



Highland District Council
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Resolution for 1031 Davern Street Lot Coverage Variance

WHEREAS the applicant at 1031 Davern Street met with the Highland District Council's Community Development Committee on Tuesday, November 15th, 2016, to discuss the application for a lot coverage variance to construct a detached, 576 square foot, two-car garage on the south side of the rear yard near the house and a 600 square foot shop building on the north side of the rear yard toward the back of the lot, and

WHEREAS the applicant, Phil Gerlach, before starting to design the site plan, acting in good faith, met with Zoning staff at the City of Saint Paul, and was told by this department to use the 40% lot coverage portion of the zoning code #66.232, and

WHEREAS when the applicant presented his plans to site plan review he was told he needed a variance and he should have been using Zoning Code #63.501 (f) that states all accessory buildings cannot exceed 1,000 square feet total, and

WHEREAS the applicant and his wife met with the neighbors that are directly next to the north and west boundaries of the property and presented their plans, and

WHEREAS many of those neighbors attended the Community Development meeting of the Highland District Council on November 15th and expressed concern that they will be losing the view of the trees and open space at the back of the property once the shop is built, and

WHEREAS the CDC holds the position that a neighbor's view of another person's property should not preclude that person from building a structure allowed within the zoning code or allowed within a reasonable variance of the zoning, and

WHEREAS, the total lot coverage including the house, garage and workshop only cover 14.2% of the total lot, therefore

BE IT RESOLVED that the Community Development Committee of the Highland District Council supports the variance to the square footage requirement, with the position a neighbor's view of the 1031 Davern property should not preclude the homeowner of 1031 Davern from building a structure that is 13' tall with a square foot variance that minimally contributes to the lot coverage, also

BE IT RESOLVED that the Committee would like to request that City staff interacting with applicants be adequately trained to make sure they are giving out the correct information when initially contacted.

Adopted on November 15th, 2016

By the Community Development Committee of the Highland District Council

Resolution 2016 - 24D