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Zoning office use only
File no: 13-162-377
Fee
Tentative hearing date



APPLICATION FOR APPEAL

APR 11 2013

Department of Safety and Inspections
375 Jackson Street, Suite 220
Saint Paul, MN 55101
651-266-9008

APPLICANT

Name STEPHEN L. PROKOP
 Address 2275 BENSON AVENUE
 City SAINT PAUL St. MN Zip 55116 Daytime phone 651-698-5569
 Name of owner (if different) —

PROPERTY LOCATION

Address 2275 BENSON AVENUE ST. PAUL, MN 55116
 Legal description: PALISADE Addition to SAINT PAUL Lots 26 AND Lot 27 Blk 3
 (attach additional sheet if necessary)

TYPE OF APPEAL: Application is hereby made for an appeal to the:

- Board of Zoning Appeals
- City Council

under the provisions of Chapter 61, Section 702, Paragraph (a) of the Zoning Code, to appeal a decision made by the Board of Zoning Appeals (BZA) on April 1, 2013. File number: 13-162-377
 (date of decision)

GROUND FOR APPEAL: Explain why you feel there has been an error in any requirement, permit, decision or refusal made by an administrative official, or an error in fact, procedure or finding made by the Board of Zoning Appeals or the Planning Commission.

Attached sheet.

(attach additional sheet if necessary)

Applicant's signature Stephen Prokop Date 4/11/13 City agent _____

City Council Appeal Statement
2275 Benson Avenue (RSVP)
RM2; Shep/Dav Res
#13-162377

I have fulfilled the guidelines for a variance to allow parking within a required yard for a one family dwelling, per February 6, 2012 Board of Zoning Appeal Guidelines:

#1 Not an issue.

#2 I can demonstrate hardship with "topography that makes rear yard parking impossible". The findings section in the staff report reads: "The vegetable and flower garden on the east side of the house would be negatively affected and there (is) no room for a driveway to a parking space in the rear yard on the west side of the house".

#3 Approval of neighboring property owners within 100 feet of the property. With the sole exception of one condo unit owner across the street at 2272 Benson (the unit has been vacated for over a year according to a neighboring unit owner), all 7 property owners have signed the petition—100% approval. (The staff report was in factual error in stating that only one of the condo owners approved, when 3 did. Also it stated there are 5 property owners adjoining 100 feet both sides of my property, when in fact there are 4 and all approved.)

#4 The additional parking area is already paved with acceptable concrete block and will be re-set upon granting a variance for better stability.

On-street parking is available, but there is increased traffic from the newly built PPL 44 unit complex on the next block with the parking entrance facing Benson. In addition there is the regular semi-truck traffic from Van Paper Company, plus parking of Brandywine condo guests directly across the street from my house. "Providing off-street parking to reduce congestion in the public streets is consistent with the Comprehensive Plan" is found in the staff report.

I need all these spaces as we are a multi-car household.

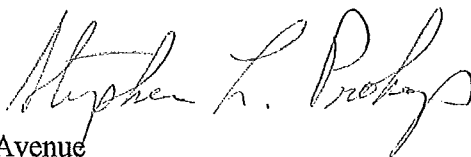
I pride myself in maintaining my property and being an "urban farmer" with a large vegetable garden/fruit trees and large water tubs (450 gallons total) to collect rainwater from my house roof to use on my garden.

The decorative concrete blocks (12 inches square by 4½ inches thick) exemplifies the "green parking" trend whereby grass/green ground cover can grow between and within the blocks. This is environmentally better and aesthetically pleasing to the eye than a poured concrete slab or black asphalt which contributes to rain water run off.

Respectfully,

Stephen L. Prokop,

Property owner, 2275 Benson Avenue



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CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220
St Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

April 15, 2013

Council Research
310 City Hall
St Paul, MN 55102

Dear Mary Ericksson:

I would like to confirm that a public hearing before the City Council is scheduled for May 1, 2013 for the following zoning case:

Appellant: Stephen L. Prokop

BZA Zoning File #: 13-162377

Purpose: An appeal of a decision of the Board of Zoning Appeals (BZA) which reviewed the request for a variance to allow 3 off-street parking spaces in the front yard to remain as part of the 2013 street reconstruction project in the Madison/Benson RSVP area. The BZA approved the variance for one parking space and denied the variance for the two easternmost parking spaces in the front yard. The applicant is appealing the denial of the 2 spaces.

Location: 2275 Benson Avenue

Staff: Recommended denial of the variance

District: No recommendation

Board: The BZA approved the variance for one parking space and denied the variance for the two easternmost parking spaces in the front yard. The applicant is appealing the denial of the 2 spaces.

I have confirmed this date with the office of Councilmember Tolbert. My understanding is that this public hearing request will appear on the agenda of the City Council at your earliest convenience and that you will publish notice of the hearing in the Saint Paul Legal Ledger.
Thank you!

Sincerely,

Yaya Diatta
DSI Inspector