

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** 1945 Rome Lot Split Appeal **FILE #** 21-277-255
 2. **APPLICANT:** Scott & Taylor Ames, Kirk & Rebecca Pennings **HEARING DATE:** July 15, 2021
 3. **TYPE OF APPLICATION:** Appeal of lot split approval by the planning administrator
 4. **LOCATION:** 1945 Rome Avenue (north side between Howell and Wilder)
 5. **PIN & LEGAL DESCRIPTION:** 16.28.23.23.0126, Lots 7 & 8, Block 2, Highview Addition
 6. **PLANNING DISTRICT:** 15 **PRESENT ZONING:** R4
 7. **ZONING CODE REFERENCE:** § 61.701(c); § 69.304; § 69.306(a)
 8. **STAFF REPORT DATE:** July 9, 2021 **BY:** Marilyn Rosendahl
 9. **DATE RECEIVED:** June 18, 2021 **60-DAY DEADLINE FOR ACTION:** August 17, 2021
-

- A. **PURPOSE:** Appeal of lot split approval by the planning administrator.
- B. **PARCEL SIZE:** 10,011 sq. feet (10,807 sq. feet with half the adjoining alley for applying lot area requirements per Zoning Code § 63.101) and 80 feet wide
- C. **EXISTING LAND USE:** Vacant
- D. **SURROUNDING LAND USE:** One-family residential in an R4 one-family residential district
- E. **ZONING CODE CITATION:** § 61.701(c) provides for and specifies procedures for appeal of planning administrator decisions. § 69.304 specifies the conditions for lot splits when platting is not required. § 69.306(a) gives the planning administrator authority to approve lot splits.
- F. **HISTORY/DISCUSSION:**

In August 2019 an application was submitted for City review of a proposal to split the parcel of land at 1945 Rome Avenue, consisting of two 40 ft. wide platted lots, along the original platted lot line between lots 7 and 8. Per Zoning Code § 69.306 the proposed lot split was reviewed by the Departments of Planning and Economic Development, Safety and Inspections, Parks and Recreation, and Public Works.

On November 21, 2019, based on the review by affected City departments, the planning administrator issued a letter of preliminary approval of the lot split for compliance with the City of St. Paul's subdivision regulations subject to the following conditions:

- 1) Removal of the existing house and garage, which straddled the new proposed lot line, by a licensed contractor under a demolition permit issued by the Department of Safety and Inspections; and
- 2) Removal of existing sewer service to the existing house.

The preliminary approval letter stated that once these conditions were met a request for final approval of the lot split could be submitted, and that a final approval letter would then be issued subject to side setback requirements, minimizing grading near side property lines, and protection of neighboring property from surface water drainage.

The preliminary approval letter noted that any interested party may appeal the preliminary approval within ten days as provided in Zoning Code § 61.701. Copies of the preliminary approval letter were sent to the owners of adjoining property. No appeal was filed.

In compliance with the preliminary approval letter, the house, garage, and sewer service were removed in spring 2021, and a final lot split approval letter was issued on June 9, 2021. On June 18, 2021, the owners of adjoining property appealed the final approval of the lot split.

- G. **DISTRICT COUNCIL RECOMMENDATION:** The Highland District Council does not intend to take a position on the appeal.

H. FINDINGS:

1. Zoning Code § 69.306(a) provides for planning administrator approval of lot splits that meet all of the required conditions in § 69.304, after review by the public works department and other affected city departments. It requires notification of the applicant of any required modifications and requires that “when all conditions are met and modifications made, the planning administrator shall stamp the survey as approved.” After review by affected departments, on November 21, 2019, the planning administrator issued a letter preliminarily approving the proposed lot split at 1945 Rome Avenue subject to conditions for removal of the existing house, garage, and sewer service to the existing house. After these conditions were met, the planning administrator issued a final approval on June 9, 2021.
2. Zoning Code § 61.701 specifies standards and procedures for appeal of planning administrator decisions to the planning commission, by any person affected by the decision, specifying the grounds for the appeal. The June 18, 2021, appeal by the owners of adjoining property specifies three grounds for the appeal:
 - 1) Noncompliance with the condition in Zoning Code § 69.304(7) that “*no lot shall be created where the building pad area for the principal structure has an existing slope steeper than eighteen (18) percent;*”
 - 2) Potential adverse effect on neighboring property; and
 - 3) Neighborhood opposition and concern about the addition of a new home and garage on this already dense street.
3. The appeal notes the change in grade from west to east across the entire 80-foot wide parcel. This is shown on a certificate of survey attached to the appeal, measured from an elevation of 190’ below a retaining wall and slope along the west property line to an elevation of 208’ along the neighbor’s fence above a retaining wall and slope along the east property line. This would be a rise of 18 feet over a run of 80 feet, an average slope of 23%. However, this is the average slope across the entire parcel, not the building pad area slope that is the subject of the requirement in Zoning Code § 69.304(7). A survey showing building pad areas and 2 ft. contour lines, submitted by the lot split applicant on October 26, 2019, and attached, indicates substantially less slope across the building pad areas. It shows 28 ft. wide building pad areas on lot 7 and lot 8, with a rise of about 5 feet across each building pad, a slope of 18%.

Zoning Code § 66.233 requires a minimum building width of 22 feet for one-family dwellings in the R4 district. The zoning administrator in the Department of Safety and Inspections considered 22 foot wide building pads in determining compliance with the condition in § 69.304(7) that “*no lot shall be created where the building pad area for the principal structure has an existing slope steeper than eighteen (18) percent.*” Placed in the area toward the middle of the site where the contour lines show the least slope, the survey indicates a rise of about 3 feet across the 22 ft. wide building pads, a slope of about 14%.
4. The appeal states that maximizing lot coverage with two new houses will exacerbate the risk for flooding for the neighbor to the west (1949 Rome) by increasing the impervious area, that the developer’s proposal does not address how soil on the 1937 Rome lot to the east will be supported with a retaining wall, and that a 5-foot setback from the east lot line would not be adequate. These are issues that are commonly addressed as part of site plan and building plan review prior to issuance of building and grading permits. Both the preliminary and final lot split approval letters reference the need to minimize grading near adjoining property and protect neighboring property from surface water drainage.

A survey submitted by the lot split applicant on October 26, 2019, shows proposed grading with a couple of 2-foot contour lines between the two building pad areas, thus reducing the grade change along the east property line. A new house on lot 8 itself can step up the slope and serve a soil support function. Zoning Code § 63.111(d) requires that “retaining walls taller than four feet shall be constructed under city permit with frost footings as required by the state building code and shall be engineered to retain lateral earth pressure consistent with the principles of soils mechanics, and shall be detailed to minimize hydrostatic pressures.” Setback from the east property line can be increased as necessary.

5. The appeal states that the neighborhood does not support this project as evidenced by a petition, neighbors are concerned about the addition of a new home and garage on this already dense street, there is concern about a single builder constructing two new houses here, and the developer has already proven not to be capable of efficiently, safely and effectively completing this difficult project. The conditions for lot split approval specified in Zoning Code § 69.304 and § 69.306 do not include neighborhood support and the capability of a particular developer. Rome Avenue is designed to handle development of one-family dwellings on the 40-foot lots originally platted along it.
- I. **STAFF RECOMMENDATION:** Based on the findings above, staff recommends denial of the appeal of lot split approval by the planning administrator for 1945 Rome Avenue.



June 9, 2021

Jeff Cragg
Providence Homes LLC
1715 W. 7th Street
Saint Paul, Minnesota 55116

RE: 1945 Rome Avenue Lot Split – Zoning File # 19-079-395 – Final Approval

Dear Mr. Cragg:

The proposed lot split shown on the certificate of survey by Daniel McGibbon, McGibbon Land Surveying, dated May 24, 2021, for 1945 Rome Avenue (PIN 16-28-23-23-0126) is hereby approved for compliance with the City of Saint Paul's subdivision regulations.

The Department of Public Works noted that Lot 7 will retain the existing address of 1945 Rome Avenue, and Lot 8 will be issued the assigned address of 1941 Rome Avenue.

Please refer to the November 21, 2019, preliminary approval letter for this lot split with regard to minimizing grading of steep slopes and protecting neighboring property from surface water drainage.

The enclosed stamped and signed survey as approved by the Planning Administrator is your record of lot split approval by the City of Saint Paul, which is required in order to record a lot split. It is the responsibility of the property owner to record the lot split with Ramsey County.

This approval by the Planning Administrator will expire two years from the date of this letter if you have not yet recorded the proposed lot split, unless the Planning Administrator (at your request) has granted an extension not to exceed one year as provided in Zoning Code § 61.105. Any interested party may appeal this decision by the Planning Administrator to the Planning Commission within ten days as provided in § 61.701.

If you have any questions, please contact me at (651) 266-6583 or paul.dubruiel@ci.stpaul.mn.us.

Sincerely,

Paul Dubruiel, on behalf of the Planning Administrator

cc: Highland District Council
Jim Brown, Department of Public Works
David Eide, Sean Enright, Ashley Skarda, & Larry Soderholm, Dept. of Safety and Inspections
Anca Sima, Sewer Utility
Dan McGibbon, McGibbon Land Surveying

McGibbon Land Surveying Certificate of Survey

2214 Tower Ct.
Woodbury, MN 55125
(651) 442-9823

Proposed Lot Division

RECEIVED
JUN 01 2021

FOR:

Jeffery Cragg
1800 Hampshire Ave
St. Paul, MN 55116

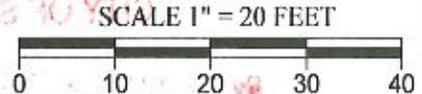
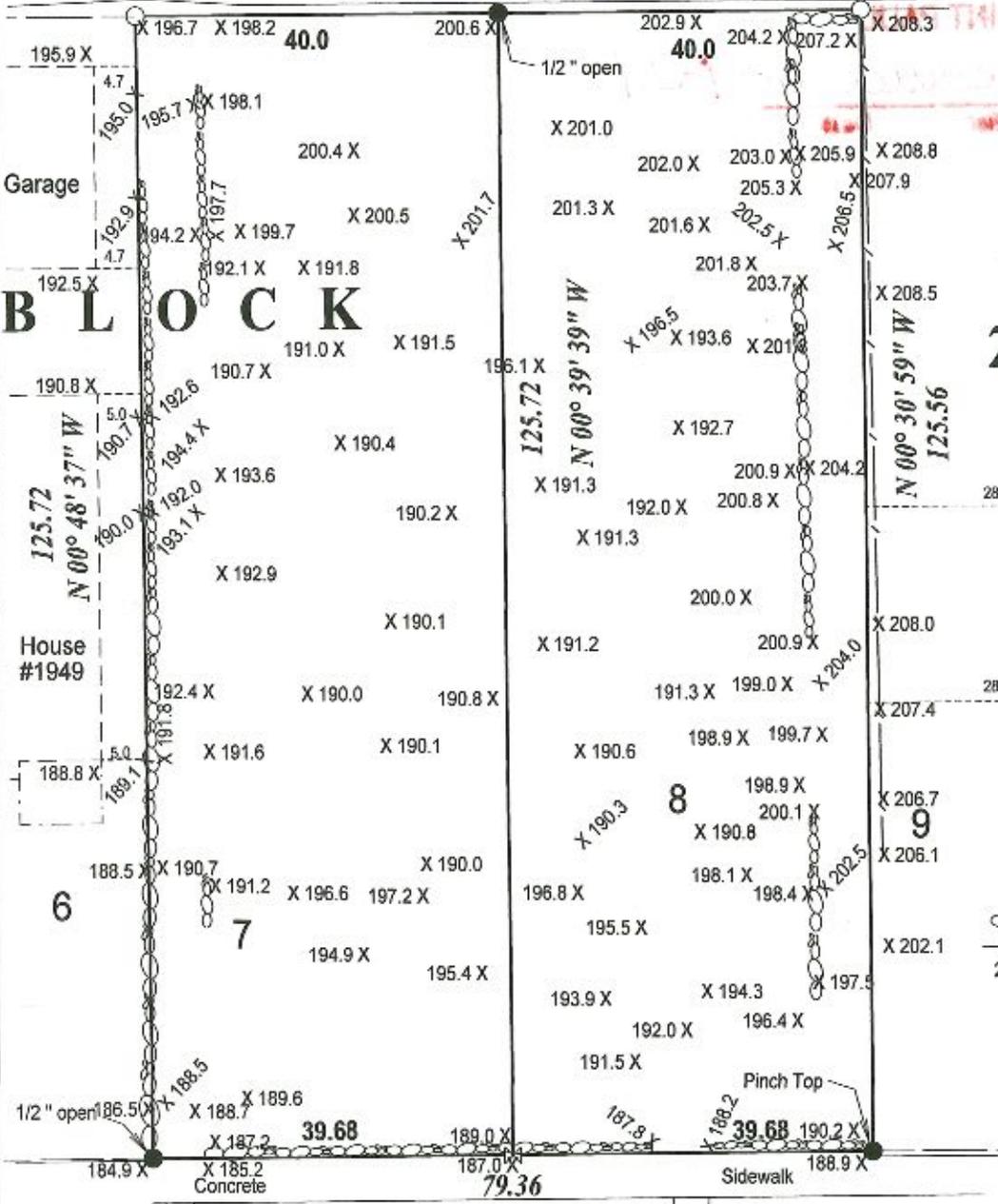


Alley

Bituminous Surface

S 89° 29' 19" W 80.0

204.7 X



SURVEY OF:

Lots 7 and 8, Block 2,
Highview Addition
Ramsey County, Minnesota.

PROPOSED DESCRIPTIONS:

- 2 Lot 7, Block 2, Highview Addition,
Ramsey County, Minnesota.
- Lot 8, Block 2, Highview Addition,
Ramsey County, Minnesota.

LEGEND

- - Denotes iron pipe found
- - Denotes 1/2 inch iron pipe set capped
PLS 18883
- ⊠ - Denotes Drill Hole set in concrete
- ⊞ - Denotes Limestone Retaining Walls
- - Denotes Wood fence
- 207.4 X - Denotes Elevation

For the purpose of this survey the south line of said Lots 7 & 8 is assumed to bear South 89 degrees 22 minutes 17 seconds West.

BENCH MARK: Top Nut Hydrant
NW Corner Montreal and Howell
El = 194.45 (St. Paul City Datum)

I hereby certify that this survey, plan or report was prepared by me and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Daniel R. McGibbon

Daniel R. McGibbon P.L.S.
Minnesota License No. 18883

This 24th Day of MAY, 2021

Elevations revised

Project 1912B

see reverse for City approval
Official Drawing is signed in Blue ink

NOTE:

There was no Title work provided to determine if there are any easements or encumbrances on this property.

Rome Ave

56

56

Conveyance of land described by this instrument
is hereby approved and is entitled to recording
and subdividing.

CITY OF SAINT PAUL

By Paul Dubruin 6-9-21
for Planning Administrator Date



CITY OF SAINT PAUL
Melvin Carter, Mayor

25 West Fourth Street
Saint Paul, MN 55102

Telephone: 651-266-6700
Facsimile: 651-228-3220

November 21, 2019

Jeff Cragg
Providence Homes LLC
1715 W. 7th Street
Saint Paul, Minnesota 55116

RE: 1945 Rome Avenue Lot Split – Preliminary Approval
Zoning File #19-079-395

Dear Mr. Cragg:

The proposed lot split at 1945 Rome Avenue (PIN 16-28-23-23-0126) is hereby preliminarily approved for compliance with the City of Saint Paul's subdivision regulations subject to the following conditions.

1. Removal of the existing house and garage, which straddle the proposed new lot line, by a licensed contractor under a demolition permit issued by the Department of Safety and Inspections (contact Ashley Skarda, 651-266-9013).
2. Removal of the existing sewer service (A-77431, R-102033, 10-504704) to the existing house (contact Anca Sima, Sewer Utility, 651-266-6237).

To minimize grading of steep slopes and protect adjacent property, the building pad area for a new principal structure must have an existing slope less than 18%. For this purpose, a house on Lot 7 with a front setback similar to the existing house and a 5 foot setback from Lot 8 will need to be set back at least 7 feet from Lot 6, and any grade change within 5 feet of Lot 6 must be minimized. A house on Lot 8 with a front setback similar to the existing house and a 7 foot setback from Lot 7 will need to be set back at least 5 feet from Lot 9, and any grade change within 5 feet of Lot 9 must be minimized. All grading and new construction on the lots must be designed to protect neighboring property from surface water drainage.

The Department of Public Works noted that Lot 7 will retain the existing address of 1945 Rome Avenue, and Lot 8 will be issued the assigned address of 1941 Rome Avenue.

Once the two conditions are met you may submit a request for final city approval of the lot split. Final approval by the City Planning Administrator is required for you to be able to record the lot split with Ramsey County. Please submit 5 copies of a revised survey showing the conditions once the house and garage have been removed. We will then issue a final approval subject to the minimum side setbacks, minimum grading near side property lines, and protection of neighboring property from surface water drainage noted above.

This preliminary approval by the Planning Administrator will expire and this file will be closed one year from the date of this letter if you have not yet requested final city approval, unless the Planning Administrator (at your request) has granted an extension not to exceed one year. Any interested party may appeal this decision to the Planning Commission within ten days as provided in Zoning Code § 61.701.

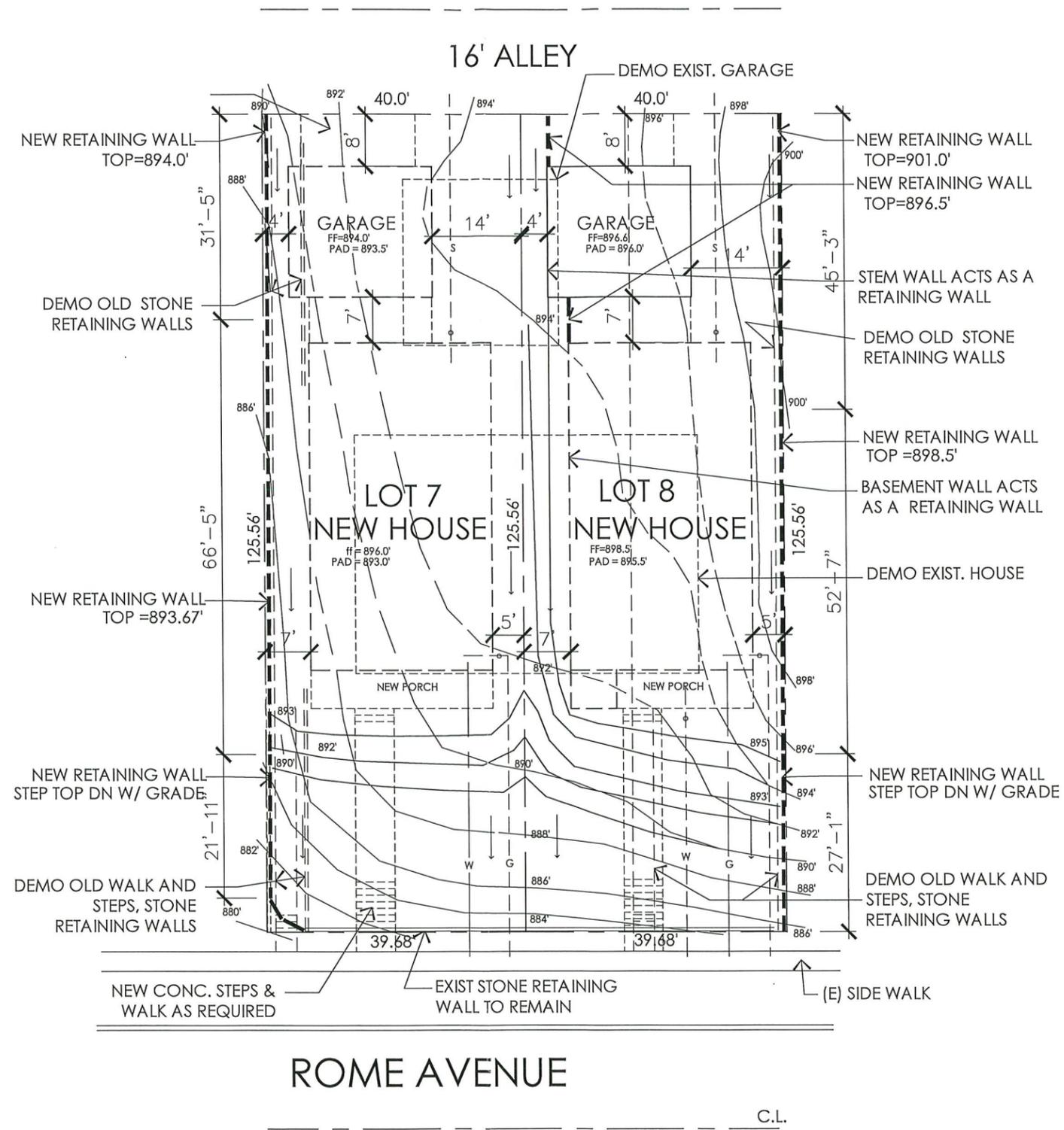
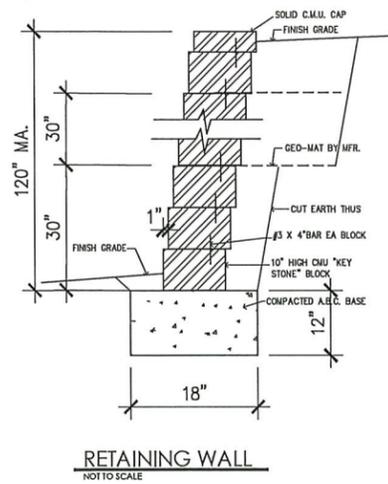
Call me at 651 266-6583 if you have any further questions.

Sincerely,

Paul Dubruiel, on behalf of the Planning Administrator

cc: Highland District Council
Jim Brown, Dept. of Public Works
Anca Sima, Sewer Utility

Meera Sehgal and Brendan Larocque, 1945 Rome Avenue
Dan McGibbon, McGibbon Land Surveying
Ashley Skarda, Dept. of Safety and Inspections



Engineering Plans for lot development

RECEIVED
OCT 26 2019
BY: _____

LOT SPLIT PLAN
SCALE 1"=10'

JOB NUMBER 19-08	CONTRACT DATE 3-10-19	DRAWN BY MM	APPROVED CD
DESIGNER S.D.S CONSULTING 1800 HAMPSHIRE AVENUE ST. PAUL, MN 602-405-8951			
PROJECT CUSTOM HOME LOT 7 & 8 LOT SPLIT PLAN ST. PAUL, MN			
DATE 10-24-19	ACTION CITY-1		
SHEET C-1			



ZONING APPEAL APPLICATION

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

To / From Planning Commission
Dept. of Planning & Econ. Devt.
Zoning Section
1400 City Hall Annex, 25 W 4th St.
Saint Paul, MN 55102-1634
(651) 266-6583

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

APPELLANT

Name(s) Scott and Taylor Ames / Kirk and Rebecca Pennings
 Address 1949/1937 Rome Avenue City St. Paul State MN Zip 55116
 Email ames.scott@yahoo.com/kirkpennings@gmail.com Phone (651) 233-3480/(612) 718-1934

PROPERTY LOCATION

Project Name 1945 Rome Avenue Lot Split - Zoning File #19-079-395
 Address / Location 1945 Rome Avenue, St. Paul MN 55116

TYPE OF APPEAL: Application is hereby made for an appeal to the:

- Board of Zoning Appeals**, under provisions of Zoning Code § 61.701(c), of a decision made by the Zoning Administrator.
- Planning Commission**, under provisions of Zoning Code § 61.701(c), of a decision made by the Planning Administrator or Zoning Administrator.
- City Council**, under provisions of Zoning Code § 61.702(a), of a decision made by the Board of Zoning Appeals or the Planning Commission.

Date of decision _____, 20 _____ File Number _____

GROUNDS FOR APPEAL: Explain why you feel there has been an error in any requirement, permit, decision or refusal made by an administrative official, or an error in fact, procedure or finding made by the Planning Commission or Board of Zoning Appeals. Attach additional sheets if necessary.

Please see the attached letter and supporting documentation.

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

Appellant's Signature

Date

6/18/21

June 17, 2021

Board of Zoning Appeals
Dept. of Safety & Inspections
Zoning Section
~~375 Jackson Street, Suite 220~~
St. Paul, MN 55101-1806

RE: 1945 Rome Avenue Lot Split – Zoning File # 19-079-395

To Whom It May Concern:

The owners of bordering properties to 1945 Rome Avenue, Scott and Taylor Ames (1949 Rome Avenue) and Kirk and Rebecca Pennings (1937 Rome Avenue) respectfully request the Appeals Committee to rescind the Planning Administrator's decision to approve the proposed lot split at the above referenced property on the following grounds:

- 1) Zoning Code Sec. 69.304.7 No lot shall be created where the building pad area for the principal structure has an existing slope steeper than eighteen (18) percent or where a driveway steeper than twenty (20) percent is required to reach the building site. However, the planning administrator may approve the creation of a steeper lot, as an exception to this regulation, where the steeper lot is specifically consistent with a city-approved neighborhood plan or redevelopment project.

There is approximately a 19' change in grade from East to West. This equates to a 24% cross slope which exceeds the maximum slope allowed by 6% or approximately 5' (see comments on McGibbon Survey attached).

- 2) Splitting the lot will have an adverse effect on both neighboring properties. Providence Homes LLC ("Developer") has proposed maximizing the lot coverage building area for both of the newly created lots with 5' side yard setbacks.

The 1949 home has experienced basement flooding in 2019 due to being at the bottom the 1945 lot slope. The Developer's proposal will exacerbate the risk for flooding by increasing the impervious area of the lot.

The Developer's proposal does not address how it will support the soil on the 1937 lot. The 5' distance between the new home and the property line is not adequate space to construct the 13' – 15' tall retaining wall required per elevations provided in the McGibbon Survey. The Developer has not obtained a construction easement from either neighbor and will not be allowed to excavate beyond the property line.

- 3) The neighborhood does not support this project, as evidenced by the attached petition. Residents of the 1900 Rome Ave. block and Saunders Ave. alley neighbors are concerned about the

addition of another home and garage on this already dense street. Additionally, we argue the amount of disruption that comes with a single builder constructing two brand-new builds back-to-back in the same space with no time constraints is above and beyond general construction nuisance that should be imposed upon a residentially-zoned neighborhood.

The Developer has already proven to not be capable of efficiently, safely and effectively completing this difficult project with respect to the neighborhood. They let the original property sit vacant after purchase for 1.5 years without any communication to concerned neighbors. They began demolition one evening (6:45 pm) without a wrecking permit, notice to neighbors, signage, runoff or dust mitigation in place. They went on a neighbor's property to remove a shared tree on the property line after consent was denied and they did not provide retribution for it as they said they would. They have left the site completely exposed for the past 3 months post demo, not maintaining soil erosion control, site fencing, installing temporary earth retention, filling in potholes or cleaning dirt left in the alley, or removing the porta pottie left in the public ROW. And per OSHA standards, the site currently has illegal excavation slope.

Attempts at communication from neighbors have been rejected multiple times.

And, to be clear, we are not against development of this property. We are against the bad development of it.

The Ames and Pennings, as well as the residents of 1900 Rome. Ave., thank you for taking the time to consider this matter from our point of view and we urge you to uphold and enforce the city's zoning code referenced above.

Sincerely,



Scott and Taylor Ames
1949 Rome Avenue



Kirk and Rebecca Pennings
1937 Rome Avenue

Attachments

McGibbon Land Surveying Certificate of Survey

2214 Tower Ct.
Woodbury, MN 55125
(651) 442-9823

Proposed Lot Division

RECEIVED
JUN 01 2021

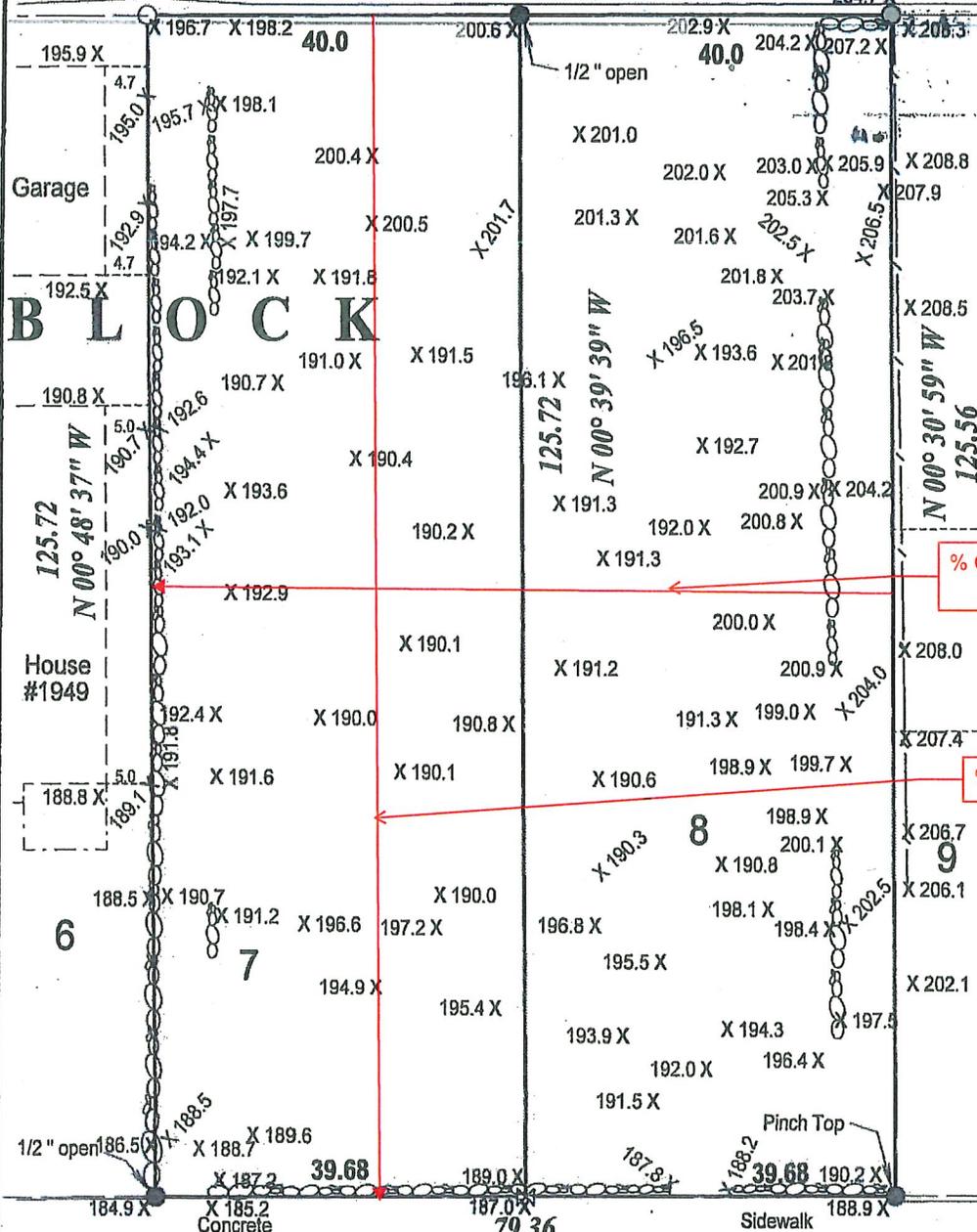
FOR:

Jeffery Cragg
1800 Hampshire Ave
St. Paul, MN 55116



Alley
Bituminous Surface
S 89° 29' 19" W 80.0

SCALE 1" = 20 FEET



SURVEY OF:
Lots 7 and 8, Block 2,
Highview Addition
Ramsey County, Minnesota.

PROPOSED DESCRIPTIONS:
2 Lot 7, Block 2, Highview Addition,
Ramsey County, Minnesota.
Lot 8, Block 2, Highview Addition,
Ramsey County, Minnesota.

$\% \text{ Change in Grade} = (208 - 190)/80' = 19/80 = 23.8\%$

$\% \text{ Change in Grade} = (200.6 - 187)/125.6 = 11\%$

- - Denotes iron pipe found
- - Denotes 1/2 inch iron pipe set capped
PLS 18883
- ⊠ - Denotes Drill Hole set in concrete
- ⊞ - Denotes Limestone Retaining Walls
- - Denotes Wood fence
- 207.4 X - Denotes Elevation

For the purpose of this survey the south line of said Lots 7 & 8 is assumed to bear South 89 degrees 22 minutes 17 seconds West.

BENCHMARK: Top Nut Hydrant
NW Corner Montreal and Howell
EI = 194.45 (St. Paul City Datum)

Rome Ave

NOTE:
There was no Title work provided to determine if there are any easements or encumbrances on this property.

I hereby certify that this survey, plan or report was prepared by me and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.
Daniel R. McGibbon
Daniel R. McGibbon P.L.S.
Minnesota License No. 18883
This 24th Day of May, 2021
Elevations revised Project 1912B

see reverse for City Approval
Official Drawing is signed in Blue ink











This mature maple tree was cut down after 1937 Rome explicitly denied consent.

Petition to Appeal Lot Split of 1945 Rome Ave

Printed Name	Signature	Address	Comment	Phone	Date
Emily Seng	<i>Emily Seng</i>	1940 Rome Ave		457-330-8021	6/16/21
Betsy Penning	<i>Betsy Penning</i>	1937 Rome Ave		457-699-4829	6/16/21
Bogey & Jones	<i>Bogey & Jones</i>	1950 Rome Ave		657-699-4533	6/16/21
Karen Fisher	<i>Karen Fisher</i>	1934 Rome Ave		651-276-2306	6/16/21
Karen Huls	<i>Karen Huls</i>	1882 Rome Ave		651-698-1455	6/16/21
Susie Kukkonen	<i>Susie Kukkonen</i>	1920 Rome Ave		651-428-3154	6/16/21
Wendy Rice	<i>Wendy Rice</i>	1945 Rome Ave		651-690-3097	6/16/21
Taylor Ames	<i>Taylor Ames</i>	1949 Rome Ave		651-233-7412	6/16/21
Jacob Gopp	<i>Jacob Gopp</i>	1919 Rome Ave		701-305-0455	6/17/21
JOSEPH KOUR	<i>Joseph Kour</i>	1918 Sanders Ave		651-356-4543	6/17/21
Andrea Maly	<i>Andrea Maly</i>	1906 Rome Ave		457-1690-2999	6/17/21
KEVIN ROBERGE	<i>Kevin C. Roberge</i>	1946 Rome Avenue		651-425-7154	6/17/21
Allison Koon	<i>Allison Koon</i>	1969 Rome Avenue		651-824-5550	6/17/21

2 sides →

July 9, 2021

Allan Torstenson
Principal City Planner
City of Saint Paul, Department of Planning
25 West Fourth Street, 1400 City Hall Annex
Saint Paul, Minnesota 55102

Dear Mr. Torstenson:

This letter is in response to the **appeal of lot split approval** by the planning administrator at **1945 Rome Avenue** Saint Paul, MN 55116 (Zoning File #19-079395).

This letter is a response from the co-owners of the property located at 1945 Rome Avenue owned under 1945 Rome, LLC. The co-owners of 1945 Rome, LLC are Shawn Devine and David Wickiser. 1945 Rome, LLC hired Providence Homes as its General Contractor for this project. Mr. Devine and Mr. Wickiser have worked with Providence Homes on several new construction single family homes and additional house rehabilitations, within the City of Saint Paul, over the past three years without incident or neighborhood complaint.

We contend that the Planning Administrator's decision to approve the lot split was correct. I will address the grounds for appeal as they are listed in order on the appeal letter received by the City of Saint Paul on June 18, 2021.

1. We agree with the City Planning Administrator on the determination of the slope as it relates to the building pad. We believe the appellant has not interpreted the slope issue correctly.

- 2a. CLAIM: *Adverse Effect* on neighboring properties due to 5' side yard setback.
FACT: R4 zoning allows for 4' side yard setback
- 2b. CLAIM: 1949 Rome experienced basement water in 2019.
FACT: 1945 Rome, LLC purchased property in September of 2019. No demolition was conducted until spring of 2021. Any suggestion that 1945 Rome, LLC is a cause of water into the basement of 1949 Rome is unfounded. Furthermore, 1949 Rome is a new construction home purchased by the current owners in September 2017. This home is still under the 10 year construction warranty provided by builder.
- 2c. CLAIM: "Soil support", retaining wall and excavation concerns.
FACT: Providence Homes has engaged an experienced and licensed engineer to design retaining the retaining walls for this project. These engineering plans will be fully vetted by the City of Saint Paul during SITE PLAN

REVIEW. Additionally we have never asked for a construction easement from neighboring properties.

3. CLAIM: Neighborhood opposition to project along with additional list of concerns.
FACT: These are DSI concerns and complaints should have been filed with the Department of Safety and Security. Any complaint notices we would have received from the City of Saint Paul would have been and will be immediately remedied. According to public records there have been two cases opened with DSI (3/19/21 & 3/31/21) of unknown reason listed for the complaint. Both of these cases have been marked closed according to City of Saint Paul DSI website.

The appeal of this approved lot split is completely without merit as evidenced above.

Sincerely,



Shawn Devine
1945 Rome, LLC



David Wickiser
1945 Rome, LLC

1945 Rome



Properties west of 1945 Rome



Property to the east of 1945 Rome



View of 1945 from the alley looking south



View from the alley of 1945 Rome and the property to the west



View from alley of 1945 Rome and property to the east



View near property line between 1945 Rome and the property to the west





FILE #21-277-255 Existing Land Use Map
Appeal Scott and Taylor Ames et al

Application Type: Appeal
 Application Date: June 18, 2021
 Planning District: 15



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

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



FILE #21-277-255 Zoning Map

Appeal Scott and Taylor Ames et al

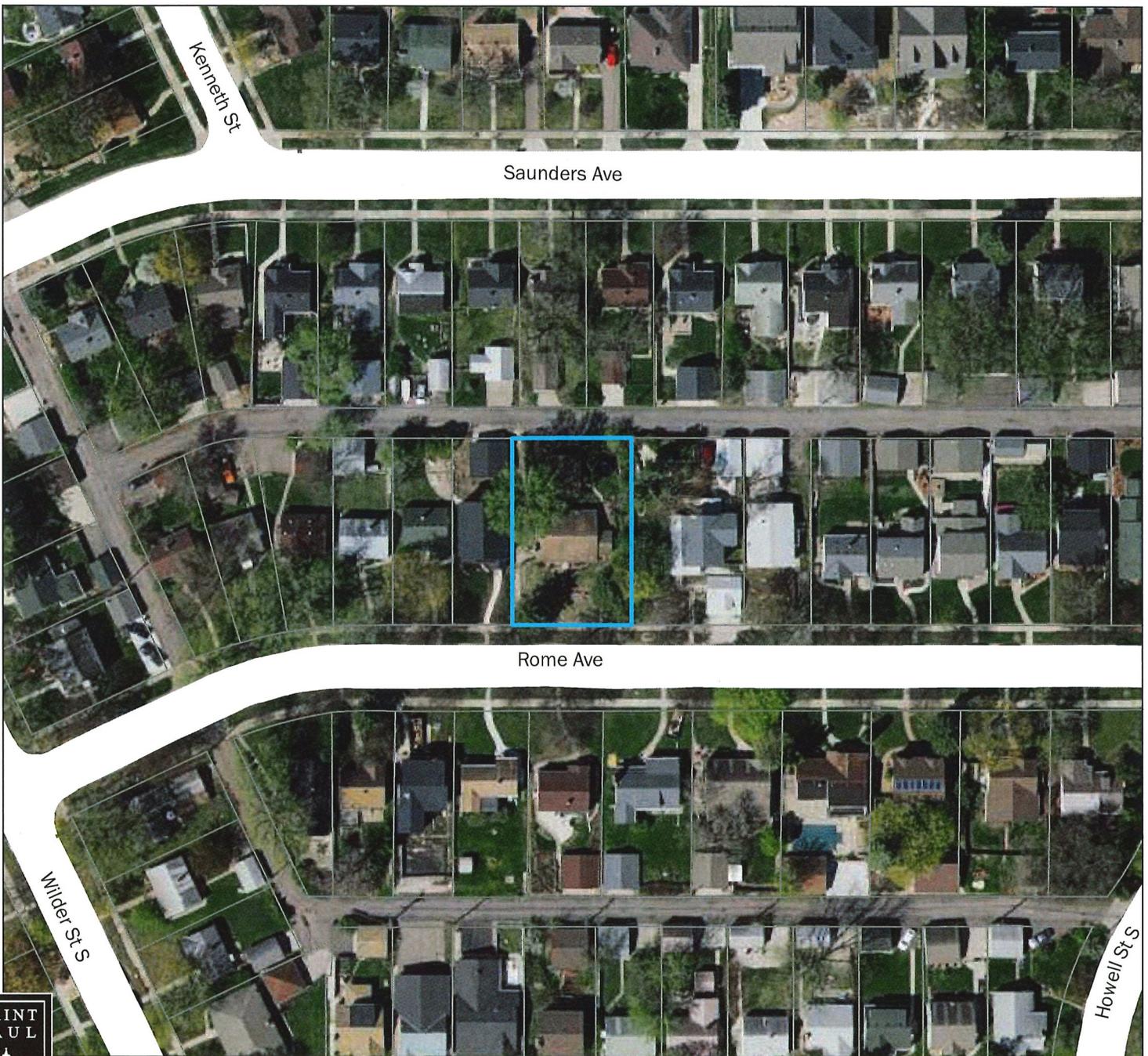
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Subject Parcel(s) Outlined in Blue

Parcel Boundary	RM3 Multiple-Family	B2 Community Business	F2 Residential Low
RL One-Family Large Lot	T1 Traditional Neighborhood	B3 General Business	F3 Residential Mid
R1 One-Family	T2 Traditional Neighborhood	B4 Central Business	F4 Residential High
R2 One-Family	T3 Traditional Neighborhood	B5 Central Business Service	F5 Business
R3 One-Family	T3M T3 with Master Plan	IT Transitional Industrial	F6 Gateway
R4 One-Family	T4 Traditional Neighborhood	ITM IT with Master Plan	VP Vehicular Parking
RT1 Two-Family	T4M T4 with Master Plan	I1 Light Industrial	PD Planned Development
RT2 Townhouse	OS Office-Service	I2 General Industrial	CA Capitol Area Jurisdiction
RM1 Multiple-Family	B1 Local Business	I3 Restricted Industrial	
RM2 Multiple-Family	BC Community Business (converted)	F1 River Residential	



FILE #21-277-255 Aerial Map

Appeal Scott and Taylor Ames et al

Application Type: Appeal
Application Date: June 18, 2021
Planning District: 15

Subject Parcel(s) Outlined in Blue

Parcel Boundary



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