



CITY OF SAINT PAUL

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Board of Zoning Appeals

Staff Report

TYPE OF APPLICATION: Major Variance **FILE #:** DSIBZA-000226-2025

APPLICANT: Minnesota Department of Administration

HEARING DATE: January 5, 2026

LOCATION: 1430 Maryland Avenue East

LEGAL DESCRIPTION: GOFFIN'S ADDITION VAC AVE & ALLEY ADJ LOTS 1 THRU 10 BLK 2 MARYLAND ...GOFFINS ADD LOTS 1 AND 2 BLK 1

PLANNING DISTRICT: 2 – Greater East Side Community Council

PRESENT ZONING: T2 – Traditional Neighborhood

ZONING CODE REFERENCE: § 63.314

DATE RECEIVED: December 19, 2025

REPORT DATE: January 2, 2026

DEADLINE FOR ACTION: February 17, 2026 **BY:** David Eide

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- A. **PURPOSE:** The applicant is proposing to construct a new fence around this property located in the T2 traditional neighborhood zoning district. The zoning code limits the height of fences constructed between off-street parking facilities and the public right-of-way to 4.5 feet; 10' is proposed along Phalen Boulevard and Barclay Street, for a variance of 5.5' on each side.
- B. **BACKGROUND:** The Board of Zoning Appeals previously denied a similar zoning variance request (DSIBZA-000031-2025) pertaining to this property at a meeting on September 15, 2025. At that time, the applicant proposed a 10' tall fence along Phalen Boulevard and an 8' tall fence along Barclay Street. That decision was not appealed.
- C. **SITE AND AREA CONDITIONS:** This is a 6.75-acre parcel occupied by the Bureau of Criminal Apprehension (BCA). The building was constructed when the BCA moved to the site in 2003. An off-street surface parking facility is present on the southern portion of the site.

Surrounding Land Use:

North: Bank & Residential (T2)
East: Residential (T2/RM1)
South: Residential & Park (RM2)

West: Bank & Medical Clinic (T2)

D. **ZONING CODE CITATION:**

Sec. 63.314. - Landscaping.

For any parking facility, other than structured parking, landscaping shall be provided to buffer the facility from adjacent properties and from the public right-of-way; reduce the visual glare and heat effects of large expanses of pavement; and provide areas for the retention and absorption of stormwater runoff. All required yards and any underdeveloped space shall be landscaped using materials such as trees, shrubs, sod, groundcover plants, or stormwater landscaping as required in section 63.319, stormwater runoff, and defined in section 60.213.

Any landscaped area shall be planted and maintained in accordance with section 63.115, Landscaping and plant materials. All parking and loading areas (including drive-through facilities, outdoor auto sales and rental, pump island service areas and stacking spaces) adjoining public streets or sidewalks shall provide:

(b) Screening landscape. In all districts except industrial districts, screening shall be provided consisting of a masonry wall or decorative fence (not including chain link) supplemented with landscape material, forming a screen a minimum of three (3) feet in height, a maximum of four and one-half (4½) feet in height not including trees, and not less than fifty (50) percent opaque.

E. **FINDINGS:**

1. The variance is in harmony with the general purposes and intent of the zoning code.

The applicant is proposing to construct a new fence around this property located in the T2 traditional neighborhood zoning district. The zoning code limits the height of fences constructed between off-street parking facilities and the public right-of-way to 4.5 feet; 10' is proposed along Phalen Boulevard and Barclay Street, for a variance of 5.5' on each side.

The proposed decorative fence is an improvement to the property that will create a more secure site for the applicant, which is in alignment with Section 60.103 to:

(a) promote and to protect the public health, safety, morals, aesthetics, economic viability and general welfare of the community.

This finding is met.

2. The variance is consistent with the comprehensive plan.

LU-5 in the 2040 Comprehensive Plan encourages flexible building design to ensure ongoing functionality and viability. The Phalen Village plan, which is an addendum to the Comprehensive Plan, states that this area should be a restructured, redefined, multi-cultural commercial/residential community center that provides job opportunities, unique and balanced housing types and ownership options, and services to support long-term residency and a stable tax base. The site improvement is a continued investment in this property by the state, which in alignment with this plan. **This finding is met.**

3. The applicant has established that there are practical difficulties in complying with the provision, 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.

Along the western side of the site fronting Phalen Boulevard, there is a 2-foot-tall wall, and the applicant is proposing to install the 8' tall fence on top, making it 10' for zoning purposes. Along the eastern side of the property a fence ranging from 5'-4" to 6' has been present for many years. It is reasonable to allow the applicant to install the fence at this desired height of 10' along the eastern and western sides to secure their property. The existing 2' tall wall along the western side is an existing condition.

The applicant has noted security concerns regarding the installation of the permitted fence height of 3-4.5 feet tall between the streets and the off-street surface parking facility. Other portions of the site are not required to adhere to this height limit, as the fence in those areas is not between an off-street surface parking facility and the public right-of-way. The through lot condition at this property creates practical difficulties in complying with the height requirement, as the property is a desirable cut-through, and security concerns regarding access make this a reasonable proposal. **This finding is met.**

4. *The plight of the landowner is due to circumstances unique to the property not created by the landowner.*

The existing size and layout of the property along with the through-lot condition are circumstances unique to the property, not created by the landowner. The public can utilize the walking path along the south side of the property outside of the proposed fence to travel east and west. The security concerns at the property are unique and warrant the installation of the fencing at the proposed heights. **This finding is met.**

5. *The variance will not permit any use that is not allowed in the zoning district where the affected land is located.*

The use of the property will not change as the Bureau of Criminal Apprehension headquarters. Granting the variance request for height of the fence between the off-street parking facility and Phalen Boulevard and Barclay Street will not permit an unallowed use. **This finding is met.**

6. *The variance will not alter the essential character of the surrounding area.*

The proposed decorative security fence will not alter the essential character of the surrounding area. **This finding is met.**

- F. **DISTRICT COUNCIL RECOMMENDATION:** Staff received a letter from the District 2 - Greater East Side Community Council on October 24, 2025, which was after the September 15, 2025 Board of Zoning Appeals public hearing, opposing the prior similar request. The Executive Director of the District 2 - Greater East Side Community Council confirmed that the stance has not changed since the letter was issued.
- G. **CORRESPONDENCE:** Staff received one email speaking against the request and one letter supporting the request.

H. **STAFF RECOMMENDATION:** Staff recommend approval of the requested variance.