

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

**RESOLUTION NO. 18-**

**RESOLUTION DENYING THE TEMPORARY RENTAL APPLICATION  
FOR 284 ANNAPOLIS STREET EAST**

**WHEREAS**, Scott Stebbing, (the “Owner”) is the owner of certain real property located at 284 Annapolis Street East, West St. Paul (the “Property”); and

**WHEREAS**, Owner claims when he purchased the property that it had existing tenants and was told there was a valid rental license; and

**WHEREAS**, according to Dakota County Property records, the last qualified sale of the Property was in 1995; and

**WHEREAS**, the City enacted its rental license ordinance in 2006, but the Property has never had a rental license; and

**WHEREAS**, in 2011 and 2013, Owner completed a Family Member Exemption Affidavit, indicating that his son would be occupying the Property; and

**WHEREAS**, City Staff was informed that a property management company had been managing the Property since 2015; and

**WHEREAS**, upon becoming aware that the Property may no longer be occupied by Owner’s family member, City Staff sent a compliance letter informing Owner that a rental license was required, with a compliance deadline of January 6, 2017; and

**WHEREAS**, Owner did not apply for a rental license by the compliance deadline and was issued an administrative citation in the amount of \$500; and

**WHEREAS**, in spite of the issuance of three additional administrative citations, Owner did not apply for a rental license until January 23, 2018; and

**WHEREAS**, there are no rental licenses available in the block where the Property is located due to the rental density restrictions; and

**WHEREAS**, Section 150.037 subd. L(1) of the West St. Paul City Code provides that if the number of rental properties meets or exceeds the permitted number of rental properties per block, property owners may request a Temporary License to allow for an additional rental property license for that block; and

**WHEREAS**, the Owner has now applied to the City for a two-year Provisional License for the Property, selected a property management company, completed the required inspection, and passed the background investigation, as required by the City Code; and

**WHEREAS**, City Staff is recommending denial of the application.  
**NOW THEREFORE** the Council hereby makes the following Findings of Fact:

### **FINDINGS OF FACT**

1. The above-mentioned items are incorporated herein.
2. The City's rental density restrictions that limit the number of rental properties to 10% per block became effective on January 1, 2012.
3. As of April 23, 2018, the date of the hearing, there were no available rental licenses for the block occupied by the Property.
4. The Council is satisfied that four licensed single-family rental properties out of 36 single-family residences in the one-block area on which the Property is located is a sufficient number of rental properties for that block.
5. The spirit and intent of the Temporary License is to grant an owner who is facing unexpected circumstances involving a hardship, the opportunity to keep the property occupied for a limited period of time.
6. According to West St. Paul City Code Section 150.043 subd. A, the Council may grant or deny a Temporary License in its sole discretion.
7. The Owner has not good faith or a willingness to comply with the City's ordinance to justify granting a Temporary License.

**NOW, THEREFORE, BE IT RESOLVED** by the West St. Paul City Council that based on the above Findings of Fact the Temporary License application is denied.

Adopted by the City Council of the City of West St. Paul, Minnesota, this 23<sup>rd</sup> day of April 2018.

Ayes:            Nays:

Attest:

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Jenny Halverson, Mayor

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Shirley R. Buecksler, City Clerk