

**CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA**

RESOLUTION NO. 19-

**RESOLUTION MEMORIALIZING THE
FINDINGS OF FACT AND REASONS FOR DENIAL
RELATING TO THE VARIANCE APPLICATION FOR THE REDUCTION OF OFF-
STREET PARKING AT 1140 ROBERT ST.**

WHEREAS, Wakota Life-Care Center, Inc. is the owner of certain real property located at 1140 Robert St., currently legally described as follows:

LOT 1: N 50 FT OF S 460 FT OF W 160 FT OF NW ¼ OF NE ¼ OF SW ¼ EX ST & EX PT TO CITY, SECTION 17, TWN 28, RANGE 22

LOT 2: W ½ OF LOTS 6 & 7, BLOCK 1, WESTCHESTER HEIGHTS NO 2 RE-ARRANGEMENT

(the “Property”);

To be platted as:

LOT 1, BLOCK 1 WAKOTA LIFE ADDITION

WHEREAS, on behalf of Wakota Life-Care Center, Inc., Dan Saad has applied for a Variance to allow for a reduction of eight required off-street parking stalls for the construction of a new medical office building; and

WHEREAS, a public hearing on the application was heard by the Committee of Adjustments on December 17, 2019, at which meeting the Committee of Adjustments voted to DENY the Variance request; and

WHEREAS, contemporaneously with the votes on the motions, the Committee of Adjustments members voting to DENY the request made the following findings of fact:

FINDINGS OF FACT

1. The Variance request is to allow for a reduction of required off-street parking totaling 8 stalls or 22 percent of the required parking, and is therefore not in harmony with the general purpose and intent of the Ordinance;
2. The property owner has not established that there are practical difficulties in complying with the Zoning Ordinance because:

- a. The plight of the property owner is due to circumstances being created by the property owner by proposing to quadruple the size of the existing building without adequate land to support required parking; and
- b. The plight of the property owner is not unique to the property as all properties in the surrounding area have small footprints with limited parking but have building sizes and uses that substantially meet parking requirements; and
- c. Approval of the Variance would place an unreasonable burden and undue stress on adjacent properties in the surrounding area as Wakota Life's clients and patrons would utilize adjacent lots, causing an unjustifiable and unfair reduction of parking for existing properties and property owners and would, therefore, alter the essential character of the neighborhood.

NOW, THEREFORE, BE IT RESOLVED by the West St. Paul Committee of Adjustments that the Variance is DENIED based on the Planner's report, dated December 17, 2019, which is hereby adopted and incorporated herein, and based on the above findings of fact;

Adopted by the Committee of Adjustments of the City of West St. Paul, Minnesota, this 17th day of December, 2019.

Morgan Kavanaugh,
Committee of Adjustments Chair

Melissa Sonnek,
Recording Secretary