

**Statement Regarding Variances, Special Condition Use Permits, and Rezoning.**

POLICY:	From time to time, the St. Anthony Park Community Council may recommend approval or denial of requests for variances, special condition use permits (SCUPs), and rezoning. The Council will follow uniform definitions and actions as stated in this policy in considering requests for variances, SCUP's and rezoning.
PURPOSE:	To guide the Council in its determinations regarding variances, SCUPs, and rezoning and provide information regarding the Council's approach to such requests.

PROCEDURES	RESPONSIBILITY
1. When requested, ensure that an attempt is made to notify the owners of the properties near the site in question of the committee's meeting and the proposed action.	E.D./Co-Chairs
2. Permit interested parties (including the party seeking the variance or permit, neighbors and others affected by the proposed action) to state their views regarding the proposed action.	Full Council or Committee
3. Meeting minutes shall enumerate the committee's specific findings with respect to each of the zoning code's criteria applicable to the variance or permit.	E.D.
4. Take official action for variances and SCUPs.	Full Council
5. No recommendation shall be forwarded to any city body (including the Planning Commission, the Board of Zoning Appeals and the City Council) unless it has been adopted by the full Council. If the public hearing precedes the next full Council meeting, a committee recommendation may be reported, but the recommendation must be accompanied by a disclaimer that the recommendation does not necessarily represent the opinion of the full Council. If a decision is made by the Council without prior review or recommendation by a committee, the Council shall follow the procedures set forth in items 1, 2, and 3 above.	E.D.

**Guidance for Council to Review a Variance Request:**

CRITERIA FOR REVIEW
1. The zoning code of the City of St. Paul shall be the reference document to be used when the Council or any of its committees evaluates a request for any zoning matters plus various relevant plans affecting St. Anthony Park.

2.	The Council will attempt to notify potentially impacted property owners when a request is to be reviewed. The petitioners or their representatives must explain to the Council within the appropriate section of the code the reasons and justification for the requested action.
3.	The petitioner or representative is encouraged to seek prior approval of the matter involved from neighboring and/or potentially impacted parties.
4.	When a petition for any matter is considered, a copy of the official zoning code and other relevant planning documents shall be available or reference, and shall be consulted so as to provide the basis for a decision.
5.	In reviewing such matters, full consideration shall be given to the situation of the petitioner's property, the impact on nearby properties and the community as a whole
6.	Each request will be considered unique and the Council shall evaluate each request on its own merits, using the Zoning Code and other planning documents as the basis for consideration and decision.
7.	Consideration shall be given to special topographic conditions, suitability of appearance, conformance with permitted use, effect on traffic and to ensure that adequate and appropriate screening and landscaping is involved.
8.	Processing of land use petitions shall be in conformance with the most recent St. Anthony Park Community Council Policy and Procedure covering these matters.

In order to more effectively accomplish the objectives of the above provisions, it is important that, to the degree possible, appropriate representatives of the City of St. Paul shall be included in our process. To accomplish this, the following procedures are included:

9.	When informed of an impending matter of more than routine significance, the E.D. or other staff, with the participation of a member of the appropriate committee, shall ascertain the basis of the position being asserted by the City.
10.	Where possible, at public meetings dealing with these matters, arrangements will be made that a representative of the City of St. Paul be present at the meeting.