



CITY OF SAINT PAUL

DEPARTMENT OF SAFETY AND INSPECTIONS
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Board of Zoning Appeals

Staff Report

TYPE OF APPLICATION: Major Variance **FILE #:** 25-028644

APPLICANT: Dominic Carchedi

HEARING DATE: May 27, 2025

LOCATION: 418 Sherburne Avenue

LEGAL DESCRIPTION: SMITHS SUB OF STINSNS DIV B9 10 15 16 LOTS 20 & LOT 21 BLK 16

PLANNING DISTRICT: 7

PRESENT ZONING: T2

ZONING CODE REFERENCE: § 65.162

DATE RECEIVED: April 21, 2025

REPORT DATE: May 23, 2025

DEADLINE FOR ACTION: June 19, 2025 **BY:** David Eide

A. **PURPOSE:** The applicant is proposing to establish a 24-resident supportive housing facility. The zoning code states that supportive housing facilities shall be a minimum distance of 1,320 feet from specified congregate living facilities with more than six (6) adult residents; this facility within 1,320 feet from two supportive housing facilities with more than six (6) adult residents, the closest of which is 513 feet away, for a zoning variance of 807 feet.

B. **SITE AND AREA CONDITIONS:** This is a 0.22-acre property on the south side of Sherburne Avenue between Arundel and Street and Western Avenue North. A four-unit multiple-family dwelling is present on the property.

Surrounding Land Use:

West, North, and East: Low-Density Residential (H2)

South: Mixed-Use, Commercial (T2)

C. **ZONING CODE CITATION:**
Sec. 65.162. - Supportive housing facility.

One (1) main building, or portion thereof, on one (1) zoning lot where persons with mental illness, chemical dependency, physical or mental handicaps, and/or persons who have experienced homelessness reside and wherein counseling, training, support groups, and/or

similar services are provided to the residents.

This definition does not include:

- (1) Foster homes as defined in this Code;
- (2) Residential treatment programs physically located on hospital grounds;
- (3) Regional treatment centers operated by the commissioner of human services;
- (4) Licensed semi-independent living services for persons with mental retardation or related conditions or mental illness, if the license holder is not providing, in any manner, direct or indirect, the housing used by persons receiving the service.
- (5) Community residential facilities, licensed correctional, as defined in this Code.

Standards and conditions:

- (a) The facility must be a minimum distance of one thousand three hundred twenty (1,320) feet from any other of the following congregate living facilities with more than six (6) adult residents, except in B4-B5 business districts where it must be at least six hundred (600) feet from any other such facility: supportive housing facility, licensed correctional community residential facility, emergency housing facility, shelter for battered persons, or overnight shelter.
- (b) In RL-H2 residential, T1 traditional neighborhood, Ford, OS-B3 business and IT-I2 industrial districts, the facility must serve sixteen (16) or fewer facility residents.
- (c) In RM1-RM3 residential, T1 traditional neighborhood and F1 Ford districts, a conditional use permit is required for facilities serving more than sixteen (16) facility residents.
- (d) In T2-T4 traditional neighborhood districts, the density is regulated as for multifamily uses.

D. FINDINGS:

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

The property is approved as a four-unit multiple-family dwelling. The proposed 24-resident supportive housing facility with six residents in each unit is consistent with the purpose and intent of § 60.103 of the zoning code to promote and to protect the public health, safety, morals, aesthetics, economic viability, general welfare of the community, and to provide housing choice and affordability. **This finding is met.**

2. *The variance is consistent with the comprehensive plan.*

This facility is in alignment with Policy H-15, which supports accommodating a wide variety of culturally appropriate housing types throughout the city to support residents at all stages of life and levels of ability. **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.*

The quarter mile (1,320 feet) separation requirement for supportive housing facilities is intended to ensure that residents of these facilities are in mainstream community settings, and not placed in clusters that replicate an institutional environment. This proposed facility is within 1,320 feet of two other similar facilities at 470 Western Avenue North and 342 Fuller

Avenue.

The applicant states that this proposed 24-resident supportive housing facility would serve men that have chemical dependency issues. The residents would be enrolled in an outpatient treatment program while staying at this property, and food would be provided at the property as part of the program. Nutritional services are considered to be a type of supportive service.

The applicant has not met the practical difficulties standard for the following reasons:

- The applicant could house up to six individuals at this property by right without meeting the required separation;
- The fact that this property is within 1,320 feet of two other supportive housing facilities is not a practical difficulty, but rather due to the owner's choice to pursue this use at this location; and
- it is owner's decision to pursue supportive housing rather than other available housing options; and
- the difficulty is the result of the owner's decision to pursue supportive housing at the proposed resident number;
- the owner has not demonstrated that there are practical difficulties to open a supportive housing facility at the number allowed by-right by the ordinance;
- there are other locations that the applicant could pursue within the City of Saint Paul;
- there are other available uses for the property that would not require a variance;
- the difficulty is of the applicant's making.

This finding is not met.

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

The property could house up to six residents for supportive housing without triggering the need for a variance of the separation requirement. The requested variance arises not from unique circumstances of the land but from the applicant's desire to exceed the permitted number of residents within the required separation distance. Other properties within 1,320 feet of the same supportive housing facility are in compliance with this standard. Given that the separation requirement affects other properties within the 1,320 feet proximity to the supportive housing facility, the plight is not unique to the landowner, but general to the surrounding area. **This finding is not met.**

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

A supportive housing facility is a permitted use in the T2 zoning district. Granting the variance would not allow a use otherwise prohibited in this zoning district. **This finding is met.**

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

Granting the variance request would result in the establishment of two supportive housing facilities within close proximity (588 feet), creating a cluster of congregate living environments. This could undermine the goal of community integration and contribute to an

institutional character that is inconsistent with the surrounding residential area. The proposed variance is contrary to the ordinance which was implemented by the City Council to protect against such clustering in order to promote the public health, safety, morals, and general welfare of the city. **This finding is not met.**

- E. **DISTRICT COUNCIL RECOMMENDATION:** As of the date of this report, staff have not received a recommendation from District 7 – Frogtown Neighborhood Association.
- F. **CORRESPONDENCE:** Staff received one letter with concerns about the request and one letter opposing the request.
- G. **STAFF RECOMMENDATION:** Based on findings 3, 4, and 6, staff recommend denial of the requested variance.