

# BOARD OF ZONING APPEALS INFORMATION

The Board of Zoning Appeals (BZA) is a forum for public discussion. The board members are appointed by the mayor with the consent of the City Council, is comprised of private citizens who live in the City. Any questions about the process can be directed to the zoning administration office at 651-266-9008.

The board meets on Mondays, every other week. All items to be placed on the agenda must be submitted at least three weeks prior to the hearing date. **The public hearing is held at 3:00 pm in Room 330 of the City Hall/Courthouse.** The applicant or their representative needs to attend the hearing.

The board hears **two types of requests:** [Variations](#) and [Appeals of Administrative Decisions](#).

## VARIANCE REQUESTS

The BZA and the planning commission shall have the power to grant variances from the strict enforcement of the provisions of this code if they determine that all of the ***required findings*** listed below are met:

### **Required findings:**

1. The variance is in harmony with the general purposes and intent of the zoning code.
2. The variance is consistent with the comprehensive plan.
3. The applicant has established that there are practical difficulties in complying with the provision and that the property owner proposes to use the property in a reasonable manner not permitted by the provision. Economic considerations alone do not constitute practical difficulties.
4. The plight of the landowner is due to circumstances unique to the property not created by the landowner.
5. The variance will not permit any use that is not allowed in the zoning district where the affected land is located.
6. The variance will not alter the essential character of the surrounding area.

In granting a variance, the board or commission shall make written findings stating the grounds upon which the variance is justified. Inadequate access to direct sunlight for solar energy systems constitutes a practical difficulty in finding three (3) above.

## APPEALS OF ADMINISTRATIVE REVIEW

The BZA has the authority to hear and decide appeals where it is alleged by the appellant that there is an error in any order, requirement, permit, decision or refusal made by the Zoning Administrator in carrying out or enforcing any provision of the zoning code. Applications must be filed within 10 calendar days of the action being appealed.

### **FILING INFORMATION**

The following must be submitted to the Zoning Administration, 375 Jackson Street, Suite 220, Saint Paul, MN 55101:

1. A filing fee.
2. An application form.
3. A site plan drawn to a legible and verifiable scale. Elevations and floor plans drawn to scale including the amount of glazing shown may be required, including for all new residential dwellings and additions.
4. For setback variances, the property lines must be verified by a survey or stake.
5. A letter stating why the applicant believes an error has been made (for an Administrative Review only).

When a zoning application is submitted for a development that has been built or started without required city permits, a penalty will be assessed. The penalty is double the filing fee, up to \$1,050.

## **Fee Schedule for Variances and Appeals:**

### **Minor variance: \$442.**

*A modification of a provision regulating a **one-family detached** dwelling and pertaining specifically to construction of a fence, a deck, a swimming pool, an accessory building, or an addition to the main building when the addition is not to convert the building for use by more than one (1) family.*

### **Major variance**

**New Single Family Dwelling: \$547**

**Duplex: \$547**

**Multi-family Residential: \$589**

**Commercial, Industrial, Institutional: \$856**

### **Appeals**

**An appeal of decision made by the Zoning Administrator (Administrative): \$547**

**An appeal of a decision made by the Board of Zoning Appeals: \$462**

## **PUBLIC HEARING NOTIFICATION**

All property owners within 350 feet (100 feet for minor variances) of the subject site as well as the Citizen Participation District Council are notified by mail at least 10 days prior to the public hearing. It is suggested that the applicant contact the community organizer for the Citizen Participation District Council prior to the variance hearing to see if they want to discuss the matter at one of their meetings. Anyone may submit a letter, petition, etc., or appear at the hearing to give verbal testimony about the case, either in support or in opposition. The zoning administration staff prepares a staff report for each case and makes a recommendation to the BZA for approval or denial of the requested variance, a copy of which is sent to the applicant before the hearing.

## **TIME LIMIT**

Once a variance is granted by the BZA, an applicant has two (2) years to establish the use. The Zoning Administrator or Planning Administrator may grant an extension not to exceed one (1) additional year.

## **APPEALING A DECISION MADE BY THE BOARD OF ZONING APPEALS**

A decision made by the BZA may be appealed by anyone affected by such decision to the City Council within 10 calendar days following the serving of the resolution to the applicant. The reason for the appeal must be submitted in writing to: Zoning Administration, Department of Safety and Inspections, 375 Jackson Street, Suite 220, St. Paul, MN 55101. The required filing fee is \$462.

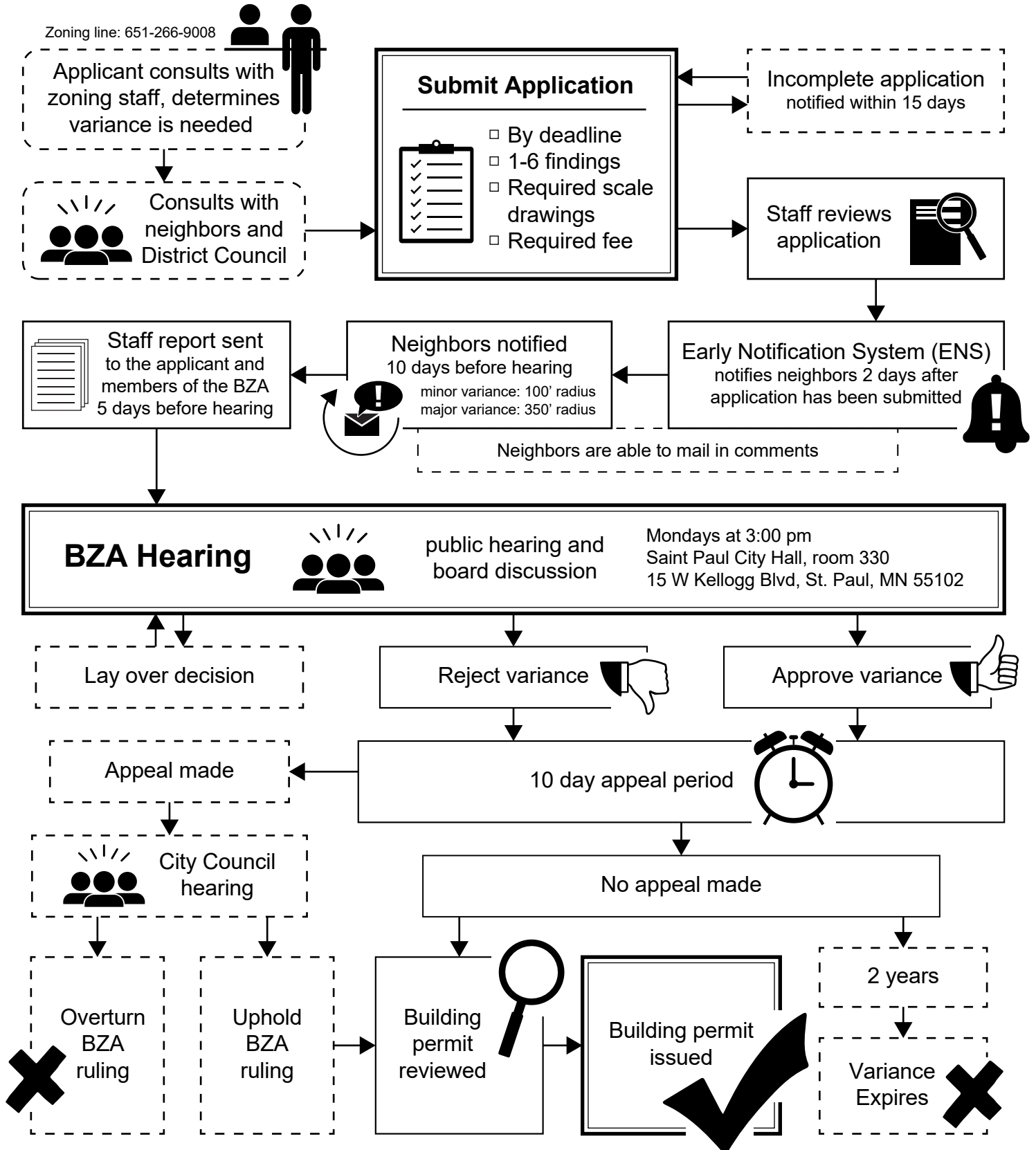




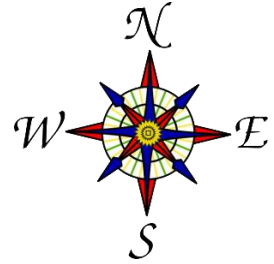
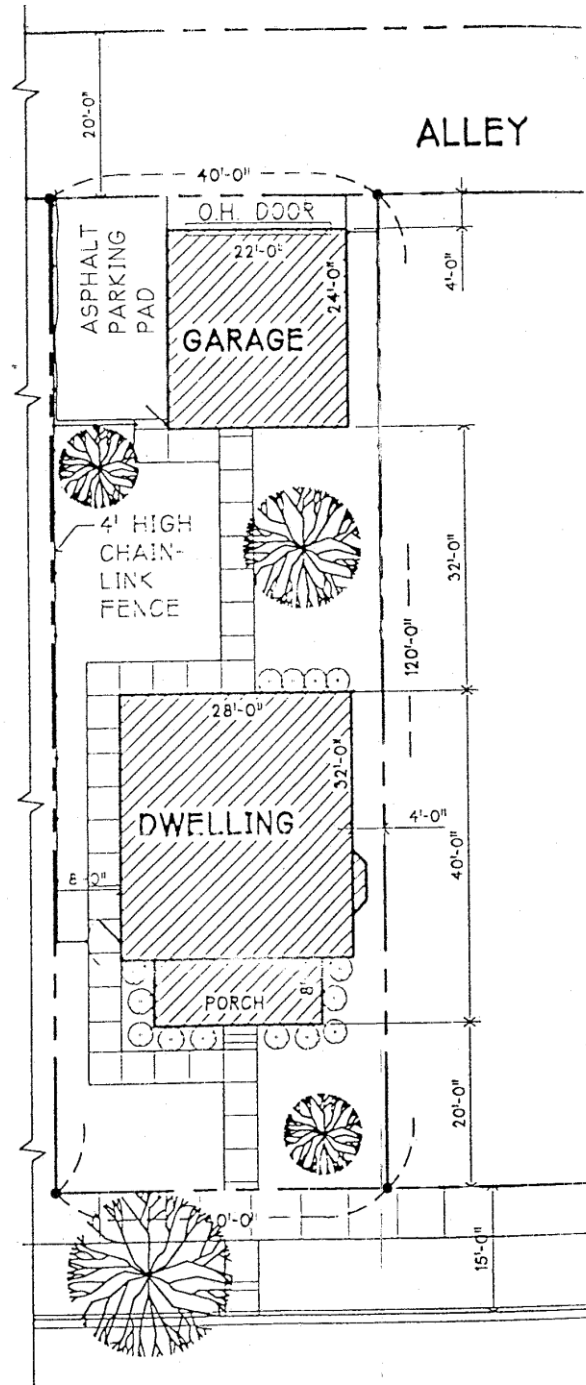
CITY OF SAINT PAUL  
ZONING VARIANCE PROCESS

DEPARTMENT OF SAFETY AND INSPECTIONS  
375 Jackson Street, Suite 220  
Saint Paul, Minnesota 55101-1806

Jerome Benner II  
Telephone: 651-266-9080  
Email: jerome.benner.ii@ci.stpaul.mn.us



# EXAMPLE SITE PLAN



1234 EXAMPLE STREET

SCALE 1 inch = 20 feet

JULY 10, 2018

Project: new 22' x 24' garage

**Board of Zoning Appeals  
Schedule for 2019 Meetings**

**BZA Cutoff**

**\* denotes a Tuesday**

**BZA HEARING DATES**

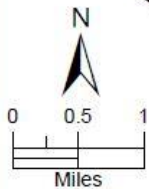
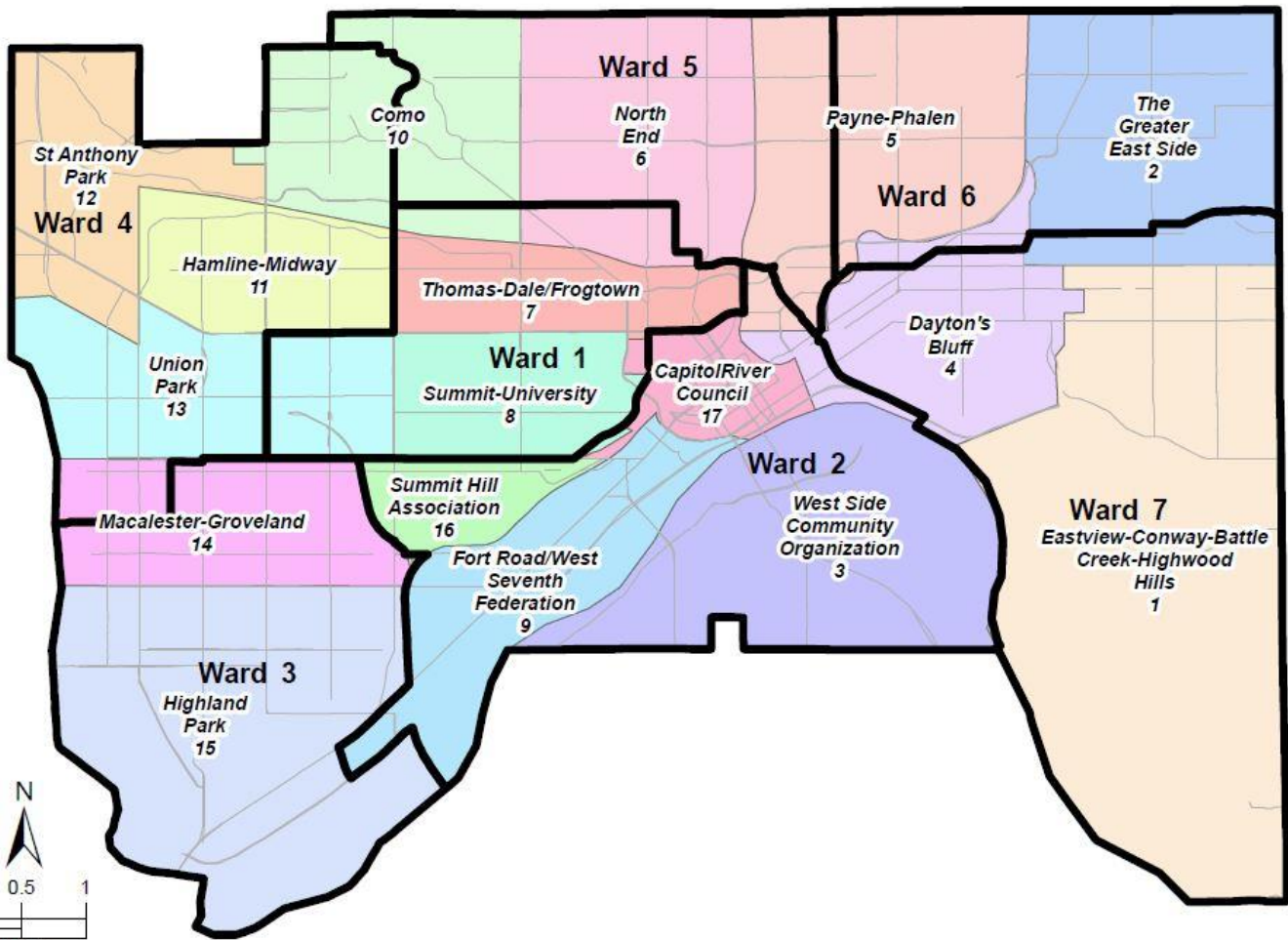
<b>Dec. 24</b>	<b>Jan. 14</b>
<b>Jan. 07</b>	<b>Jan. 28</b>
<b>Jan. 22*</b>	<b>Feb. 11</b>
<b>Feb. 04</b>	<b>Feb. 25</b>
<b>Feb. 19*</b>	<b>Mar. 11</b>
<b>Mar. 04</b>	<b>Mar. 25</b>
<b>Mar. 18</b>	<b>Apr. 08</b>
<b>Apr. 01</b>	<b>Apr. 22</b>
<b>Apr. 15</b>	<b>May 06</b>
<b>Apr. 29</b>	<b>May 20</b>
<b>May 13</b>	<b>Jun. 03</b>
<b>May 28*</b>	<b>Jun. 17</b>
<b>Jun. 10</b>	<b>Jul. 01</b>
<b>Jun. 24</b>	<b>Jul. 15</b>
<b>Jul. 08</b>	<b>Jul. 29</b>
<b>Jul. 22</b>	<b>Aug. 12</b>
<b>Aug. 05</b>	<b>Aug. 26</b>
<b>Aug. 19</b>	<b>Sep. 09</b>
<b>Sep. 03</b>	<b>Sep. 23</b>
<b>Sep. 16</b>	<b>Oct. 07</b>
<b>Sep. 30</b>	<b>Oct. 21</b>
<b>Oct. 14</b>	<b>Nov. 04</b>
<b>Oct. 28</b>	<b>Nov. 18</b>
<b>Nov. 12*</b>	<b>Dec. 02</b>
<b>Nov. 25</b>	<b>Dec. 16</b>
<b>Dec. 09</b>	<b>Dec. 30</b>
<b>Dec. 23</b>	<b>Jan. 13</b>

# Saint Paul Planning Districts

District Councils have an advisory role on site plans and they may make a recommendation to staff or the Board of Zoning Appeals depending on the size of the project or proposals that raise neighborhood concerns. To facilitate this citizen participation process, **it is highly recommended to contact the District Council during the application process so they can address any concerns at their neighborhood committee meetings. Please refer to the map on the back side of this document to see where your District Council is located in the city.**

District	District Council	Contact Person	Phone Number	E-mail
1	District 1 Community Council	Betsy Mowry Voss	(651) 578-7600	district1council@gmail.com
2	District 2 Community Council	Chuck Repke	(651) 774-2220	chuckrepke@aol.com
3	West Side Community Organization	Monica Bravo	(651) 578-7600	monica@wsco.org
4	Dayton's Bluff District 4 Community Council	Lissa Jones-Lofgren (interim)	(651) 772-2075	lissa@daytonsbuff.org
5	Payne Phalen Planning Council	Jack Byers	(651) 774-5234	director@paynephalen.org
6	District 6 Planning Council	Kerry Antrim	(651) 488-4485	ed@nenostpaul.org
7	Frogtown Neighborhood Association	Caty Royce	(651) 236-8699	caty@frogtownmn.org
8	Summit University Planning Council	Jens Werner	(651) 228-1855	jens@summit-university.org
9	West Seventh/Fort Road Federation	Emily Northey	(651) 298-5599	emily@fortroadfederation.org
10	Como Community Council	Michael Kuchta	(651) 644-2889	district10@district10comopark.org
11	Hamline Midway Coalition	Kate Mudge	(651) 494-7682	kate@hamlinemidway.org
12	Saint Anthony Park Community Council	Kathryn Murray	(651) 649-5992	kathryn@sapcc.org
13	Union Park District Council	Brandon Long	(651) 649-6887	brandon@unionparkdc.org
14	Macalester Groveland Community Council	Liz Boyer	(651) 695-4000	liz@macgrove.org
15	Highland District Council	Kathy Carruth	(651) 695-4005	kathy@highlanddistrictcouncil.org
16	Summit Hill Association	Monica Haas	(651) 222-1222	director@summithillassociation.org
17	Capitol River Council	Jon Fure	(651) 221-0488	office@capitolrivercouncil.org

# City of Saint Paul Wards and District Councils



Source: City of Saint Paul



# CITY OF SAINT PAUL

DEPARTMENT OF SAFETY AND INSPECTIONS  
 375 JACKSON STREET, SUITE 220  
 ST. PAUL, MINNESOTA 55101-1806  
 Phone: 651-266-8989 Fax: 651-266-9124  
 Visit our Web Site at [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

## ZONING VARIANCE APPLICATION

### VARIANCE APPLICATION CHECKLIST

Please use the checklist below to ensure your application is completed and ready for submittal. \*

<input type="checkbox"/> Application	
<input type="checkbox"/> Required Fee (see required list below)	
<input type="checkbox"/> Explanation of Request / Required Findings (see page 1)	Sign Variance Findings: If a sign variance is being requested.
<input type="checkbox"/> Site Plan (drawn to scale) Set of plans in each size: 8 ½” x 11” and 11” x 17”	
<input type="checkbox"/> Elevations (drawn to scale) Set of plans in each size: 8 ½” x 11” and 11” x 17”	
<input type="checkbox"/> <b>Certified Survey or Property Pins identified on site plan</b>	

### Fee Schedule for Variance Requests:

<p><b>Minor Variance</b></p> <p>Single Family - \$442.00</p> <p>A modification of a provision regulating single family dwellings pertaining to the construction of an accessory building or an addition to the main building when the addition is not designed to convert the building for use by more than a single family.</p>	<p><b>Major Variances and Appeals</b></p> <p>New Single Family or Duplex Residential - \$547.00</p> <p>Multifamily Residential (3+ Dwellings) - \$589.00</p> <p>Commercial, Industrial, Institutional - \$856.00</p> <p>Administrative Review - \$462.00</p> <p>Sign Variance - \$547.00 (request sign variance application)</p>
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\*Please note, Minnesota State 15.99 states that an agency must approve or deny within 60 days an application relating to zoning, septic systems, watershed district review, soil and water conservation district review, or expansion of the metropolitan urban service area for a permit, license, or other governmental approval of an action. Failure of an agency to make a decision within 60 days results in automatic approval of the request. If an agency determines that the request is incomplete the application will be returned with a letter explaining why it is incomplete within 15 business days of the request.





# CITY OF SAINT PAUL

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375 JACKSON STREET, SUITE 220  
ST. PAUL, MINNESOTA 55101-1806  
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## ZONING VARIANCE APPLICATION

File Number (office use only)

### ZONING VARIANCE APPLICATION

#### Applicant Contact Information

<b>Name:</b>	<b>Email:</b>	<b>Phone:</b>
<b>Address:</b>		
<b>City, State, Zip:</b>		
<b>Property interest of applicant (owner, contractor, purchaser, etc.):</b>		
<b>Property owner (if different):</b>		

#### Subject Property Information

<b>Address:</b>				
<b>Legal Description:</b>				
<b>Lot size:</b>	<b>Existing use:</b>	<b>Proposed use:</b>	<b>Zoning District:</b>	<b>Planning District:</b>

Please select the type(s) of variance or review being requested and a brief description of the project:

<input type="checkbox"/> Lot Area	<input type="checkbox"/> Separation from Specific Uses
<input type="checkbox"/> Setbacks (please specify: front / side / rear)	<input type="checkbox"/> Design Standards
<input type="checkbox"/> Density	<input type="checkbox"/> Off-street Parking
<input type="checkbox"/> Floor Area Ratio (FAR)	<input type="checkbox"/> Signage (requires additional application)
<input type="checkbox"/> Height	<input type="checkbox"/> Lot Coverage
<input type="checkbox"/> Sidewall Articulation (Districts 14 & 15)	<input type="checkbox"/> Administrative Review

#### Applicant Signature

<b>Signature:</b>	<b>Date:</b>	<b>Received by:</b>
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If you are a religious institution you may have certain rights under RLUIPA. Please check this box if you identify as a religious institution