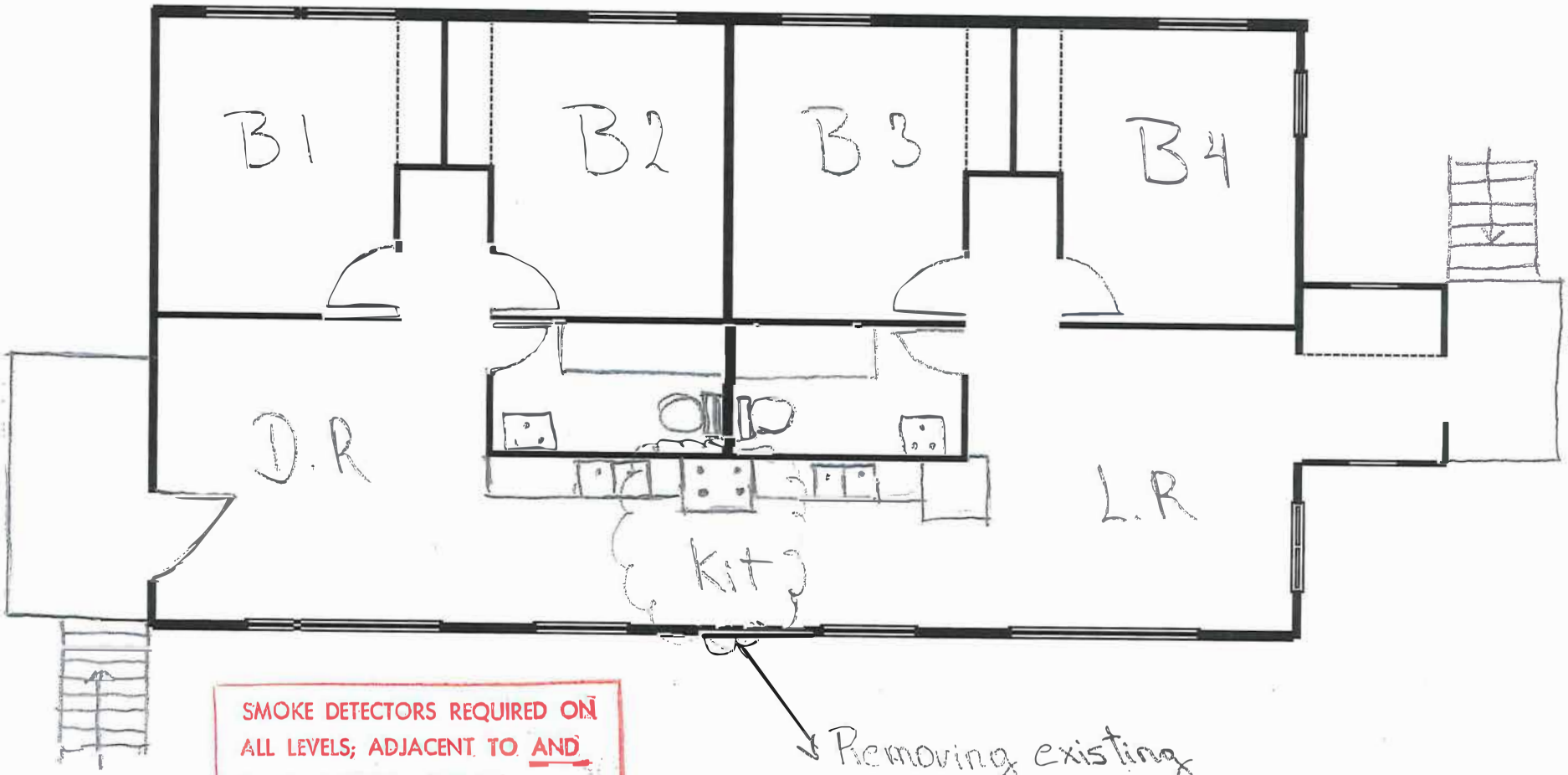
Signed: Nicole Clapp

Nicole Clapp
(Printed Name)

Reviewed plans must remain on job site until final inspection approval.

Separate permits required for all trade work. Plumbing, Mechanical, Electrical, Warm Air…etc.

Main Floor Unit Plan



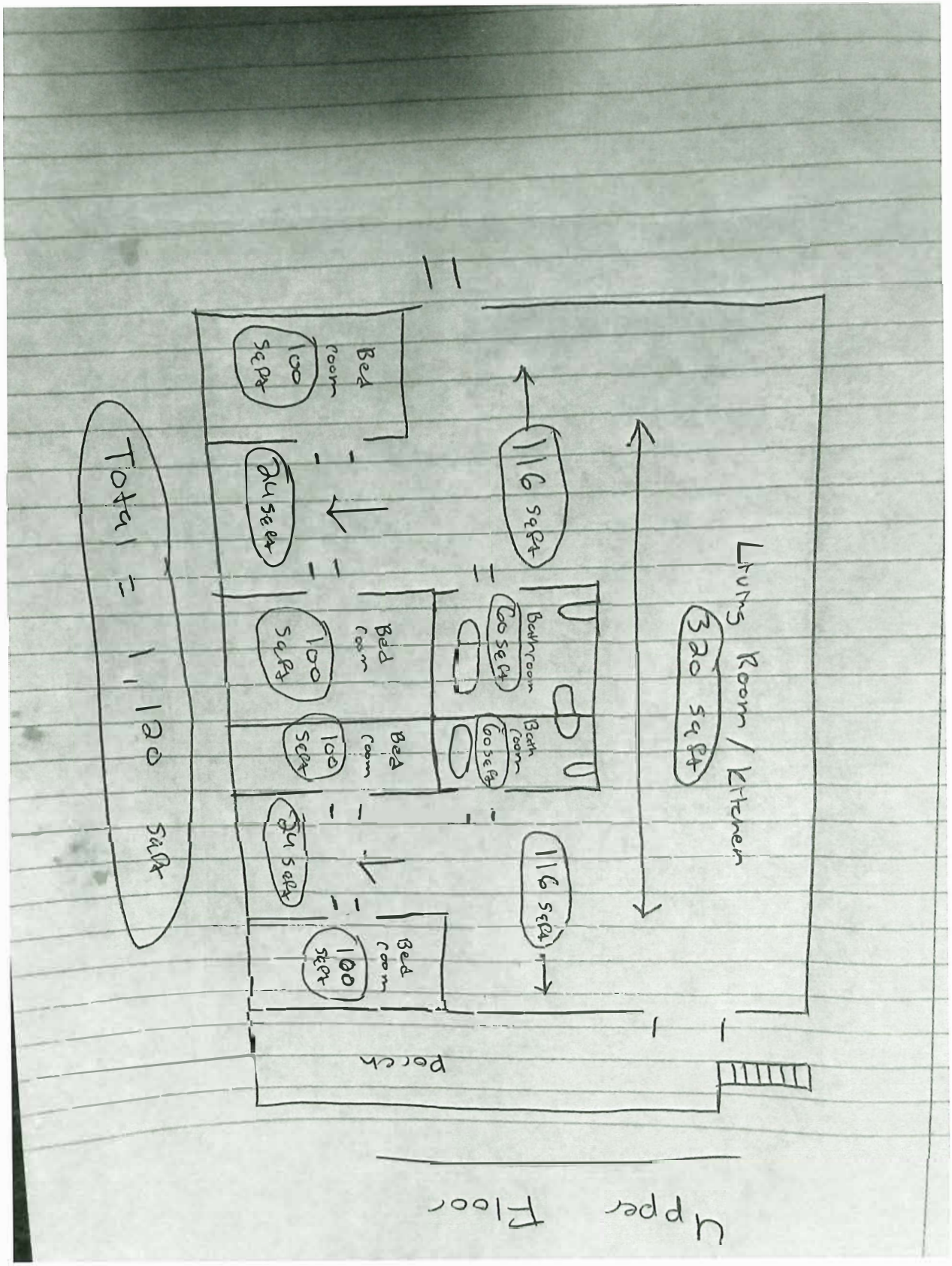
SMOKE DETECTORS REQUIRED ON ALL LEVELS; ADJACENT TO AND IN ALL SLEEPING ROOMS (NEW CONSTRUCTION REQUIRES HARDWIRED & INTERCONNECTED DETECTORS)

Removing existing wall to merge the two kitchen

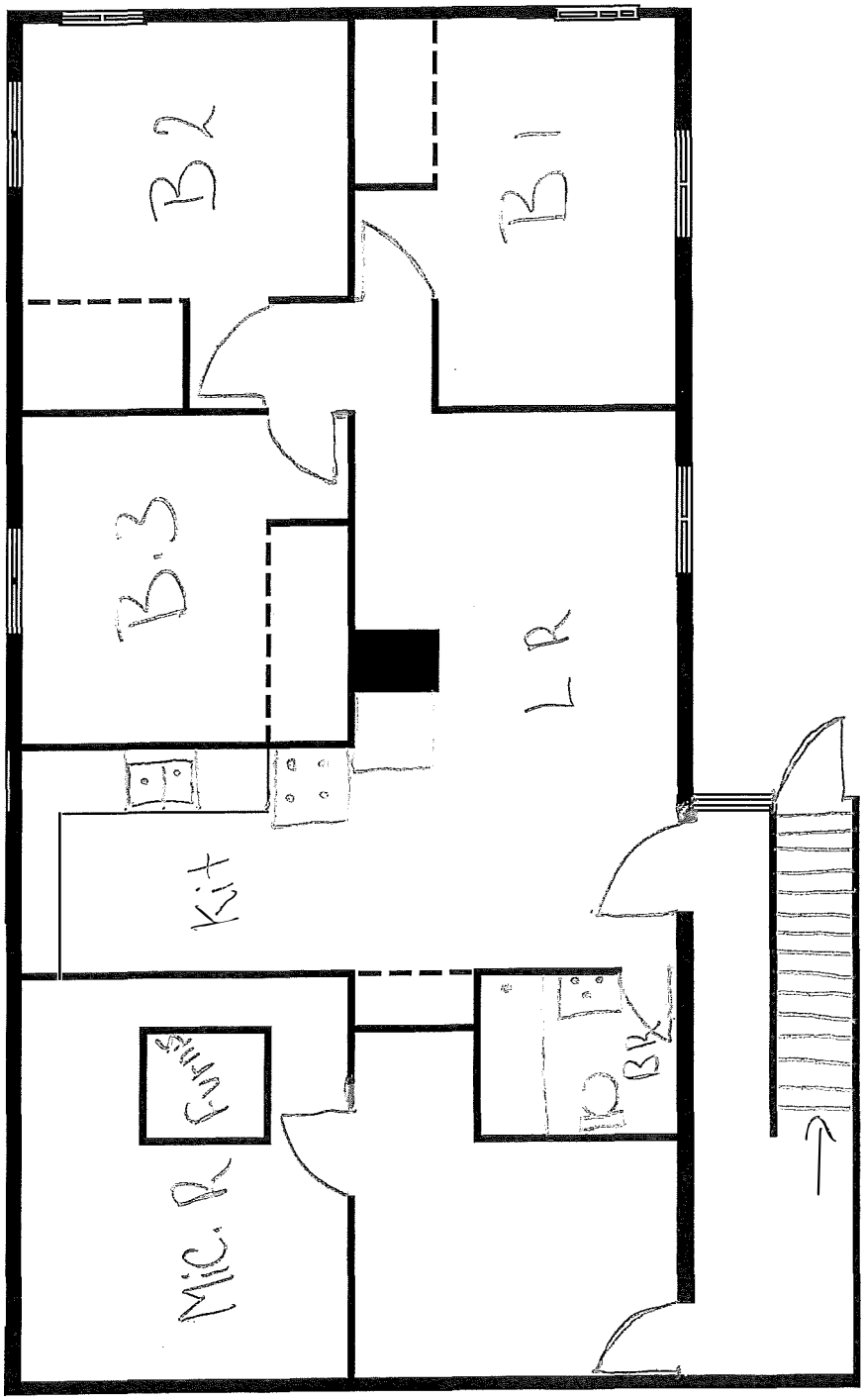
275 Erie St.

Carbon Monoxide Alarm required per MN Residential Code R315
See Handout for required locations.
(Typical)

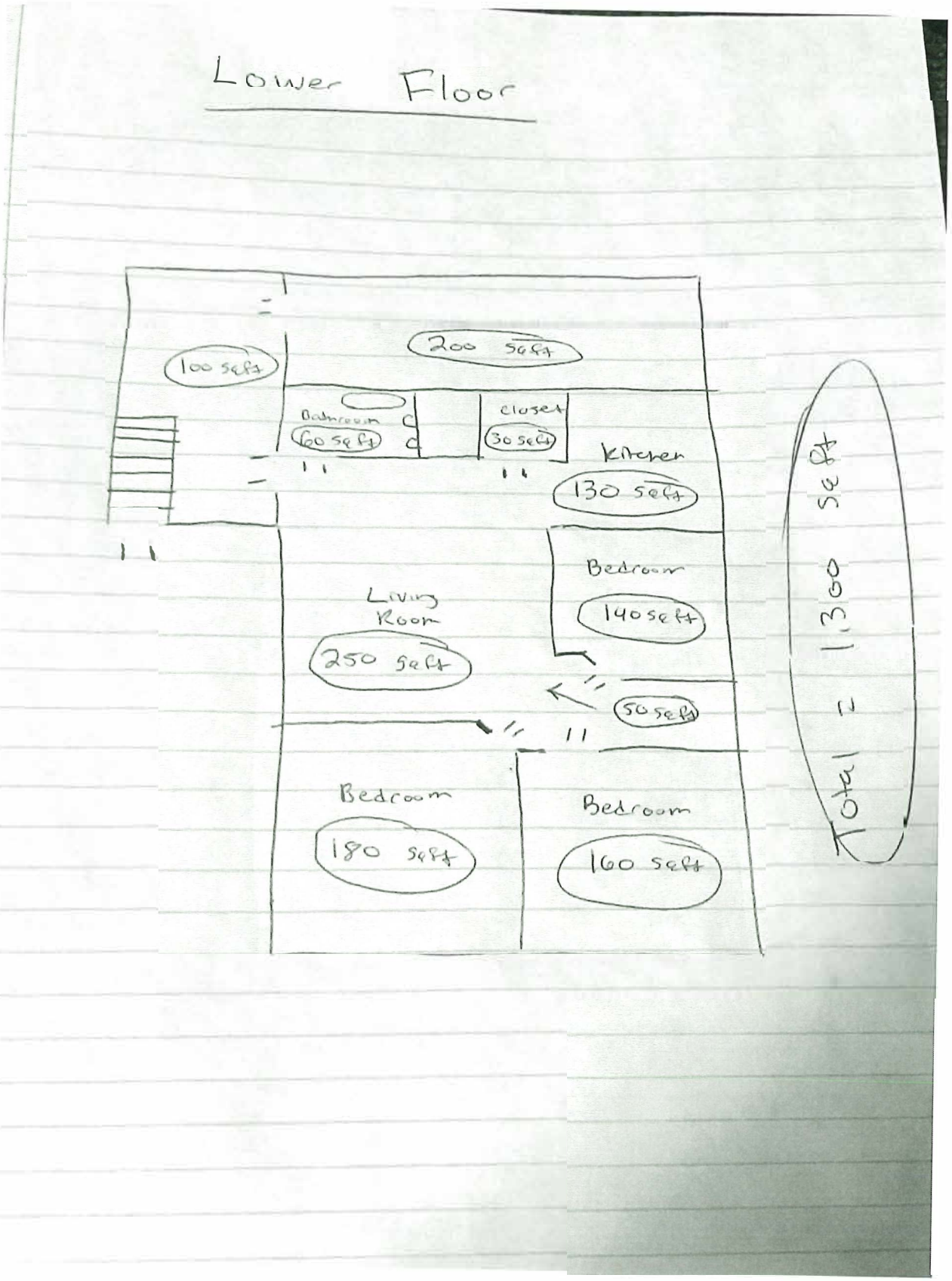
Proposed Main Floor Unit Floor rea alculation



Proposed Basement Unit Plan
Space currently used for storage and mechanics



Proposed Basement Unit Floor rea alculation



Langer, Samantha (CI-StPaul)

From: Craig Favorito <robofavo@hotmail.com>
Sent: Sunday, February 14, 2021 4:39 PM
To: *CI-StPaul_PED-ZoningCommitteeSecretary
Cc: audrey@audreyfavorito.com
Subject: 21-236-115 275 Erie St. Nonconforming Duplex OBJECTION

To whom it may concern,

This is a Public testimony in regards to:
275 Erie St. St. Paul MN
Non conforming duplex use as a duplex.

Our family has lived across the street at 272 Erie St. for 21 years.

This property (275 Erie St.) was a nuisance property when in use as a multi-family residence.
The most egregious nuisance (during its multi-family use) was one or more of the unit renters used their residence to sell drugs.
Cars with buyers would come at all hours of the night (and day), park for just minutes at time sometimes with music blaring, engines running - buyers running up to the door, make their purchases.
There were multiple "requests-for-service" as police were called to this residence for either the alleged drug sales or for other public nuisance issues; domestic disturbances, late-night loud music or general rowdiness with multiple groups hanging out at all hours of the night.
We (neighbors on Erie Et.) were all relieved when it was no longer a duplex or Triplex.

Our family does NOT support this residence being converted back into a multi-family dwelling as either a duplex, Triplex or quad-plex.
Thank you.

Respectfully submitted:

Craig Favorito
272 Erie St.
St. Paul, MN 55102

Langer, Samantha (CI-StPaul)

From: Baker, David A. <DABAKER@stthomas.edu>
Sent: Friday, February 12, 2021 3:47 PM
To: *CI-StPaul_PED-ZoningCommitteeSecretary
Subject: 275 Erie St zoning request

File #: 21-236-115

I am writing in strong opposition of allowing 275 Erie St to be reestablished as a nonconforming duplex. I have lived just up the block at 256 Erie St for more than 15 years, and that property has been a “problem” most of that time. Over the years, but especially when there were multiple families living in the property, there have been issues with noise, domestic violence, numerous 911 calls, etc. Landlords have historically been nonresponsive to taking corrective action with problem tenants. We do not want to see this repeated and continued. Additionally, the property is small and insufficient for multiple family use. Many of the homes on this block of Erie St do not have off-street parking space, so the block is frequently over-crowded with cars without having multiple families with multiple vehicles each in one house. This is a narrow street to begin with, and when cars are solidly lined up on both sides it is difficult for two cars to meet in the summer time and virtually impossible in the winter when the street is narrowed further. This creates a public safety hazard for police/fire vehicles if they are needed. For these reasons, I urge you not to approve this nonconforming zoning request.

David Baker
256 Erie St

To Whom It May Concern:

This is a Public testimony in regards to:
275 Erie St. St. Paul MN
Non conforming duplex use as a duplex.

My family has lived at 269 Erie St. two doors away from 275 for almost 20 years.

First, I am very concerned because this property HAS NOT BEEN VACANT for the past year. There have been about 4-5 different cars with occupants who live there. If this is a preliminary requirement, then I'd like to bring issue with that.

Secondly, since this owner has rented we've experienced, and I"ve witnessed: people arriving with rolls of bills, and leaving syringes in front of my house. Garbage fires in the driveway. Extensive amounts of cars and other vehicles. The last occupants had at least 15 different people there at different times. For a while, there were several taxis who dropped off various women and then returned to pick those same women up. Always litter. I was once cussed out by an occupant for picking up his litter on the boulevard.

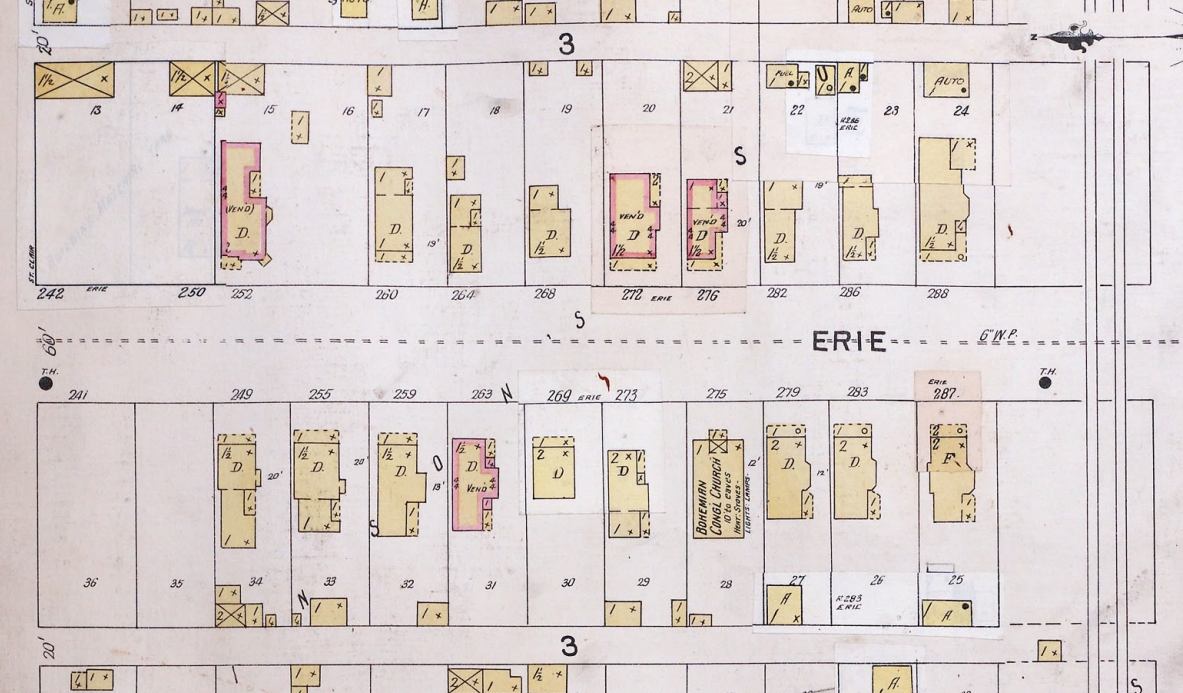
Before this owner when it was a triplex, it was a nightmare. A dog attack. Multiple calls for police. One occupant threatened my life in front of my kids because he thought I called the cops. Cars, drug pick up and drop offs. Always litter.

Personally, we've had several conversations with the current owner. Though kind, he always starts pressuring me to help him. He asks why I won't approve the non conforming use. He even went so far as to suggest I talk to the neighbors for him? He sent representatives to our doors petitioning us. He points to his new fences. We have notes of conversations with him and we would rebut any accusations he has against us.

There are about 4-5 people living there now, with about 4 different cars. That's about an appropriate size for a single family residence. It has been a quiet year without concerns. Seems to me a single-family is appropriate. How much has the city saved on calls to this unit since it has been maintained as a single-family?

Finally, there are multiple properties on our block that have potential for duplexes already - at least 5, though they may not be used as such. What would keep them or me from doing the same? If you approve this one, I may take the same opportunity: expect my application. If higher density is the City's objective, that would be historically ironic considering there were once apartment buildings at Erie and St.Clair that were taken down for single family units.

Our family does NOT support this request. We support the current status for this property.
Thank you for your work and consideration.
Respectfully,
Steven Tacheny
269 Erie St.
Saint Paul, MN 55102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12-28-23 23-0026

240948

QUADRUPLICATE TO DEPARTMENT

CITY OF ST. PAUL
OFFICE OF THE CITY CLERK
COUNCIL RESOLUTION—GENERAL FORM

COUNCIL FILE NO.

PRESENTED BY COMMISSIONER

DATE

W. side of Erie btw. St. Clair & Grace St.

275 Erie St.

RESOLVED, That upon and pursuant to the pertinent appeal, under the Zoning Code, by John Beck, owner of the subject real estate, situate in the City of Saint Paul and described as Lot 28, Stinson's Subdivision of Block three (3) of Stinson, Brown and Ramsey's Addition to St. Paul; that the provisions of said Zoning Code hereby are determined and varied as and to the extent necessary therefor and the frontage andarea requirements for said premises are hereby relaxed so as to convert a vacant church to a two-family dwelling, subject to the condition that said appellant, and his successors and assigns, otherwise, shall make due compliance with all applicable provisions of municipal ordinances, state statutes and rules and regulations of public authorities having cognizance.

COUNCILMEN

Yeas Nays

Carlson
Dalglish
Meredith
Peterson
Sprafka
Tedesco
Mr. President, Byrne

_____ In Favor

_____ Against

Adopted by the Council NOV 1 - 1968 19__

Approved NOV 1 - 1968 19__

_____
Mayor

BOARD OF ZONING REPORT AND ACTION October 3, 1968

Zoning Code Legislative Code Chapter 60 thru 64
Adopted August 23, 19[illegible] as amended to August 21, 1964

APP 11-7-68

November 4, 1968

Relax frontage and area requirements

East side of Erie Street between St. Clair and Grace

Lot 28, Stinson's Subdivision of Block 3, Stinson, Brown & Ramsey's Addition to St. Paul

Mr. Harry E. Marshall
City Clerk
Room 386
City Hall

Dear Sir:

This is written in response to the appeal of John Beck to relax the lot frontage and area requirements of the Zoning Code as they apply to property located on the west side of Erie Street between St. Clair Avenue and Grace Street. This property is described as Lot 28, Stinson's Subdivision of Block 3, Stinson, Brown & Ramsey's Addition to Saint Paul.

The applicant proposes to convert a vacant church to a two-family dwelling. The Zoning Code requires, for this use, an area of 6,000 square feet in "B" Residence districts. The site has an area of 4,600 square feet and a frontage of 40 feet and is, therefore, short by 1,400 square feet and 10 feet short in lot frontage.

This matter was considered by the Board of Zoning at a public hearing held on October 3, 1968 and October 17, 1968. It was the finding of the Board that the vacant church was of approximately the same size as adjoining structures and the proposed conversion would be an asset to the neighborhood.

Therefore, the Board of Zoning recommends approval of this appeal to relax the area and lot frontage requirements.

Very truly yours,

George G. McPartlin
Secretary

GGMcP:cv
CLS
Z.F. #6588

BOARD OF ZONING REPORT AND ACTION October 3, 1968 Plat Map 7

Acting under Legislative Code Chapter 60 thru 64
passed August 22, 1922 as amended to August 24, 1964

File No. 6588

Also

1. APPLICANT'S NAME : John Beck

2. CLASSIFICATION : ☐ Amendment ☒ Appeal ☐ Permit ☐ Other

3. PURPOSE : Relax frontage and area requirements

4. LOCATION : West side of Erie Street between St. Clair and Grace

5. LEGAL DESCRIPTION : Lot 28, Stinson's Subdivision of Block 3, Stinson, Brown, & Ramsey's Addition to St. Paul

6. PRESENT ZONING : "B" Residence

7. PURSUANT TO Zoning Code Chapter: 64 Section: .03 Paragraph: i

8. STAFF INVESTIGATION & REPORT: Date: By:

A. ACTION OF ZONING ADMINISTRATOR: None

B. HISTORY: None

C. PROPOSED USE: The applicant proposes to convert a church into a duplex

D. PRESENT STANDARD: The requirements for building a duplex in a "B" Residential area are that a lot be 40' wide at the street line, 50' wide at the setback line, and that the lot have an area of 6,000 square feet.

E. NEED FOR APPEAL: The lot in question is only 40' wide at the legal setback line and has an area of 4,600 square feet.

F. DEGREE OF VARIANCE: The lot being only 40' wide is short 20% of the width needed. The lot having only 4,600 square feet of area is short 23.3% of the area needed.

G. ADJACENT ZONING: The areas surrounding the lot in question are all zoned "B" Residence.

H. SITE CONDITION: The site is presently occupied by a vacant church, 1 1/2 stories high. There is a small yard behind the church.

9. BOARD ACTION: To Recommend ☒ Approval ☐ Denial

Moved by: Cohen

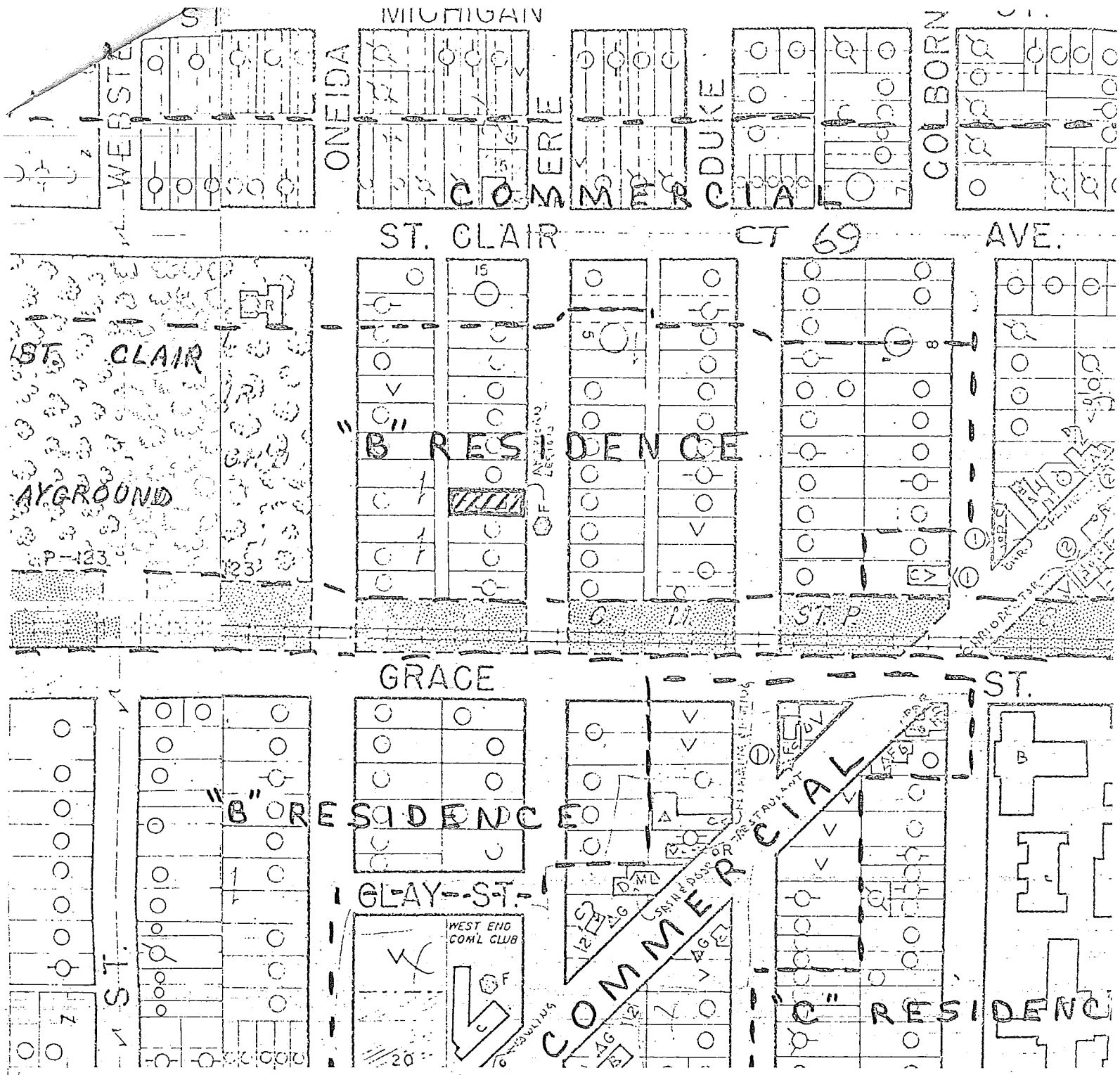
Seconded by: McPartlin

Yeas		Nays
x	Ames	
x	Cohen	
	~~Klein~~	
x	Janes, Chmn.	
x	McPartlin	
	Haarstick - Alt.	
x	Gadler	
	Maietta	

Secretary's remarks:

Council Lt. Dated
Date of Hearing
Council Action
Date

LEGAL NOTICES ON THE BACK OF THIS SHEET



APPLICANT John Beck

PURPOSE Relax frontage & area requirements

PRESENT ZONING "B" Residence

PETITION SIGNERS

FILE No. #6588

NORTH

LEGEND

LAND USE

- ONE-FAMILY
- TWO-FAMILY
- THREE-FAMILY
- FOUR-FAMILY
- MULTI-FAMILY
- COMMERCIAL
- INDUSTRIAL
- VACANT

St. Paul Planning Board, Date: September 27, 1968 Property under consideration

DEPARTMENT OF SAFETY AND INSPECTIONS
Ricardo X. Cervantes, Director

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

May 28, 2015

Wagner, Falconer & Judd
Meredith J.O. Socha
1700 IDS Center 80 S. 8th Street
Minneapolis, MN 55402

Re: 275 Erie Street

Dear Ms. Socha:

The above referenced property is located in a R4, single family residential zoning district. Our records indicate that this property was first constructed as a church in 1887. In 1968, the City Council approved the conversion of a church to a duplex.

On November 11, 2013, the above referenced property was registered as a vacant (File #13-248233) category 2 building. When a property is vacant for more than one (1) year, it must conform to the current standards of the zoning district in which it is located, according to Section 62.106 (e) of the Saint Paul Legislative Code:

Section 62.109 (e) Reestablishment of a nonconforming use.
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;
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.

I personally informed Mr. Gebrekristos on several occasions how to apply for a re-establishment of a nonconforming use permit. He made an effort to apply for the permit but said he was not able to obtain signatures from the neighboring property owners as required as a part of the application process. Unless Mr. Gebrekristos can file a complete application along with paying all necessary fees, he will not be able to legally establish the property as a duplex or a triplex.

The Department of Safety and Inspections is providing Mr.Gebrekristos the following options in order to come into compliance with his property:

1. Make the property conform with the current standards of the R4 zoning district by deconverting the duplex to a single family dwelling
2. Apply to the Planning Commission for the re-establishment of a nonconforming use permit for either a duplex or a triplex as stated in 62.109 (e)
3. Apply to rezone the property and apply for several zoning variances

If you have any questions regarding this determination, please contact me at 651-266-9088, or jerome.benner.II@ci.stpaul.mn.us

Regards,

Jerome Benner II
DSI Inspector I

c: Eyob Gebrekristos

DEPARTMENT OF SAFETY AND INSPECTIONS
Ricardo X. Cervantes, Director

CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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

Telephone: 651-266-9090
Facsimile: 651-266-1919
Web: www.stpaul.gov/dsi

Residential Use Affidavit
For Prospective Owners of Category II Registered Vacant Buildings

I, (printed name): Eyob Gebreekristos, the undersigned, certify that I intend to purchase the residence at (street address): 275 Erie St., in Saint Paul, MN.

This property currently is (describe the number of units and kitchens): Triplex with 3 kitchens

I acknowledge my understanding that this property's use as a (describe the current number of units and kitchens): Triplex with 3 kitchens is not currently permitted in the zoning district in which it is located and is a nonconforming use. Per Section 62.106 (g) of the Saint Paul Legislative Code, a nonconforming use that has been discontinued for more than 365 days is forfeited.

I affirm that I will convert this property to a legal conforming use as a (describe the number of units and kitchens): Single family with one kitchen

I acknowledge that this property can reasonably and economically be used for a legal conforming purpose.

Signature of Prospective Owner

10/14/15
Date

Zoning Information
(To be completed by Zoning staff only)

Property zoning R4 AMANDA status SFD

Action taken full floorplans required for conversion from triplex to SFD

Zoning staff Karen Zacho Date 10.26.15

An Affirmative Action Equal Opportunity Employer

FILE #21-236-115 Aerial Map

Application of Eyob Gebrekristos

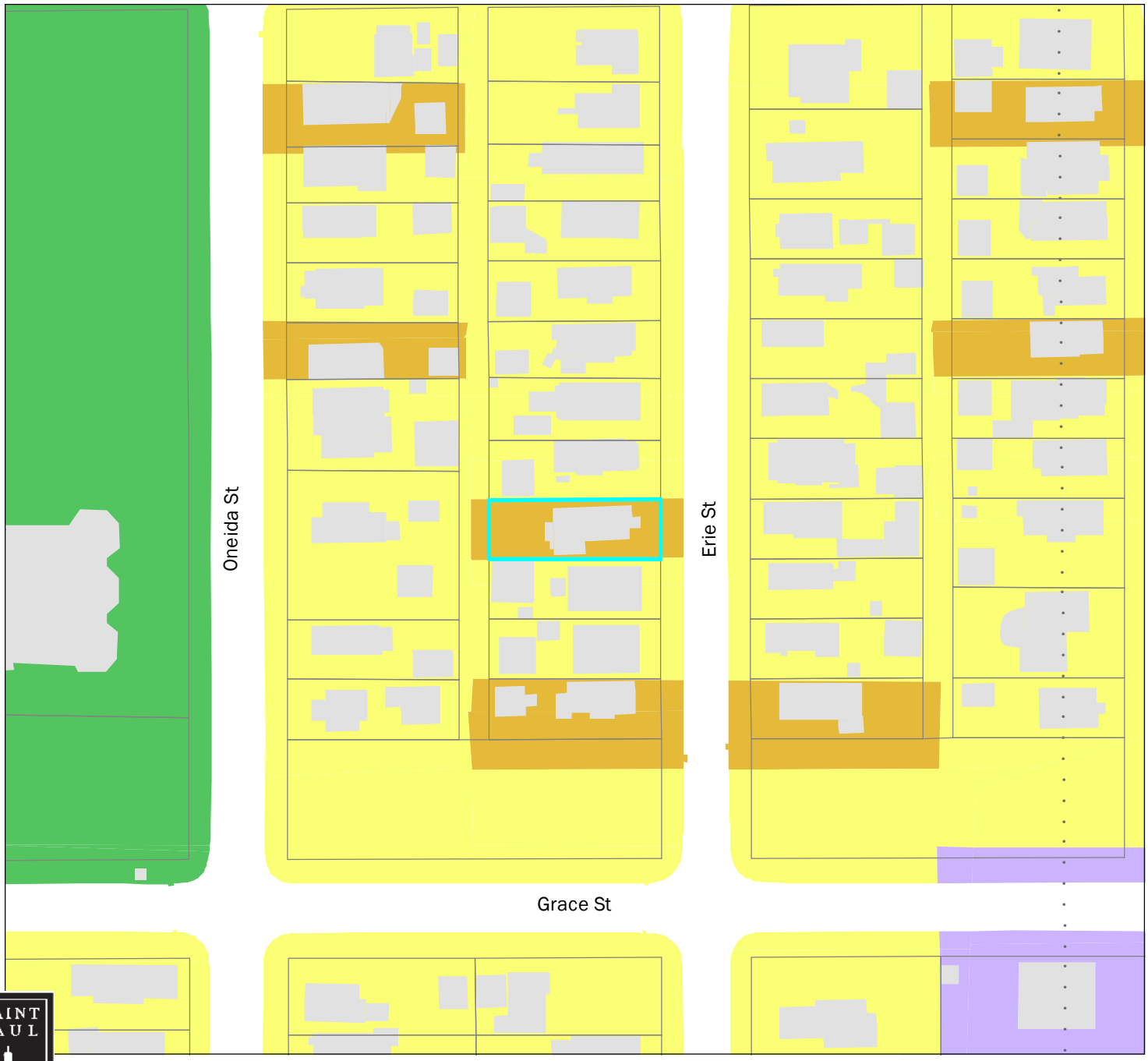
Application Type: NCUP
Application Date: February 5, 2021
Planning District: 9

0 20 40 80 120 160 Feet

This document was prepared by the Saint Paul Planning and Economic Development Department and is intended to be used for reference and illustrative purposes only. This drawing is not a legally recorded plan, survey, official tax map or engineering schematic and is not intended to be used as such. Data sources: City of Saint Paul, Ramsey County, Metropolitan Council, State of Minnesota.

Subject Parcel(s) Outlined in Blue

ParcelPoly on



FILE #21-236-115 Existing Land Use

Application of Eyob Gebrekristos

Application Type: NCUP
Application Date: February 5, 2021
Planning District: 9

0 20 40 80 120 160 Feet

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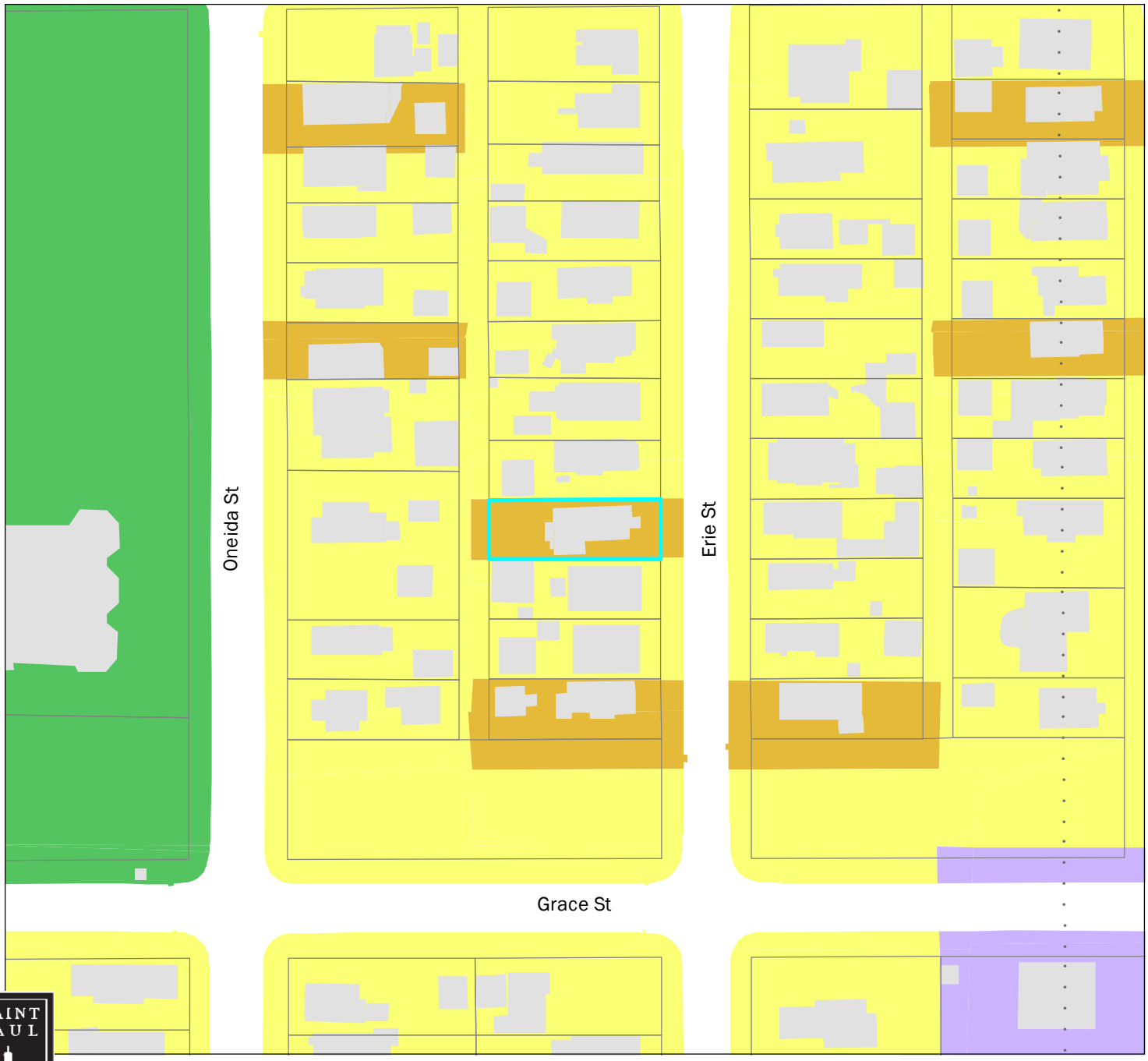
Subject Parcel(s) Outlined in Blue

- ParcelPoly on
- Farmstead
- Seasonal/Vacation
- Single Family Detached
- Manufactured Housing Park
- Single Family Attached
- Multifamily
- Office
- Retail and Other Commercial
- Mixed Use Residential
- Mixed Use Industrial
- Mixed Use Commercial and Other
- Industrial and Utility
- Extractive
- Institutional
- Park, Recreational or Preserve
- Golf Course
- Major Highway
- Railway
- Airport
- Agricultural
- Undeveloped
- Water



SAINT PAUL

FILE #21-236-115 EXISTING LAND USE

Application of Eyob Gebrekristos

Application Type: NCUP
Application Date: February 5, 2021
Planning District: 9

0 20 40 80 120 160 Feet

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